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 if 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.

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

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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.

4. The City Planner is authorized to approve building permit applications, including a site plans associated therewith, that while do not exactly conform with all applicable provisions of the Zoning Ordinance do substantially comply to the Zoning Ordinance, provided that all of the following criteria are met:

   a. The nonconformance is minor and is not contrary to the public interest nor the spirit of the Zoning Ordinance;

   b. The nonconformance results from an inability to strictly comply which could not have been reasonably foreseen prior to the design of the project and submittal to the City of a building permit application;

   c. Allowing the nonconformance would facilitate the meeting of an enhanced standard found in another provision of the Zoning Ordinance, resulting in an otherwise superior project;

   d. The nonconformance is not related to: (1) a required building setback of five (5) feet or less; or (2) modifying or encroaching upon an easement unless written consent is obtained from all holders of interest therein;

   e. The nonconformance is not of a magnitude that would require a variance to allow under this Zoning Ordinance; and

   f. The City Planner consults with the Director of Planning and the City Engineer before approving any applications authorized by this subsection.

   Any nonconformance in a building permit that is approved pursuant to this section shall be considered site specific and such approval shall have no precedential value in the consideration of other building permit applications."

**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 offence. 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:

1. To make use of any premises for a purpose other than what is permitted in the zoning district in which the premises is located.
2. 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.
3. To construct or locate more than 1 single family detached dwelling or more than 1 two-family dwelling on 1 platted lot.
4. 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:

Prevent unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use;

1. Restrain, correct, or abate the violation;
2. Prevent the occupancy of the building, structure, or land; or
3. 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. All utility and drainage easements, alleys, streets and other public improvements necessary to meet the normal requirements for platting shall be provided, 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 set of building plans, including a site plan, shall 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.
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 be submitted as part of the building permit application. City staff will inform the applicant of the required number of 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. Cover Sheet with Signature Block
   b. General and Construction Notes
   c. Survey/Plat
   d. Site plan
   e. Drainage/paving plan
      i. Flood impact analysis
      ii. Permits from the Army Corps of Engineers and Texas Department of Transportation, as applicable
   f. Landscape plan
   g. Utility Plan
   h. Photometric Plan
   i. Storm Water Pollution Prevention Plan (SWPPP)
   j. Building Elevations
   k. Fire Management Plan

2. Filing Procedures.

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.
a. To the extent practical, the Building Official or designee will provide written comments to the applicant within 15 working days of official receipt of the site development plan.

b. 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.

c. 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 corners, 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.** Fees shall be established by resolution as approved by the City Council. The fees shall be payable to the City and shall be presented at the time the building permit application is submitted to the Building Department for staff review. Fees are not refundable.

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.
Sec. 125-46   Sign Permit

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

I. 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
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
I. 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.
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 were 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

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Sec. 125-20.B. Delegation

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Sec. 125-20.D. Powers and Responsibilities

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Sec. 125-21 Building Official

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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

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<thead>
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</thead>
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<td>Residential Single Family 5 (RSF-5)</td>
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<td></td>
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<td>125-71 Residential Multi-Family Districts</td>
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<td></td>
<td>Residential Multi-Family 1.2 (RMF-1.2)</td>
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<td>125-72 Commercial and Mixed Use Districts</td>
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<td></td>
<td>General Commercial (CG)</td>
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<tr>
<td></td>
<td>Commercial Office (CO)</td>
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<tr>
<td></td>
<td>Commercial Mixed Use (CM)</td>
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<td>125-73 Industrial Districts</td>
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<td>125-74 Public and Semi-Public District</td>
<td>Public and Semi-Public (PS)</td>
</tr>
<tr>
<td>125-75 Open Space District</td>
<td>Open Space (OS)</td>
</tr>
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</table>

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

<table>
<thead>
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<th>Overlay Zoning District and Section Reference</th>
<th>Overlay District Name</th>
</tr>
</thead>
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<td>125-83 Reserved</td>
<td>Reserved</td>
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<td>125-84 Reserved</td>
<td>Reserved</td>
</tr>
<tr>
<td>125-85 Historic Conservation Overlay Districts</td>
<td>Historic Conservation (-HC)</td>
</tr>
</tbody>
</table>

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**

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>RSF-20</th>
<th>RSF-10</th>
<th>RSF-7</th>
<th>RSF-5</th>
<th>RSF-2</th>
<th>Additional Regulations</th>
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<tbody>
<tr>
<td><strong>Residential</strong></td>
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<td>Listed Family Homes</td>
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<td>P</td>
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<td>Registered Family Homes</td>
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<td>Single Family Dwelling</td>
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<td>P</td>
<td>Refer to Section 125-90.B</td>
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<td>Single Family with Secondary Dwelling</td>
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<td>L1</td>
<td>S</td>
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<td>Duplex</td>
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<td>Industrialized Homes</td>
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<td>Manufactured/Modular Homes</td>
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<td>L2</td>
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<td>Group Residential Facilities</td>
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<td>Refer to Section 125-90.J</td>
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<td><strong>Public and Semipublic</strong></td>
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<td>Cemeteries</td>
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<td>Cultural Institutions</td>
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<td>Parks and Recreation</td>
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</table>
Schedule 125-70.B: Use Regulations – Residential Single Family Districts

| 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 | Large-Scale | S | S | S | S | S |
| Small-Scale | S | S | S | S | S |

**Transportation, Communication, and Utilities**

| Transportation Facilities | Marinas, Docks | P | P | P | P | P |
| Marinas, Private | 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 | S | Refer to Sec. 125-90.G. |
| Oil Well Drilling | S | S | S | S | S | S | Refer to Sec. 125-90.G. |
| Pipelines | S | S | S | S | S | S | Refer to Sec. 125-90.H. |
| Pump Stations | S | 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

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>RSF-20</th>
<th>RSF-10</th>
<th>RSF-7</th>
<th>RSF-5</th>
<th>RSF-2</th>
<th>Additional Regulations</th>
</tr>
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<tbody>
<tr>
<td><strong>Building Density</strong></td>
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<td>7,000</td>
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<td>Maximum Lot Coverage (Percent)</td>
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<td>Minimum Lot Width (ft.)</td>
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<td><strong>Building Form and Location</strong></td>
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<td>5</td>
<td>5</td>
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<td>Street Side (Corner Lot)</td>
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<td>Rear</td>
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<td>10</td>
<td>10</td>
<td>10 / 15</td>
<td>(6)</td>
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<td><strong>Vehicle Accommodation</strong></td>
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<td>Required Parking (per unit)</td>
<td>Yes</td>
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<td>Yes</td>
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<td>Driveway Restrictions</td>
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<td>Yes</td>
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<td><strong>Other Standards</strong></td>
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<tr>
<td>Accessory Uses and Structures</td>
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<td>See Article IV, Division 2</td>
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<td>Off-Street Parking and Loading</td>
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<td>See Article IV, Division 5</td>
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<td>Landscaping and Buffer Yards</td>
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<td>See Article IV, Division 6</td>
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</tr>
</tbody>
</table>

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.

9. **Continuity of setback street frontage.** In single family residential districts, if the rear property line of a corner parcel abuts the side property line of a neighboring parcel, the street side setback of the corner parcel must be equal to the front yard.

**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**

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>RMF-2</th>
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<th>Additional Regulations</th>
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<td>Residential Dwellings</td>
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<td>Manufactured Homes</td>
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<td>Group Residential Facilities</td>
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<td>Disabled Group Dwelling</td>
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<td>Emergency Shelter</td>
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<td>Nursing Home</td>
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<td>Cultural Institutions</td>
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<td>Day Care</td>
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<td>Parks and Recreation</td>
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<td>Religious Assembly</td>
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<td>Schools, Public or Private</td>
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<td><strong>Commercial</strong></td>
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<td>Bed and Breakfast Establishment</td>
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Recreation and Entertainment

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<th>RMF-1.2</th>
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<td>Small-Scale</td>
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Transportation, Communication, and Utilities

Transportation Facilities

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<tr>
<th>Facility</th>
<th>RMF-2</th>
<th>RMF-1.2</th>
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<tbody>
<tr>
<td>Marinas, Docks</td>
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<tr>
<td>Marinas, Private</td>
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<td>Utility, Minor</td>
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Agriculture and Extractive

Excavation and Mining

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<thead>
<tr>
<th>RMF-2</th>
<th>RMF-1.2</th>
<th>Refer to Chapter 98</th>
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Pipelines, Oil and Gas Wells

<table>
<thead>
<tr>
<th>RMF-2</th>
<th>RMF-1.2</th>
<th>Refer to Sec. 125-90.G..</th>
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<tr>
<td>Gas Well Drilling</td>
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<tr>
<td>Oil Well Drilling</td>
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<td>Pipelines</td>
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<td>S</td>
</tr>
<tr>
<td>Pump Stations</td>
<td>S</td>
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</tbody>
</table>

Specific Use Limitations

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.

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. 125-71.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

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<th>Development Standards</th>
<th>RMF-2</th>
<th>RMF-1.2</th>
<th>Additional Regulations</th>
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<tbody>
<tr>
<td>Building Density</td>
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<tr>
<td>Maximum dwelling units per acre</td>
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<td>Minimum Lot Width (ft.)</td>
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<td>Minimum Unit Size (sq. ft.)</td>
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Schedule 125-71.C: Development Regulations – Residential Multi-Family Districts

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

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 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 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 *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.

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

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>CN</th>
<th>CG</th>
<th>CO</th>
<th>CM</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Residential Dwellings</td>
<td></td>
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<td>Refer to Section 125-90.B.</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>L1</td>
<td>—</td>
<td>—</td>
<td>L1</td>
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<tr>
<td>Single-Family Residential</td>
<td>L1</td>
<td>—</td>
<td>—</td>
<td>—</td>
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<tr>
<td>Group Residential Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Refer to Section 125-90.J</td>
</tr>
<tr>
<td>Assisted Living Facility</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Continuing Care Facility</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Disabled Group Dwelling</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Emergency Shelter</td>
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<td>P</td>
<td>P</td>
<td>P</td>
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</tr>
<tr>
<td>Homeless Shelter</td>
<td>—</td>
<td>S</td>
<td>—</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Nursing Home</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td><strong>Public and Semipublic</strong></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Clubs or Lodges</td>
<td>S</td>
<td>P</td>
<td>S</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Colleges, Public or Private</td>
<td>S</td>
<td>P</td>
<td>P</td>
<td>P</td>
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</tr>
<tr>
<td>Cultural Institutions</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Day Care</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Educational Research and Development</td>
<td>—</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Government Offices and Facilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Refer to Section 125-90.D.</td>
</tr>
<tr>
<td>Large-Scale</td>
<td>—</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Small-Scale</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Hospitals</td>
<td>S</td>
<td>P</td>
<td>P</td>
<td>P</td>
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</tr>
<tr>
<td>Parks and Recreation</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Public Maintenance Facilities</td>
<td>—</td>
<td>S</td>
<td>—</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Public Safety Facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Religious Assembly</td>
<td>L2</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Schools, Public or Private</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

**Commercial**

Alcoholic Beverage Sales

*On-Premise Consumption*  
S, L3 S, L3 S, L3 S, L3

*Off-Premise Consumption*  
— P, L3 — —

Ambulance Services  
— P P P

Animal Sales and Services  
S P — S

Animal Sales and Services with Outdoor Kennels, Areas, and Runs  
— S — S

Automobile/Vehicle/Equipment Sales and Services

*Automobile/Vehicle/Equipment Sales and Rental*  
— P — S

*Used Vehicle Sales*  
— L10 — L10

*Automobile Rentals*  
L4 P L4 P

*Car Wash*  
— S — S

---

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

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>CN</th>
<th>CG</th>
<th>CO</th>
<th>CM</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Fueling</td>
<td>—</td>
<td>S</td>
<td>—</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Light Vehicle Services</td>
<td>S</td>
<td>P</td>
<td>—</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Auto Repair and Other Heavy Vehicle Services</td>
<td>—</td>
<td>S</td>
<td>—</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Banks and Other Financial Institutions</td>
<td>L5</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>Refer to Section 125-90.A.</td>
</tr>
<tr>
<td>Bed and Breakfast Establishment</td>
<td>P</td>
<td>P</td>
<td>—</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Building Materials Sales and Services</td>
<td>—</td>
<td>P</td>
<td>—</td>
<td>P</td>
<td>Refer to Section 125-90.D.</td>
</tr>
<tr>
<td>Business Services</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Catering Business</td>
<td>S</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Convention Center</td>
<td>—</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

**Eating and Drinking Establishments**

*Full Service*  
P P S P

*Limited Service*  
P P S P

*With Drive-Through Facilities*  
S, L5 P S P Refer to Section 125-90.A.

*With Live Entertainment*  
S P S P

*With Outdoor Seating*  
L6 L6 S L6

Event Venue  
— S — S

Food and Beverage Sales  
P P — P

Home Improvement Sales and Services  
L7 P — P Refer to Section 125-90.C.

Hotels  
— P — — Refer to Section 125-90.F.

Laboratory, Commercial  
S P P P
Maintenance and Repair Services  | P | P | P | P
Massage Establishments and Massage Services  | P | P | P | P
Micro-Brewery, Micro-Distillery, Micro-Winery  | — | P | — | P
Nurseries and Garden Supply Stores  | P | P | — | P  
Offices  | P | P | P | P
Parking Facilities  | S | P | P | P
Pawn Shops  | — | L8 | — | S
Personal Instructional Services  | P | P | — | P
Personal Services  | P | P | S | P
Recreation and Entertainment
   Large-Scale  | S | P | S | S
   Small-Scale  | S | P | S | P

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

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>CN</th>
<th>CG</th>
<th>CO</th>
<th>CM</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreational Vehicle Park</td>
<td>—</td>
<td>S</td>
<td>—</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Retail Sales</td>
<td>P</td>
<td>P</td>
<td>—</td>
<td>P</td>
<td>Refer to Section 125-90.C.</td>
</tr>
<tr>
<td>Self-Storage</td>
<td>—</td>
<td>S</td>
<td>—</td>
<td>S</td>
<td>Refer to Section 125-90.D.</td>
</tr>
<tr>
<td>Undertaking, Funeral and Interment Services</td>
<td>S</td>
<td>P</td>
<td>—</td>
<td>P</td>
<td>Refer to Section 125-90.D.</td>
</tr>
</tbody>
</table>

**Industrial**

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

**Transportation, Communication, and Utilities**

Communication Facilities  | —  | P  | P  | P  |
Communication Towers and Structures  | —  | L9 | L9 | L9 |
Transportation Facilities
   Marinas, Docks  | P  | —  | —  | P  |
   Marinas, Private  | P  | P  | —  | P  |
   Marinas, Public  | P  | P  | —  | P  |
<table>
<thead>
<tr>
<th>Transportation Passenger Terminals</th>
<th>S</th>
<th>P</th>
<th>P</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility, Minor</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

**Agriculture and Extractive**

| Excavation and Mining | S | S | S | S | Refer to Chapter 98 |

**Pipelines, Oil and Gas Wells**

<table>
<thead>
<tr>
<th>Gas Well Drilling</th>
<th>S</th>
<th>S</th>
<th>S</th>
<th>S</th>
<th>Refer to Sec. 125-90.G.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil Well Drilling</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>Refer to Sec. 125-90.G.</td>
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<tr>
<td>Pipelines</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>Refer to Sec. 125-90.H.</td>
</tr>
<tr>
<td>Pump Stations</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>Refer to Sec. 125-90.I.</td>
</tr>
</tbody>
</table>

**Specific Use Limitations**

<table>
<thead>
<tr>
<th>L1 Permissible if not a ground floor use. The ground floor use shall not be an accessory use to the multi-family.</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>L4 No outdoor storage or washing of vehicles.</td>
</tr>
<tr>
<td>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.</td>
<td>L6 Hours of operation may be limited.</td>
</tr>
<tr>
<td>L7 Floorplates limited to a maximum of 10,000 square feet.</td>
<td>L8 Permissible if in accordance with the Texas Pawnshop Act (Texas Finance Code, Title 4, Chapter 371).</td>
</tr>
<tr>
<td>L9 Permissible if in accordance with the Communications Towers and Structures Ordinance and requires SUP.</td>
<td>L10 Permissible only as accessory use to new automobile sales.</td>
</tr>
</tbody>
</table>

**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. 125-72.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

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>CN</th>
<th>CG</th>
<th>CO</th>
<th>CM</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Scale – Intensity of Use</strong></td>
<td></td>
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</tr>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
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<td>10,000</td>
<td>10,000</td>
<td>25,000</td>
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<tr>
<td>Minimum Lot Dimensions (ft.)</td>
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<td><em>Width</em></td>
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<td>75</td>
<td>75</td>
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<tr>
<td><em>Frontage</em></td>
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<td><strong>Building Form and Pedestrian Orientation</strong></td>
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<tr>
<td>Maximum Height (ft.)</td>
<td>30</td>
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<tr>
<td>Minimum Yards (ft.)</td>
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<tr>
<td><em>Front</em></td>
<td>--</td>
<td>20</td>
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<tr>
<td><em>Side (Nonresidential/Residential)</em></td>
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<td>15/30</td>
<td>10/20</td>
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<tr>
<td><em>Street Side (Corner Lot)</em></td>
<td>10</td>
<td>15</td>
<td>10</td>
<td>15</td>
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<tr>
<td><em>Rear (Nonresidential/Residential)</em></td>
<td>15/20</td>
<td>20/40</td>
<td>15/30</td>
<td>20/40</td>
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<tr>
<td>Maximum Lot Coverage (Percent)</td>
<td>90</td>
<td>85</td>
<td>80</td>
<td>80</td>
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<tr>
<td>Limitations on Blank Walls</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Minimum Storefront Continuity (Percent)</td>
<td>25</td>
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<td>--</td>
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<tr>
<td>Building Transparency (Percent)</td>
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<tr>
<td><strong>Other Standards</strong></td>
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<tr>
<td>Accessory Uses and Structures</td>
<td>See Article IV, Division 2</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Off-Street Parking and Loading</td>
<td>See Article IV, Division 5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landscaping and Buffer Yards</td>
<td>See Article IV, Division 6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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.

**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 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 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 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**

<table>
<thead>
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<th>Use Classifications</th>
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<th>IG</th>
<th>Additional Regulations</th>
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<tbody>
<tr>
<td><strong>Residential</strong></td>
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<tr>
<td>Residential Dwellings</td>
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<tr>
<td>Caretaker Unit</td>
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<tr>
<td>Group Residential Facilities</td>
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<tr>
<td>Halfway House</td>
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<td>S</td>
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<tr>
<td>Homeless Shelter</td>
<td>S</td>
<td>S</td>
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<tr>
<td><strong>Public and Semipublic</strong></td>
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<td>Clubs or Lodges</td>
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<td>Colleges, Public or Private</td>
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<td>Cultural Institutions</td>
<td>L1</td>
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<td>Day Care</td>
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<tr>
<td>Educational Research and Development</td>
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<tr>
<td>Government Offices and Facilities</td>
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<tr>
<td>Large-Scale</td>
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<td>Small-Scale</td>
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<td>Parks and Recreation</td>
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<td>Public Maintenance Facilities</td>
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<td>Refer to Section 125-90.D.</td>
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<td>Public Safety Facilities</td>
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<tr>
<td>Animal Sales and Services with Outdoor Kennels, Areas and Runs</td>
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<td>Ambulance Services</td>
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<td>Automobile/Vehicle/Equipment Sales and Services</td>
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### Schedule 125-73.B: Use Regulations – Industrial Districts

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<tr>
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<th>Additional Regulations</th>
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<tbody>
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<td>Vehicle Fueling</td>
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<td><strong>Industrial</strong></td>
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<td>Contractor’s Storage</td>
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<td>Production Industry</td>
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<tr>
<td>Artisan</td>
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<tr>
<td>General</td>
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<tr>
<td>Limited</td>
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<td>Nurseries and Landscaping Material, Wholesale</td>
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<td>Recycling Collection</td>
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<td>Research and Development</td>
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<td>Warehousing and Storage</td>
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<td>Outdoor Storage</td>
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<td>Wholesaling and Distribution</td>
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<tr>
<td>With Store Facilities</td>
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<tr>
<td>Non-Store Facilities</td>
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<tr>
<td>Wrecking, Junk or Salvage Yard (auto, steel, building materials) and Towing Services</td>
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<tr>
<td><strong>Transportation, Communication, and Utilities</strong></td>
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<tr>
<td>Communications Facilities</td>
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Schedule 125-73.B: Use Regulations – Industrial Districts

<table>
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<tr>
<th>Use Classifications</th>
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<th>IG</th>
<th>Additional Regulations</th>
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</thead>
<tbody>
<tr>
<td>Transportation Facilities</td>
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<tr>
<td>Airports and Helicopters</td>
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<td>Freight/Truck Terminal and Warehouse</td>
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<td>Transportation Passenger Terminals</td>
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<td>Truck Weigh Stations</td>
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<td>Utility, Major</td>
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<td>Utility, Minor</td>
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<tr>
<td><strong>Agriculture and Extractive</strong></td>
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<tr>
<td>Excavation and Mining</td>
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<tr>
<td>Plant Nursery</td>
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<td><strong>Pipelines, Oil and Gas Wells</strong></td>
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<td>Gas Well Drilling</td>
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<td>Oil Well Drilling</td>
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<td>Refer to Sec. 125-90.H.</td>
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<tr>
<td>Pump Stations</td>
<td>S</td>
<td>S</td>
<td>Refer to Sec. 125-90.I.</td>
</tr>
</tbody>
</table>

**Specific Use Limitations**

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.

**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. 125-73.C. Development Regulations**

Schedule 125-73.C below prescribes the development regulations for 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

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<th>Development Standards</th>
<th>IL</th>
<th>IG</th>
<th>Additional Regulations</th>
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<tbody>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>25,000</td>
<td>25,000</td>
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<tr>
<td>Minimum Lot Dimensions (ft.)</td>
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<tr>
<td>Width</td>
<td>100</td>
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<tr>
<td>Front</td>
<td>100</td>
<td>100</td>
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<tr>
<td><strong>Building Form and Location</strong></td>
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<tr>
<td>Maximum Height (ft.)</td>
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<td>125</td>
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<td>Minimum Yards (ft.)</td>
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<td>Front</td>
<td>20</td>
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<td>Side (Nonresidential/Residential)</td>
<td>15/60</td>
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<td>Street Side (Corner Lot)</td>
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<td>Rear (Nonresidential/Residential)</td>
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<td>Maximum Lot Coverage</td>
<td>80</td>
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<tr>
<td>Minimum Building Separation (ft.)</td>
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<tr>
<td><strong>Building Form and Pedestrian Orientation</strong></td>
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<tr>
<td>Limitations on Blank Walls</td>
<td>Yes</td>
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<td><strong>Other Standards</strong></td>
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<tr>
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<tr>
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<tr>
<td>Landscaping and Buffer Yards</td>
<td>See Article IV, Division 6</td>
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</tbody>
</table>

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.
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.
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<thead>
<tr>
<th>Use Classifications</th>
<th>PS</th>
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<td>Educational Research and Development</td>
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<tr>
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<td>Temporary Sales and Uses</td>
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<tr>
<td>Undertaking, Funeral and Interment Services</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><strong>Industrial</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research and Development</td>
<td>S</td>
<td></td>
</tr>
</tbody>
</table>
### Schedule 125-74.B: Use Regulations – Public and Semi-Public District

<table>
<thead>
<tr>
<th>Transportation, Communications, and Utilities</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Communication Towers and Structures</td>
<td>L3</td>
</tr>
<tr>
<td>Transportation Facilities</td>
<td></td>
</tr>
<tr>
<td><em>Airports and Heliports</em></td>
<td>L4</td>
</tr>
<tr>
<td><em>Marinas, Public</em></td>
<td>P</td>
</tr>
<tr>
<td><em>Transportation Passenger Terminals</em></td>
<td>P</td>
</tr>
<tr>
<td>Utility Major</td>
<td>S, L5</td>
</tr>
<tr>
<td>Utility, Minor</td>
<td>P</td>
</tr>
</tbody>
</table>

**Agriculture and Extractive**

| Crop and Animal Raising                      | S  |
| Excavation and Mining                        | S  |

**Pipelines, Oil and Gas Wells**

| Gas Well Drilling                            | S  |
| Oil Well Drilling                            | S  |
| Pipelines                                    | S  |
| Pump Stations                                 | S  |

**Specific Use Limitations**

<table>
<thead>
<tr>
<th>L1 Permitted only as an accessory use within the district.</th>
<th>L2 Permissible if in accordance with Section 125-130 of this Chapter.</th>
</tr>
</thead>
<tbody>
<tr>
<td>L3 Permissible if in accordance with the Communications Towers and Structures Ordinance.</td>
<td>L4 May be permitted if accessory to a hospital or similar emergency health services facility upon approval of a Special Use Permit.</td>
</tr>
<tr>
<td>L5 Flood control, drainage, and water distribution facilities do not require a Special Use Permit.</td>
<td></td>
</tr>
</tbody>
</table>

**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. 125-74.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

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>PS</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Scale – Intensity of Use</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Dimensions (ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Frontage</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td><strong>Building Form and Location</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Height (ft.)</td>
<td>80</td>
<td>See Article IV, Division 4, Sec. 125-140.J. Projections above Height Limits</td>
</tr>
<tr>
<td>If Adjacent to Residential Zoning:</td>
<td></td>
<td>(1)</td>
</tr>
<tr>
<td>0 – 50 feet from Residential Zoning</td>
<td>42</td>
<td></td>
</tr>
<tr>
<td>51 – 75 feet from Residential Zoning</td>
<td>55</td>
<td></td>
</tr>
<tr>
<td>Greater than 75 feet from Residential Zoning</td>
<td>81</td>
<td></td>
</tr>
<tr>
<td>Minimum Yards (ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Side (Nonresidential/Residential)</td>
<td>15/30</td>
<td></td>
</tr>
<tr>
<td>Street Side (Corner Lot)</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Rear (Nonresidential/Residential)</td>
<td>20/40</td>
<td></td>
</tr>
<tr>
<td>Maximum Lot Coverage (Percent)</td>
<td>80</td>
<td>(2)</td>
</tr>
<tr>
<td>Minimum Building Separation (ft.)</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td><strong>Pedestrian Orientation and Vehicle Accommodation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Transparency (Percent)</td>
<td>25</td>
<td>(3)</td>
</tr>
<tr>
<td>Limitations on Blank Walls</td>
<td>Yes</td>
<td>(4)</td>
</tr>
<tr>
<td><strong>Other Standards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory Uses and Structures</td>
<td>See Article IV, Division 2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>PS</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Off-Street Parking and Loading</td>
<td></td>
<td>See Article IV, Division 5</td>
</tr>
<tr>
<td>Landscaping and Buffer Yards</td>
<td></td>
<td>See Article IV, Division 6</td>
</tr>
</tbody>
</table>
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.
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:

125-75.A. Purposes
125-75.B. Land Use Regulations
125-75.C. Development Regulations
125-75.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

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

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>OS</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Form and Location</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Height (ft.)</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td>Minimum Yards (ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Side</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Street Side (Corner Lot)</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Maximum Lot Coverage (Percent)</td>
<td>10</td>
<td>(1)</td>
</tr>
<tr>
<td>Minimum Building Separation (ft.)</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td><strong>Other Standards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory Uses and Structures</td>
<td></td>
<td>See Article IV, Division 2</td>
</tr>
<tr>
<td>Off-Street Parking and Loading</td>
<td></td>
<td>See Article IV, Division 5</td>
</tr>
<tr>
<td>Landscaping and Buffer Yards</td>
<td></td>
<td>See Article IV, Division 6</td>
</tr>
</tbody>
</table>

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.
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.
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Sec. 125-76  Olde Towne Districts

Sections:

125-76.A. Purpose and Intent
125-76.B. Components of the Code
125-76.C. Administration
125-76.D. Land Use Regulations
125-76.E. Development Regulations
125-76.F. Building Design Standards
125-76.G. Streetscape and Landscape Standards
125-76.H. Review of Plans

This section establishes regulations for two downtown district types: Olde Towne (OT) and Olde Towne – Transition (OTT).

Sec. 125-76.A. Purpose and Intent

The specific purposes of the Olde Towne Districts are to implement the vision of the Main Street Livable Centers Study for a more walkable, vibrant, mixed-use neighborhood in the heart of League City, Texas by:

a. Coordinating public and private investments;
b. Establish a central Olde Towne location for the community;
c. Providing greater walkability along Main Street (FM 518) and to the adjoining neighborhoods; and
d. Enhance the quality of development within Olde Towne.

Therefore, the goals of this Ordinance are to:

a. Promote a more functional and attractive community through quality development techniques
b. Support property owner flexibility in land use and creativity
c. Prescribe a higher level of detail in building design and form than in the current standards of the City’s Zoning Ordinance.
d. Encourage better functional development patterns to create higher quality pedestrian environments along Main Street and across the railroad tracks.

Sec. 125-76.B. Components of the Code

a. Olde Towne Zoning Map

The districts in Olde Towne and the regulations within this Section shall apply only to parcels within the Olde Towne Districts as established on the City of League City Zoning Map. The regulations within these districts are subject to these rules and regulations exclusively.
b. **Zoning Districts**

Two *Olde Towne Districts* are established: Olde Towne and Olde Towne - Transition. Each District shall establish uses and building form standards including standards for building placement, functional design, and parking.

- **OT Olde Towne Zoning District.** This district is intended to enhance, and establish historical character in the Main Street area, focusing on commercial uses, live-work and upper floor residential opportunities.
- **OTT Olde Towne - Transition Zoning District.** This is intended to be a neighborhood transition zone. This zone is intended to allow for a range of residential, live-work, and lower intensity office and retail uses as a transition between the more active Main Street and scale of the adjoining neighborhoods.

Sec. 125-76.C. **Administration**

a. **Applicability:**

1. The uses and buildings on all properties within the Olde Towne District classification shall conform exclusively to this Ordinance unless specifically referenced as otherwise in this Ordinance.

2. Schedule 125.76.C (Applicability Matrix) shall determine the extent to which different sections of this Ordinance apply to any proposed development or redevelopment.

3. Terms used throughout this section are defined in Article V - Definitions of the City of League City Zoning Ordinance. For terms not defined in either section, they shall be accorded commonly accepted meanings.

4. Where in conflict, numerical and written standards shall take precedence over graphic standards.

b. **Approval Authority**

1. All development and redevelopment that complies with this section of the Ordinance may be approved administratively by the City Planner unless requiring Historic Commission review per Subsection (c) below.

2. Any development or redevelopment that does not comply with this section or qualify for a minor modification below Ordinance shall be processed as a regular Site Development Plan and referred to the Planning and Zoning Commission for final action.

c. **Historic Commission**

1. Any exterior modifications to a structure within the Historic District Boundary shall be reviewed by the Historic Commission prior to its approval.
**Schedule 125.76-C: Applicability Matrix**

<table>
<thead>
<tr>
<th>Legend</th>
<th>✓ indicates standards in the section apply</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>☐ indicates standards in the section apply to the extent practical as determined by the City Planner</td>
</tr>
<tr>
<td></td>
<td>“blank cell” indicates that standards in the section do not apply</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Development Request</th>
<th>Section 125.76.D: Land Use Regulations</th>
<th>Section 125.76.D: Building Form and Site Development</th>
<th>Section 125.76.D: Building Design Standards</th>
<th>Section 125.76.G: Streetscape and Landscape Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. New Construction</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>B. Change of use/expansion of existing use (with NO increase in building area)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Interior remodel with no change in any street facing façade, no increase of any existing nonconformity or no increase of building area and does not create any new non-conformity</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Façade changes to existing buildings (regardless of value of improvements proposed)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Addition of non-air conditioned space such as patios, porches, arcades, canopies, and outdoor seating areas (shall be permitted so long as no existing non-conformity is increased nor a new non-conformity is created)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>ii. Changes to any street facing facades (shall be permitted so long as no existing non-conformity is increased nor a new non-conformity is created)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>E. Expansion of Floor Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. 0% - 49% increase in floor area regardless of increase in value of improvements</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>ii. 50% or greater increase in floor area AND less than both (i) 50% increase in value of improvements (ii) Any proposed improvements valued at $100,000 or more (standards in the section shall apply to the expansions only)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>iii. 50% or greater increase of floor area AND more than either (i) 50% increase in value of improvements or (ii) Any proposed improvements valued at $100,000 or more (Standards in applicable sections shall apply to the site including retrofitting of the existing building and site.)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>F. Expansion of parking area only (not in conjunction with a building or use expansion)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Up to 6 spaces (shall not be placed in any area that increases any existing non-conformity or creates a new non-conformity)</td>
<td>☐</td>
<td></td>
<td>☐</td>
<td></td>
</tr>
<tr>
<td>ii. 7 or more additional spaces (shall not be placed in any area that increases any existing non-conformity or creates a new non-conformity)</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>
Sec. 125-76.D. Land Use Regulations

Schedule 125.76-D below prescribes the land use regulations for the *Olde Towne 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 125-76.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 125-76.D: Use Regulations – Olde Towne Districts

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>OT</th>
<th>OTT</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Dwellings</td>
<td></td>
<td></td>
<td>Refer to Section 125-90.B.</td>
</tr>
<tr>
<td><strong>Multi-Family Residential</strong></td>
<td>OT</td>
<td>OTT</td>
<td></td>
</tr>
<tr>
<td>P, L1</td>
<td>P, L2</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Public and Semipublic</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clubs or Lodges</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Colleges, Public or Private</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Day Care</td>
<td>—</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Educational Research and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development</td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Government Offices and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Small-Scale</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Public Safety Facilities</td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Religious Assembly</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Schools, Public or Private</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>
### Commercial

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>OT</th>
<th>OTT</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcoholic Beverage Sales</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>On-Premise Consumption</em></td>
<td>S</td>
<td>—</td>
<td>Shall be in accordance with Chapter 10 of the League City Code of Ordinances, shall apply in addition to TABC regulations.</td>
</tr>
<tr>
<td><em>Off-Premise Consumption</em></td>
<td>S</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Animal Sales and Services</td>
<td>P, L7</td>
<td>P, L7</td>
<td>No outdoor storage or kennels permitted</td>
</tr>
<tr>
<td>Banks and other Financial Institutions</td>
<td>S, L3</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Establishment</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Business Services</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Catering Business</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Eating and Drinking Establishments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Full Service</em></td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td><em>Limited Service</em></td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Event Venue</td>
<td>S</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Micro-Brewery, Micro-Distillery and Micro-Winery</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>With Drive-Through Facilities</em></td>
<td>S</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td><em>With Live Entertainment</em></td>
<td>P</td>
<td>—</td>
<td>Shall meet the standards in Chapter 42 Article 2 – Noise.</td>
</tr>
<tr>
<td><em>With Outdoor Seating</em></td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Food and Beverage Sales</td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Live/Work Units</td>
<td>—</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Massage Establishments and Massage Services</td>
<td>S</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Offices</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Parking Facilities</td>
<td>P, L4</td>
<td>P, L4</td>
<td>Refer to Section 125-90D.</td>
</tr>
<tr>
<td>Personal Instructional Services</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Personal Services</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Recreation and Entertainment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Small-Scale</em></td>
<td>P</td>
<td>—</td>
<td></td>
</tr>
<tr>
<td>Retail Sales</td>
<td>P</td>
<td>P, L5</td>
<td>Refer to Section 125-90H.</td>
</tr>
</tbody>
</table>

### Industrial

| Production Industry                        |     |     | Refer to Section 125-90D.                                                              |
| *Artisan*                                 | P  | P   |                                                                                        |

### Agriculture and Extractive

| Excavation and Mining                      | S  | S   | Refer to Chapter 98.                                                                  |

### Pipelines, Oil and Gas Wells

<p>| Gas Well Drilling                         | L6 | L6   | Refer to Section 125-90.G.                                                           |
| Oil Well Drilling                         | L6 | L6   | Refer to Section 125-90.G.                                                           |
| Pipelines                                 | S  | S   | Refer to Section 125-90.H.                                                           |</p>
<table>
<thead>
<tr>
<th>Specific Use Limitations</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>L1</strong></td>
<td>Permissible if not a ground floor use. The ground floor use shall not be an accessory use to the multifamily.</td>
</tr>
<tr>
<td><strong>L2</strong></td>
<td>Multifamily permitted shall be limited to townhome and small apartment buildings with no more than 4 units on the first floor per block.</td>
</tr>
<tr>
<td><strong>L3</strong></td>
<td>Drive through shall not be located with access or frontage along Main Street. There shall be no net increase in curb cuts.</td>
</tr>
<tr>
<td><strong>L4</strong></td>
<td>Parking facilities shall meet the standards for parking placement and setbacks in Section 5 of this District.</td>
</tr>
<tr>
<td><strong>L5</strong></td>
<td>No single retail use shall be greater than 6,000 sq. ft.</td>
</tr>
<tr>
<td><strong>L6</strong></td>
<td>Shall meet the standards for Oil &amp; Gas Drilling in Chapter 42 Article 3 – Oil and Gas Well Drilling.</td>
</tr>
<tr>
<td><strong>L7</strong></td>
<td>Animal sales are prohibited.</td>
</tr>
</tbody>
</table>
Sec. 125-76.E. Development Regulations

Schedule 125-76.C below prescribes the development regulations for Olde Towne Districts, including building scale, building form and location, pedestrian orientation, vehicle accommodation, and open space and landscaping. This section shall establish all standards for new construction or additions to building sites as they relate to all improvements on the site.

Schedule 125.76.E-1: Development Regulations – Olde Towne Districts

<table>
<thead>
<tr>
<th>Development Standards</th>
<th>OT</th>
<th>OTT</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Scale – Intensity of Use</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>2.50</td>
<td>3.75</td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Dimension (ft.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td>25</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Frontage</td>
<td>25</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td><strong>Building form and Pedestrian Orientation</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Height (ft.)</td>
<td>As specified in Schedule 125.76.F-4: Building Heights Map</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Floor Height (ft.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Floor (min. clearance) Upper Floors (min. clearance)</td>
<td>12</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>Rear (min.)</td>
<td>9</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td><strong>Development Standards</strong></td>
<td>OT</td>
<td>OTT</td>
<td>Additional Regulations</td>
</tr>
<tr>
<td>Minimum Yards (ft.)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front (min./max.)</td>
<td>0/15</td>
<td>0/20</td>
<td>If protected trees are on or adjacent to the subject property, refer to Section 125-76.G.</td>
</tr>
<tr>
<td>Side (Corner Lot) (min./max.)</td>
<td>0/15</td>
<td>0/20</td>
<td></td>
</tr>
<tr>
<td>Side (min.)</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>Rear (min.)</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>If adjacent to Residential</td>
<td>--</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>If adjacent to Nonresidential</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>Maximum Lot Coverage (Percent)</td>
<td>90</td>
<td>85</td>
<td></td>
</tr>
<tr>
<td>Limitation on Blank Walls</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>
Minimum Building Frontage (Percent of Lot Width)  

<table>
<thead>
<tr>
<th></th>
<th>70</th>
<th>50</th>
</tr>
</thead>
</table>

Building Transparency on facades facing public streets (min.)

<table>
<thead>
<tr>
<th></th>
<th>50</th>
<th>50</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Floor</td>
<td>50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Floors</td>
<td>40</td>
<td>40</td>
<td></td>
</tr>
</tbody>
</table>

Does not apply to multi-family in the Transition zone.

Open Space and Landscaping

<table>
<thead>
<tr>
<th>Open Space and Landscaping</th>
<th>Refer to Section 125.76.G.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Lot Design and Screening</td>
<td>Refer to Section 125.76.G.</td>
</tr>
</tbody>
</table>

Other Standards

<table>
<thead>
<tr>
<th>Off Street Parking</th>
<th>Nonresidential: 1 space per 350 square feet. The first 2,000 sq. ft. of nonresidential uses in all buildings [new and existing] shall be exempt from this requirement.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential:</td>
<td>1.3 spaces per unit</td>
</tr>
</tbody>
</table>

Shared parking may be permitted within 1,200 feet of the subject property with approval of the City Planner.

1. Driveways, service areas, and off-street loading shall not be allowed along the Main Street frontage of any lot unless the property has no other street frontage nor does it have a shared or cross access easement to an adjoining property with alternative driveway access.

2. Driveway spacing shall be subject to TxDOT standards along Main Street and city standards on all other streets.

3. Shared driveways, joint use easements, or joint access easements, including alley easements, shall be required to adjoining properties when driveway and service access is off Main Street.

4. Service and loading/unloading areas shall be screened per standards in this Section.

Building Encroachments

Canopies, awnings, signs, and balconies may encroach over any setback area or sidewalk area as long as:

1. Minimum vertical clearance from the finished sidewalk shall be 8’.

2. In no case, shall an encroachment be located over an on-street parking or travel lane.

3. In no case, shall an encroachment interfere with any canopies or root zones of preserved Butler Oaks within the area of the Olde Towne Districts.

4. Any encroachments over City right-of-way may require additional permits by the City.

5. Any encroachment over TxDOT right-of-way may require additional permits by TxDOT.

8. **Maximum Lot Coverage.** Includes buildings, parking areas, and driveways and maneuvering areas, but excludes common open space amenities and landscaped areas.
9. **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.

10. **Building Transparency.** Ground floor of buildings shall have views into occupied space provided by windows, displays, or doors along the primary street frontage.

11. **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.

12. **Floor Heights.** Floor Heights shall be measured from finished floor to the bottom of the structural members of the ceiling. Floor to floor heights shall not apply to parking structures or civic buildings.

**Sec. 125-76.F. Building Design Standards**

This section shall address all external building design, including architectural design and style, for new and existing non-residential, multi-family, and mixed use buildings.

a. **Building Orientation and Entrances**

1. Buildings shall be oriented towards the streets. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary entrances may be permitted from another street or from a rear parking lot.

b. **Pedestrian-Friendly Building Massing and Scale**

1. A building’s massing shall serve to define entry points and help orient pedestrians.

2. Buildings and/or facades shall emphasize and frame or create important termini of vistas.
3. Building facades, to the extent practicable, shall maintain a minimum twenty-five feet (25’) building facade width to present an architectural rhythm along the street.

4. Architectural elements shall be designed to the appropriate scale and proportions

Variations in building rhythm using architectural features

Allowed signage and awning encroachments into the setback line

Retail buildings with balconies and architectural details that add interest along the streetscape

c. Architectural Elements and Storefronts

1. A rhythm within the elevation on any individual building facades is required. This may be achieved with architectural elements such as bays, columns, doors, windows, etc.

2. Breaks in the predominant rhythm may also be used to reinforce changes in massing and important elements such as building entrances, terminated vistas, or corner sites.

3. Storefronts

   a. Retailers located at the street level shall primarily use storefronts to orient and advertise merchandise to customers. For retail storefronts, a transom, display window area and bulkhead at the base shall be utilized. Storefronts on facade treatments that span multiple tenants
shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.

**Schedule 125.76.F-1: Storefront Diagram**

*Desired character of storefront design for non-residential, multi-family, and mixed use buildings*

4. **Building Entrances**
   
a. Entrances shall be defined and articulated by any of the architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper level uses may be defined and integrated into the design of the overall building facade.

5. **Windows**
   
a. Windows on the second and above stories shall be or give the appearance of being operational.

6. **Shutters**
   
a. Shall be or give the appearance of being operational.

   b. Shall be made of a solid material that is not hollow. Vinyl or PVC are not permitted.

7. **Roofs**
   
a. The type, shape, texture, and color of the roof of a building shall be designed to complement the architectural style of the building. A
roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, colors, and details of the building.

8. **Expression Line**
   a. An expression line or equivalent architectural element shall delineate divisions between floors of all buildings, and a cornice or parapet shall delineate the tops of facades that do not utilize a pitched roof.

9. **Awnings: If used:**
   a. Shall be of the following materials: cloth, fabric, woven material, and similar materials. No pre-fabricated metal or plastic/vinyl awnings shall be permitted.
   b. Style can be traditional or traditional without sides, dome, barrel, or concave.
   c. Valances may be hard or soft.
   d. Shall be of a fade-resistant quality and colors shall compliment the façade and signage colors.
   e. Shall either be placed over individual sets of windows or doors or along the entire length of the building façade.
   f. Vertical clearance beneath the awning shall be a minimum of 8 feet.

**Section 125.76.F-2: Allowed Awning Style Types**

- Traditional
- Traditional without sides
- Dome
- Barrel
- Traditional with hard valance
- Traditional without sides and hard valance
- Elongated Dome
- Concave
g. Awnings shall be maintained in good repair and condition without holes, rips, or faded designs/colors.

10. Building Materials and Finishes

a. Exterior color/ contrast or harmonizing colors for trim- no more than 4 colors including base, trim, and accent colors.

b. Matte or low-luster finish or non-reflective finish for any painted surfaces

c. Building corner treatments:

1) Where two corners meet of the same material, no corner treatment is required.

2) Where two corners meet of different materials, a corner treatment of one material shall expand a minimum of 1-foot on both building faces from the corner.
11. **Building Height and Height Transition**

a. **Building Height Allowance**

1) Buildings may exceed the maximum building height by 25% along no more than 20% of the building’s frontage along each corresponding street façade.

![Illustration showing Building Height Allowance](image)

b. **Height Transition**

1) The following transition standards (related to Figure 125.76.F-3: Height Transition Diagram) shall apply to all new building construction and all upper story additions to existing buildings located adjacent to any existing single-family residential zoned lots (to the rear or to the side). This requirement shall NOT apply if an alley or other similar R-O-W separates the subject lot and the existing single-family detached residential lot.

<table>
<thead>
<tr>
<th>Transition Area</th>
<th>Max. Building Height at/within Transition Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 feet min.</td>
<td>1 Story or 15 feet max.</td>
</tr>
</tbody>
</table>

2) A Residential Transition Area fence (minimum 8 feet) shall be required when adjacent to any existing single-family detached residentially zoned lot and shall be optional for all other adjacencies. The required fence shall be constructed of masonry or block.
Figure 125.76.F-3: Height Transition Diagram

Figure 125.76.F-4: Building Heights Map
12. **Design of Structured Parking Facilities**

a. All frontages of parking structures located on Main Street shall not have parking uses on the ground floor to a minimum depth of 30 feet along the Main Street frontage.

b. The amount of Main Street frontage devoted to a parking structure shall be minimized by placing the shortest dimension(s) along the Main Street frontage.

c. Parking structure facades on Main Street shall be designed with both vertical (façade rhythm of approximately 25 feet) and horizontal (aligning with horizontal elements along the block) articulation.

d. Any internal areas of a parking structure shall be screened from view on sides fronting rights-of-way.

e. When parking structures are located at corners, corner architectural elements shall be incorporated such as corner pedestrian entrance, signage, and glazing.

f. Parking structures and adjacent sidewalks shall be designed so pedestrians are clearly visible to entering and exiting automobiles.

g. When a parking structure fronts Main Street and a secondary street, the entrance shall be located on the secondary street. The parking structure entrance shall be designed to complement the adjacent storefronts.

*Appropriate design of Structured Parking Facilities*
d. Changes to Non-Conforming Structures

1. **Allowable addition for historic structures.** Structures deemed historic may allow additions on the rear and side of the structure without conforming to the build to line.

2. **Allowable additions for existing single-family residential structures.** Existing single-family residential structures may expand the residential use up to 50% of the square footage of the structure, subject to the development standards for the Residential Single-Family 7 (RSF-7) Zoning district.

3. **Allowable additions for non-historic structures.** The following illustrations show potential allowable additions to nonconforming structures and sites. Additions shall meet the build-to-zone standards of the zoning district they are located in.
4. **Non-allowable additions.** The following illustrations show potential non-allowable additions to nonconforming structures and sites since the additions do not comply with the build-to zone standards of the character zone.

Sec. 125-76.G. **Streetscape and Landscape Standards**

Standards in this section apply to both Olde Towne and Olde Towne – Transition Zoning Districts.

a. **Sidewalks**

   1. A minimum of a 5-foot-wide sidewalk is required for all street frontages.

   2. Where a commercial frontage is built within the build-to zone, the entryway and surrounding area shall be paved flush to the grade of the sidewalk and be built up to the sidewalk.

b. **Screening Standards**

   1. Any frontage along Main Street or open space with surface parking within the setback range shall be defined by a 3-foot high street screen. Furthermore, along all streets (except alleys), service areas shall be screened in such a manner that the service area shall not be visible to a person standing on the property line on the far side of the adjoining street. Required street screens shall be of one of the following:

      a. The same building material as the principal structure on the lot; or

      b. A vegetative screen composed of shrubs planted to be opaque at maturity; or

      c. A combination of the two.
2. The required street screen shall be located at the minimum setback line along the corresponding frontage.

3. Street screens cannot block any required sight triangles along a cross street or driveway.

4. Street screens may include breaks to provide pedestrian access from any surface parking or service area to the public sidewalk.

c. Landscaping Standards

1. Street trees shall be planted every 30 linear feet along street frontages or when practical as determined by the City Planner.

2. The following table details the minimum street tree planting clearances. Where special conditions exist, the City may waive planting location standards. Such a waiver will be on a case-by-case basis and will require written approval of the City Arborist.

<table>
<thead>
<tr>
<th>Features</th>
<th>Small Trees (up to 35’ height)</th>
<th>Medium Tree (up to 60’ height)</th>
<th>Large tree (over 60’ height)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driveways</td>
<td>5’</td>
<td>5’</td>
<td>10’</td>
</tr>
<tr>
<td>Fire Hydrants</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Intersections</td>
<td>35’</td>
<td>35’</td>
<td>35’</td>
</tr>
<tr>
<td>Water Meters</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Utility Boxes</td>
<td>5’</td>
<td>5’</td>
<td>5’</td>
</tr>
<tr>
<td>Utility Poles</td>
<td>5’</td>
<td>10’</td>
<td>10’</td>
</tr>
<tr>
<td>Stop Signs</td>
<td>35’</td>
<td>35’</td>
<td>35’</td>
</tr>
<tr>
<td>Regulatory Signs</td>
<td>Not to block</td>
<td>Not to block</td>
<td>Not to block</td>
</tr>
<tr>
<td>Public Right-of-Way</td>
<td>No encroachment</td>
<td>No encroachment</td>
<td>No encroachment</td>
</tr>
</tbody>
</table>

3. Butler Oaks and Other Protected Trees: If building a structure in the build-to-zone would harm or cause the removal of a protected tree, the City Planner may approve different setbacks.

4. Schedule 125.76.G-2 lists the preferred plantings for the Olde Towne Districts.

**Schedule 125.76.G-2: Preferred Plantings Matrix**

<table>
<thead>
<tr>
<th>Genus</th>
<th>Species</th>
<th>Common Name (* trees appropriate for street tree requirement)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Large Trees</strong></td>
<td>Betula</td>
<td>Nigra</td>
</tr>
<tr>
<td></td>
<td>Carya</td>
<td>illinoiensis</td>
</tr>
<tr>
<td></td>
<td>Magnolia</td>
<td>grandiflora</td>
</tr>
</tbody>
</table>
### Sec. 125-76.H. 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.

<table>
<thead>
<tr>
<th>Magnolia</th>
<th>grandiflora</th>
<th>‘Little Gem’ Magnolia, ‘Teddy Bear’ Magnolia *</th>
</tr>
</thead>
<tbody>
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Appendix A: Zoning District Map
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
125-81.H. Site and Architectural Details
125-81.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 possess 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.
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<td>Undertaking, Funeral and Interment Services</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td><strong>Transportation, Communications, and Utilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utility, Minor</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><strong>Agriculture and Extractive</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>RNC</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excavation and Mining</td>
<td>S</td>
<td>Refer to Chapter 98</td>
</tr>
<tr>
<td><strong>Pipelines, Oil and Gas Wells</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gas Well Drilling</td>
<td>S</td>
<td>Refer to Section 125-90.G.</td>
</tr>
<tr>
<td>Oil Well Drilling</td>
<td>S</td>
<td>Refer to Section 125-90.G.</td>
</tr>
<tr>
<td>Pipelines</td>
<td>S</td>
<td>Refer to Section 125-90.H.</td>
</tr>
<tr>
<td>Pump Stations</td>
<td>S</td>
<td>Refer to Section 125-90.I.</td>
</tr>
</tbody>
</table>

Specific Use Limitations

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>Hours of operation may be limited to ensure compliance with City Noise ordinance.</td>
</tr>
<tr>
<td>L2</td>
<td>Less than 3,000 square feet including all seating areas.</td>
</tr>
<tr>
<td>L3</td>
<td>Maximum of four units per structure.</td>
</tr>
<tr>
<td>L4</td>
<td>Corner stores less than 1,500 square feet.</td>
</tr>
</tbody>
</table>

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. 125-81.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**

<table>
<thead>
<tr>
<th>Development Disposition</th>
<th>RNC</th>
<th>Township Division</th>
<th>Historic District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density per Acre</td>
<td>3.7</td>
<td>3.7</td>
<td>3.7</td>
</tr>
<tr>
<td>Open Space</td>
<td>20%</td>
<td>20%</td>
<td>20%</td>
</tr>
<tr>
<td>Average Lot Size</td>
<td></td>
<td></td>
<td>Range: 5,000-10,000 SF</td>
</tr>
</tbody>
</table>

**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 |
| % 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’ | 35’ | - | 35’ | - |

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:
   i. 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.
   ii. 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


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

<table>
<thead>
<tr>
<th>Parking/Accessory Structure</th>
<th>RNC</th>
<th>Township</th>
<th>Historic District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td>Layer 1 (See Image 2)</td>
<td>No</td>
<td>Yes</td>
<td>No 10% max Main</td>
</tr>
<tr>
<td>Layer 2</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes 30% max Main</td>
</tr>
<tr>
<td>Layer 3</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes 30% max Main</td>
</tr>
</tbody>
</table>
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:

1. Flush or semi-flush/recessed. Garage doors must not exceed 19.5 feet in width.

2. 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.

3. 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.

4. Detached. Garage shall be separated from the primary building by a minimum of 5 feet.

5. Carriage Court. Garage doors are oriented perpendicular to the street, and the garage is located entirely in front of the house.

6. 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.

7. 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.

8. No new driveway access shall be permitted from a major or minor arterial.

9. 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

<table>
<thead>
<tr>
<th>Frontages</th>
<th>RNC</th>
<th>Township Subdivision</th>
<th>Historic District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Residential</td>
<td>Commercial</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Main</td>
<td>Off-Main</td>
</tr>
<tr>
<td>Minimum Porch Depth</td>
<td>6'</td>
<td>6'</td>
<td>8'</td>
</tr>
<tr>
<td>Minimum Percentage of Primary</td>
<td>25%</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>front elevation as Porch</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transparency of Front Façade</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(does not include front loaded</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>garages)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(min)</td>
<td>20%</td>
<td>20%</td>
<td>30%</td>
</tr>
<tr>
<td>(max)</td>
<td></td>
<td></td>
<td>85%</td>
</tr>
</tbody>
</table>

Transparency requirements shall be measured below the top plate of the roofline.

Fences

<table>
<thead>
<tr>
<th>Maximum Height</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Layer 1 (see Image 2)</td>
<td>4’ max</td>
<td>4’ max</td>
<td>4’ max</td>
</tr>
<tr>
<td>Layers 2 and 3</td>
<td>7’ max</td>
<td>7’ max</td>
<td>7’ max</td>
</tr>
<tr>
<td>Minimum Transparency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Layer 1</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Layers 2 and 3</td>
<td>N/A</td>
<td>N/A</td>
<td>50%</td>
</tr>
</tbody>
</table>

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.
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**

- **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.

- **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.

- **Terrace or Light Courtyard:** Within the build-to-line, an elevated terrace or light courtyard may be built.

- **Shop Front & Awning:** This frontage is typically used for commercial buildings. It may be built over a sidewalk and entry way.

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 façade 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

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

### Victorian

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

### Colonial Revival

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

### Arts & Crafts

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

### Farmhouse

| Entries          | Covered entry, may borrow elements of Colonial, Folk or Victorian style |
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

**Neo-American Bungalow (Township Only)**

<table>
<thead>
<tr>
<th>Entries</th>
<th>Covered entry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roofs</td>
<td>Low pitched, hipped or gabled</td>
</tr>
<tr>
<td>Windows</td>
<td>Single or double hung</td>
</tr>
<tr>
<td>Exterior Materials</td>
<td>Wood clapboard, cement fiber siding, brick, stone, untextured stucco or metal</td>
</tr>
<tr>
<td>Facades</td>
<td>Covered porch</td>
</tr>
<tr>
<td>Porch</td>
<td>Low covered, full length, partial length or wraparound, typically with columns and/or railing</td>
</tr>
<tr>
<td>Form</td>
<td>Square or rectilinear, sometimes with multiple layers</td>
</tr>
</tbody>
</table>

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.
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.F. 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

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>CRC</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public and Semipublic</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clubs or Lodges</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Colleges, Public or Private</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Cultural Institutions</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Educational Research and Development</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Government Offices and Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small-Scale</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Public Safety Facilities</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Religious Assembly</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Schools, Public or Private</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td><strong>Commercial</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alcoholic Beverage Sales</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Animal Sales and Services</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Automobile/Vehicle/Equipment Sales and Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Automobile/Vehicle/Equipment Sales and Rental</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Used Vehicle Sales</td>
<td>L5</td>
<td></td>
</tr>
<tr>
<td>Automobile Rentals</td>
<td>S</td>
<td></td>
</tr>
</tbody>
</table>
Schedule 125-82.D: Use Regulations – Commercial Revitalization Overlay District

<table>
<thead>
<tr>
<th>Use Classifications</th>
<th>CRC</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Wash</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Vehicle Fueling</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Light Vehicle Service</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Banks and Other Financial Institutions</td>
<td>P</td>
<td>Refer to Section 125-90.A.</td>
</tr>
<tr>
<td>Building Materials Sales and Services</td>
<td>P</td>
<td>Refer to Section 125-90.D.</td>
</tr>
<tr>
<td>Business Services</td>
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<tr>
<td>Catering Business</td>
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<td>Eating and Drinking Establishments</td>
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<tr>
<td>Full Service</td>
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<tr>
<td>Limited Service</td>
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<tr>
<td>With Drive-Through Facilities</td>
<td>P</td>
<td>Refer to Section 125-90.A.</td>
</tr>
<tr>
<td>With Live Entertainment</td>
<td>P</td>
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</tr>
<tr>
<td>With Outdoor Seating</td>
<td>L1</td>
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<tr>
<td>Food and Beverage Sales</td>
<td>P</td>
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<tr>
<td>Home Improvement Sales and Services</td>
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<td>Refer to Section 125-90.C.</td>
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<tr>
<td>Hotels</td>
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<td>Laboratory, Commercial</td>
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<td>Offices</td>
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<tr>
<td>Parking Facilities</td>
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<tr>
<td>Pawn Shops</td>
<td>L2</td>
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<tr>
<td>Personal Instructional Services</td>
<td>P</td>
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<td>Personal Services</td>
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<tr>
<td>Large-Scale</td>
<td>L3</td>
<td>Refer to Section 125-90.E.</td>
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<tr>
<td>Small-Scale</td>
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<tr>
<td>Retail Sales</td>
<td>P</td>
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<tr>
<td>Temporary Sales and Uses</td>
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<tr>
<td>Undertaking, Funeral and Interment Services</td>
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**Industrial**

Production Industry
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<td>Transportation Passenger Terminals</td>
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<td></td>
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<td><strong>Agriculture and Extractive</strong></td>
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<tr>
<td>Excavation and Mining</td>
<td>S</td>
<td>Refer to Chapter 98</td>
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<tr>
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<tr>
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<td>S</td>
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<td>Refer to Section 125-90.G.</td>
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<td>Pipelines</td>
<td>S</td>
<td>Refer to Section 125-90.H.</td>
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<tr>
<td>Pump Stations</td>
<td>S</td>
<td>Refer to Section 125-90.I.</td>
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<tr>
<td><strong>Specific Use Limitations</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>L1 Hours of operation may be limited</td>
<td>L2</td>
<td>Permitted if in accordance with the Texas Pawnshop Act (Texas Finance Code, Title 4, Chapter 371).</td>
</tr>
<tr>
<td>L3 Fitness and recreation sports centers permitted only.</td>
<td>L4</td>
<td>Permissible if in accordance with Section 125-130 of this Chapter.</td>
</tr>
<tr>
<td>L5 Permissible only as an accessory use to new automobile sales.</td>
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<td></td>
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<tr>
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<td>See Article IV, Division 3</td>
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<tr>
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<td>See Article IV, Division 7</td>
</tr>
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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

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</thead>
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<tr>
<td><strong>Building Scale – Intensity of Use</strong></td>
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<td></td>
</tr>
<tr>
<td>Minimum Lot Area (sq. ft.)</td>
<td>5,000</td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Dimensions (ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Frontage</td>
<td>50</td>
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### Building Form and Location

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<tr>
<td><strong>Maximum Height (ft.)</strong></td>
<td>45</td>
</tr>
<tr>
<td><strong>Minimum Yards (ft.)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Front</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Side (Nonresidential/Residential)</strong></td>
<td>10/15</td>
</tr>
<tr>
<td><strong>Street Side (Corner Lot)</strong></td>
<td>10</td>
</tr>
<tr>
<td><strong>Rear (Nonresidential/Residential)</strong></td>
<td>15/20</td>
</tr>
<tr>
<td><strong>Maximum Lot Coverage (Percent)</strong></td>
<td>85</td>
</tr>
<tr>
<td><strong>Minimum Build-to Lines (Percent)</strong></td>
<td>50</td>
</tr>
</tbody>
</table>

### Pedestrian Orientation and Vehicle Accommodation

<p>| | |</p>
<table>
<thead>
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</thead>
<tbody>
<tr>
<td><strong>Minimum Storefront Continuity (Percent)</strong></td>
<td>25</td>
</tr>
<tr>
<td><strong>Minimum Building Transparency (Percent)</strong></td>
<td>25</td>
</tr>
<tr>
<td><strong>Limitations on Blank Walls</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Driveways</strong></td>
<td>Yes</td>
</tr>
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### Other Standards

<table>
<thead>
<tr>
<th></th>
<th>See Article IV, Division 2</th>
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<tbody>
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<td></td>
</tr>
<tr>
<td>Off-Street Parking and Loading</td>
<td></td>
</tr>
<tr>
<td>Landscaping and Buffer Yards</td>
<td></td>
</tr>
</tbody>
</table>

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.

**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  –  Reserved

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Sec. 125-84 – Reserved

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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 area 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:

i. A classification of existing occupancies and structures and their effects upon the character, safety, economic and physical impact of the district;

ii. Necessary amendments to existing regulations (e.g., regulations affecting
occupancies, signs, parking, setbacks or yards, curbs, driveways, sidewalks, trees, etc.); 

iii. 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;

iv. Provisions for health and safety regulations (affecting, e.g., accessibility, wiring, fire walls, fire sprinklers, flammability, fire escapes, entrances, exits, etc.); and 

v. 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.
City of League City – Article III Zoning Regulations (Last Revisions Effective October 22, 2019)

<table>
<thead>
<tr>
<th>c. <strong>Architectural regulations</strong> to guide the issuance of certificates of appropriateness are the <em>League City Historic District Design &amp; Materials Guidelines</em>, 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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>d. <strong>Health and safety regulations</strong> shall apply within this District, but subject to the provisions of Section &quot;b&quot; 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.</td>
</tr>
<tr>
<td>e. <strong>Buildings or places which lack historical, architectural, or cultural importance or value</strong> 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.</td>
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Sec. 125-81 – RNC Residential Neighborhood Conservation Overlay District

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Division 1. Standards for Specific Uses

Sec. 125-90 Standards for Specific Uses

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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
125-90.K. Nursery and Landscaping Materials and Wholesale
125-90.L. Dogs in Outdoor Dining Areas

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 minimum five-foot (5’) buffer yard along the side and rear property lines is required for businesses with drive-throughs. The buffer yard shall have trees and plantings. 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. If there is any conflict between this requirement and buffer yard requirements in other sections of this ordinance, the wider buffer yard requirement shall apply.

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 six 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.C. 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.D. 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.E. 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.
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.F. Hotels**

The following standards shall apply to full service hotels, limited service hotels and residence hotels through December 31, 2022. After December 31, 2022, all standards shall revert to those in effect as of January 1, 2019.

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); architectural glass (less than 25 percent reflectance); or a maximum of ten percent 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 percent 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 be permitted.
b. *Overhanging Eaves.* Overhanging eaves shall extend no less than three feet past 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 portecochere 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. Some design element such as, but not limited to, water features, sculptures, and public art shall be provided 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. **Other Standards.**

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 250 guest rooms.

d. A minimum guest room size of 375 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 ten 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.
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 roadway;
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.
1. 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.

1. 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 locate in such close proximity to other disabled group dwellings so as to form a cluster of such facilities that poses a substantial risk of creating a residential area distinguishable from other residential areas primarily occupied by persons who do not require routine support services because of a disability. There shall be a rebuttable presumption that such a risk is present if a disabled group dwelling locates so near to other disabled group dwellings that any one disabled group dwelling is within 600 feet of at least three other disabled group dwellings.

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. Except for disabled group dwellings, 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 feet, and no more than eight 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.

### Sec. 125-90.K. Nursery and Landscaping Material and Wholesale

1. **Hours of Operation.** When abutting a residential use or zoning district, said business shall not operate between the hours of 9:00 pm and 7:00 am.

2. **Minimum Setback.**
   - a. Loading and Service areas: 50 feet from any residential use or zoning district.
   - b. Outdoor Merchandise Display/Sales and other Outdoor Storage: 50 feet from any residential use or zoning district.
   - c. Plant placement: 20 feet from any residential use or zoning district.

3. **Screening.** Outdoor storage shall be enclosed by a solid masonry or concrete wall or wood fence having a minimum height of eighteen (18) feet. The business shall also meet the buffer yard requirement in Schedule 125-190C-2.

4. **Materials Management.**
   - a. Materials stored outdoors shall not exceed a height of eighteen (18) feet,
   - b. Materials stored outdoors shall not be located between the building and the street property line, except for the placement of plants.
   - c. Appropriate measures shall be taken to contain, cover or otherwise secure materials that are likely to generate wind-blown dust or debris that may affect adjacent properties, including bulk mulch, sand, soil, fill, rock and similar materials.
   - d. Outdoor storage may be on unimproved surfaces.

5. **Fencing.** If chain link fencing is used on site, it shall not be visible from any property line.

### Sec. 125-90.L. Dogs in Outdoor Dining Areas

A food service establishment may permit a customer to be accompanied by a dog in an outdoor dining area if:

1. The food service establishment posts a sign in a conspicuous location in the area stating that dogs are permitted;
2. The customer and the dog access the outdoor dining area directly from the exterior of the food service establishment;

3. The dog does not enter the interior of the food service establishment;

4. The customer keeps the dog on a leash and controls the dog;

5. The customer does not allow the dog on a seat, table, countertop, or similar surface; and

6. In the area, the establishment does not:
   a. prepare food; or
   b. permit open food, except for food that is being served to a customer.
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.** Detached accessory structures shall be located to the rear or to the side of the principal building.

2. **Setbacks.** The minimum setbacks are determined by the zoning district in which the property is located, with the following exceptions:
   a. An accessory structure shall be setback a minimum of ten feet (10’) from the rear lot line.
   b. If an alley abuts the rear lot line, the rear setback for an accessory structure is six feet (6’).

3. **Maximum Size.** The total floor area of all accessory structures shall not exceed thirty percent (30%) of the square footage of the livable area of the residence on the premises, or fifteen percent (15%) of the lot area, whichever is greater. This requirement shall not apply to swimming pools or barns and agricultural related structures.

4. **Maximum Height.** The maximum height of residential accessory structures shall be 25 feet. The maximum height of non-residential accessory structures shall be determined by the maximum height permitted in the zoning district in which it is located.
5. **Shipping Containers.** Shipping containers may be used as accessory structures in General Commercial (CG), Mixed Use Commercial (CM), and Industrial zoning districts provided the following requirements are met:

a. A building permit must be obtained for the placement of a container.

b. No container may be placed closer to the front property line than the principal building on the property, nor in a required landscaped area, retention basin, travel way or drive aisle, fire lane, required parking space, sidewalk, loading zone, or any other location where said container may cause a hazardous condition.

c. Containers may not be stacked.

d. No container may be connected to any electrical power source or plumbing line unless said container meets the requirements of the City's building, plumbing, and fire codes and the appropriate permits obtained for such connections.

e. No container may be used for any human occupancy unless said container meets the requirements of the City's building and fire codes as a habitable space and the appropriate permit(s) obtained for such occupancy.

f. All containers shall be completely screened from view from any abutting street, right-of-way, or property by means of an opaque fence or wall with a height at least one foot greater than the height of the storage container and constructed of a material compatible with that of the primary building on the property on which the container is placed.

g. Shipping containers may be used as accessory structures without meeting the requirements above in the following situations:

h. Retail establishments located in General Commercial, Mixed Use Commercial, or Industrial zoning districts may use shipping containers for storage on a seasonal basis, without building permit or screening, subject to the following:

i. Beginning no earlier than October 15 and ending no later than January 15 (maximum of 92 days) in any given year;

j. To the extent practicable, containers shall be placed in the rear yard of the property behind the main building;

k. Containers may be used for storage on city-owned property with approval of the City Manager;
1. Containers may be used for the temporary storage of equipment, supplies, merchandise, or similar materials 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, containers shall be removed at the owner's expense. No container may be placed in a required landscaped area, retention basin, travel way or drive aisle, fire lane, required parking space, sidewalk, loading zone, or any other location where said container may cause a hazardous condition; or

m. In the case of emergencies, such as floods, windstorms, fires, or other acts of God, and man-made disasters such as sewage backups, water leaks, electrical overloads and other such events that damage property, the City Planner or Chief Building Official or designees shall have the discretion to allow the temporary placement and use of shipping containers on said property if such placement and use is reasonably deemed necessary or beneficial in recovery, restoration, mitigation of further damage, and/or reconstruction efforts.

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, newsstands, 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.

**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
125-140.R. Concrete Surface Requirement

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.

4. **Decorative fences.** Metal/wrought iron fences are allowed in front and side yards all zoning districts subject to the following regulations:

   a. In all zoning districts except single family residential, the fence height shall not exceed six (6) feet.

   b. On residential single family lots with a minimum size of 20,000 square feet, the fence height shall not exceed six (6) feet.
c. On residential single family lots less than 20,000 square feet in size, the fence height shall not exceed four (4) feet.

d. Fences shall be 70% transparent.

e. Masonry Columns may be used. If masonry columns are used, masonry columns shall also be required at all fence corners and turning points and at all fence termination points.

f. No barbed wire, chicken wire, razor wire, chain link, lattice, or electrically charges fences shall be allowed.

**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**
1. **Applicability.** All outdoor lighting installed on non-residential properties after the effective date of this amendment shall follow the provisions in this section. Lighting fixtures and luminaires installed and operated prior to the date of this ordinance are exempt from these requirements and shall be considered legally non-conforming and regulated as such.

2. **Exceptions.** These regulations do not apply to the following:

   a. Lighting within the public right-of-way that is principally used to illuminate streets and sidewalks.

   b. Lighting of signs regulated by the sign section.

   c. Navigational lighting systems necessary for safety at airports or marinas.

   d. Lighting of national, state or local government flags.

   e. Temporary lighting of construction sites.

   f. Temporary decorative seasonal lights.

   g. Lighting deviation specified in a Special Use Permit or Planned Unit Development.

   h. Lighting required by federal, state or local laws or regulations.

   i. Lighting that is only used under emergency conditions such as search lights.

3. **Cutoff Light Fixture Required.** Outdoor lights shall be directed or hooded full cutoff light fixtures so that their rays are directed toward the ground and away from adjacent residential property or streets and no light trespass falls on any residential property. A full cut-off light fixture has a solid barrier (cap) at the top of the fixture in which the lamp (bulb) is located. The fixture is angled so the lamp is not visible below the barrier (no light visible below the horizontal angle).

4. **Canopy Lights.** Light fixtures mounted on canopies or vehicle fueling station islands shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.

5. **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.

6. **Prohibited Lights.** Laser source light, strobe lights, and similar high intensity light sources for advertising or entertainment shall not be projected above the horizontal plane, unless a permit is obtained for specific events and time frames.

7. **Photometric Survey.** A photometric survey of the entire property shall be submitted with a building permit or if changes and/or additions are being made to the existing exterior lighting.
8. **Examples of Full Cutoff Light Fixtures.**

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 of 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.**

   iii. 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.

iv. 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 nonresidential 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.
Sec. 125-140.R. Concrete Surface Requirement

All business related operations must be on concrete surfaces.
Division 5. Off-Stre‌st‌ Parking and Loading

Sec. 125-170 Off-Stre‌st‌ Parking and Loading

Sections:
125-170.A. Purposes
125-170.B. Applicability
125-170.C. General Provisions
125-170.D. Off-Stre‌st‌ 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. Parking of Oversize and Commercial Vehicles in Residential Districts
125-170.J. Off-Stre‌st‌ Loading
125-170.K. Bicycle Parking
125-170.L. Electric Vehicle Charging Stations

This section combines the City’s existing site off-stre‌st‌ 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-stre‌st‌ 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-stre‌st‌ 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 administratively approved. Shared parking ratios shall be based on the Institute of Transportation Engineer (ITE) Parking Generation. The application requirements shall include:

   a. Submission of a parking study prepared by a person licensed to prepare such study;

   b. The proposed agreement providing for the shared use of parking areas, executed by the parties involved, must be filed with the Planning Department, in a form satisfactory to the City Attorney.
c. After approval by the City Attorney, the agreement shall be recorded at the Galveston or Harris County Land Records office by the applicant.

d. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking.

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. **Reserved.**

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 concrete surface;

   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.

21. **Prohibited Parking.** Parking and/or storage of vehicles on grass or other non-paved area in any zoning district is prohibited except for agricultural machinery or equipment in the OS zoning district. Material for the paved area shall be concrete.

22. **Concrete Surfaces.** All references to concrete surfaces shall include solid concrete or other approved city-staff approved pervious surfaces. However, all driveways, drive aisles, fire lanes, loading docks and drive approaches must be constructed with solid concrete. Residential driveways in excess of 50 feet in length may be constructed with city-staff approved pervious surfaces.

**Sec. 125-170.D. Off-Street Parking Requirements**

Off-street parking requirements for all uses are prescribed in Schedule 125-170.D below.

<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential</strong></td>
<td></td>
</tr>
<tr>
<td>Child Care Family Homes</td>
<td></td>
</tr>
<tr>
<td><em>Listed Family Homes</em></td>
<td>No additional spaces required</td>
</tr>
<tr>
<td><em>Registered Family Homes</em></td>
<td>No additional spaces required</td>
</tr>
<tr>
<td>Residential Dwellings</td>
<td></td>
</tr>
<tr>
<td><em>Single Family Dwelling</em></td>
<td>4 spaces/unit (may be tandem)</td>
</tr>
<tr>
<td><em>Single Family with Secondary Dwelling</em></td>
<td>1 additional space</td>
</tr>
<tr>
<td><em>Townhouse</em></td>
<td>4 spaces/unit (may be tandem)</td>
</tr>
<tr>
<td><em>Duplex</em></td>
<td>4 spaces/unit (may be tandem)</td>
</tr>
<tr>
<td><em>Multi-Family Residential</em></td>
<td>1 space/1 bedroom or studio unit; 2 spaces/2 or more bedroom units; 0.3 guest spaces/unit</td>
</tr>
<tr>
<td><strong>Group Residential Facilities</strong></td>
<td></td>
</tr>
<tr>
<td><em>Assisted Living Facilities</em></td>
<td>0.75 spaces/unit</td>
</tr>
<tr>
<td><em>Continuing Care Facility</em></td>
<td>0.75 spaces/unit</td>
</tr>
<tr>
<td><em>Disabled Group Dwelling</em></td>
<td>1 space/every 3 residents, plus 1 space for each employee (based on maximum number of employees working at one time)</td>
</tr>
</tbody>
</table>
**City of League City – Article IV Regulations Applying to All or Several Districts (Last Revisions Effective October 22, 2019)**

<table>
<thead>
<tr>
<th><strong>Emergency Shelter</strong></th>
<th>1 space/every 4 residents, plus 1 space for each employee (based on maximum number of employees working at one time)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Halfway House</strong></td>
<td>1 space/sleeping room, plus 1 space for each employee (based on maximum number of employees working at one time)</td>
</tr>
<tr>
<td><strong>Homeless Shelter</strong></td>
<td>1 space/40 beds, plus 1 space for each employee (based on maximum number of employees working at one time)</td>
</tr>
<tr>
<td><strong>Nursing Home</strong></td>
<td>1 space/every 4 residents, plus 1 space for each employee (based on maximum number of employees working at one time)</td>
</tr>
</tbody>
</table>

**Public and Semi-Public**

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cemeteries</td>
<td>None required</td>
</tr>
<tr>
<td>Clubs or Lodges</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Colleges, Public or Private</td>
<td>1 space/250 sq. ft. of classroom and office area</td>
</tr>
<tr>
<td>Cultural Institutions</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Day Care</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Educational Research and Development</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Government Offices and Facilities</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td><em>Large-scale</em></td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td><em>Small-scale</em></td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Hospitals</td>
<td>1.5 spaces/bed</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>2 spaces/court; 40 spaces/soccer field; 30 spaces/ball diamond; 1 space/150 sq. ft. of indoor area;</td>
</tr>
<tr>
<td>Public Maintenance Facilities</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Public Safety Facilities</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Religious Assembly</td>
<td>1 space/100 sq. ft. of assembly area; 1 space/200 sq. ft. of other indoor area</td>
</tr>
<tr>
<td>Schools, Public or Private</td>
<td>2 spaces/classroom for elementary/junior; 7 spaces/classroom for high school</td>
</tr>
</tbody>
</table>

**Commercial**

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcoholic Beverage Sales</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Ambulance Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Animal Sales and Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Animal Sales and Services with Outdoor Kennels, Areas and Runs</td>
<td>1 space/300 sq. ft.</td>
</tr>
<tr>
<td>Automobile/Vehicle/Equipment Sales and Services</td>
<td></td>
</tr>
<tr>
<td><em>Automobile/Vehicle/Equipment Sales and Rental</em></td>
<td>1 space/250 sq. ft. of indoor area</td>
</tr>
<tr>
<td><em>Automobile Rentals</em></td>
<td>1 space/150 sq. ft. of indoor area</td>
</tr>
<tr>
<td>Car Wash</td>
<td>2 spaces for automated/self-service; 10 spaces for full service</td>
</tr>
<tr>
<td>Vehicle Fueling</td>
<td>1 space/250 sq. ft. Each gasoline pump may be counted toward the off-street parking requirements. The number of gasoline pumps shall be calculated based upon the number of vehicles capable of refueling at the same time.</td>
</tr>
<tr>
<td>Light Vehicle Services</td>
<td>2 spaces/service bay</td>
</tr>
<tr>
<td>Category</td>
<td>Space Requirements</td>
</tr>
<tr>
<td>--------------------------------------------------------------</td>
<td>--------------------</td>
</tr>
<tr>
<td>Auto Repair and Other Heavy Vehicle Service</td>
<td>1 space/250 sq. ft. of other indoor area</td>
</tr>
<tr>
<td>Banks and Other Financial Institutions</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Bed and Breakfast Establishment</td>
<td>1 space/guest room</td>
</tr>
<tr>
<td>Building Materials Sales and Services</td>
<td>1 space/500 sq. ft.</td>
</tr>
<tr>
<td>Business Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Catering Business</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Convention Center</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Eating and Drinking Establishment</td>
<td>1 space/125 sq. ft.</td>
</tr>
<tr>
<td>Full Service</td>
<td>1 space/125 sq. ft.</td>
</tr>
<tr>
<td>Limited Service</td>
<td>1 space/125 sq. ft.</td>
</tr>
<tr>
<td>With Drive-Through Facilities</td>
<td>2 spaces for waiting area</td>
</tr>
<tr>
<td>With Live Entertainment</td>
<td>1 space/125 sq. ft.</td>
</tr>
<tr>
<td>With Outdoor Seating</td>
<td>1 space/300 sq. ft. of outdoor seating area</td>
</tr>
<tr>
<td>Event Venue</td>
<td>1 space/600 sq. ft. of outdoor site area; 1 space/ 300 sq. ft.</td>
</tr>
<tr>
<td>Food and Beverage Sales</td>
<td>1 space/250 sq. ft.; 1 space/125 sq. ft. for convenience uses</td>
</tr>
<tr>
<td>Home Improvement Sales and Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Hotels and Commercial Lodging</td>
<td>1.25 spaces/unit</td>
</tr>
<tr>
<td>Laboratory, Commercial</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Maintenance and Repair Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Massage Establishments and Massage Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Micro-Brewery, Micro-Distillery, and Micro-Winery</td>
<td>1 space/200 sq. ft.</td>
</tr>
<tr>
<td>Nurseries and Garden Supply Stores</td>
<td>1 space/500 sq. ft.</td>
</tr>
<tr>
<td>Offices</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Parking Facilities</td>
<td>1 space/250 sq. ft. of office area; 2 spaces for waiting area</td>
</tr>
<tr>
<td>Pawn Shops</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Personal Instructional Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Personal Services</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Recreation and Entertainment</td>
<td>1 space/3 spectator seats; 2 spaces/court; 1 space/batting cage; 2 spaces/golf hole; 1 space/150 sq. ft. of indoor area</td>
</tr>
<tr>
<td>Large-scale</td>
<td>1 space/125 sq. ft.</td>
</tr>
<tr>
<td>Retail Sales</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Self-Storage</td>
<td>1 space/1,000 sq. ft.; 1 space/250 sq. ft. of office area; 4 spaces for waiting area</td>
</tr>
<tr>
<td>Sexually Oriented Businesses</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Temporary Sales</td>
<td>Determined by City Planner or designee</td>
</tr>
<tr>
<td>Undertaking, Funeral and Interment Services</td>
<td>1 space/100 sq. ft. of assembly area; 1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Industrial</td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Contractor’s Storage</td>
<td>1 space/500 sq. ft.</td>
</tr>
<tr>
<td>Production Industry</td>
<td>1 space/750 sq. ft.</td>
</tr>
</tbody>
</table>
City of League City – Article IV Regulations Applying to All or Several Districts (Last Revisions Effective October 22, 2019)

<table>
<thead>
<tr>
<th>Regulations Applyi</th>
<th>Article IV Regulations Applying to All or Several Districts (Last Revisions Effective October 22, 2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recycling Collection</td>
<td>1 space/500 sq. ft.</td>
</tr>
<tr>
<td>Research and Development</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Warehousing and Storage</td>
<td>1 space/1,000 sq. ft.; 1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td><strong>Indoor Storage</strong></td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td><strong>Outdoor Storage</strong></td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Warehousing and Distribution</td>
<td>1 space/1,000 sq. ft.</td>
</tr>
<tr>
<td>With Store Facilities</td>
<td>1 space/1,000 sq. ft.; 1 space/250 sq. ft. of store area</td>
</tr>
<tr>
<td>Non-Store Facilities</td>
<td>1 space/1,000 sq. ft.</td>
</tr>
<tr>
<td>Wrecking, Junk or Salvage Yard (auto, steel, building materials) and Towing Services</td>
<td>1 space/2,000 sq. ft.</td>
</tr>
<tr>
<td>Transportation, Communication, and Utilities</td>
<td>1 space/250 sq. ft.</td>
</tr>
<tr>
<td>Communication Facilities</td>
<td>2 spaces</td>
</tr>
<tr>
<td>Transportation Facilities</td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Airports and Heliports</td>
<td>Determined by City Planner or designee</td>
</tr>
<tr>
<td>Freight/Truck Terminal and Warehouse</td>
<td>1 space/1,000 sq. ft.; 1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Marinas, Docks</td>
<td>1 space/marina slip</td>
</tr>
<tr>
<td><strong>Marinas, Private</strong></td>
<td>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</td>
</tr>
<tr>
<td><strong>Marinas, Public</strong></td>
<td>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</td>
</tr>
<tr>
<td>Transportation Passenger Terminals</td>
<td>Determined by City Planner or designee</td>
</tr>
<tr>
<td><strong>Truck Weight Stations</strong></td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Utility, Major</td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Utility, Minor</td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Agriculture and Extractive</td>
<td>1 space/500 sq. ft. of indoor area</td>
</tr>
<tr>
<td>Crop and Animal Raising</td>
<td>Determined by City Planner or designee</td>
</tr>
<tr>
<td>Mining and Drilling</td>
<td>1 space/250 sq. ft. of office area</td>
</tr>
<tr>
<td>Plant Nursery</td>
<td>1 space/500 sq. ft. of indoor area</td>
</tr>
</tbody>
</table>

**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.

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.

7. **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.

8. **Parking Dimensions.** The following dimensions shall apply to all uses other than high
turnover uses and those uses utilizing shopping carts.

9. **Stacking and Queuing Requirements.**
   a. Stacking spaces provide the ability for vehicles to queue on-site prior to receiving a
      service. In all districts, at the time any building or structure is erected or altered, stacking
      spaces shall be provided for uses that include, but are not limited to, service stations, drive-
      through restaurants, drive-in or drive-through banks, and similar uses that allow customers
      or clients to receive services and/or conduct activities on the property without leaving their
      vehicle. City staff may require a traffic study to determine the stacking and queuing
      requirements to properly identify the number of stacking spaces required. In no instance
      shall the queue accommodate fewer than six vehicles.

   b. A stacking space shall be a minimum of nine feet in width and 20 feet in length and shall
      not be located within or interfere with a public street or any other circulation driveway,
      parking space, fire lane or maneuvering area. Stacking spaces shall be provided behind the
      vehicle bay door, middle of the service window (e.g. quick service restaurant, dry cleaner),
      or middle of the service island (e.g. banks), whichever is applicable.

   c. A single stacking space shall be provided after the final window, order board, or stopping
      point to allow vehicles to pull clear of the transaction area prior to entering an intersecting
      drive aisle. Buildings and other structures shall be set back a minimum of ten feet from the
back of the curb of the intersecting drive aisle to provide adequate visibility and to allow vehicles to safely exit drive-thru lanes and escape lanes prior to merging into intersecting drive aisles.

d. Driveway stacking length is the distance between the street right-of-way line and the near side of the first intersecting interior aisle or parking stall. The minimum length of driveway stacking shall be as follows in the image and schedule listed below.

<table>
<thead>
<tr>
<th>No. of Spaces (Per Driveway)</th>
<th>Minimum Stacking (Length in Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 50</td>
<td>18</td>
</tr>
<tr>
<td>50 to 200</td>
<td>50</td>
</tr>
<tr>
<td>More than 200</td>
<td>78</td>
</tr>
</tbody>
</table>

**Schedule 125-170.E: Parking Space and Aisle Dimensions for Parking Angles**

<table>
<thead>
<tr>
<th>Space Angle</th>
<th>Aisle Width (ft.)</th>
<th>Space Width (ft.)</th>
<th>Space Length (ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One Way</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 degrees</td>
<td>14.0</td>
<td>10.0</td>
<td>22.0</td>
</tr>
<tr>
<td>30 degrees</td>
<td>15.0</td>
<td>9.0</td>
<td>19.0</td>
</tr>
<tr>
<td>45 degrees</td>
<td>16.0</td>
<td>9.0</td>
<td>19.0</td>
</tr>
<tr>
<td>60 degrees</td>
<td>17.0</td>
<td>9.0</td>
<td>19.0</td>
</tr>
<tr>
<td>90 degrees</td>
<td>24.0</td>
<td>9.5</td>
<td>19.0</td>
</tr>
<tr>
<td><strong>Two Way</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0 degrees</td>
<td>20.0</td>
<td>10.0</td>
<td>22.0</td>
</tr>
<tr>
<td>30 degrees</td>
<td>20.0</td>
<td>9.0</td>
<td>19.0</td>
</tr>
<tr>
<td>45 degrees</td>
<td>22.0</td>
<td>9.0</td>
<td>19.0</td>
</tr>
<tr>
<td>60 degrees</td>
<td>24.0</td>
<td>9.0</td>
<td>19.0</td>
</tr>
<tr>
<td>90 degrees</td>
<td>25.0</td>
<td>9.0</td>
<td>19.0</td>
</tr>
</tbody>
</table>

**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.

<table>
<thead>
<tr>
<th>Schedule 125-170.G-1: Driveway Dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Curbs Return (ft.)</td>
</tr>
<tr>
<td>Minimum</td>
</tr>
<tr>
<td>Maximum</td>
</tr>
<tr>
<td>Minimum Corner Clearance (ft.)</td>
</tr>
<tr>
<td>Driveway Width (ft.)</td>
</tr>
<tr>
<td>Minimum</td>
</tr>
<tr>
<td>Maximum</td>
</tr>
<tr>
<td>Maximum Driveway Grade (%)</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Schedule 125-170.G-2: Maximum Driveways</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Street Frontage</td>
</tr>
<tr>
<td>Up to 58 feet</td>
</tr>
<tr>
<td>59 to 95 feet</td>
</tr>
<tr>
<td>96 to 135 feet</td>
</tr>
<tr>
<td>136 to 320 feet</td>
</tr>
<tr>
<td>321 to 600 feet</td>
</tr>
</tbody>
</table>
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.

<table>
<thead>
<tr>
<th>Use Classification</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Care Apartment Facilities</td>
<td>1</td>
</tr>
<tr>
<td>Clubs or Lodges</td>
<td>1</td>
</tr>
<tr>
<td>Convention Center</td>
<td>5</td>
</tr>
<tr>
<td>Cultural Institutions</td>
<td>1</td>
</tr>
<tr>
<td>Day Care</td>
<td>3</td>
</tr>
<tr>
<td>Government Offices and Facilities</td>
<td>2</td>
</tr>
<tr>
<td>Hospitals</td>
<td>2</td>
</tr>
<tr>
<td>Hotels and Commercial Lodging</td>
<td>3</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td></td>
</tr>
<tr>
<td><strong>Amphitheatre</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Court or sports field</strong></td>
<td>1 per court/field</td>
</tr>
<tr>
<td><strong>Performing Arts</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Skating Rink</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Swimming Pool</strong></td>
<td>2</td>
</tr>
<tr>
<td><strong>Theatre</strong></td>
<td>1 per 3 screens</td>
</tr>
<tr>
<td>Religious assembly</td>
<td>3</td>
</tr>
<tr>
<td>Schools, public or private</td>
<td>3</td>
</tr>
<tr>
<td>Transportation passenger terminals</td>
<td>4</td>
</tr>
</tbody>
</table>

Sec. 125-170.I.  Parking of Oversize and Commercial Vehicles in Residential Districts

1. It shall be unlawful for any person to park, or stand a commercial and/or oversize vehicle, or to permit any commercial and/or oversize vehicle to park or stand upon any public street or public right-of-way in any residential zoning district in the City.

2. This shall not apply to the parking or standing of vehicles for the following purposes:

   a. Vehicles transporting passengers, freight, or merchandise to or from the residential area;
b. Publicly owned or franchised emergency or utility vehicles carrying out official duties;

c. Equipment being used for street construction, maintenance, or repair;

d. A vehicle with a mechanical defect, making it unsafe to proceed further shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs or if unable to repair until a tow truck comes;

e. Any motor home, boat, boat trailer, trailer, or house trailer being loaded, unloaded, or otherwise prepared for use or storage between the hours of 7:00 a.m. and 7:00 p.m.; or

f. Owned or operated by a contractor who has parked the vehicle in front of a residence or residential lot for which the person is contracted to do work, provided that the vehicle is parked only between the hours of 7:00 a.m. and 7:00 p.m. and only while the work is being performed. An exception to the time limit is made for emergency situations where immediate repairs need to be performed to lessen property damage or for safety reasons.

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.

**Sec. 125-170.L. Electric Vehicle Charging Stations**

1. *Purpose.* The purpose of this section is to provide design criteria and placement standards to encourage and promote safe and efficient electric vehicle charging opportunities in a full range of zones and settings for convenience of service to those that use electric vehicles.

2. *Zoning Districts.* Vehicle charging stations are allowed in all zoning districts. Electric vehicle charging station(s) shall be permitted in association with a single-family use designed to serve the occupants of the home. These regulations are applicable only to electric vehicle charging stations that are: 1) publicly owned and publicly available such as a public parking lot or public buildings; and 2) privately owned and publicly available commercial facilities such as a store or shopping center parking and public accommodations.

3. *Location and Layout.* The location and layout of charging stations for use by the public is expected to vary based on the design of the parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can achieve objectives for the provision of this service.

4. *Incentive Program.*
   a. When the number of required parking spaces is ten (10) or greater, the minimum parking requirement may be reduced by one space for each charging station, but the reduction of parking spaces may not exceed 10 percent of the required number of regular parking spaces. (The EV space will count as a parking space.) No reduction shall be made in the number of required accessible parking spaces. The incentive program does not apply to accessible parking spaces.

   b. Electric vehicle charging stations spaces for which any parking incentive was granted shall be operational at all times. When an electrical vehicle parking station is not operational for
14 consecutive days, it shall be considered to have been removed from service. The failure to maintain electric vehicle charging station spaces shall be cause to require the installation of the number of parking spaces required by the zoning district regulations.

5. **Size.** The minimum size of an electric vehicle charging station space is the same as a regular parking space (9’ x 19’). Charging devices may be located adjacent to designated parking spaces but shall not be placed within the dimensions of a parking space (length, width, and height clearance).

6. **Design Criteria and Guidelines.**
   
a. Charging station outlets and connector shall be no less than thirty-six (36) inches or no higher than forty-eight (48) inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the paved surface.

   Equipment mounted on pedestals, lighting posts, and other devices shall be designated and located so as not to impede pedestrian travel or create trip hazards. Adequate charging station equipment protection such as concrete-filled steel bollards, shall be used.

   b. When the electric vehicle charging station space is perpendicular or at an angle to the curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete-filled bollards, shall be used.

   c. Maintenance of the electric vehicle charging station, including functionality of the station, shall be the responsibility of the property owner.

7. **Lighting.** Where charging station equipment is installed, adequate site lighting shall exist or be installed.

8. **Notification.** The following information shall be posted at all charging stations:
   
a. Voltage and amperage levels.

   b. Days and Hours of operations if time limits or tow-away provisions are to be enforced by the property owner.

   c. Usage fees.

   d. Safety information.

   e. A phone number or other contact information for reporting when the equipment is not operating or other problems.

9. **Signage.**
   
a. Each charging station space shall be posted with signage to identify that it is an electric vehicle charging stations and indicating the space is only for electric vehicle charging purposes.

   b. Installation of directional signage at the parking lot entrance and at appropriate decisions points be provided to guide motorist to the charging stations space(s).

   c. An EV sign may be displayed without an associated direction arrow but no direction arrow sign may be displayed without an EV sign. No permits are required for EV signs.
10. **Battery Exchange Stations.** Battery exchange stations are permitted in commercial, and industrial zoning districts, provided all other requirements for the building or space the use occupies can be satisfied, such as fire, zoning, and building code requirements. This use is specifically prohibited in residential zoning districts or 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. Buffer Yards

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. **Landscaping Plan.** When landscaping is required, a landscaping plan shall 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.

3. **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.

4. **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.

5. **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.
6. **Parking Area Landscaping.** Landscaping requirements for parking areas are set forth in Division 5 of this Article.

7. **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.

8. **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.

9. **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.

10. **Special Landscape Setback Requirements.**

    a. **Applicability.** The requirements in this subsection shall apply to the following district: Commercial and Mixed Use, Industrial, Public and Semi-Public and Open Space Districts and the Commercial Revitalization Overlay District.

    b. **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.

    c. **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.

    d. **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. The maximum slope shall not exceed 4:1.

11. **In lieu of providing a landscape setback as described in 11. above:** 1) 50% of the ground floor of the building shall be built to the property line. 2) 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. 3) Loading areas shall be screened so as not to be visible from public streets. 4) Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.
12. **Percent of Landscaped Area.** The zoning districts listed in the table below require a percent of the area to be landscaped. The minimum percent of landscaped area is provided in the table.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>CN</th>
<th>CG</th>
<th>CO</th>
<th>CM</th>
<th>IL</th>
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<td>Minimum % Landscaped Area</td>
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13. **Screening of Parking Areas.** Parking areas 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.** Where landscaping is used as a substitute screening method, hedges shall be installed as described in 10.b. Additionally, the hedges shall not be located in public rights-of-way. Plant materials shall be an evergreen species. Ground cover and shrubs planted within sight distance triangles shall not exceed a height of 24 inches at maturity.

    b. **Berms.** Where a berm is used as a substitute screening method, berms shall meet the requirements described in 10.c. Berms shall not be located in public rights-of-way.

    c. **Parking Screen Fences.** Fences shall be not less than 3 feet nor more than 4 feet measured from finish grade of the parking lot. 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 the curb. Fences shall not be placed in public rights-of-way or on top of any retaining walls. Fences shall be constructed of decorative block, brick, stone, or similar materials and finished on both the interior and exterior elevations.

    d. **Shade Trees.** 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. Parking lot trees, when planted, shall have a minimum trunk height of 6 feet and a minimum 2-inch single trunk caliper measurement or 1.5-inch average trunk caliper for multiple trunk trees, measured 4 feet above grade. This size of tree is generally referred to as a 24-inch box. The minimum trunk height of parking lot trees shall be 6 feet. 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. 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.
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 use 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**

<table>
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<tr>
<th>Buffer Yard Types</th>
<th>Buffer yard width (ft.)</th>
<th>Canopy trees (per 100 lineal feet)</th>
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<td>A</td>
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<td>C</td>
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a. Canopy trees (per 100 lineal feet)
b. Canopy trees (per 100 lineal feet)
City of League City – Article IV Regulations Applying to All or Several Districts (Last Revisions Effective October 22, 2019)

<table>
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<tr>
<th>Ornamental trees (per 100 lineal feet)</th>
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<td>Shrubs</td>
<td>continuous</td>
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<td>Berm height (ft.), if provided</td>
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<tr>
<td>Fence height (ft.), if provided</td>
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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-inch 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.
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<tr>
<th>Proposed Development Providing Buffer</th>
<th>RSF-20</th>
<th>RSF-10</th>
<th>RSF-5</th>
<th>RSF-2</th>
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— 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. Nonconforming Status

Any use, platted lot, or structure which does not conform with the regulations of the zoning district or subdivision regulations in which it is located shall be deemed a nonconforming use, lot, or structure when:

a. The use, platted lot, or structure was in existence and lawfully operating prior to the adoption of this Code and which has since been in regular and continuous use.

b. The use, platted lot, or structure was in existence and lawfully constructed, located, and operating at the time of any amendment to this Code, but by such amendment is placed in a district wherein such use, platted lot, or structure is not otherwise permitted and has since been in regular and continuous use.

c. The use, platted lot, or structure was in existence at the time of annexation into the city and has since been in regular and continuous use.

d. The owner of the property whose land use, lot, and/or structure is deemed to be nonconforming may file an application for a Certificate of Nonconforming Status 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 Nonconformance as acknowledgement that the use, lot, and/or structure was legal at the time the use, structure, or lot was established/constructed and is allowed to remain.

e. A nonconforming lot or structure 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.C. Nonconforming Uses

(1) A nonconforming use results from failure to conform to the applicable district regulations or use groups or performance standards (such as parking, landscaping signage, buffers).

(2) 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.

(3) Abandoned Uses and Structures. If said nonconforming use or structure is discontinued or abandoned, any future use of the premises shall be in conformity with the provisions of this Code. The following regulations apply to abandoned uses and structures:

   i. When a nonconforming use or structure does not meet the development standards of this Code, is discontinued or abandoned for a period of six months, such use shall not be resumed.

   ii. Any nonconforming use which does not involve a permanent structure and said use is discontinued or moved from the premises shall be considered to have been abandoned.

   iii. No nonconforming use may be abandoned and subsequently reoccupied with another nonconforming use or increased as of the effective date of this Code.

(4) Change to nonconforming uses. The following regulations apply to changing a nonconforming use:

   i. Any nonconforming use may only be changed to a conforming use, and once such a change is made, the use shall not be changed back to a nonconforming use.

   ii. A conforming use located in a nonconforming structure may be changed to another conforming use, however, the structure remains subject to the nonconforming structure regulations contained in this section.

   iii. A nonconforming use shall not be changed to another nonconforming use.
Sec. 125-191.D. Nonconforming Lots

Lots are considered nonconforming if the lot size, lot depth, setbacks and/or width are less than the regulations prescribed in the zoning district in which it is located. Exceptions to lot size are as follows:

1. **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 lot is 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.

2. **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.

Sec. 125-191.E. Nonconforming Structures

The zoning regulations prescribe the general placement, height, and density for all buildings and structures. These regulations include minimum setbacks from streets and lot lines, maximum building height, maximum building footprint, and maximum percentage of a lot which can be covered with buildings and structures. When a building or structure does not meet all these regulations, it is considered nonconforming.

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. **Reconstruction following Damage or Destruction.**
   i. Destruction greater than 50%. 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 may only be rebuilt in conformance to the provisions of this Ordinance. If any nonconforming structure or portion of a structure for which the City has issued a Certificate of Nonconforming Status is destroyed by 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 fifty percent (50%) 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.

ii. Destruction less than 50%. In the case of partial destruction of a nonconforming structure or structure occupied by nonconforming use, which has been damaged to an extent of not greater than fifty percent (50%) of the structure's current replacement cost, reconstruction will be permitted provided that:

1. the size or function of the nonconforming use cannot be expanded;

2. repair shall be completed within one year (365 calendar days) following the event that caused the partial destruction; and

3. if reconstruction is delayed by contested insurance claims, litigation, or some other similar cause, then the one-year reconstruction period may be extended by the City Planner.

3. **Moving a nonconforming structure.** Any nonconforming structure that is moved in whole or in part 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 six (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.
Division 8. Mobile Food Vendors

Sec. 125-200 Mobile Food Vendors

Sections:
125-200.A. Compliance and permit required.
125-200.B. Permit.
125-200.D. Site regulations.

Sec. 125-200.A. Compliance and Permit Required.

It shall be illegal to sell food and/or drink items from a food truck, concession trailer, or similar vehicle parked on private property within the city except in compliance with regulations adopted in this division and a valid permit issued pursuant thereto.

Sec. 125-200.B. Permit.

1. Application requirements.

   a. An application for a mobile food vendor business permit shall be submitted to the Building Department.

   b. The application shall include the following documentation:

      I. the applicant’s Texas driver’s license;

      II. a site plan depicting the exact location on the nonresidential property where the mobile food vendor proposes to park to conduct business;

      III. written permission, signed and dated no more than thirty (30) days before the application date, from the owner of the nonresidential property allowing mobile food vendor operations at said site and the use of the on-site commercially plumbed public restroom by the mobile food vendor and its customers;

      IV. a Texas Sales Tax certificate for the business seeking a permit;

      V. a County Health Department permit for the food truck, concession trailer, or similar vehicle; and
VI. proof of current license plates, registration, and automobile liability insurance for the food truck, concession trailer, or similar vehicle;

c. A passing inspection by the League City Fire Marshal is required prior to the Business permit being issued.

2. Business permits for mobile food vendors are valid for one year, not transferable, and may be renewed annually. The City business permit and the County Health Department permit shall be displayed during all times of operation in a location where it can be read by the general public.


Mobile food vendors shall operate their business in compliance with the following rules of operation:

1. Items for sale. Only food and non-alcoholic drink items may be sold by a mobile food vendor.

2. Utilities.
   
   a. Water needed for the operation shall be provided from a tank carried on the food truck, concession trailer, or similar vehicle. Connection to a potable water supply system at the property is prohibited.
   
   b. Electricity for the operation shall be from an internal or portable generator. Connection to an electrical outlet at the property is not allowed.
   
   c. Each mobile food vendor is responsible for providing covered solid waste containers in which its customers may dispose of trash and food waste. All such solid waste containers and the solid waste collected therein shall be removed from the site by the mobile food vendor when leaving the site each day.

3. Hours of operation. A mobile food vendor may operate only during the hours that the primary business on the property is open for business, and shall not remain parked overnight at said property.

4. Noisemakers prohibited. Mobile food vendors shall not use loudspeakers or noisemakers to play music or make noises for the purpose of attracting attention to a mobile food vendor.

Sec. 125-200.D. Site Regulations.

1. A mobile food vendor may conduct business only on private property where an existing, permanent business operates in a building and pursuant to a certificate of
occupancy. Said property must be zoned commercial, industrial, or Planned Unit Development where the base zoning district is commercial.

2. A mobile food vendor parked to conduct business shall be:

   a. located no closer to major thoroughfares than the primary business building on the property;

   b. set back a minimum of fifty (50) feet from residential single family properties; and

   c. not located in or on required parking spaces, driveways, fire lanes, unimproved surfaces, or any location where the mobile food vendor can obstruct traffic movement or impair visibility and safety to the site.

3. Only one mobile food vendor is allowed per property, and no drive through may be marked or otherwise established for the mobile food vendor to conduct business.
Division 9. Short Term Rentals

Sec. 125-210 Short Term Rentals

Sections:
125-210.A. Purpose.
125-210.B. Compliance and Permit Required.
125-210.D. Compliance with Law.
125-210.F. Posting of Information.

Sec. 125-210.A. Purpose.

1. The purpose of this division is to establish regulations for the protection of the health and safety of the occupant(s) of short-term rental properties; to protect the integrity of the neighborhoods in which short term rental properties operate, and to ensure the collection and payment of hotel/motel occupancy taxes.

2. This division does not grant the owner of residential property with the right or privilege to violate any private conditions, covenants, and/or restrictions applicable to the owner’s property that may prohibit the use of said residential property for short-term rental purposes as defined in this division.

Sec. 125-210.B. Compliance and Permit Required.

It shall be illegal to offer or enter into an agreement for a short-term rental within the city except in compliance with regulations adopted in this division and a valid permit issued pursuant thereto.

Sec. 125-210.C. STR Permit.

1. Application requirements.

   a. An application for a short-term rental permit shall be submitted to the Planning Department.

   b. The application shall include the following information:

      i. the name, address, email address, and telephone number of the operator of the subject STR;
ii. the name, address, email address, and telephone number that is answered twenty-four hours a day for the local contact person of the subject STR;

iii. the name and address of the proposed STR;

iv. proof of Hotel Occupancy Tax registration;

v. the number of sleeping areas and the applicable overnight and daytime occupancy limit(s) of the proposed STR;

vi. a floor plan of the subject STR that identifies sleeping areas, evacuation route(s), and location of fire extinguishers;

vii. a site plan of the property showing structures and the location of parking spaces; and

viii. such other information as the City Planner, or designee, deems reasonably necessary to administer this division.

c. A passing Fire and Life Safety inspection.

2. **Fee.** The annual STR permit fee of $25.00 per rental unit is due with the application for a permit. Said fee is applicable to all rented units including rooms and guest houses.

3. STR permits are valid for one year and may be renewed annually by payment of the permit fee on or before the permit expiration date.

4. Failure to complete the renewal process for an STR permit may result in revocation of the STR permit. If an STR permit is revoked for any reason, the operator may not reapply for such for the same property for a period of twelve (12) months from the revocation.

5. An STR permit is not transferable to another owner, operator, or location.

**Sec. 125-210.D. Compliance with Law.**

1. The owner of the property and the operator of the STR shall be responsible for compliance with all applicable laws, rules, and regulations pertaining to the use and occupancy of the subject STR, including prohibition of public nuisances and unreasonable noise.

2. Short-term rental operators shall be responsible for informing their occupants of all relevant city codes and the occupants’ liability for violation of same.

3. Landscaped areas and yards shall not be utilized to provide required parking. If the STR is less than an entire property, a minimum of one off-street parking space is required per rental unit in addition to the required parking for single family residential lots. Parking must meet all other parking requirements in applicable law.

1. All short-term rentals shall be equipped with fire extinguishers, smoke detectors, and carbon monoxide detectors as required by all applicable law.

2. Every sleeping area shall have at least one operable emergency escape and rescue opening as required by all applicable law.

3. An evacuation plan shall be posted conspicuously in each permitted sleeping area.

4. Any room or sleeping area in an STR that does not comply with this section shall not be used as a sleeping area and where equipped with a door, shall remain locked at all times when the dwelling is being used as an STR. Such non-compliant sleeping area shall not be included in the maximum occupancy calculation for the STR. The owner/operator shall notify every occupant, in writing, that the non-compliant sleeping area may not be used for sleeping.

5. Each sleeping area must include at a minimum the shared use of a full bathroom.

Sec. 125-210.F.  Posting of Information.

The operator of the STR shall post in a conspicuous location in the common area in each STR unit the following:

(1) A notice that includes:

   (i) The maximum number of occupants;

   (ii) Location of off-street parking and prohibition of parking on landscaped areas and yards;

   (iii) Notice that failure to conform to the occupancy and parking requirements is a violation of the City Code and occupant or visitor can be cited;

   (iv) Restrictions on use of outdoor facilities, such as pools;

   (v) Local contact person’s name and 24-hour phone number;

   (vi) Property cleanliness requirements;

   (vii) Location of trash cans and pick-up requirements; and

   (viii) Flooding hazards and evacuation routes.

(2) Short Term Rental permit.
(3) The STR’s Health Department permit.

(4) The STR’s Hotel Occupancy Tax registration.


The operator of a short-term rental shall collect and remit hotel occupancy taxes as provided by all applicable law. Failure to collect and/or remit the tax as required by law shall be grounds for revocation of the STR permi
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Sec. 125-260 Use Classifications

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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 condominium 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.
Industrialized Home. A freestanding building designed for occupancy by a single household, constructed in one or more modules or constructed using one or more modular components, that is built at a one location, then transported to a permanent site and installed on a permanent foundation.

Manufactured Homes. A structure designed for occupancy by a single household constructed on or after June 15, 1976, according to the rules of the U.S. Department of Housing and Urban Development (HUD), Title 6 construction standards. Manufactured homes are built on a non-removable chassis, so they can be transported in one or more sections to the property where they will be used for permanent housing.

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 a 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.

**Animal Sales and Services with outdoor kennels, areas, and runs.** An animal-related use that includes an outdoor component, including a veterinary office or a commercial establishment in which dogs or other domesticated animals (pets) are housed, groomed, bred, boarded, trained, sold, or provided other health and well-being related services. Any of the listed activities may occur outdoors for an extended period of time. This use allows for the use of outdoor pens for shelter or care of animals.

**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.

- **Vehicle Fueling 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.
**Event Venue.** A facility the primary use of which is for rental for a fee to the general public for events such as craft fairs, concerts, weddings, parties and family reunions are held.

**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.** 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.

**Laboratory, Commercial.** Medical or dental laboratory services or photographic, analytical, or testing services in an establishment.

**Live-Work Unit.** A dwelling unit that is also used for work purposes, provided that the ‘work’ component is restricted to the uses of professional office, artist’s workshop, studio, or other similar uses and is located on the street level. The ‘live’ component may be located on the street level (behind the work component) or any other level of the building. The “work” portion shall be a minimum of 51% of the ground floor, and a minimum of 25% of the whole building square footage.

**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.

**Micro-brewery, Micro-distillery and Micro-winery.** A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, and which possess the appropriate licenses from the State of Texas.

**Nurseries and Garden Supply Stores.** Establishments engaged in the retail sale of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals or nursery goods and related products in small quantities to the consumer and may include the rental of small garden power 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.

**Nurseries and Landscaping Materials, Wholesale.** Establishments engaged in the storage, cultivation transplanting of live trees, shrubs or plants offered on the premises including items directly related to landscaping or gardening care and maintenance. The outdoor storage area may be larger than principal building

**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.

**Wrecking, Junk, or Salvage Yard (auto, steel, building materials) and Towing Services.** A yard or building the primary use of which is for motor vehicles, parts of motor vehicles, building materials, or machinery to be stored, dismantled and/or offered for sale in the open as whole units, as salvaged parts or as scrap or processed metal. The facility may also provide towing/transporting of damaged, inoperable or impounded motor vehicles.

**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 intrallease 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.

ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION means an electric vehicle charging station where the battery charging station equipment is located within accessible reach of a barrier-free access aisle and the electric vehicle

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.

**AWNING** means a shade structure suspended from a vertical wall, with no structural supports touching the ground.

**BALCONY** means a platform, located on an upper floor and enclosed by a balustrade.

**BATTERY CHARGING STATION** means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

**BATTERY ELECTRIC VEHICLE (BEV)** means a type of electric vehicle that uses chemical energy stored in rechargeable vehicle’s batteries and produces zero tailpipe emissions or pollution when stationary or operating.

**BATTERY EXCHANGE STATION** means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process.

**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.
**BULKHEAD** means the portion of a storefront which forms the base for one or more display windows.

**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.

**CANOPY** means a shade structure which requires one or more posts for support

**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.

**CHARGING LEVELS** means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms 1, 2, and 3 are the most common EV charging levels and include the following specifications:

1. **Level 1** is considered slow charging and operates on a 15- or 20-amp breaker on a 120-volt alternating current (AC) circuit and standard outlet. Level 1 charging stations can fully charge a BEV between eight and 32 hours and a PHEV between three and 15 hours.

2. **Level 2** is considered medium charging and operates on a 40- to 100-amp breaker on a 208- or 240-volt AC circuit. A Level 2 charging station can fully charge a BEV between four and six hours and a PHEV between one and two hours.

3. **Level 3** is considered fast or rapid charging and operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment. Charging times range from 25 to 40 minutes for BEVs and less than 20 minutes for PHEVs.

**CITY ENGINEER** means the city staff engineer, consulting engineer, or other person designated by the city administrator.

**CIVIC SPACE** means publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. For all residential uses, privately accessible open spaces such as courtyards, porches, and balconies may also be considered as Civic Space for the purposes of this ordinance.

**COLONNADE OR ARCADE** means a roofed or built structure, extending beyond the ground floor front façade of a building and over the sidewalk or civic space. A colonnade or arcade shall be open to the street except for supporting columns, piers, or arches. Residential or office units may occupy the space over the colonnade or arcade.

**COMMERCIAL DEVELOPMENTS** means businesses primarily engaged in direct retail sales of merchandise or service to the public.

**COMMERCIAL MOTOR VEHICLE** shall mean a self-propelled or towed vehicle that exceeds 10,000 pounds in gross weight, registered weight or gross weight rating.

**COMPLETION** means the date the work is completed for the drilling, re-drilling or workover and the drilling equipment is released by the Operator.
CONCESSION TRAILER means a vehicle that is not self-propelled, and which is designed to be pulled by a motorized vehicle, and which is designed, equipped, and/or used to sell food and/or drink items for immediate consumption.

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.

CORNICE means a horizontal decorative element which projects from the vertical wall at the top edge of a building.

COURTYARD/COURT means an uncovered area which is enclosed by a building or surrounded by a building complex.

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, co-partnership, 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.

ELECTRIC VEHICLE means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for locomotive purpose. Electric vehicles include Battery electric vehicles (BEV) and Plug-in hybrid electric vehicles (PHEV).

ELECTRIC VEHICLE CHARGING STATION means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device.
in an electric vehicle.

**ELECTRIC VEHICLE SPACE** means any marked parking space that identifies the use to be exclusively for the charging of an electric vehicle.

**EMISSION** means the act of passing into the atmosphere an air contaminant or a gas stream which contains, or may contain, an air contaminant.

**ENCROACHMENT** means a condition in which a feature of a building occupies space above the public right-of-way.

**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.

**EXPRESSION LINE** means a horizontal linear element which extends across a façade, as evidenced by a change in the wall plane (either projection or recess), color, or material.

**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.

**FOOD TRUCK** means a self-contained motorized vehicle designed, equipped, and/or used to sell food and/or drink items for immediate consumption.

**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 AREA** means the sum of the square footage of all floors of a structure or building.

**FLOOR, FIRST FINISHED** means the first level of a structure intended to be inhabited.

**FULL CUTOFF LIGHT FIXTURE** means a lighting fixture that projects all of its light in a downward direction. Full cutoff lighting fixtures emit no upward component of light. A full-cutoff luminaire, by definition, also is “fully shielded.” An example is listed below.
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.

LIGHT TRESPASS means light that falls outside the boundaries of the property on which the lighting fixture is located.

LOCAL CONTACT PERSON means the owner/operator or designated agent who shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of: (1) responding in person within one hour to complaints regarding the condition, operation, or conduct of occupants of the short term rental; and (2) taking remedial action to resolve any such complaints.

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.
MASSING means the overall volume and shape of a building.

MOBILE FOOD VENDOR shall mean a business which sells food and/or drink items intended for immediate consumption and which utilizes as its point of sale a food truck, concession trailer, or similar vehicle that is continuously parked for at least four (4) hours on private property to conduct business.

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.

OUTDOOR LIGHTS/LIGHTING means any exterior lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth or any other location and any associated lighting control equipment.

OWNER means the person or entity that holds legal and/or equitable title to the subject property, as shown in real property records.

OVERSIZE VEHICLE shall mean any motor vehicle that exceeds twenty-five (25) linear feet or a height of nine (9) feet.

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.

PATIO means a covered or uncovered paved area at ground level, immediately adjacent to a building.

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.

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV) means a hybrid vehicle with rechargeable batteries that can be restored to full charge by connecting a plug to an external electric power source. A PHEV shares the characteristics of both a conventional hybrid electric vehicle, having an electric motor and an internal combustion engine; and of an all-electric vehicle, also having a plug to connect to the electrical grid.

PORCH means a covered or uncovered structure, consisting of a deck which is at or near the height of the building foundation and accessed by steps.

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.

**RHYTHM** means the repetitive use of a group of visual elements to establish a recognizable pattern. It can include architectural elements, such as bays, windows, etc., as well as building setbacks.

**SCALE** means the height and proportions of a building and its components.

**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.

**SHIPPING CONTAINER** means a type of container that could be used for the transport, shipping, or hauling of materials or goods by land, sea, or air; capable of being moved or mounted by rail, truck, or boat. This definition includes steel sea or oceangoing containers marked with the American Bureau of Shipping's emblem or meeting the International Standard Organization's standards which can be detached from a trailer, chassis or frame, and which were formerly used for transporting sea or oceangoing cargo. This definition includes the following terms: moving container, storage container, cargo container, and transport container.

**SHORT-TERM RENTAL (STR)** means a property where all or a portion of a residential dwelling unit, including an apartment or accessory building, may be rented or leased for compensation to members of the public for use as sleeping accommodations on a temporary or transient basis of less than thirty (30) consecutive days. A short-term rental does not include a hospital, sanitarium, or nursing home; or a dormitory or other housing facility owned or leased and operated by an institution of higher education.

**SITE DEVELOPMENT PLAN** means a graphic and informative representation of a specific design solution for a development, meeting the requirements of this Article.

**SLEEPING AREA** means a room within a dwelling designed or used for sleeping, including a bedroom. Tents, hammocks, recreational vehicles and/or other vehicles and outdoor areas shall not be considered a sleeping area.

**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.

**STOOP** means a set of steps and small landing, which may be covered or uncovered.

**STOREFRONT** means the ground-floor façade of a commercial building, which contains the primary entrance to the building as well as one or more display windows.

**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.

**STREETSCAPE** – means the visual elements of a street, including the road, adjoining buildings, sidewalks, street furniture, trees and open spaces, etc.

**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.

**TERRACE** means a raised, open, flat area in a landscape near a building or atop a building.

**TRACT** means a parcel of land.

**TRANSOM WINDOW** means a lite placed above a horizontal structural beam or bar, or a horizontal member that separates a door from the lite above it. A single transom window is often located above a door, while a ribbon (series) of transom windows were traditionally located above a storefront, above an awning or canopy, to provide more natural light to the interior space.

**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

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