

Unified Development Code – Amendments

Request	Hold a public hearing and make a recommendation to City Council on revisions to Chapter 125 of the Code of Ordinances of the City of League City related to allowable uses, landscaping, and administrative approvals of plats.
Applicant	City of League City
City Council	Public Hearing & First Reading (Platting and Tree Maintenance) – <i>September 24, 2024</i> Public Hearing & First Reading (Land Uses and Landscaping) – <i>October 8, 2024</i>
Attachments	<ol style="list-style-type: none"> 1. Proposed Ordinance Redlines 2. Benchmarking

Background

September 9, 2024 – The Planning and Zoning Commission is scheduled to hold a public hearing and make a recommendation to City Council.

September 24, 2024 – The City Council is scheduled to hold a public hearing and hear the proposed ordinance on first reading (Platting and Tree Maintenance).

October 8, 2024 – The City Council is scheduled to hold a public hearing and hear the proposed ordinance on first reading (Allowable Uses and Landscaping).

The proposed ordinance amendments aim to streamline processes and allow for more flexibility for businesses who want to operate in League City. A summary of the proposed changes is listed below.

Changes to Use Chart

Proposed Changes to Use Chart

Uses Changed from “SUP” or “Not Allowed” to “Permitted”:

- Clubs and Lodges – Permitted in “HD-C” District
- Cultural Institutions – Permitted in the “OT” District
- Day Care – Permitted in the “OT”, “OTT”, “CRC”, and “HD-C” Districts
- Hospitals – Permitted in the “IL” District
- Animal Sales and Services, no outdoor kennels – Permitted in “CM” and “CRC” Districts
- Car Wash – Permitted in the “CG” and “CM” Districts
- Banks - Permitted in the "IL", “OT”, “OTT” and “HD-C” Districts
- Catering Businesses – Permitted in the “CN” and “HD-C” Districts
- Full Service Restaurants – Permitted in the “CO”, “CRC”, and “HD-C” Districts
- Limited Service Restaurants - Permitted in the "CO" and “HD-C” Districts
- Restaurants with Live Entertainment – Permitted in the “HD-C” District
- Restaurants with outdoor seating – Permitted in the “CN” and “HD-C” Districts
- Food and Beverage Sales – Permitted in the “CO” District
- Hotel – Permitted in the “CM” District
- Commercial Laboratory - Permitted in the "CN", “OT”, and “HD-C” Districts
- Massage Establishments - Permitted in the "OT" and “HD-C” Districts
- Microbrewery – Permitted in the “CRC” District
- Parking Facilities – Permitted in the “IL” and “HD-C” Districts
- Personal Instructional Services – Permitted in the "CO" District
- Personal Services - Permitted in the "CO" District
- Retail Sales - Permitted in the "CO" District
- Artisan Production Industry – Permitted in the “CM” District

Limited Production Industry – Permitted in the “CG” District
Research and Development - Permitted in the "CG“, “CO”, and “CM” Districts
Oil and Gas Well Drilling, Pipelines, and Pumpstations – Permitted in all Districts per HB 40.

Uses Changed from “Not Permitted” to “Permitted with a Special Use Permit”
Dwelling Unit, 2nd Floor or above – SUP Required in “CRC” and “HD-C” Districts
Car Wash – SUP Required in “CO” and “CN” Districts
Restaurant with Drive-Through – SUP Required in “HD-C” District
Microbrewery – SUP Required in "OTT" District
Nurseries and Garden Supply Stores – SUP Required in "OT", “OTT”, “CRC” and “HD-C” Districts
Parking Facilities – SUP Required in “HD-R” District
Wholesale Nursery – SUP Required in "CG" District
Warehousing and Outdoor Storage – SUP Required in "CG" District
Communication Towers – SUP Required in "CN" District

In addition to the above changes, a use chart imbedded in the Historic District Overlay District (3.12) was removed from the ordinance. The land uses allowed in the Historic District were already referenced in Section 3.13, so this amendment is removing duplicate information from the ordinance.

Platting Approval Authority

Proposed Changes to Platting Approval Authority

During the last legislative session, the Texas Legislature amended Section 212.0065 of the Texas Local Government Code to allow the delegation of platting approval authority from the Planning and Zoning Commission to one or more officers or employees of the municipality. Staff is proposing the approval authority of plats be delegated to the Planning Director. This delegation of authority aims to streamline the approval process and enhance efficiency by empowering the Planning Director to handle plat approvals instead of relying on the commission for each decision. This should shorten the timeline for approvals and reduce staff time creating commission documents and attending meetings.

Tree Maintenance

Proposed Changes to the Allowable Height of Trees Above Sidewalks

The current regulations require tree branches or limbs to be at least 15 feet above both streets and sidewalks. The proposed amendment seeks to maintain the 15-foot clearance above streets but reduce the required clearance above sidewalks to 8 feet.

Landscaping Requirements

Proposed Changes to Landscaping Requirements

The current regulations require that a site must conform with the landscape provisions of the ordinance if there is an expansion of an existing building or site by 25% or greater. The proposed language will change the threshold that requires compliance with the landscape ordinance to an expansion of a site or building greater than 50%, or the expansion of a site or building by more than 5,000 square feet.

Development Services Strategic Plan

The proposed ordinance amendments are consistent with several initiatives of the Development Services Strategic Plan, including:

- Investigate the feasibility of empowering the administrative approval of plats.
 - o *The ordinance amendments to Chapter 5 (Subdivisions) of the UDC will designate administrative approval authority to staff.*
- Regularly review ordinances to flag opportunities for policy improvements.
 - o *The proposed ordinance amendments are a result of staff reviewing the Unified Development Code and finding ways to help streamline development processes.*
- Revisit zoning categories and SUP requirements with policy makers to ensure that

these represent the direction of the elected body.

- *The proposed changes to the use chart are more permissive and will allow for a greater variety of uses in the zoning categories.*
- Ensure that new and modified policies and procedures are proactively communicated to all patrons and that reasonable implementation (lead) time is provided.
 - *Staff met with stakeholders to discuss the proposed ordinance amendments. There were no objections to the proposed changes.*
- Utilize Strategic Planning Advisory Committee (SPAC) or a professional group as a sounding board for proposed policies.
 - *All proposed ordinances were sent to the SPAC for comment prior to Planning and Zoning consideration.*

Outcomes

The proposed ordinance amendments will have the following outcomes:

- Reduce approval time of plats by eliminating the need to for Planning and Zoning Commission review.
- Increase the allowable uses in League City.
- Reduce landscaping restrictions on existing small businesses wanting to invest and expand in League City.
- Decrease the responsibility placed on homeowners to maintain excessively high tree clearance over sidewalks.

For additional information, you may contact Kris Carpenter, Planning Director at 281-554-1098 or at Kris.carpenter@leaguecitytx.gov.

Chapter 125: Article 4. Site Development Standards

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4.20 Landscaping and Buffer Yards

4.20.1 Purpose. The purpose of the landscaping and buffer yard regulations is to:

- a. Promote attractive development and preserve the appearance and character of the surrounding area through the use of landscaping.
- b. 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.
- c. Prescribe standards for the development and maintenance of planting, fences, and walls.

4.20.2 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 Ordinance and to Planned Developments.

a. **Applicability.** These regulations shall apply to:

1. All new residential and non-residential subdivisions;
2. All new construction other than individual single family residences;
3. Additions of 25-50 percent or more to existing buildings and uses in all multi- family residential and non-residential districts.
4. New construction and expansion by 25-50 percent or more of all existing permanent non-residential uses in residential districts.
5. Addition or expansion of an existing site or building by more than 5,000 square feet;

b. **Landscaping Plan.** When landscaping is required, a landscaping plan shall be submitted in conjunction with other application materials, as provided for in this Ordinance. 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.

- c. ***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.

- d. ***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:
 - 1. 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;
 - 2. All proposed plant materials clearly labeled and drawn to size at maturity;
 - 3. Adjacent land uses;
 - 4. 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;
 - 5. Description of the proposed method of protecting existing trees during construction; and
 - 6. Irrigation system.

- e. ***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:
 - 1. ***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.
 - 2. ***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.

3. **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.
- f. **Parking Area Landscaping.** Landscaping requirements for parking areas are set forth Section 4.19 this Article.
- g. **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.
- h. **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.
- i. **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.
- j. **Special Landscape Setback Requirements.**
 1. **Applicability.** The landscape setback requirements in this subsection shall apply to the following districts: Commercial and Mixed Use, Industrial, Public and Semi-Public, and Open Space Districts and the Commercial Revitalization Overlay District. A minimum 10-foot-wide landscaped setback is required along all street frontages. The landscape setback shall consist of the following:
 - i. One non-invasive tree or palm variety plant 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 one and one-half (1½) inch caliper (15 gallons) upon installation and shall have a minimum trunk height of six (6) feet upon installation; and
 - ii. A continuous hedge consisting of shrubs that are not less than three (3) feet or more than four (4) feet in height and planted in three- (3) or five (5)-gallon container stocks upon installation. The landscape hedge shall be set back a minimum of three (3) feet and a maximum of six (6) feet from the perimeter of any parking space, driveway, or any access aisle.
 - ii. In lieu of a landscape hedge noted above, a berm measuring not less than three (3) feet or more than four (4) feet in height from finish

grade of the parking lot may be utilized. The berm shall be set back a minimum of three (3) feet and a maximum of six (6) feet from the perimeter of any parking space, driveway, or any access aisle. The maximum slope shall not exceed 4:1.

2. In lieu of providing a landscape setback as described in j.1 above, the following may be utilized:
 1. Fifty percent (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; and
 4. Where the building abuts a residential district, the preferred location of loading facilities shall be the side away from the residential district boundary.

k. 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.

Zoning District	CN	CG	CO	CM	IL	IG	PS	OS	CRC
Minimum % Landscaped Area	10	15	15	15	10	10	10	50	15

- l. 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:
 1. **Landscape Screening.** Where landscaping is used as a substitute screening method, hedges shall be installed as described in j.1. of this section. 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.
 2. **Berms.** Where a berm is used as a substitute screening method, berms shall meet the requirements described in j.1.ii above. Berms shall not be located in public rights- of-way.
 3. **Parking Screen Fences.** Fences shall be not less than three (3) feet nor more than four (4) feet measured from finish grade of the parking lot. Fences shall be set back a minimum of three (3) feet and a maximum of six (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.

4. ***Parking Lot Trees.*** Non-Invasive trees or palm varieties 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 six (6) feet and a minimum two (2) -inch single trunk caliper measurement or one and one-half (1½) -inch average trunk caliper for multiple trunk trees, measured four (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 six (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 six (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 five (5) feet.

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Attachment #2 - Benchmarking

Landscaping Requirements

City	Expansion that Triggers Compliance with Landscaping Regulations
Allen	33% expansion
Friendswood	Any expansion
Frisco	30% expansion
Georgetown	50% expansion
McKinney	Any Expansion
Pasadena	Change in Land Use or Addition of 8 parking spaces
Pearland	500 Sq Ft Addition
Pflugerville	25% expansion
Plano	30% expansion
San Marcos	25% expansion
Sugarland	Any expansion

Administrative Approval of Plats

City	P&Z or Administrative Approval
Allen	P&Z approval
Friendswood	P&Z approval
Frisco	P&Z approval
Georgetown	Staff level approval
McKinney	Staff level approval
Pasadena	P&Z approval
Pearland	P&Z approval
Pflugerville	P&Z approval
Plano	P&Z approval
San Marcos	Staff level approval
Sugarland	P&Z approval

Tree Maintenance over Sidewalks

City	Sidewalk Clearance	Responsibility
Allen	7 feet	Property Owner
Friendswood	10 feet	Property Owner
Frisco	8 feet	Property Owner
Georgetown	8 feet	Property Owner
McKinney	7 feet	Property Owner
Pasadena	8 feet	Property Owner
Pearland	15 feet	Property Owner
Pflugerville	8 feet	Property Owner
Plano	7 feet	Property Owner/Occupant
San Marcos	8 feet	Property Owner/Occupant
Sugarland	8 feet	Property/Business Owner