

ORDINANCE NO. 2010-

AN ORDINANCE AMENDING ORDINANCE NO. 2005-24 FOR A SPECIAL USE PERMIT (SUP10-03 SOUTH HAMMOCK #3) FOR "MINOR UTILITY" USE (NATURAL GAS PIPELINE) WITHIN A 5-FOOT WIDE CORRIDOR BEING APPROXIMATELY 6,580 FEET IN LENGTH AND CONTAINING APPROXIMATELY 0.8 ACRES ON PROPERTY ZONED "OS" (OPEN SPACE), "RSF-5" (SINGLE-FAMILY RESIDENTIAL WITH A MINIMUM LOT SIZE OF 5,000 SQUARE FEET) AND "RSF-10" (SINGLE-FAMILY RESIDENTIAL WITH A MINIMUM LOT SIZE OF 10,000 SQUARE FEET), LEGALLY DESCRIBED AS PORTIONS OF LOTS 24-2, 24-3, 24-6, 24-7, 24-8, 24-9, 31-4, 33-2, 33-6, 33-7, 34-2, 34-4, AND 35-3 OF LEAGUE CITY DIVISION B AND ALSO PORTIONS OF LOTS 26-6, 26-7, 26-8, 26-9, 27-2, 27-4, 27-5 AND 27-6 OF LEAGUE CITY DIVISION C, GENERALLY LOCATED NORTH OF HEWITT STREET AND EAST AND WEST OF TEXAS AVENUE

WHEREAS, at the May 1, 1999 General Election the qualified voters of the City of League City voted that staff proceed with the concept of zoning for the City; and

WHEREAS, on August 10, 1999, the City Council of the City of League City, Texas (the "City Council") adopted Ordinance No. 99-52 amending the Code of Ordinances of the City of League City to add Chapter 125 regarding zoning; and

WHEREAS, on August 30, 2005, the City Council adopted Ordinance No. 2005-24 amending Chapter 125 of the Code of Ordinances of the City of League City and adopting zoning ordinances consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, Chapter 125, Section 125-50 provides that the City Council of the City of League City Texas may grant a special use permit for special uses that are otherwise prohibited by this section, and may impose appropriate conditions and safeguards to conserve and protect property and property values in the neighborhood; and

WHEREAS, the owners of that certain 0.8-acre parcel of land legally described as portions of Lots 24-2, 24-3, 24-6, 24-7, 24-8, 24-9, 31-4, 33-2, 33-6, 33-7, 34-2, 34-4 and 35-3 of the League City Division B and also portions of Lots 26-6, 26-7, 26-8, 26-9, 27-2, 27-4, 27-5 and 27-6 of League City Division C, as shown on the map in Exhibit "A", which parcel is currently on property zoned "OS" (Open Space), "RSF-5" (Single-family residential with a minimum lot size of 5,000 square feet) and "RSF-10" (Single-family residential with a minimum lot size of 10,000 square feet), is requesting a special use permit for "minor utility" use (natural gas pipeline) within a 5-foot wide corridor being approximately 6,580 feet in length; and

WHEREAS, the City Council of the City of League City, considered the affirmative recommendation of the Planning and Zoning Commission and duly conducted a public hearing as required by law; and

WHEREAS, the applicant presented adequate testimony that the proposed use for “minor utility” use (natural gas pipeline) is consistent with the standards for issuance for a special use permit; and

WHEREAS, the City Council of the City of League City has discretionary authority under Chapter 125, Section 125-50 and applicable law to grant or withhold approval of a special use permit; and

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. That a special use permit is hereby granted and the 0.8-acre parcel of land legally described as portions of Lots 24-2, 24-3, 24-6, 24-7, 24-8, 24-9, 31-4, 33-2, 33-6, 33-7, 34-2, 34-4 and 35-3 of the League City Division B and also portions of Lots 26-6, 26-7, 26-8, 26-9, 27-2, 27-4, 27-5 and 27-6 of League City Division C, as shown on the map in Exhibit “A” subject to the following conditions:

1. Prior to the final reading of this ordinance, the applicant shall provide a bond in the amount of \$500,000, as recommended by the City Engineer, conditioned that all work within the City shall be in strict accordance with the terms and conditions of this ordinance.
2. At the time construction plans are submitted to the City, the applicant shall include a site plan for the above ground valve sites showing screening and landscaping.
3. Prior to final reading of this ordinance, the applicant shall coordinate with the Public Works Department the right-of-way usage fee.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on first reading the ____ day of _____, 2010.

PASSED on second reading the ____ day of _____, 2010.

PASSED AND ADOPTED on the ____ day of _____, 2010.

TONI RANDALL
Mayor

ATTEST:

BARBARA F. LONG
City Secretary