

Sec. 125-8 Vested Rights

Sections:

125-8.A. General

125-8.B. Ratification of Existing Planned Unit Development (“PUD”) Plans

Sec. 125-8.A. General

The City Council recognizes that under Texas law an owner of real property is accorded rights that allow it to proceed with the development of a project pursuant to the rules and regulations affecting the development of the project as such rules existed on the date of the application for the first permit in a series of permits for the project. The purpose of this Section is not to limit or conflict with but to complement the rights accorded to a landowner pursuant to Texas law. Furthermore, nothing in this Section shall be construed to prevent a landowner from submitting for a Planned Unit Development Overlay District pursuant to the terms and conditions of this Chapter.

Any owner of real property within the City of League City, Texas shall be entitled to proceed with the development of property in accordance with the ordinances, rules and regulations affecting the development of land within the City of League City in effect at the time of the earlier of:

1. The filing of a plat approved by the Planning and Zoning Commission which contains property designated as Planned Unit Development (“PUD”) for record with the County Clerk of Galveston County, Texas subsequent to August 19, 1999;
2. The approval of a Planned Unit Development (“PUD”) Master Plan by the City of League City Planning Commission prior to August 19, 1999, but in no event earlier than September 1, 1997, or the City of League City Planning and Zoning Commission subsequent to August 19, 1999; or
3. The approval of a Planned Unit Development (“PUD”) Plan by the City Council of the City of League City, Texas.

The development standards in effect as of the applicable date set out above, including without limitation, development standards regulating lot size or dimension, setbacks, land use designations, parkland dedication, density and lot coverage, shall be the sole basis for consideration of all subsequent permits required for the completion of the development. Any modifications to a Planned Unit Development (“PUD”) Master Plan or a Planned Unit Development (“PUD”) Plan approved by City Council shall be in accordance with the approved Planned Unit Development (“PUD”) Master Plan or approved Planned Unit Development (“PUD”) Plan and shall be processed by the City of League City in the manner provided by the City Code of Ordinances in effect on the earlier of the date of the filing of

the plat containing property designated as Planned Unit Development (“PUD”) for record or the approval of the Master Plan or as provided in the Planned Unit Development (“PUD”) Plan approved by the City Council of the City of League City, Texas.

Any person, firm, corporation, partnership or other legal entity which has applied for a building permit from the City of League City, Texas, to construct a building prior to September 1, 2005 shall be entitled to construct such building in accordance with the provisions of the building permit and the plans approved in connection with such building permit and any ordinances, rules or regulations existing as of the date of the application for the building permit.

Nothing contained within this Section shall be construed to limit the City’s right to exempt the applicability of Chapter 245 of the Texas Local Government Code consistent with the provisions of Section 245.004 therein, now existing or as hereafter amended, nor abridge the City’s authority with respect to dormant projects as provided for under Section 245.005 therein, now existing or as hereafter amended.

Sec. 125-8.B. Ratification of Existing Planned Unit Development (“PUD”) Plans

All Planned Unit Development (“PUD”) Plans approved prior to September 1, 2005 shall be considered as amendments to the City of League City Zoning Ordinances as of the date such plans were approved by the City Council of the City of League City, Texas. In case of a conflict between the terms and provisions and the rules, regulations and development standards in effect as of the date of the approval of the Planned Unit Development (“PUD”) Plan and the terms of this Chapter, the terms and provisions, rules, regulations and development standards of the Planned Unit Development (“PUD”) Plan shall control.

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,