

ORDINANCE NO. 2014-

AN ORDINANCE AMENDING ORDINANCE NO. 2005-24 FOR **SPECIAL USE PERMIT SUP13-05 (BRIDGETEX PIPELINE)** FOR THE INSTALLATION OF A CRUDE OIL PIPELINE WITHIN A 24 INCH WIDE EASEMENT BEING APPROXIMATELY 16,310 FEET IN LENGTH LEGALLY DESCRIBED AS PORTIONS OF LOTS 1 THRU 3, (1-14), BLOCK A, OF THE CLEAR CREEK SUBDIVISION, TRACT 106, 107 AND 108 OF THE STEPHEN F AUSTIN SURVEY AND TRACTS 1 AND 132 OF THE PERRY & AUSTIN SURVEY, GENERALLY LOCATED NORTH AND SOUTH OF FARM TO MARKET ROAD 518, LEAGUE CITY PARKWAY AND FARM TO MARKET ROAD 646, AND WEST OF HIGHWAY 3 IN THE CITY OF LEAGUE CITY.

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 "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 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, 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 ordinance, and may impose appropriate conditions and safeguards to conserve and protect property and property values in the neighborhood; and

WHEREAS, the owner of a certain tract of land being an installation of a crude oil pipeline within a 24 inch wide easement being approximately 16,310 feet in length and containing approximately 32.4 acres on property zoned "OS" (Open Space) and "OS-CRC" (Open Space with a Commercial Revitalization Overlay), legally described as portions of Lots 1 thru 3 (1-14), Block A, of the Clear Creek Subdivision, Tract 106, 107 and 108 of the Stephen F Austin Survey and Tracts 1 and 132 of the Perry & Austin Survey, generally located north and south of Farm to Market Road 518, League City Parkway, and Farm to Market Road 646 and west of Highway 3 in the City of League City as identified on Exhibit A; 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 to install a crude oil 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 Ordinance No. 99-52 and applicable law to grant or withhold approval of a special use permit.

NOW, THEREFORE, BE IT ORDAINED 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. A special use permit is hereby granted and the 32.4-acres of land legally described as portions of Lots 1 thru 3 (1-14), Block A, of the Clear Creek Subdivision, Tract 106, 107 and 108 of the Stephen F Austin Survey and Tracts 1 and 132 of the Perry & Austin Survey, generally located north and south of Farm to Market Road 518, League City Parkway, and Farm to Market Road 646 and west of Highway 3 in the City of League City is hereby conferred a permitted special use to install a crude oil pipeline within the boundaries as depicted on the attached Exhibit A with the following condition:

1. The Contractor must provide at least 24 hours notice to the Oil & Gas Coordinator prior to crossing any 24-inch or 42-inch public water mains in support of Water Production's request to be on-site during these crossings.

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 first reading the _____ day of _____, 2014.

PASSED second reading the _____ day of _____, 2014.

PASSED AND ADOPTED the _____ day of _____, 2014.

Timothy Paulissen,
Mayor

ATTEST:

Diana Stapp,
City Secretary