

## Zoning Change MAP17-0002 (Wilson Properties)

<b>Requests</b>	<p>Hold a public hearing and make a recommendation for a Zone Change Application, MAP17-0002 (Wilson Properties), a request to rezone a total of four (4) undeveloped tracts along the north side of West FM 646, consisting of approximately 13.0 acres as follows (See Attachment #1 for Tract locations):</p> <p>Tract 1: Rezone approximately 2.6 acres of land from “CO” (Office Commercial) to “CG” (General Commercial).</p> <p>Tract 2: Rezone approximately 2.84 acres of land from “RMF-2” (Multi-Family Residential with a maximum density of 22 dwelling units per acre) to “CG” (General Commercial).</p> <p>Tract 3: Rezone approximately 1.49 acres of land from “RMF-2” (Multi-Family Residential with a maximum density of 22 dwelling units per acre) to “CG” (General Commercial).</p> <p>Tract 4: Rezone approximately 6.01 acres of land from “CO” (Office Commercial) to “CG” (General Commercial).</p> <p>The applicant is seeking the rezoning of the 4 tracts to sell and/or develop the properties similarly to the “CG” zoned properties on the south side of West FM 646. The applicant has submitted letters from outside parties interested in developing at least two of the tracts. See Attachment # 4. The applicant also indicates a nearby land owner developing on the south side of FM 646 is also showing interest in one of the properties.</p>
<b>Applicant/ Owner</b>	Charles & Dean Wilson
<b>City Council</b>	Public Hearing & First Reading – <i>October 10<sup>th</sup>, 2017</i> ; <i>Second Reading – October 24<sup>th</sup>, 2017</i>
<b>Location</b>	Generally located east of West Walker Street and west of State Highway 3 along the north side of West FM 646.
<b>Citizen Responses</b>	32 – Notices Mailed to Property Owners within 500 feet 0 – Communications of Support Received 0 – Communications of Opposition Received
<b>Attachments</b>	1. Zoning Map 2. Future Land Use Map 3. Aerial Map 4. Letters of Interest 5. Comparable and Non-Comparable Land Uses

The Commission should consider the following criteria in its deliberation, which shall be utilized to substantiate its findings. The Commission should determine the extent to which the proposed zonings would be compatible with the surrounding properties, the surrounding land uses and their impacts should be considered.

## Background

**August 10, 1999** – All properties located on the north side of FM 646, with the exception of the Galveston County Emergency Management, between Victory Lakes and Benson’s Bayou in the area were initially zoned as “CO (C-2)” or Office & Professional Commercial.

**October 28, 2003** – City Council adopted Ordinance No. 2003-65 which rezoned 24.03 acres from Office and Professional Commercial to Multi-Family Residential. The rezoning includes Tracts 2 and 3. The request included the proposal to develop the entire 24-acres for a multi-family development. Construction began on the Beacon Lakes Apartments in late 2007 and on only 19.2 acres of land, leaving Tracts 2 and 3 undeveloped.

**August 31, 2005** – The Office & Professional Commercial zoning district was renamed to “CO” (Office Commercial) and the Multi-Family Residential zoning district was renamed to “RMF-2” (Multi-Family Residential with a maximum density of 22 dwelling units per acre) as part of the Zoning Map and Text Amendment of 2005.

**June 14, 2017** – Applicant held a neighborhood meeting. The applicant’s sign-in sheet indicates two people attended.

**July 10, 2017** – Applicant submitted rezoning application to the Planning Department.

**August 4, 2017** – Notification of public hearings was published in the newspaper. Planning staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the properties.

**August 25, 2017** - Planning staff sent out rescheduled public hearing notices to the surrounding property owners and installed public hearing signs on the properties because the August 28, 2017 P&Z meeting was cancelled due to possible severe inclement weather (Hurricane Harvey).

**August 27, 2017** – Newspaper notification of the rescheduled meetings is published because the August 28, 2017 P&Z meeting was cancelled due to possible severe inclement weather (Hurricane Harvey).

**September 18, 2017** – Planning & Zoning Commission is scheduled to conduct a public hearing and make a recommendation to City Council.

**October 10, 2017** – City Council is scheduled to conduct a public hearing and consider request on first reading.

**October 24, 2017** – Subject to approval on a first reading only, City Council to consider request on second reading.

## Site and Surrounding Area

All of the tracts are undeveloped with the exception of Tract 2 which has a roadway between the Beacon Lakes Apartments and FM 646. It is unknown if any protected trees are located on any of the properties. Identification of protected trees will occur at the platting phase of development.

Direction	Surrounding Zoning	Surrounding Land Use
North	“CO”, “RMF-2” and “PS”	Undeveloped, Multi-Family Residential and Golf Course
South	ROW and “CG”	West FM 646, Undeveloped, Offices, Self-Storage, Car Wash and Restaurants
East	ROW, “OS” and “CG”	Utah Avenue, CenterPoint High Power Transmission Corridor
West	“CO”	Offices, Governmental Offices, and Undeveloped

## Conformity with Comprehensive Plan

The Future Land Use Map in the 2035 Comprehensive Plan identifies Tracts 1, 2, and 4 as “Enhanced Auto Dominant Commercial” and Tract 3 as “Enhanced Auto Dominant Residential”.

The intent of the Enhanced Auto Dominant Commercial focuses on the convenience and access for customers and employees almost exclusively by automobile. These districts are typically at major intersections or linear along major roadways as single storefronts or retail strip centers. Walkability and connectivity are minimal. The buildings are typically setback with parking dominating the site. Landscaping is emphasized, but most often is an accent to parking or the structures. Uses of the property are generally limited to retail with some office spaces and are rarely mixed.

Enhanced Auto Dominant Residential focuses on the automobile where driveways are a larger percentage of single- or multi-family frontages with setbacks deep enough to allow for parking. Garages also become a dominant part of the architecture with lots being smaller in size. Overall lot coverage and impervious coverage is greater. However, based on the existing property, its size, and its location, the character classification by the Comprehensive Plan appears to have been made in error. A more appropriate Future Land Use classification is Enhanced Auto Dominant Commercial.

Based on the proposed rezoning request, the “CG” zoning district follows the Comprehensive Plan’s Future Land Use Map classification for Enhanced Auto Dominant Commercial.

## Zoning Analysis

Should the proposed rezoning be approved, all four properties would be rezoned to “CG” with the use and development regulations being revised as well.

Two of the tracts (Tracts 2 and 3) in the request are to rezone the properties from multi-family to commercial. In 2003, the properties were rezoned to multi-family as part of a 24-acre request to construct apartments. However, when the Beacon Lakes Apartments were constructed, these tracts were not developed. Based on the size and locations of the properties, further developing the tracts as multi-family would be difficult.

The rezoning request for the remaining two tracts (Tracts 1 and 4) are to rezone from “CO” to “CG”. The table below compares the development requirements for the multi-family and commercial zoning districts.

<b>Development Standards</b>	<b>RMF-2</b>	<b>CO</b>	<b>CG</b>
<b><i>Building Scale</i></b>			
Minimum Lot Area (sq. ft.)	None	10,000	10,000
Minimum Lot Width (sq. ft.)	75	75	75
Minimum Lot Frontage (ft.)	None	75	75
<b><i>Building Form and Location</i></b>			
Maximum Height (ft.)	42	60	125
<b><i>Minimum Yards (ft.)</i></b>			
Front	15/20/30*	20	20
Side	20	10/20**	15/30
Street Side (Corner Lot)	20	10	15
Rear	15/20/30*	15/30**	20/40
Maximum Lot Coverage (%)	50	80	85

\* For 1/2/3+ stories

\*\* For Nonresidential / Residential Adjacency

While the table above indicates similar property development requirements, approximately half of the allowable uses are shared by both commercial zoning districts. A list of comparable land uses and development requirements is provided in Attachment #5. The highlighted areas in the attachment are those uses that would be permitted should the property be rezoned to “CG”. The non-highlighted land uses would be permitted continue since they are currently allowed in the “CO” zoning district.

In recent years, the FM 646 corridor has transitioned to more intensive commercial uses near the intersection of Interstate 45 and West FM 646. Progression eastwards has presented an opportunity to locate commercial businesses along the major FM 646 thoroughfare where traffic and nuisances such as noise and light can be better mitigated from nearby residences. The nearby residential subdivisions are also typically setback from the major roadways, which provides a sufficient buffer from residential properties.

In addition, it is the City’s goal to locate more tax generating uses along major thoroughfares, including uses such as eating and drinking establishments (restaurants), home improvement sales (home centers), hotels, gas stations, and retail. The owner of the properties has submitted letters indicating interest in developing the properties with uses that are consistent with the city’s goal. The current zoning of “CO” and “RMF-2” do not allow for uses that the City is encouraging along these major thoroughfares.

**Access and Traffic Impacts** The primary point of access for all four tracts is West FM 646. Farm to Market Road 646 is under the jurisdiction of the Texas Department of Transportation (TxDOT). In addition, Tract 2 has additional access from a private driveway that runs between the Beacon Lakes Apartments and FM 646.

**Utilities** Equivalent Dwelling Units (EDU’s) are used to determine the capacity of water and waste water available to a site. With a single-family dwelling unit being equivalent to 1 EDU, the Engineering Department indicates that water and sewer have been constructed to serve this development.

Water service is provided by an existing 16-inch water line between the golf course and commercial tracts along the north side of FM 646 and by an existing 8-inch water line on the south side of FM 646.

Sanitary sewer is provided by an existing 24-inch sanitary sewer line along the north side of FM 646.

**Floodplain** Currently, only Tract 4 is being shown in the floodplain. Tracts 1, 2 and 3 are located in the 500-year floodplain.

Preliminary FEMA floodplain maps for Galveston County show that the floodplain classifications for each of the four properties are not changing.

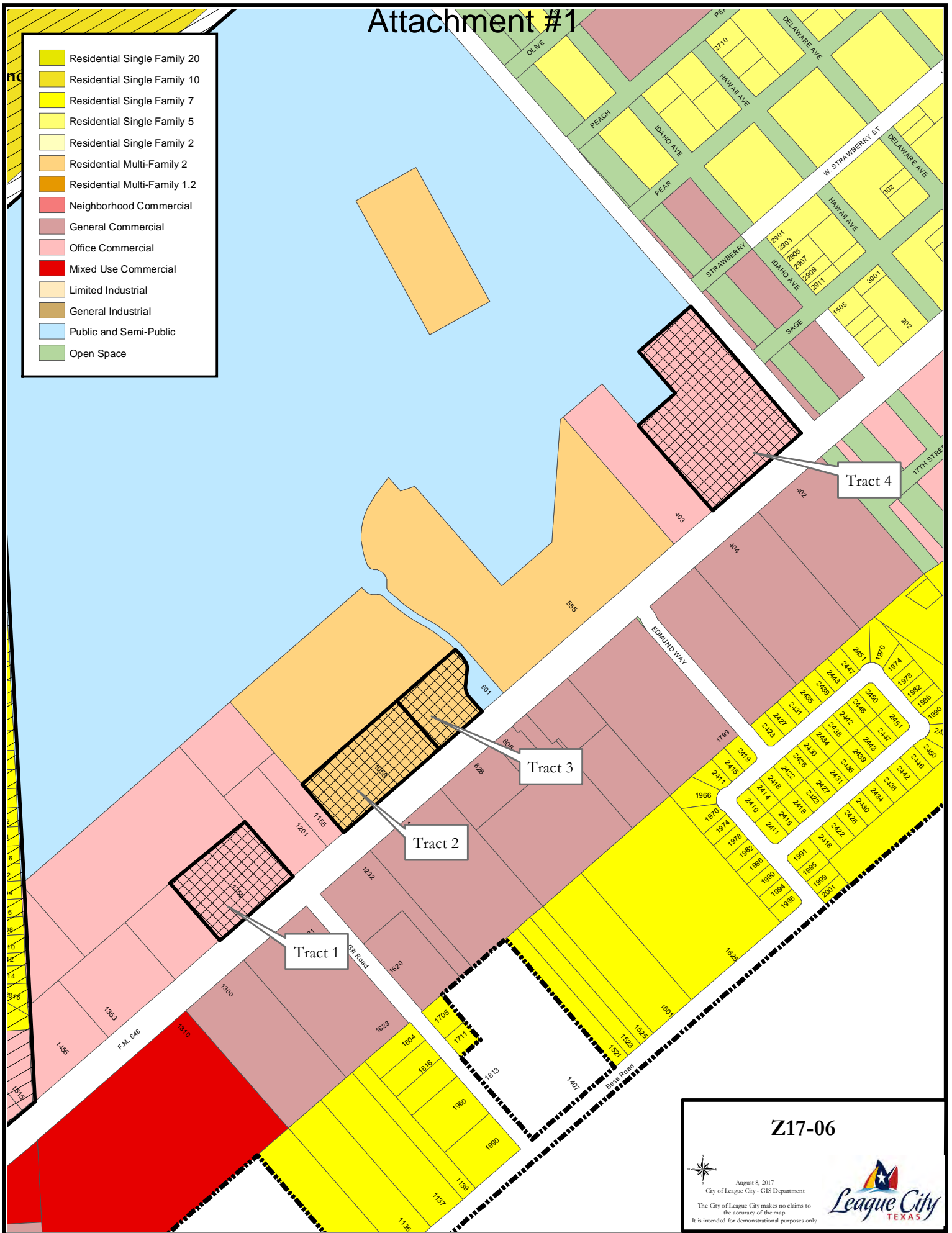
**Recommendation** Based upon the analysis provided and compliance with the Comprehensive Plan, staff recommends approval.

**Recommended Motion** Motion to approve Zone Change Application, MAP17-0002 (Wilson Properties) as presented by staff.

For additional information, you may contact Mark Linenschmidt, Senior Planner at 281-554-1078 or at [mark.linenschmidt@leaguecity.com](mailto:mark.linenschmidt@leaguecity.com).

# Attachment #1

- Residential Single Family 20
- Residential Single Family 10
- Residential Single Family 7
- Residential Single Family 5
- Residential Single Family 2
- Residential Multi-Family 2
- Residential Multi-Family 1.2
- Neighborhood Commercial
- General Commercial
- Office Commercial
- Mixed Use Commercial
- Limited Industrial
- General Industrial
- Public and Semi-Public
- Open Space



**Z17-06**



August 8, 2017  
 City of League City - GIS Department  
 The City of League City makes no claims to  
 the accuracy of the map.  
 It is intended for demonstrational purposes only.



# Attachment #2

## Land Use

- Rural/Estate Residential
- Park/Open Space/Natural
- Suburban Residential
- Suburban Village
- Suburban Commercial
- Enhanced Auto Dominant Residential
- Enhanced Auto Dominant Commercial
- Urban High
- Urban Low
- Public/Institutional



Z17-06



August 8, 2017  
City of League City - GIS Department  
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# Attachment #3



**Z17-06**



August 8, 2017  
City of League City - GIS Department

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# Attachment #4

July 6, 2017

Vela & Vela Agencies, Inc.  
400 E. House St.  
Alvin, TX 77511

City of League City  
Kris Carpenter  
300 W. Walker  
League City, TX 77573

Kris,

My corporation, Vela & Vela Agencies, Inc., is working with Mr. Charles Wilson to purchase one of his commercial properties, at FM 646, League City, TX 77573. My corporation is in the process of purchasing commercial property to build a retail center and relocate one of our Allstate Insurance agencies, currently housed at 2910 Gulf Freeway, Suite D, League City, TX 77573.

Please let me know if you have additional questions. If you need to discuss this matter with me, please call my cellular, 281-703-9607, or you may email me at [blasavela@icloud.com](mailto:blasavela@icloud.com). Thank you for your consideration.

Sincerely,

Blasa Vela  
President  
Vela & Vela Agencies, Inc.



# Attachment #4

BAY OIL COMPANY

2201 FM 517 EAST

DICKINSON, TEXAS 77539

KRIS CARPENTER  
Planning Manager

[Kris.carpenter@leaguecity.com](mailto:Kris.carpenter@leaguecity.com)

July 26, 2017

I think that the following location would be a great location for a major brand C-store. Due to the traffic count, apartments, housing and golf course.

The location would help move traffic since it will not be caught up with all the store traffic at FM 646 & I-45.

I have been in the fuel business for 40 years and built and owned several c-stores with my brother. Bay Oil Company is a family run business since 1921.

Sincerely,

Brooks Smith

Bay Oil Company

[bocbs@aol.com](mailto:bocbs@aol.com)

281-337-4673

# Attachment #5

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

<i>Use Classifications</i>	<i>CG</i>	<i>CO</i>	<i>Additional Regulations</i>
<b><i>Residential</i></b>			
Residential Dwellings			Refer to Section 125-90.B.
<i>Multi-Family Residential</i>	—	—	
<i>Single-Family Residential</i>	—	—	
Group Residential Facilities			Refer to Section 125-90.J
<i>Assisted Living Facility</i>	P	P	
<i>Continuing Care Facility</i>	P	P	
<i>Disabled Group Dwelling</i>	P	P	
<i>Emergency Shelter</i>	P	P	
<i>Homeless Shelter</i>	S	—	
<i>Nursing Home</i>	P	P	
<b><i>Public and Semipublic</i></b>			
Clubs or Lodges	P	S	
Colleges, Public or Private	P	P	
Cultural Institutions	P	P	
Day Care	P	P	
Educational Research and Development	P	P	
Government Offices and Facilities			
<i>Large-Scale</i>	P	P	
<i>Small-Scale</i>	P	P	
Hospitals	P	P	
Parks and Recreation	P	P	
Public Maintenance Facilities	S	—	Refer to Section 125-90.D.
Public Safety Facilities	P	P	
Religious Assembly	P	P	
Schools, Public or Private	P	P	
<b><i>Commercial</i></b>			
Alcoholic Beverage Sales			
<i>On-Premise Consumption</i>	S, L3	S, L3	
<i>Off-Premise Consumption</i>	P, L3	—	
Ambulance Services	P	P	
Animal Sales and Services	P	—	
Automobile/Vehicle/Equipment Sales and Services			
<i>Automobile/Vehicle/Equipment Sales and Rental</i>	P	—	
<i>Automobile Rentals</i>	P	L4	
<i>Car Wash</i>	P	—	
<i>Gas and Service Stations</i>	P	—	
<i>Light Vehicle Service</i>	P	—	
<i>Auto Repair and Other Heavy Vehicle Service</i>	S	—	

# Attachment #5

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

<i>Use Classifications</i>	<i>CG</i>	<i>CO</i>	<i>Additional Regulations</i>
Banks and Other Financial Institutions	P	P	Refer to Section 125-90.A.
Bed and Breakfast Establishment	P	—	Refer to Section 125-90.D.
Building Materials Sales and Services	P	—	
Business Services	P	P	
Catering Business	P	P	
Convention Center	P	P	
Eating and Drinking Establishments			
<i>Full Service</i>	P	S	Refer to Section 125-90.A.
<i>Limited Service</i>	P	S	
<i>With Drive-Through Facilities</i>	P	S	
<i>With Live Entertainment</i>	P	S	
<i>With Outdoor Seating</i>	L6	S	
Food and Beverage Sales	P	—	Refer to Section 125-90.C.
Home Improvement Sales and Services	P	—	
Hotels and Commercial Lodging			Refer to Section 125-90.F.
<i>Full Service Hotel</i>	P	S	
<i>Limited Service Hotel</i>	P	S	
<i>Residence Hotel</i>	P	S	
Laboratory, Commercial	P	P	
Maintenance and Repair Services	P	P	
Massage Establishments and Massage Services	P	P	
Nurseries and Garden Supply Stores	P	—	Refer to Section 125-90.C.
Offices	P	P	
Parking Facilities	P	P	
Pawn Shops	L8	—	
Personal Instructional Services	P	—	
Personal Services	P	S	
Recreation and Entertainment			
<i>Large-Scale</i>	P	S	Refer to Section 125-90.E.
<i>Small-Scale</i>	P	S	
Recreational Vehicle Park	S	—	Refer to Section 125-90.C.
Retail Sales	P	—	Refer to Section 125-90.D.
Self-Storage	P	—	
Undertaking, Funeral and Interment Services	P	—	
<b><i>Industrial</i></b>			
Production Industry			
<i>Artisan</i>	S	S	Refer to Section 125-90.D.



# Attachment #5

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

Use Classifications	CG	CO	Additional Regulations
Limited	P	—	
Research and Development	S	S	
Warehousing and Storage			
Indoor Storage	P	S	Refer to Section 125-90.D.
Wholesaling and Distribution			
With Store Facilities	P	—	Refer to Section 125-90.D.
Non-Store Facilities	P	S	Refer to Section 125-90.D.
Transportation, Communication, and Utilities			
Communication Towers and Structures	L9	L9	
Transportation Facilities			
Marinas, Docks	—	—	
Marinas, Private	P	—	
Marinas, Public	P	—	
Transportation Passenger Terminals	P	P	
Utility, Minor	P	P	
Excavation and Mining	S	S	Refer to Chapter 98
Gas Well Drilling	S	S	Refer to Sec. 125-90.G.
Oil Well Drilling	S	S	Refer to Sec. 125-90.G.
Pipelines	S	S	Refer to Sec. 125-90.H.
Pump Stations	S	S	Refer to Sec. 125-90.I.
Specific Use Limitations			
L1 Permissible if not a ground floor use. The ground floor use shall not be an accessory use to the multi-family.		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.	
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..		L4 No outdoor storage or washing of vehicles.	
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.		L6 Hours of operation may be limited.	
L7 Floorplates limited to a maximum of 10,000 square feet.		L8 Permissible if in accordance with the Texas Pawnshop Act (Texas Finance Code, Title 4, Chapter 371).	
L9 Permissible if in accordance with the Communications Towers and Structures Ordinance and requires SUP.			

# Attachment #5

City of League City– Article V Definitions (Last Revisions Effective 05-09-2017)

## Article V – Definitions

### Division 1. Use Classifications

#### Sec. 125-260 Use Classifications

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##### Sections:

- 125-260.A. Purposes
- 125-260.B. Uses Not Classified
- 125-260.C. Residential Use Classifications
- 125-260.D. Public and Semi-Public Use Classifications
- 125-260.E. Commercial Use Classifications
- 125-260.F. Industrial Use Classifications
- 125-260.G. Transportation, Communication, and Utilities Use Classifications
- 125-260.H. Agriculture and Extractive Use Classifications

*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

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City of League City— Article V Definitions (Last Revisions Effective 05-09-2017)

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 condominiums 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.



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City of League City– Article V Definitions (Last Revisions Effective 05-09-2017)

*Manufactured/Modular Homes.* A structure designed for occupancy by a single household that was assembled off site in its entirety or in sizable modules that were assembled on the building site.

*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

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City of League City— Article V Definitions (Last Revisions Effective 05-09-2017)

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.

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City of League City– Article V Definitions (Last Revisions Effective 05-09-2017)

***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 as 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.

***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.

*Gas and Service 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.

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***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.

***Food and Beverage Sales.*** Retail sales of food and beverages for offsite preparation and consumption. Typical uses include supermarkets, specialty food stores, delicatessens, or

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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 and Commercial Lodging.*** 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.

*Full Service Hotel.* Hotels in which access to guest rooms is exclusively restricted to interior corridors via the main lobby of the building or entryways individually equipped with some form of security, controlled access system. Customary hotel services such as linen, maid service, telephone, and other guest amenities are provided and may also contain various personal service shops.

*Limited Service Hotel.* Hotels that are not classified as a full service hotel or residence hotel.

*Residence Hotel.* Hotels in which more than five percent of its rental units are for stays extending at least thirty (30) consecutive days and not more than one hundred and eighty (180) consecutive days. This definition excludes multi-family residential dwellings.

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

***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.

***Nurseries and Garden Supply Stores.*** Establishments engaged in the retail sale of plants grown on the premises or elsewhere, and the sale or rental of garden and landscape materials and 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.

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**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.



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***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.

### ***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.

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*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.

## **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

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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.

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**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 intralease 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.