

ORDINANCE NO. 2021-01

AN ORDINANCE GRANTING SPECIAL USE PERMIT **SUP-20-0001 (BAYMARK PIPELINE, LLC.)**, FOR A 12.75-INCH PIPELINE, GENERALLY HAVING AN ALIGNMENT BETWEEN THE NORTH SIDE OF CLEAR CREEK, WEST OF LANDING BOULEVARD, AND THE WESTERN CITY LIMITS OF LEAGUE CITY WITHIN AN EXISTING CENTERPOINT ENERGY HIGH POWER ELECTRICAL CORRIDOR IN LEAGUE CITY, TEXAS.

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, Texas (the “Code of Ordinances”) and adopting zoning ordinances consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, on September 29, 2020, the Council adopted Ordinance No. 2020-25 replacing Chapter 125 “Zoning” with the Unified Development Code (UDC) while repealing Chapters 90 entitled “Signs” and 102 entitled “Subdivisions” of the City of the City of League City, Texas; and

WHEREAS, Section 2.16 of the Unified Development Code (Chapter 125) provides that the City Council 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, Baymark Pipeline, LLC., a subsidiary of Enterprise Products, is requesting a Special Use Permit for a “pipeline” use on properties zoned “OS” (Open Space), “PS” (Public/Semi-Public), “RSF-7” (Single-Family Residential with a minimum lot size of 7,000 square feet) and “RSF-7-PUD” (Single-Family Residential with a minimum lot size of 7,000 square feet within a Planned Unit Development Overlay), which has an alignment between the north side of Clear Creek just west of Landing Boulevard and the western city limits of League City within an existing CenterPoint Energy high power electrical corridor as shown in the Notification Map in Exhibit “A”; and

WHEREAS, the City Council 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 pipeline use is consistent with the standards for issuance for a special use permit; and

WHEREAS, the City Council has discretionary authority under Ordinance No. 2020-25 and applicable law to grant or withhold approval of a special use permit; and

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 for a "Pipeline" use on properties zoned "OS" (Open Space), "PS" (Public/Semi-Public), "RSF-7" (Single-Family Residential with a minimum lot size of 7,000 square feet) and "RSF-7-PUD" (Single-Family Residential with a minimum lot size of 7,000 square feet within a Planned Unit Development Overlay), which has an alignment between the north side of Clear Creek just west of Landing Boulevard and the western city limits of League City within an existing CenterPoint Energy high power electrical corridor; as shown in the Notification Map in Exhibit "A", subject to the following conditions:

1. Prior to the issuance of the SUP, the City of League City must grant approval for the agreement of the proposed easement alignment.
2. Power poles installed to service the valve site shall be of a height and location where the valve station enclosure will screen the poles from view of the residences to the west.
3. 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 the Water Production Department'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 _____, 2021.

PASSED second reading the _____ day of _____, 2021.

PASSED AND ADOPTED the _____ day of _____, 2021.

PAT HALLISEY,
Mayor

ATTEST:

DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN,
City Attorney