

ORDINANCE NO. 2024-

AN ORDINANCE APPROVING A SPECIAL USE PERMIT, **SUP-24-0003 (SKYWAY TOWERS)**, TO ALLOW A CELL TOWER, CLASSIFIED AS A COMMUNICATION TOWERS AND STRUCTURES USE, TO BE CONSTRUCTED ON APPROXIMATELY 12.5 ACRES ZONED “CG” (GENERAL COMMERCIAL), LEGALLY DESCRIBED AS LOT 2 OF THE M.T. SHEAD ADDITION NO. 1 SUBDIVISION, GENERALLY LOCATED ALONG THE WEST SIDE OF TUSCAN LAKES BOULEVARD AND ALONG THE NORTH SIDE OF FARM TO MARKET ROAD 646 (FM 646) WITH THE CELL SITE LOCATED APPROXIMATELY 1,200 FEET NORTH OF THE INTERSECTION OF FARM TO MARKET ROAD 646 (FM 646) AND TUSCAN LAKES BOULEVARD, 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 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 and map consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, on September 29, 2020, the City Council adopted Ordinance No. 2020-25 replacing Chapter 125 “Zoning” with the Unified Development Code (the “UDC”); and

WHEREAS, Section 2.16 of the UDC (Chapter 125), establishes procedures and regulations for the creation and adoption of Special Use Permits (“SUPs”);

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

WHEREAS, the City Council deems it necessary and in the best interest of the citizens to adopt a Special Use Permit for a “communication towers and structures” use to operate on approximately 12.5-acres of land, legally described as Lot 2 of the M.T. Shead Addition No. 1 Subdivision, generally located along the west side of Tuscan Lake Boulevard and along the north side of Farm To Market Road 646 (FM 646) with the cell site located approximately 1,200 feet north of the intersection of Farm To Market Road 646 (FM 646) and Tuscan Lakes Boulevard, in League City, Texas, as shown in the attached Zoning Map in Exhibit “A”, and the Proposed Site Plans as shown in the attached Exhibit “B”.

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

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

Section 2. The approximate 12.5-acres, legally described as Lot 2 of the M.T. Shead Addition No. 1 Subdivision, generally located along the west side of Tuscan Lake Boulevard and along the north side of Farm To Market Road 646 (FM 646) with the cell site located approximately 1,200 feet north of the intersection of Farm To Market Road 646 (FM 646) and Tuscan Lakes Boulevard, in League City, Texas, as shown in the attached Zoning Map in Exhibit “A” and

Proposed Site Plans in Exhibit “B”, shall heretofore have a Special Use Permit granted for an “communication towers and structures” use, subject to the following conditions:

1. The SUP shall expire after a period of 24 months beginning upon the date of adoption of the SUP ordinance by City Council if no formal application is submitted to the City for development of the site.
2. The uses permitted on this site will be limited to those permitted in the General Commercial zoning district and a Wireless Communication Tower use.
3. The site layout and location shall be substantially similar to that which is displayed on the plans and elevations provided in the initial application which is incorporated by reference herein.
4. The following variance requests be granted:
 - a. The minimum distance from the tower to the nearest residential property line be reduced from 400 feet to 175 feet.
 - b. The minimum distance from the tower to the nearest non-residential property line be reduced from 146.25 feet to 100 feet.
 - c. No camouflage be required for the monopole.

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 _____, 2024.

PASSED AND ADOPTED on the _____ day of _____, 2024.

NICK LONG,
Mayor

ATTEST:

DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL,
City Attorney