

LOUIS R. RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Councilmember District 1



CHUCK ENGELKEN
Councilmember District 2
BILL BENTLEY
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Mayor Pro-Tem
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held September 24, 2018, beginning at 6:00 PM in the City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Rev. Dee Spears, Fairmont Park Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Jay Martin.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)
5. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
 - (a) Consider approval or other action regarding minutes of the Special City Council Meeting held on September 6, 2018, and minutes of the Regular City Council Meeting held on September 10, 2018 - P. Fogarty
 - (b) Consider approval or other action amending dates of regular City Council meetings in November and December 2018 - P. Fogarty
 - (c) Consider approval or other action regarding the Tax Assessor's certified 2018 ad valorem anticipated collection rate for the City of La Porte - M. Dolby
 - (d) Consider the approval or other action regarding an Ordinance amending Chapter 70 "Traffic and Vehicles" of the Code of Ordinances by revising certain regulations related to establishment of school zones within the corporate limits of the City of La Porte - R. Parker
 - (e) Consider approval or other action regarding an Ordinance vacating, abandoning and closing a portion of the West Madison Street right-of-way, located in Blocks 643 and 654, Town of La Porte - I. Clowes
6. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**
 - (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to deny an amendment to the City's Future Land Use Map Component of the Comprehensive Plan for a 6.92 acre tract of land located in the 3400 Block of Canada Rd., and legally described as Reserve A, Block 1, Dawson Subdivision, by changing from "Mid-High Density Residential" to "Commercial"; consider approval or other action regarding an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 6.92 acre tract of land located in the 3400 Block of Canada Rd., legally described as Reserve A, Block 1, Dawson Subdivision, from "Mid-High Density Residential" to "Commercial" - I. Clowes

- (b) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to deny zone change request #18-92000008, for a change from Mid Density Residential (R-2) to General Commercial (GC) for a 6.92 acre tract of land located in the 3400 Block of Canada Rd., legally described as Reserve A, Block 1, Dawson Subdivision; consider approval or other action regarding an Ordinance amending Chapter 106 "Zoning" of the Code of Ordinances by changing the zoning classification of a 6.92 acre tract of land located in the 3400 Block of Canada Rd., legally described as Reserve A, Block 1, Dawson Subdivision, from Mid Density Residential (R-2) to General Commercial (GC) - I. Clowes

- (c) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to deny Special Conditional Use Permit #18-91000010 to allow for a Hotel/Motel use in the General Commercial (GC) Zoning District, located on a 2.28-acre tract of land located at 711 W. Fairmont Pkwy., and legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 feet of 7th Street right-of-way and adjacent 16-foot alley, La Porte Subdivision; consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning", by granting Special Conditional Use Permit #18-91000010, to allow for the development of a Hotel/Motel use to be located on a 2.28-acre tract of land located at 711 W. Fairmont Pkwy., and legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 feet of 7th Street right-of-way and adjacent 16-foot alley, La Porte Subdivision, in the General Commercial (GC) Zoning District - I. Clowes

- (d) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit #18-91000011 to allow for a Hotel/Motel use in the General Commercial (GC) Zoning District, located on a 2.39-acre tract of land located at the southeast corner of the K and 15th Street rights-of-way, and legally described as Reserve A, Block 1, Home Porte; consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning", by granting Special Conditional Use Permit #18-91000011, to allow for the development of a Hotel/Motel use in the General Commercial (GC) Zoning District to be located on a 2.39-acre tract of land located at the southeast corner of the K and 15th Street rights-of-way, and legally described as Reserve A, Block 1, Home Porte - I. Clowes

- (e) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve an Ordinance amending Chapter 106, "Zoning" of the City of La Porte Code of Ordinances in connection with a comprehensive review and update to Chapter 106, "Zoning"; consider approval or other action regarding an Ordinance amending Chapter 106, "Zoning" of the City of La Porte Code of Ordinances in connection with a comprehensive review and update to Chapter 106, "Zoning" - I. Clowes

- (f) Public hearing to receive comments regarding Harris County's Method of Distribution (MOD) for the Community Development Block Grant- Disaster Recovery (CDGB-DR) Round 1 Funds for the Hurricane Harvey - L. Wingate

7. RESOLUTIONS/ORDINANCES

- (a) Consider approval or other action regarding a Resolution adopting the 2018 Appraisal Roll of the Harris County Appraisal District - M. Dolby

- (b) Consider approval or other action regarding an Ordinance establishing the tax rate for the City of La Porte for the current tax year (2018) for a total tax rate of \$0.71 per hundred dollar valuation - M. Dolby

8. DISCUSSION AND POSSIBLE ACTION

- (a) Consider approval or other action regarding a Resolution appointing a representative and an alternate to the Houston Galveston Area Council (H-GAC) 2019 General Assembly and Board of Directors - P. Fogarty

9. REPORTS

- (a) Receive report of the Fiscal Affairs Committee Meeting - Councilmember Chuck Enaelken

10. ADMINISTRATIVE REPORTS

- City Council Meeting, Monday, October 8, 2018
- Planning and Zoning Commission Meeting, Thursday, October 18, 2018
- City Council Meeting, Monday, October 22, 2018
- Zoning Board of Adjustment Meeting, Thursday, October 25, 2018

11. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies. Councilmembers J. Martin, K. Martin, Kaminski, Zemanek, Bentley, Engelken, Earp, Ojeda and Mayor Rigby

12. ADJOURN

The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code (the Texas open meetings laws).

In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.

CERTIFICATION

I certify that a copy of the September 24, 2018 , agenda of items to be considered by the City Council was posted on the City Hall bulletin board on September 18, 2018.

Patrice Fogarty



**Council Agenda Item
September 24, 2018**

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Rev. Dee Spears, Fairmont Park Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Jay Martin.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)



Council Agenda Item September 24, 2018

5. **CONSENT AGENDA** *All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
- (a) Consider approval or other action regarding minutes of the Special City Council Meeting held on September 6, 2018, and minutes of the Regular City Council Meeting held on September 10, 2018 - P. Fogarty
 - (b) Consider approval or other action amending dates of regular City Council meetings in November and December 2018 - P. Fogarty
 - (c) Consider approval or other action regarding the Tax Assessor's certified 2018 ad valorem anticipated collection rate for the City of La Porte - M. Dolby
 - (d) Consider the approval or other action regarding an Ordinance amending Chapter 70 "Traffic and Vehicles" of the Code of Ordinances by revising certain regulations related to establishment of school zones within the corporate limits of the City of La Porte - R. Parker
 - (e) Consider approval or other action regarding an Ordinance vacating, abandoning and closing a portion of the West Madison Street right-of-way, located in Blocks 643 and 654, Town of La Porte - I. Clowes

LOUIS RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Councilmember District 1
CHUCK ENGELKEN
Councilmember District 2



BILL BENTLEY
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6
Mayor Pro-Tem

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE SEPTEMBER 6, 2018

The City Council of the City of La Porte met in a special meeting on **Monday September 6, 2018**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Ojeda, Zemanek, J. Martin, Bentley, Kaminski, Engelken, and Earp. Absent: Councilmember K. Martin. Also present were City Secretary Patrice Fogarty and City Manager Corby Alexander
2. **INVOCATION** – The invocation was given by Councilmember Jay Martin.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Danny Earp.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

No members of the public presented for public comments.
5. **DISCUSSION AND POSSIBLE ACTION**
 - (a) Discussion and possible action to provide direction to the City Manager regarding the City of La Porte Fiscal Year 2018-2019 tax rate and Fiscal Year 2018-2019 budget-C. Alexander

City Manager Corby Alexander stated that at the last budget discussion, there were a number of items he wanted to follow-up on with Council for direction. He proposed going through each item to get direction from Council.

Mr. Alexander stated the first item is regarding raising the tax rate by \$.05. There was a concern by staff regarding whether going up five cents would put us above rollback. After doing the calculations, he reported that five cents does not put the City above rollback; so, it is an option that Council could consider without having a rollback election. He stated if that's an option Council would like to pursue, there are public hearings that must happen; so, staff needs direction on this tonight so that publication of the hearings can be made according to law. Councilmember Bentley asked about the proposed schedule. Mr. Alexander stated the proposed schedule would be publication of the public hearings in the 13th edition of the Bay Area Observer, stating there will be a special meeting on the 20th for the first public hearing and the second public hearing at the regular meeting on 24th. The tax rate adoption cannot be sooner than a week after the second public hearing; so, the tax rate could be adopted at a meeting October 1 thru October 8. October 8 is the first regular Council meeting in October.

Councilmember Zemanek spoke and informed Council that it is his idea to increase the tax rate in order to earmark projects for a new fitness center; revamping the Fitness Center for the seniors once there is a new building; a stipend for city employees paid in November 2018; turfing the Pecan

Park baseball fields; drainage improvements; and increase funding for summer youth programs. He stated regarding priority of the items, he wants the stipend for employees this year, do the fitness center, the programs for the youth during the summer, the revamping of the current center for the seniors, and the turfing of the baseball fields will have to come after the other projects are completed and paid for. The increase of the tax rate would be earmarking these specific projects.

Councilmember Zemanek passed out photos of the Fitness Center showing damages which, in his opinion, prove the need for renovation to it and building of a new Recreation and Fitness Center. He stated the current building is past its usefulness.

Mayor Rigby asked how old is the building? Councilmember Zemanek said over 50 years old. Mayor Rigby said no, it isn't that old. There were comments from the audience that the building was built around 1987-1988.

Councilmember J. Martin commented he is not opposed to a new fitness center, but it is hard for him to vote to raise taxes. He asked about other financing options besides raising taxes. City Manager Alexander stated staff has not explored in depth other financing options. It is probably permissible to use Hotel Motel funds to turf the ballfields because that is a permitted use.

Councilmember J. Martin stated if we already authorized a 10,000-square-foot expansion of the Fitness Center in this year's budget, there is no reason to spend this money if we plan to build a new fitness center. He would like to explore the idea of having a bond election and let the citizens vote it up or down.

Councilmember Zemanek stated that it took 11 years from the bond election to opening day of the baseball complex. He stated he doesn't want to 11 years; and stated the Fitness Center cannot stand waiting another 11 years.

Mayor Rigby asked why the maintenance of this building is not being kept up. Mr. Alexander said he and staff will be discussing this.

Councilmember Ojeda commented she is not opposed to a new fitness center but agrees with Councilmember J. Martin that citizens should have an input on a rate increase.

Councilmember Earp commented he is opposed to raising taxes. He stated that going through the budget, he believes we will find others ways to fund a new fitness center.

Mayor Rigby stated that if it is the decision of the council to build one and figure out how to pay for it later, we still need to maintain all facilities.

Councilmember Engelken commented he does not want to see taxes increased and more can be done if we get out of status quo and try to change status quo. He said maintenance for City facilities is pathetic, and he holds City administration accountable for all City facilities. Staff should do a better job on maintenance.

City Manager Corby Alexander continued with potential budget decreases.

Council agreed to cut Automated Server Monitoring by \$35,000 and Consulting Fees by \$5,000.

Mr. Alexander recommended not to eliminate the Director of Planning position of \$137,000. Councilmember Zemanek asked if the Director of Planning will have an engineering background. Mr. Alexander responded there are quite a few attractive resumes coming in but none have an engineering background. Council agreed to keep the position and an engineering background is not required.

Council agreed to cut the Liability Insurance Fund by \$30,000.

Council agreed to cut the Legal/Prosecutor proposed budget of \$285,000 by \$101,000, leaving \$184,000 in funds to pay for the City Attorney and also to hire a prosecutor as a full-time employee, without a paralegal.

Council agreed they do want to hire a full time prosecutor. How it will be structured will be discussed in the future, stating City staff may want to consult with the Olson and Olson Law Firm about the City's Charter provisions.

City Manager Corby Alexander passed out a revision of what was in the packet regarding fees for the golf course. He stated he felt tasked with reducing the deficit in terms of the difference between what the golf course brings in terms of revenue vs. what it costs to operate the golf course. And to attempt to do that he recommended two things: one, to adjust the fees; and two, the City will aggressively market the golf course; and went on to say the City will do that no matter what.

As it relates to fees on the handout he passed out at the meeting, if Council makes all the changes shown, revenue would increase \$86,000 if our number of rounds holds the same. He asked for direction from Council as to whether they wish to make the fee adjustments all at once or phase them in.

Mayor Rigby asked if there is anyone who wants to reduce the current golf course subsidy from the general fund.

Councilmember Engelken stated he agrees to reduce the deficit.

Councilmember J. Martin commented he does not support this reduction in subsidy and, indeed, believes City spending needs to increase. The golf course generates twice as much revenue as the rest of the Parks Department, including the fitness center and the Wave Pool. He stated they are talking about spending millions for parks amenities and cutting back on spending for the golf course. He stated if the City is going to talk about spending on amenities, the City needs to step up for the golf course and applaud the hard work that goes on out there and raise it to the next level. "If we were going to raise taxes, I would add that golf course improvements need to be added."

Councilmember Zemanek provided comments about the number of rounds and fees. Alex Osmond stated he and staff discussed it, and they would like to increase cart fees immediately and next year increase the charge for membership green fees since those were just increased last year.

Councilmember Earp stated his original thought was a reduction of \$200,000 of subsidy for the golf course from the general fund, but he came away with recommending a \$70,000 reduction in subsidy so that it keeps everyone whole and moving forward.

Councilmember Ojeda made a motion to approve new rates for golf carts and green fees for residents and non-residents and leave memberships at the status quo. Councilmember J. Martin seconded. **MOTION FAILED.**

Ayes:	Mayor Rigby, Councilmembers J. Martin and Ojeda
Nays:	Councilmembers Kaminski, Zemanek, Bentley, Engelken and Earp
Absent:	Councilmember K. Martin

Councilmember Zemanek made a motion to approve the rate fee structure as presented tonight by the City Manager which is the \$2.00 cart fee; \$2.00 non-resident; \$1.00 resident; and the membership increases. Councilmember Earp seconded. **MOTION PASSED.**

Ayes: Councilmembers Earp, Engelken, Bentley, Zemanek and Kaminski
Nays: Mayor Rigby, Councilmembers J. Martin and Ojeda
Absent: Councilmember K. Martin

City Manager Corby Alexander stated that is \$86,000.

City Manager Corby Alexander recommended not reducing by \$186,000 the merit program's proposed funding of \$486,000. The merit program being discussed is only for non-civil service employees. Mr. Alexander pointed out that while budget is always in Council's purview, he has outlined some reasons he would like Council to consider not reducing this item. One is because reduced merit increases would be given to non-civil service employees, and civil service employees would not be given reduced increases, which could impact morale. He also stated that in the past, the City's merit increases have been good recruitment and retention tools, and any change in that would have a negative impact on those two fronts.

Mr. Alexander stated that if Council does choose to move forward with a stipend, every non-civil service employee could be given \$1,000; and that would cost \$300,000. If non-civil service employees received \$1,500, that would cost \$450,000.

Councilmembers Zemanek and Earp stated they are in favor of a \$1,000 stipend for non-civil service city employees. Councilmember Earp said if Council was willing to do the \$186,000 reduction, we could still give employees a \$1,000 stipend, which would be for this budget year only.

Council discussed merit increases and the past market study. Councilmember J. Martin provided comments regarding the recent market study. He stated, "If we don't give increases, we will be getting back in the same boat we just tried to get out of." He also commented he would like to continue with merit increases.

Councilmember Zemanek made a motion to give all non-civil service employees a \$1,000 stipend payable in the November paycheck in lieu of merit increases. Councilmember Earp seconded. **MOTION FAILED.**

Ayes: Councilmembers Earp, Zemanek and Kaminski
Nays: Mayor Rigby, Councilmembers Ojeda, J. Martin, Engelken and Bentley
Absent: Councilmember K. Martin

Councilmember Engelken made a point to reiterate what merit stands for, which is high performance by employees.

Councilmember Bentley commented his vote was not that he does not want to compensate employees but because a one-time stipend does not go as far as a merit increase on a paycheck.

Councilmember Earp made a motion to reduce the merit program by \$186,000 and to stick to the merit system, and allocate \$300,000 for raises instead of \$486,000, with no change in the 0-5 percent increase structure. Councilmember Ojeda seconded. **MOTION PASSED.**

Ayes: Councilmembers Ojeda, Kaminski, Zemanek, Earp and Engelken
Nays: Mayor Rigby, Bentley and J. Martin
Absent: Councilmember K. Martin

Councilmember J. Martin asked if merit raises are separate from cost of living raises. City Manager Corby Alexander responded there is no cost of living adjustment included in the budget, and the only increase for non-civil service employees is what Council allocates tonight.

City Manager Corby Alexander recommended going with a formulary change and cutting \$250,000, and Council agreed to the cut.

Regarding stop loss coverage, Council agreed to leave the \$480,000 in the budget, wait for the bids for coverage of premiums, and also check to be sure it is legal to discontinue Stop Loss coverage.

Council recessed for a break at 7:36 p.m. and returned at 7:47 p.m. Councilmember Kaminski returned to the table at 7:48 p.m.

City Manager Corby Alexander recommended to remove the Drainage Interconnect project for \$250,000 due to the developer taking on the expense of the project. Council agreed to remove the project.

City Manager Corby Alexander recommended removing a portion of the funding of the Spencer Masonry Fence project for the south side in an amount of \$380,400.

Councilmember Ojeda informed she is not in favor of removing the project because the south side looks the worst.

Councilmember Earp made a motion to remove \$380,400.00 from the project budget and proceed with the north side fence and sidewalk, and reserve the south side for a later date. Councilmember Engelken seconded. **MOTION PASSED.**

Ayes: Mayor Rigby, Councilmembers Earp, Kaminski, Zemanek, J. Martin, Earp and Engelken
Nays: Councilmember Ojeda
Absent: Councilmember K. Martin

City Manager Corby Alexander recommended not reducing Motor Pool Lease Fees of \$236,000.00, and Council agreed.

City Manager recommended no Public Works Reduction of Force of \$974,000. Councilmember Earp withdrew his request, and Council agreed to no Public Works Reduction of Force.

City Manager Corby Alexander recommended not reduce Fleet Maintenance by \$159,000. Councilmember Earp withdrew his request and Council agreed to leave it in there.

City Manager Corby Alexander recommended to reduce contingency to \$250,000 instead of \$350,000. Council agreed.

City Manager advised a new position request of \$102,000.00 was miscoded on the large spreadsheet of the budget, and there is not a request for a new position.

City Manager Corby Alexander recommended continuing efforts to recruit a Tax Collector for \$100,000. Councilmember Zemanek asked if Staff is pleased with the work performed by Goose

Creek Consolidated School District. Mr. Alexander responded yes. Council agreed to remove the position from the budget.

City Manager Corby Alexander informed Council that there has been an increase of \$600,000 over the past three years for Electric Franchise Fees. No further franchise fee increases are anticipated.

City Manager Corby Alexander recommended eliminating funding of \$430,000.00 for Phase 1 of a Private Fiber Network. Council agreed.

- (b) Discussion and possible action to propose a Fiscal Year 2018-2019 tax rate for the City of La Porte and establish public hearing dates (if applicable) as required by State law - J. Weeks

Assistant City Manager Jason Weeks presented a summary.

Councilmember Earp commented after reviewing the proposed budget with Staff, he is not asking for a reduction in the tax rate.

Councilmember J. Martin made a motion to keep the tax rate at \$0.71 per \$100 of property valuation, and incorporate the budget changes discussed tonight. Councilmember Bentley seconded.

Councilmember Zemanek commented there is a savings of \$1.95 million in the budget and asked if Council is willing to earmark some of the savings to move forward with a project of a new fitness center.

Councilmember Earp commented he is in favor and was going to originally propose to earmark \$2 million to start the funding, but to keep the budget fairly flat and not impact it as far as the total dollars of where we are at, we would have to reduce it to start with to about \$1.5 million, which would get us to where we are, kind of budget neutral, from what we cut vs. to be able to start our funding for the rec center.

Councilmember Ojeda commented she is hesitant to earmark funding when the cost is not known.

Assistant City Manager Jason Weeks informed Council they can come back with an item to move the funding into a reserve account. Council agreed to earmark funding for a new fitness center.

Councilmember J. Martin amended his motion to consider a tax rate at \$0.71 per \$100 valuation and earmark any savings established tonight to fund a new fitness center and other amenities. Councilmember Bentley seconded. **MOTION PASSED.**

Ayes:	Mayor Rigby, Councilmembers Earp, Ojeda, Kaminski, Zemanek, J. Martin, Earp and Engelken
Nays:	None
Absent:	Councilmember K. Martin

6. ADMINISTRATIVE REPORTS

There were no additional comments.

- 7. COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies. Councilmembers Earp, Ojeda, J. Martin, K. Martin, Kaminski, Zemanek, Bentley, Engelken, and Mayor Rigby

Councilmember Earp thanked Staff for their work during the budget process and answering his questions and commented he is not pleased with a campaign by the Economic Development

Coordinator to Bring Beer Back to the Bay because it sends a negative message from the City and informed he is not against any brewery; Councilmember Ojeda concurred with Councilmember Earp's comments regarding the campaign by the Economic Development Coordinator and thanked department directors for working with Council during the budget process; Councilmember J. Martin commented the budget discussions were good and thanked Councilmember Earp for bringing the issues to City Council for consideration and commented it is a good idea to get started on the north side fence and then later work on the south side; Councilmember Kaminski thanked Staff for their hard work during the budget process; Councilmember Zemanek recognized Councilmember Kristin Martin on the birth of her son; and wished Chad Kaminski, Councilmember Dottie Kaminski's son, a speedy recovery; and thanked everyone for attending the meeting; Councilmember Bentley thanked Staff for their work during the budget process and commented the City needs to get employee salaries to market compensation; Councilmember Engelken thanked Staff for their work during the budget process; and Mayor Rigby commented he appreciates all of the departments along with the City Manager Corby Alexander.

8. **ADJOURN** – There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 8:31 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 8/0.**

Patrice Fogarty, City Secretary

Passed and approved on September 24, 2018.

Mayor Louis R. Rigby

LOUIS RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Councilmember District 1
CHUCK ENGELKEN
Councilmember District 2



BILL BENTLEY
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6
Mayor Pro-Tem

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
SEPTEMBER 10, 2018**

The City Council of the City of La Porte met in a regular meeting on **Monday, September 10, 2018**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Ojeda, Zemanek, J. Martin, K. Martin, Bentley, and Engelken. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, Assistant City Manager Jason Weeks and Assistant City Attorney Clark Askins. Councilmembers Earp and Kaminski were absent.
2. **INVOCATION** – The invocation was given by Brian Christen, La Porte Community Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Nancy Ojeda.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Jo Ann Pitzer, 10011 Carlow Ln., addressed Council requesting the project for the south side fence on Spencer not be removed from the budget.

5. **CONSENT AGENDA** (*All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.*)
 - (a) Consider approval or other action regarding minutes of the meeting held on August 27, 2018 – P. Fogarty
 - (b) Consider approval or other action authorizing the City Manager to execute a subordination agreement with lender for Ybarra Restaurants, Inc., in connection with El Toro Restaurant 380 Agreement project – c. Alexander
 - (c) Consider approval or other action awarding Bid #18021 for Automotive Parts – C. Daeumer
 - (d) Consider approval or other action awarding Bid #18023 for Bayshore Park Waterline Relocation project – D. Pennell

Councilmember Engelken made a motion to approve all Consent Agenda items pursuant to staff recommendations. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers Kaminski and Earp were absent.**

6. **DISCUSSION AND POSSIBLE ACTION**
 - (a) Discussion and possible action regarding the purchase of golf carts utilizing BuyBoard Contract 529-17 – A. Osmond

Golf Course Manager Alex Osmond presented a summary.

Councilmember Zemanek made a motion to purchase Yamaha golf carts with a 4-year payout. Councilmember Ojeda seconded. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers Kaminski and Earp were absent.**

- (b) Discussion and possible action authorizing the Mayor to execute an Interlocal Agreement with City of Morgan's Point for Municipal Court Services for a five-year period beginning October 1, 2018 – C. Alexander

City Manager Corby Alexander presented a summary.

Councilmember J. Martin made a motion to authorize the Mayor to execute an Interlocal Agreement with the City of Morgan's Point for Municipal Court Services for a 5-year period beginning October 1, 2018, for \$43,500 base, with a cost of \$72.50 for each case over 600 cases per year. Mayor Rigby seconded. **MOTION PASSED 6/1. Councilmembers Kaminski and Earp were absent.**

Ayes:	Mayor Rigby, Councilmembers J. Martin, K. Martin, Bentley, Engelken and Ojeda
Nays:	Councilmember Zemanek
Absent:	Councilmembers Earp and Kaminski

7. PUBLIC HEARING AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding the City of La Porte Fiscal Year 2018-2019 Proposed Budget – M. Dolby

The public hearing opened at 6: 28 p.m.

Finance Director Michael Dolby presented a summary and changes from the proposed budget.

Mayor Rigby commented he would prefer adding \$186,000 back in the budget to have enough to pay for merit increases for non-civil service employees.

Councilmember J. Martin commented he would propose a one-time payment of \$1,000 to non-civil service employees.

Steve Gillett, 2601 S. Broadway, addressed Council and commented he has been a part of the budget process in the past and has attended the recent budget meetings. Mr. Gillett applauded City Council for keeping the tax rate and expressed concerns with building a new fitness center and suggested the existing building be repaired. Mr. Gillett also commented that employees should be rewarded with merit increases and not a one-time payment.

Wyatt Smith, 10905 Spruce Dr. North, thanked Council for appropriating funds for flooding and drainage and requested turf fields at Pecan Park and requested the cost for Texas Intercity Football, Inc. (TIFI) team playoffs to be held at the La Porte High School Stadium be added to the budget. Mr. Smith also commented he is in favor of a new fitness center.

There being no further public comments, the public hearing closed at 6:57 p.m.

- (b) Consider approval or other action regarding an Ordinance approving and adopting the City of La Porte, Texas' Fiscal Year 2018-2019 Proposed Budget – M. Dolby

Finance Director Michael Dolby presented a summary.

Councilmember Engelken made a motion to adopt the City of La Porte Texas' Fiscal Year 2018-2019 Proposed Budget as presented. Councilmember Bentley seconded. **MOTION PASSED 4/3. Councilmembers Kaminski and Earp were absent.**

Ayes: Mayor Rigby, Bentley, Engelken and Zemanek
Nays: Councilmember Ojeda J. Martin and K. Martin
Absent: Councilmembers Earp and Kaminski

Prior to council action, Assistant City Attorney Clark Askins read the caption of Ordinance **2018-3719 AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE CITY OF LA PORTE, TEXAS FOR THE PERIOD OF OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019; FINDING THAT ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN REPARATION AND PRESENTMENT OF SAID BUDGET; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW AND PROVIDING AN EFFECTIVE DATE HEREOF.**

8. AUTHORIZATIONS

- (a) Consider approval or other action regarding appointment of members to various City boards, committees, and commissions – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Ojeda nominated Johnny Morales to replace Doyle Black on the La Porte Development Corporation Board and Charles Crittenden to fill the vacant position Alternate 2 on the Zoning Board of Adjustment.

Councilmember Zemanek commented alternate positions on the Zoning Board of Adjustment are required to attend meetings but are not allowed to vote; and he would like all members to have the ability to vote on matters. Mayor Rigby requested Assistant City Attorney Clark Askins check into the matter.

Councilmember Ojeda made a motion to approve all appointments presented by City Secretary Patrice Fogarty and to appoint Johnny Morales to the La Porte Development Corporation Board in place of Doyle Black and Charles Crittenden to the Alternate 2 position on the Zoning Board of Adjustment, which moves Phillip Hoot up to the Alternate 1 position. Councilmember Bentley seconded. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers Kaminski and Earp were absent.**

Ayes: Mayor Rigby, Bentley, Ojeda, J. Martin, K. Martin, Engelken and Zemanek
Nays: None
Absent: Councilmembers Earp and Kaminski

9. REPORTS

- (a) Receive report of the Drainage and Flooding Committee Meeting – Councilmember Jay Martin

Councilmember Jay Martin provided an update of the Drainage and Flooding Committee Meeting held prior to the City Council Meeting.

10. ADMINISTRATIVE REPORTS

City Manager Corby Alexander reminded City Council of the First Responders Breakfast tomorrow morning at 7:30 a.m. at Sylvan Beach Pavilion hosted by the La Porte Chamber of Commerce.

11. **COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies – Councilmembers Ojeda, J. Martin, K. Martin, Kaminski, Zemanek, Bentley Engelken, Earp and Mayor Rigby

Councilmember Ojeda apologized to Parks and Recreation Director Rosalyn Epting for comments made and directed to her regarding the maintenance of the fitness center during the September 6, 2018, Special City Council Meeting; Councilmember K. Martin expressed prayers for Councilmember Kaminski who has been hospitalized; Councilmember Zemanek expressed prayers for Councilmember Kaminski and reminded everyone of Constable Phil Sandlin's gumbo event at the Pasadena Convention Center; Councilmember Bentley thanked Staff for their intense work on the budget; thanked the citizens for their comments tonight; thanked the La Porte Fire Department for the program of inspecting citizens' homes and installing fire detectors; Councilmember Engelken commented preparing for the budget is a long process and encouraged employees that have new ideas and/or suggestions that will benefit the City to report them to their supervisors; advised the funds that have not be utilized for the beautification program on the utility bills be changed over to benefit the La Porte Animal Shelter and thanked everyone for attending the meeting; and Mayor Rigby congratulated the Purchasing Department for receiving the Achievement of Excellence in Procurement Award.

12. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:16 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers K. Martin and Earp were absent.**

Patrice Fogarty, City Secretary

Passed and approved on September 24, 2018.

Mayor Louis R. Rigby

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested <u>September 24, 2018</u>	<u>Appropriation</u>
Requested By <u>P. Fogarty</u>	Source of Funds: _____
Department: <u>City Secretary</u>	Account Number: _____
Report: <u>X</u> Resolution: _____ Ordinance: _____	Amount Budgeted: _____
Exhibits: _____	Amount Requested: _____
Exhibits: _____	Budgeted Item: <u>YES</u> <u>NO</u> _____

SUMMARY & RECOMMENDATION

City Council has traditionally held one meeting per month during the months of November and December. Staff proposes for Council’s consideration the following changes to the regular meeting schedule to accommodate the upcoming holidays:

- Conduct regular meeting on November 12, 2018
- Cancel the November 26, 2018, meeting due to the Thanksgiving holidays

- Conduct regular meeting on December 10, 2018
- Cancel the December 24, 2018, meeting due to the Christmas holidays

Should a need arise to conduct official business, a special called meeting would be scheduled.

Action Required by Council:

Consider approval or other action of amended meeting dates as follows:

- Cancel the November 26, 2018, meeting due to the Thanksgiving holidays
- Cancel the December 24, 2018, meeting due to the Christmas holidays

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 24, 2018

Appropriation

Requested By: Michael G. Dolby

Source of Funds: _____

Department: Finance

Account Number: _____

Report: Resolution: Ordinance:

Amount Budgeted: _____

Other: _____

Amount Requested: _____

Budgeted Item: YES NO

Attachments :

1. Certification Letter from Goose Creek

SUMMARY & RECOMMENDATIONS

In accordance with State Property Tax Code Section 26.04, the Tax Assessor is required to certify our 2018 ad valorem anticipated collection rate. Our Tax Assessor, Ms. Piggott of Goose Creek ISD, anticipates a 100% percent combined collection of current and delinquent taxes with penalties and interest.

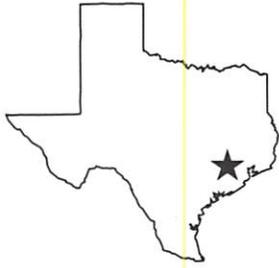
Action Required of Council:

Consider approval or other action regarding the anticipated combined collection rate of 100%.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date



TAX SERVICES GCCISD
CHARLENE PIGGOTT
DIRECTOR OF TAX SERVICES

July 11, 2018

City of La Porte
Mr. Michael Dolby
Director of Finance
604 W. Fairmont Parkway
La Porte, Texas 77571

Ref: Certification of Collection Rate 2018

Dear Mr. Dolby:

Attached for the City Council and Mayor consideration and review is the 2018 certified ad valorem anticipated collection rate.

This Tax Assessor/Collector certification is required by the State Property Tax Code, Section 26.04 (b) and must be submitted to the governing body before the Tax Assessor/Collector can calculate the 2018 Effective Tax Rate.

The anticipated combined collections of the current and delinquent taxes with penalties and interest will provide the City of La Porte one hundred percent (100%) collections of the 2018 tax billing and is therefore certified at one hundred percent (100%).

If I can be of further service, please do not hesitate to contact me.

Sincerely,

Charlene Piggott, RTA, CSTA

Encls. (1)

STATE OF TEXAS
PROPERTY TAX CODE, SECTION 26.04 (b)
COUNTY OF HARRIS
CERTIFICATION OF ANTICIPATED COLLECTION RATE FOR
CITY OF LA PORTE

I, Charlene Piggott, Tax Assessor/Collector for the City of La Porte, certify that the anticipated collection rate of said municipality for the 2018 taxable year is one-hundred percent (100%). This percentage represents the sum of current and delinquent taxes, including penalties and interest, collected between July 1st of this year and July 1st of the next year.

The amount of excess debt collection for the 2017 year was \$0.00 dollars.



Charlene Piggott, RTA, CSTA
Tax Assessor/Collector
City of La Porte

7/11/2018
Date



REQUEST FOR CITY COUNCIL AGENDA ITEM

<p>Agenda Date Requested: <u>September 24, 2018</u></p> <p>Requested By: <u>Ron Parker, Interim Police Chief</u></p> <p>Department: <u>Police</u></p> <p>Report: <input type="checkbox"/> Resolution: <input type="checkbox"/> Ordinance: <input checked="" type="checkbox"/></p> <p>Exhibits: <u>School Zone Ordinance - Redline</u></p> <p>Exhibits: <u>School Zone Ordinance - Final</u></p>	<p style="text-align: center;"><u>Budget</u></p> <p>Source of Funds: _____</p> <p>Account Number: _____</p> <p>Amount Budgeted: _____</p> <p>Amount Requested: _____</p> <p>Budgeted Item: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p>
---	--

SUMMARY & RECOMMENDATION

Staff is requesting an amendment to Chapter 70, "Traffic and Vehicles," Article III, "Operation of Vehicles," Division 2. "Speed Limits", Section 70-97 "School zones," of the Code of Ordinances, La Porte, Texas, adjusting the posted school zone speed limit on the various streets by all La Porte School District campuses. The school district made changes to the start and end times of school district wide with secondary school doors opening at 6:45 a.m. and dismissing at 2:50 pm, and Elementary and Baker 6th grade campus opening at 7:15 a.m. and dismissing at 3:45 p.m. this current school year and due to these changes, it is necessary for our posted school zones to be adjusted for the safety of the students.

Additionally, due to the construction on La Porte High School, a need to change the Ordinance to reflect the area of the school zone needs to be extended from a point of 20 feet south of East B Street to a point of 500 feet south of East G Street, a distance of 2,630 feet, 0.498 miles to the intersection of San Jacinto and Park Street a distance of 3,630 feet, 0.6875 miles.

Action Required by Council:

Consider the approval of an ordinance amending Chapter 70, Section 70-97 of the Code of Ordinances.

Approved for City Council Agenda

Corby Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES BY REVISING CERTAIN REGULATIONS RELATED TO ESTABLISHMENT OF SCHOOL ZONES WITHIN THE CORPORATE LIMITS OF THE CITY OF LA PORTE; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO HUNDRED DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That Chapter 70, "Traffic and Vehicles," Article III, "Operation of Vehicles," Division 2. "Speed Limits", Section 70-97 "School zones," of the Code of Ordinances, La Porte, Texas, is hereby amended to read as follows:

"Sec. 70-97. - School zones.

(a) No person shall drive a vehicle on any portion of a public street or highway designated as a school zone at a speed greater than is reasonable and prudent under the circumstances then existing. Notwithstanding any other provisions of this division, the prima facie reasonable and prudent maximum speed applicable to the operator of a motor vehicle in any of the school zones designated below shall be a speed of twenty (20) miles per hour or thirty (30) miles per hour, as established in accordance with this section:

(a-1) Twenty (20) miles per hour school zones:

- (1) Along Park Street from San Jacinto to Fairmont Parkway, a distance of 700 feet, 0.133 miles.
- (2) Along Fairmont Parkway from Park Street to South Broadway, a distance of 1,800 feet, 0.34 miles.
- (3) Along Texas Avenue from Fairmont Parkway to East G Street, a distance of 1,400 feet, 0.27 miles.
- (4) Along East G Street from South Broadway to San Jacinto, a distance of 1,500 feet, 0.28 miles.
- (5) Along South Broadway from a point 250 feet south of East G Street to a point 75 feet south of East B Street, a distance of 2,525 feet, 0.48 miles..
- (6) Along San Jacinto from a point 20 feet south of East B Street to the intersection of San Jacinto and Park Street, a distance of 3,630 feet, 0.6875 miles.
- (7) Along East C Street from San Jacinto to South Broadway, a distance of 650 feet, 0.123 miles.

- (8) Along West Tyler from North 2nd Street to North 3rd Street, a distance of 330 feet, 0.06 miles.
- (9) Along North 2nd Street from West Madison to West Adams, a distance of 950 feet, 0.18 miles.
- (10) Along North 3rd Street from West Madison to West Adams, a distance of 950 feet, 0.18 miles.
- (11) Along North L Street from a point 50 feet west of Alvy Drive to a point 175 feet west of Lomax School Road, a distance of 2,400 feet, 0.454 miles.
- (12) Along Willmont from a point 100 feet north of Fairmont Parkway to a point 100 feet south of Shell Rock, a distance of 1,200 feet, 0.227 miles.
- (13) Along Clairmont from Roseway to Rosemont, a distance of 600 feet, 0.114 miles.
- (14) Along Rosemont from Clairmont to Parkway, a distance of 600 feet, 0.114 miles.
- (15) Along Parkway from Willmont to Rosemont, a distance of 250 feet, 0.047 miles.
- (16) Along Roseway from Clairmont to Roseberry, a distance of 500 feet, 0.095 miles.
- (17) Along Cedarmont from a point 50 feet north of Stonemont to Myrtle Creek, a distance of 1,150 feet, 0.218 miles.
- (18) Along Myrtle Creek from Antrim to West Main, a distance of 600 feet, 0.114 miles.
- (19) Along Carlow from a point 200 feet east of Catlett to Cedarmont, a distance of 500 feet, 0.095 miles.
- (20) Along West Main from a point 200 feet east of Underwood Road to a point 200 feet east of Myrtle Creek, a distance of 1,150 feet, 0.218 miles.
- (21) Along Underwood Road from a point 30 feet north of Andricks to a point 100 feet south of Carlow, a distance of 1,480 feet, 0.280 miles.
- (22) Along Farrington Boulevard from West Main to a point 850 feet south of West Main, a distance of 850 feet, 0.161 miles.
- (23) Along North L Street, from a point 175 feet west of Mockingbird Lane, to a point 65 feet east of Meadowlark Lane, a distance of 1,450 feet, 0.27 miles.
- (24) Along Myrtle Creek from West Main Street, (also known as Spencer Highway) to Sugar Creek, a distance of 1,469 feet, 0.278 miles.
- (25) Along Mockingbird Lane from North H Street to North L Street, a distance of 1,800 feet, 0.341 miles.

(26) Along Meadowlark Lane from North H Street to North L Street, a distance of 1,800 feet, 0.341 miles.

(27) Along South First Street from West H Street to West I Street, a distance of 505 feet, 0.096 miles.

(28) Along McCabe Road from the east line of the right-of-way for State Highway 146 to the Harris County Flood Control District drainage easement, a distance of approximately 1,328 feet, 0.25 miles.

(29) Along East D Street, from San Jacinto Street to Arizona Street, a distance of 337 feet, 0.064 miles.

(30) Along Arizona Street, from East D Street to East C Street, a distance of 407 feet, 0.077 miles.

(a-2) Thirty (30) miles per hour school zones:

(1) Along West Main from a point 530 feet east of Farrington Boulevard to a point 280 feet west of Farrington Boulevard, a distance of 810 feet, 0.153 miles.

(b) The twenty (20) miles per hour and thirty (30) miles per speed limits established in this section shall be in effect on days when 1) school classes are in session and 2) when appropriate signage giving notice thereof is erected at the entrance point of the school zone. Such signage shall state that the maximum speed limit is twenty (20) miles per hour or thirty (30) miles per and indicate the times during which the school zone is in effect or operation, or alternatively, shall state that the maximum speed limit is twenty (20) miles per hour or thirty (30) miles per when lights are flashing and shall be accompanied by a flashing beacon or light during the times the school zone is in effect or operation.

(c) School zone hours for the school zones listed in this section are hereby established as follows: between 6:30 a.m. and 8:30 a.m., and between 2:30 p.m. and 4:30 p.m., Monday through Friday, on days in which school classes are in session; except the school zone listed in subsection (a-1)(27) of this section, which shall have school zone hours in effect between 7:00 a.m. and 4:00 p.m. All schools open all year shall be additionally signed "all year."

(d) School zone signs equipped with flashing beacons or lights in lieu of posted school zone hours, may be activated anytime school classes are in session, including but not limited to use for summer school hours and for use during early dismissals or other special school functions. A school zone activated in this manner is enforceable under the terms of this ordinance notwithstanding the fact that it is outside of the school zone hours established in the preceding paragraph.

(e) It shall be an affirmative defense to a charge of exceeding the speed limit in a school zone as established in this section, if on the day in question there were no school classes in session at the specific designated school zone."

Section 2. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO HUNDRED DOLLARS (\$200.00).

Section 3. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of _____, 2018.

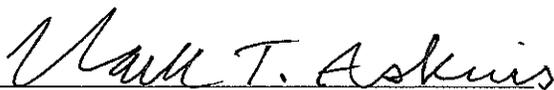
CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

City Secretary

APPROVED:



Assistant City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES BY REVISING CERTAIN REGULATIONS RELATED TO ESTABLISHMENT OF SCHOOL ZONES WITHIN THE CORPORATE LIMITS OF THE CITY OF LA PORTE; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO HUNDRED DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That Chapter 70, "Traffic and Vehicles," Article III, "Operation of Vehicles," Division 2. "Speed Limits", Section 70-97 "School zones," of the Code of Ordinances, La Porte, Texas, is hereby amended to read as follows:

"Sec. 70-97. - School zones.

(a) No person shall drive a vehicle on any portion of a public street or highway designated as a school zone at a speed greater than is reasonable and prudent under the circumstances then existing. Notwithstanding any other provisions of this division, the prima facie reasonable and prudent maximum speed applicable to the operator of a motor vehicle in any of the school zones designated below shall be a speed of twenty (20) miles per hour or thirty (30) miles per hour, as established in accordance with this section:

(a-1) Twenty (20) miles per hour school zones:

- (1) Along Park Street from San Jacinto to Fairmont Parkway, a distance of 700 feet, 0.133 miles.
- (2) Along Fairmont Parkway from Park Street to South Broadway, a distance of 1,800 feet, 0.34 miles.
- (3) Along Texas Avenue from Fairmont Parkway to East G Street, a distance of 1,400 feet, 0.27 miles.
- (4) Along East G Street from South Broadway to San Jacinto, a distance of 1,500 feet, 0.28 miles.
- (5) Along South Broadway from a point 250 feet south of East G Street to a point 75 feet south of East B Street, a distance of 2,525 feet, 0.48 miles.
- (6) Along San Jacinto from a point 20 feet south of East B Street to ~~a point 500 feet south of East G Street, a distance of 2,630 feet, 0.498 miles.~~ the intersection of San Jacinto and Park Street, a distance of 3,630 feet, 0.6875 miles.
- (7) Along East C Street from San Jacinto to South Broadway, a distance of 650 feet, 0.123 miles.
- (8) Along West Tyler from North 2nd Street to North 3rd Street, a distance of 330 feet, 0.06 miles.

- (9) Along North 2nd Street from West Madison to West Adams, a distance of 950 feet, 0.18 miles.
- (10) Along North 3rd Street from West Madison to West Adams, a distance of 950 feet, 0.18 miles.
- (11) Along North L Street from a point 50 feet west of Alvy Drive to a point 175 feet west of Lomax School Road, a distance of 2,400 feet, 0.454 miles.
- (12) Along Willmont from a point 100 feet north of Fairmont Parkway to a point 100 feet south of Shell Rock, a distance of 1,200 feet, 0.227 miles.
- (13) Along Clairmont from Roseway to Rosemont, a distance of 600 feet, 0.114 miles.
- (14) Along Rosemont from Clairmont to Parkway, a distance of 600 feet, 0.114 miles.
- (15) Along Parkway from Willmont to Rosemont, a distance of 250 feet, 0.047 miles.
- (16) Along Roseway from Clairmont to Roseberry, a distance of 500 feet, 0.095 miles.
- (17) Along Cedar mont from a point 50 feet north of Stonemont to Myrtle Creek, a distance of 1,150 feet, 0.218 miles.
- (18) Along Myrtle Creek from Antrim to West Main, a distance of 600 feet, 0.114 miles.
- (19) Along Carlow from a point 200 feet east of Catlett to Cedar mont, a distance of 500 feet, 0.095 miles.
- (20) Along West Main from a point 200 feet east of Underwood Road to a point 200 feet east of Myrtle Creek, a distance of 1,150 feet, 0.218 miles.
- (21) Along Underwood Road from a point 30 feet north of Andricks to a point 100 feet south of Carlow, a distance of 1,480 feet, 0.280 miles.
- (22) Along Farrington Boulevard from West Main to a point 850 feet south of West Main, a distance of 850 feet, 0.161 miles.
- (23) Along North L Street, from a point 175 feet west of Mockingbird Lane, to a point 65 feet east of Meadowlark Lane, a distance of 1,450 feet, 0.27 miles.
- (24) Along Myrtle Creek from West Main Street, (also known as Spencer Highway) to Sugar Creek, a distance of 1,469 feet, 0.278 miles.
- (25) Along Mockingbird Lane from North H Street to North L Street, a distance of 1,800 feet, 0.341 miles.
- (26) Along Meadowlark Lane from North H Street to North L Street, a distance of 1,800 feet, 0.341 miles.
- (27) Along South First Street from West H Street to West I Street, a distance of 505 feet, 0.096 miles.

(28) Along McCabe Road from the east line of the right-of-way for State Highway 146 to the Harris County Flood Control District drainage easement, a distance of approximately 1,328 feet, 0.25 miles.

(29) Along East D Street, from San Jacinto Street to Arizona Street, a distance of 337 feet, 0.064 miles.

(30) Along Arizona Street, from East D Street to East C Street, a distance of 407 feet, 0.077 miles.

(a-2) Thirty (30) miles per hour school zones:

(1) Along West Main from a point 530 feet east of Farrington Boulevard to a point 280 feet west of Farrington Boulevard, a distance of 810 feet, 0.153 miles.

(b) The twenty (20) miles per hour and thirty (30) miles per speed limits established in this section shall be in effect on days when 1) school classes are in session and 2) when appropriate signage giving notice thereof is erected at the entrance point of the school zone. Such signage shall state that the maximum speed limit is twenty (20) miles per hour or thirty (30) miles per and indicate the times during which the school zone is in effect or operation, or alternatively, shall state that the maximum speed limit is twenty (20) miles per hour or thirty (30) miles per when lights are flashing and shall be accompanied by a flashing beacon or light during the times the school zone is in effect or operation.

(c) School zone hours for the school zones listed in this section are hereby established as follows: between ~~7:00 a.m. and 9:00 a.m.~~ **6:30 a.m. and 8:30 a.m.**, and between ~~2:00 p.m. and 4:00 p.m.~~ **2:30 p.m. and 4:30 p.m.**, Monday through Friday, on days in which school classes are in session; except for 1) those school zones described in subsections (a-1)(1), (a-1)(2), (a-1)(3), (a-1)(4), (a-1)(5), (a-1)(6), (a-1)(7), (a-1)(29), and (a-1)(30) of this section, which shall have school zone hours in effect between 6:45 a.m. and 8:45 a.m., and between 2:30 p.m. and 4:30 p.m.; 2) those school zones described in subsections, (a-1)(17), (a-1)(18), (a-1)(19), (a-1)(20), (a-1)(21), and (a-1)(23) of this section, which shall have school zone hours in effect between 7:00 a.m. and 9:00 a.m., and between 3:00 p.m. and 5:00 p.m.; and 3) subsection **the school zone listed in subsection** (a-1)(27) of this section, which shall have school zone hours in effect between 7:00 a.m. and 4:00 p.m. All schools open all year shall be additionally signed "all year."

(d) School zone signs equipped with flashing beacons or lights in lieu of posted school zone hours, may be activated anytime school classes are in session, including but not limited to use for summer school hours and for use during early dismissals or other special school functions. A school zone activated in this manner is enforceable under the terms of this ordinance notwithstanding the fact that it is outside of the school zone hours established in the preceding paragraph.

(e) It shall be an affirmative defense to a charge of exceeding the speed limit in a school zone as established in this section, if on the day in question there were no school classes in session at the specific designated school zone."

Section 2. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO HUNDRED DOLLARS (\$200.00).

Section 3. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of _____, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

City Secretary

APPROVED:

Assistant City Attorney

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 24, 2018</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning and Development</u>
Report: _____ Resolution: _____ Ordinance: <u>X</u>

<u>Appropriations</u>	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<u>N/A</u>

- Exhibits:**
- Ordinance**
 - Deed**
 - Appraisal Summary**
 - Area Map**

SUMMARY & RECOMMENDATION

The City has received and processed an application from Mr. Hachim Farhat to vacate, abandon and close a portion of the W. Madison St. ROW, adjacent to the applicant’s property located on N. 16th St. and N. E St., legally described as Lots 1-32, Block 644, Tracts B, C & D (Abandoned ROW) and Lots 1-32, Block 643 Tract A (Abandoned ROW). Total area of the requested closure equals 23,680 square feet. The applicant is seeking to purchase the ROW in order to expand his current auto salvage business in the Light Industrial (LI) zoning district. Staff’s review of the application has determined no City or franchised utilities exist within the closing area. Letters of no objection to the proposed ROW closure have been received by all three franchised utility companies (Comcast, AT&T, and Centerpoint).

In accordance with Sections 62-32 of the City’s Code of Ordinances, an appraisal of the subject alley has been obtained by the City in order to establish fair market value. The appraisal report has established a value of \$2.00 per square foot for the subject right-of-way. Closing fees in the amount of \$47,360 (23,680 sq. ft. x \$2.00) have been paid by the applicant and placed in escrow pending final consideration and action by Council.

Action Required by Council:

Consider approval of an ordinance or other action vacating, abandoning, and closing a portion of the W. Madison St. ROW, adjacent to Lots 1-32, Block 644, Tracts B, C & D (Abandoned ROW) and Lots 1-32, Block 643 Tract A (Abandoned ROW), Town of La Porte, and authorize the City Manager to execute a deed to the applicant for the subject ROW.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2018-_____

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE WEST MADISON STREET RIGHT-OF-WAY LOCATED IN BLOCKS 643 AND 654 OF THE TOWN OF LA PORTE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Council of the City of La Porte has been requested by the record owner of the property abutting the hereinafter described portion of the West Madison Street right-of-way located within Blocks 643 and 654 of the Town of La Porte, to vacate, abandon and close said portion of the West Madison Street right-of-way, and;

WHEREAS, the City Council of the City of La Porte has determined and does hereby find, determine, and declare that the hereinafter described portion of the West Madison Street right-of-way located within Blocks 643 and 654 of the Town of La Porte is not suitable, needed, or beneficial to the public as a public road, street, or alley, and the closing of hereinafter described portion of the West Madison Street right-of-way located within Blocks 643 and 654 of the Town of La Porte is for the protection of the public and for the public interest and benefit, and that the hereinafter described portion of the West Madison Street right-of-way located within Blocks 643 and 654 of the Town of La Porte should be vacated, abandoned, and permanently closed.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

Section 1. Under and by virtue of the power granted to the City of La Porte under its home rule charter, Chapter 62 of the City of La Porte Code of Ordinances and Chapter 253, Texas Local Government Code, the hereinafter described portion of the West Madison Street right-of-way located within Blocks 643 and 654 of the Town of La Porte is hereby permanently vacated, abandoned, and closed by the City of La Porte, such right-of-way being generally illustrated on Exhibit "A" incorporated herein, and further described to wit:

Being a tract of land containing 0.5436 acres (23,680 square feet), situated in the J. Hunter Survey, Abstract 35, Harris County, Texas, being out of LaPorte Subdivision recorded in Volume 58, Page 460 of the Map Records of Harris County, Texas, being all of a tract of land conveyed unto TM Express Inc. by deed recorded under County Clerk's File No. RP-

2017-294630 of the Official Public Records of Harris County, Texas. Said 0.5436-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod with cap marked "EBI Partners" for the southwest corner of Block 643 and the northwest corner of the said tract herein described;

THENCE North 86°57'05" East, a distance of 296.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northwest corner of the said tract herein described;

THENCE South 03°02'55" East, a distance of 80.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southeast corner of the said tract herein described;

THENCE South 86°57'05" West, a distance of 296.00 feet to a found 5/8-inch iron rod with cap (illegible) for the northwest corner of Block 654 of said LaPorte Subdivision, and for the southwest corner of the said tract herein described;

THENCE North 03°02'55" West, a distance of 80.00 feet to the POINT OF BEGINNING and containing 0.5436 acres (23,680 square feet), more or less.

Section 2. That the abandonment, vacation and closure provided for herein is made and accepted subject to all present zoning and deed restrictions if the latter exist, and all easements, whether apparent or non-apparent, aerial, surface or underground.

Section 3. That the abandonment, vacation and closure provided for herein shall extend only to the public right, title, easement and interest and shall be construed to extend only to that interest which the governing body for the City of La Porte may legally and lawfully abandon, vacate and close.

Section 4. That the City Manager is hereby authorized to execute and deliver a Deed Without Warranty to the abutting owner upon completion of all conditions and requirements set forth in this Ordinance.

Section 5. That the abutting property owner shall pay all costs associated with procedures necessitated by the request to abandon this street segment, plus compensation for the market value of the abandoned property in accordance Chapter 62 of the City of La Porte Code of Ordinances.

Section 6. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government

Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

Section 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 8: If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of the ordinance.

Section 9. This ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED THIS _____ DAY OF SEPTEMBER 2018.

CITY OF LA PORTE, TEXAS

By:

Louis R. Rigby, Mayor

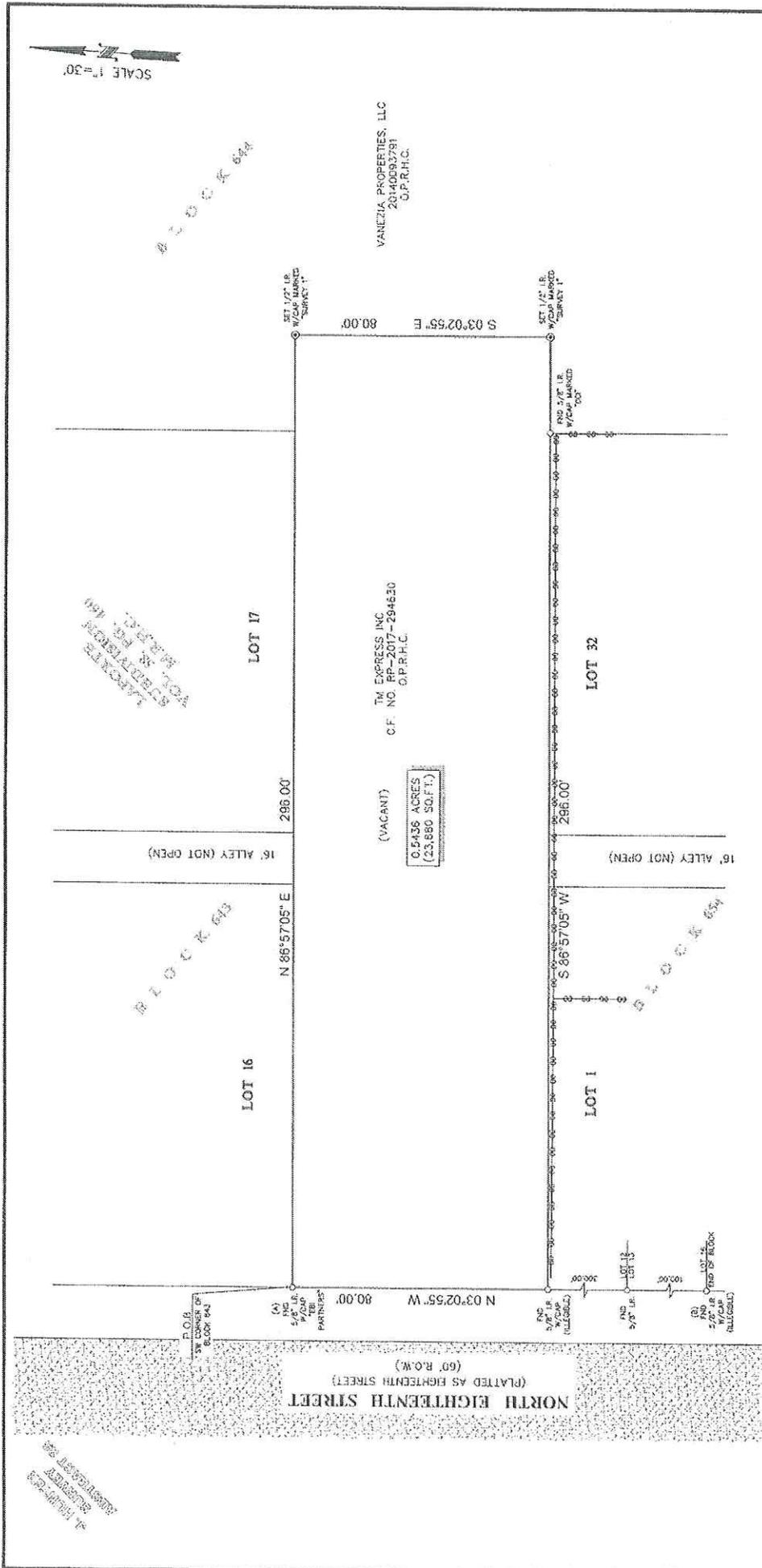
ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark T. Askins, Assistant City Attorney

EXHIBIT A



LEGAL DESCRIPTION: A TRACT OF LAND CONTAINING 0.5436 ACRES (23,880 SQUARE FEET) SITUATED IN THE J. HUNTER SURVEY, ABSTRACT 35, HARRIS COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS ATTACHED.

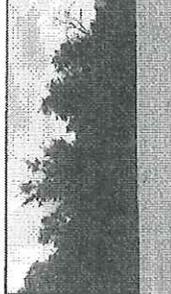
CLIENT: TED
ADDRESS: NORTH EIGHTEENTH STREET
www.survey1inc.com
survey1@survey1inc.com
Survey 1, Inc.
You and Survey Company
Firm Registration No. 100755-00
P.O. Box 35431 Ageo, TX 75112 | (281) 985-1100
6-12-18
6-63984-119

DATE: 6-12-18
TECH: SF
FINAL CHECK: BC
DATE: 6-12-18
DATE: 6-12-18

DATE: 6-12-18
DATE: 6-12-18

DATE: 6-12-18
DATE: 6-12-18

NOTES:
1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE SUBDIVISION PLAT NAMED BELOW. POINTS (A) AND (B) WERE HELD FOR HORIZONTAL CONTROL.
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF INFORMATION CONTAINED IN A TITLE REPORT, PER THE REQUEST OF THE BUYER.
3. THE BUYER IS ADVISED THAT THIS SURVEY IS NOT A GUARANTEE OF ACCURACY AND IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS MADE.
4. ALL CASHEMETS AND BOLLING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
5. THERE ARE NO NATURAL OBSTACLES OR COURSES ON SUBJECT PROPERTY.



LEGEND
--- FENCE
--- CHAIN LINK



DEED WITHOUT WARRANTY

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: September ____, 2018

Grantor: CITY OF LA PORTE, TEXAS, a municipal corporation

Mailing Address: 604 West Fairmont Parkway, La Porte, TX 77571

Grantee: VANEZIA PROPERTIES, L.L.C., a Texas Limited Liability Company

Mailing Address: 4402 W. Sam Houston Pkwy. N, Houston, TX. 77041

Consideration: Ten and No/100 Dollars (\$10.00) cash
and other good and valuable considerations

Property: (including any improvements):

Being a tract of land containing 0.5436 acres (23,680 square feet), situated in the J. Hunter Survey, Abstract 35, Harris County, Texas, being out of LaPorte Subdivision recorded in Volume 58, Page 460 of the Map Records of Harris County, Texas, being all of a tract of land conveyed unto TM Express Inc. by deed recorded under County Clerk's File No. RP-2017-294630 of the Official Public Records of Harris County, Texas. Said 0.5436-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod with cap marked "EBI Partners" for the southwest corner of Block 643 and the northwest corner of the said tract herein described;

THENCE North 86°57'05" East, a distance of 296.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northwest corner of the said tract herein described;

THENCE South 03°02'55" East, a distance of 80.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southeast corner of the said tract herein described;

THENCE South 86°57'05" West, a distance of 296.00 feet to a found 5/8-inch iron rod with cap (illegible) for the northwest corner of Block 654 of said LaPorte Subdivision, and for the southwest corner of the said tract herein described;

THENCE North 03°02'55" West, a distance of 80.00 feet to the POINT OF BEGINNING and containing 0.5436 acres (23,680 square feet), more or less, which tract was vacated,

abandoned and closed by City of La Porte Ordinance No. 2018-_____ passed and approved by the City Council of the City of La Porte on the _____ day of September, 2018.

Reservations from and Exception to Conveyance and Warranty: This conveyance is made subject to all and singular the restrictions, conditions, oil, gas, and other mineral reservations, easements, and covenants, if any, applicable to and enforceable against the above described property as reflected by the records of the county clerk of the aforesaid county.

Grantor for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property without express or implied warranty, and all warranties that might arise by common law and the warranties in §5.023 of the Texas Property Code (or its successor) are excluded.

Attest:

City of La Porte, Texas

Patrice Fogarty
City Secretary

By: _____
Corby D. Alexander
City Manager

Approved:

Clark T. Askins
Assistant City Attorney

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on _____ day of September, 2018, by Corby D. Alexander, City Manager of the City of La Porte, Texas, a municipal corporation.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

ASKINS & ASKINS, P.C.
P.O. Box 1218
La Porte, TX 77572-1218

PREPARED IN THE LAW OFFICE OF:

ASKINS & ASKINS, P.C.
P.O. Box 1218
La Porte, TX 77572-1218



ROW CLOSURE

SAC
18-25000002

W. Madison
@ N. 18th St.

Legend

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 114 feet

SEPTEMBER 2018
PLANNING DEPARTMENT



R.C. Chuoke & Associates, Inc.

Appraisers & Consultants

**P.O. Box 1447
League City, Texas 77574**

**Office- 281-338-9633
Fax- 281-338-9533**

August 24, 2018

City of La Porte
P.O. Box 1115
La Porte, Texas 77572

RE: Restricted Appraisal regarding the estimated **Market Value** of a +-
23,680 square foot tract of land located on North 18th Street, Town of La
Porte, Harris County, Texas.

Dear Sirs:

In accordance with your request, I have inspected the following described property for the purpose of estimating the **Market Value** following described property as of the date of this Restricted Appraisal. As per our agreement, the data and analysis is presented in an abbreviated Restricted Appraisal format and is not intended to contain the full analysis.

BRIEF LEGAL DESCRIPTION OF PROPERTY

Known as approximately 23,680 square feet tract of land out of the J. Hunter Survey, Abstract 35, Harris County, Texas. (See addenda for survey & metes/bounds as provided).

I hereby certify that I have personally inspected the property described via a street inspection and that all data gathered by my investigation is from sources believed reliable and true. In preparing this Restricted Appraisal, a study of comparable sales and other related market data was performed.

It should clearly be understood that this letter only constitutes only a statement of the final value and that does not presume to be the complete analysis of the subject property nor a complete appraisal format and is subject to the preparation of a detailed appraisal report.

.....Page 2 Continued.....

Sales of generally similar properties in the subject neighborhood were researched that had locations that range from primary to secondary type roadways. The subject's market area generally has access public utilities. The subject site is a rectangular shaped tract land. The subject's site size is reported at 23,680 square feet (80' X 296') per the metes and bounds description as provided. The subject site may be in or near the 100 year flood plain and is subject to determination by an elevation certificate. The Highest and Best Use of the subject property is determined to be for use by adjacent property owners however its configuration would appear to allow development for light industrial use. Adjacent and nearby property uses are primarily light industrial in nature. The client and intended user of this appraisal is the City of La Porte only. The intended use is to estimate the current market value of the subject property of this analysis as described above for use in establishing a market value for the subject property by the client and intended user only. There has been no transfer of the subject property noted for the past 36 months per appraisal district records. The effective date of the appraisal and inspection is August 1, 2018. The date of the report is August 24, 2018. The estimated exposure time is up to 24 months.

A unit value range of between \$1.00 PSF to over \$3.00 PSF was noted from the comparable lot sales before any adjustments were made. All of the comparable lot sales were unimproved or effectively unimproved lots with existing road frontage and access on paved public streets which were generally superior to the subject tract. After adjustments, it is my opinion the estimated unit value range for the subject property would be between **\$1.75 PSF to \$2.50 PSF** with an estimated mid-range value of **\$2.00 PSF** before any additional discounting by the City.

Therefore the unit market value of the subject tract is estimated at **\$2.00 PSF which is based on 100% fee simple ownership with no discounting applied.**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris Chuoke". The signature is written in a cursive style with a horizontal line underneath it.

Chris Chuoke, President
R.C. CHUOKE & ASSOCIATES, INC.

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 24, 2018</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning and Development</u>
Report: <u> X </u> Resolution: <u> </u> Ordinance: <u> X </u>

<u>Appropriations</u>	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<u>N/A</u>

Exhibits: **Ordinance**
 P&Z Recommendation Letter
 Existing Land Use Map
 Proposed Land Use Map

SUMMARY & RECOMMENDATION

This item is a request for consideration to amend the city’s Future Land Use Plan in conjunction with a request by Michael Anderson of Business Venture Group, applicant, on behalf of Texas Cargoways, LLC owner, who is seeking approval of a Zone Change from the Mid Density Residential (R-2) zoning district to the General Commercial (GC) zoning district. The proposed zone change would allow for the development of a used car dealership on the site. The property in question is located at the 3400 Block of Canada Rd. on the east side, and is legally described as Reserve A, Block 1 Dawson Subdivision.

The city’s Future Land Use Plan (FLUP) identifies the subject property as “Mid-High Density Residential”. In order to accommodate the proposed zone change, the FLUP would need to be amended to show the property as “Commercial”.

The Planning and Zoning Commission, at their August 16, 2018 regular meeting, voted 6-0 to recommend denial of the proposed Future Land Use Amendment. There were 8 concerned residents that spoke in opposition of the proposed zone change. Most hand concerns regarding increased traffic and proximity to residential homes and Pecan Park.

Action Required by Council:

1. Conduct public hearing.
2. Consider action on a recommendation by the Planning and Zoning Commission to deny an Ordinance amending the City’s Future Land Use Plan for a 6.92 acre tract of land known as Reserve A, Block 1 Dawson Subdivision, located at the 3400 Block of Canada Rd. on the east side, and as depicted in the attached exhibit.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AN UPDATE TO THE FUTURE LAND USE MAP COMPONENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, TEXAS UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Section 211.004 of the Texas Local Government Code provides that zoning regulations must be adopted in accordance with a Comprehensive Plan;

WHEREAS, Section 213.003 of the Texas Local Government Code provides that a municipality may amend a Comprehensive Plan by ordinance, after public hearing and review by the municipality's planning commission or department; and

WHEREAS, Section 213.003 of the Texas Local Government Code also provides that a municipality may establish, in its charter or by ordinance, procedures for adopting and amending a Comprehensive Plan; and

WHEREAS, Chapter 106, "Zoning" Article I, Section 106-3, and Article II, Section 106-65 of the Code of Ordinances of the City of La Porte, delegates to the Planning and Zoning Commission the duty to review and make recommendations relevant to modifications of the Comprehensive Plan and Zoning Ordinance; and

WHEREAS, the City of La Porte has a Comprehensive Plan, which Plan was adopted by the City Council of the City of La Porte, Texas in 1986, and which Plan has been the subject of multiple amendments since its adoption;

WHEREAS, pursuant to mandate of Chapter 106, "Zoning" of the Code of Ordinances of the City of La Porte, the Planning and Zoning Commission of the City of La Porte has reviewed all elements of the Comprehensive Plan, and as duly approved by the City Council of the City of La Porte, to consider possible amendments thereto; and

WHEREAS, at the La Porte Planning and Zoning Commission meeting which occurred on August 16, 2018, the La Porte Planning and Zoning Commission reviewed the Future Land Use Map component of the Comprehensive Plan for the purpose of considering proposed amendments thereto, to change the designation for that 6.92 acre tract of land located in the 3400 Block of Canada Rd., and legally described as follows: Reserve A, Block 1, Dawson Subdivision, City of La Porte, Harris County, Texas, from its present designation of "Mid-High Density Residential", to "Commercial", and at the conclusion of such review the La Porte Planning and Zoning Commission voted to recommend against the adoption of said proposed amendments to the Future Land Use Plan component of the Comprehensive Plan, to the La Porte City Council;

NOW, THEREFORE, BE IT RESOLVED BY

THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, THAT:

Section 1 That an amendment to the Future Land Use Map component of the Comprehensive Plan of the City of La Porte, Texas, which is incorporated to this ordinance by reference herein and attached hereto as Exhibit A, be and is hereby authorized, approved, and adopted by the City Council of the City of La Porte, Texas, after duly noticed public hearing held at its September 24, 2018 meeting, and receipt of the recommendations of the Planning and Zoning Commission of the City of La Porte, Texas.

Section 2 The City Secretary of the City of La Porte or her designated representative shall be required to make this amendment to the Comprehensive Plan available to the public and duly mark and note the updated reference on the Future Land Use Plan component of the Comprehensive Plan of the City of La Porte, Texas.

Section 3 The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject to this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon.

The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4 This Ordinance shall be in effect from and after its passage and approval.
Passed and approved this the 24th day of SEPTEMBER, 2018.

CITY OF LA PORTE, TEXAS

By: _____

Louis R. Rigby, Mayor

ATTEST:

By: _____

Patrice Fogarty, City Secretary

APPROVED:

By: _____

Clark Askins, Assistant City Attorney



August 17, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Request #18-92000008 to Amend the Future Land Use Map

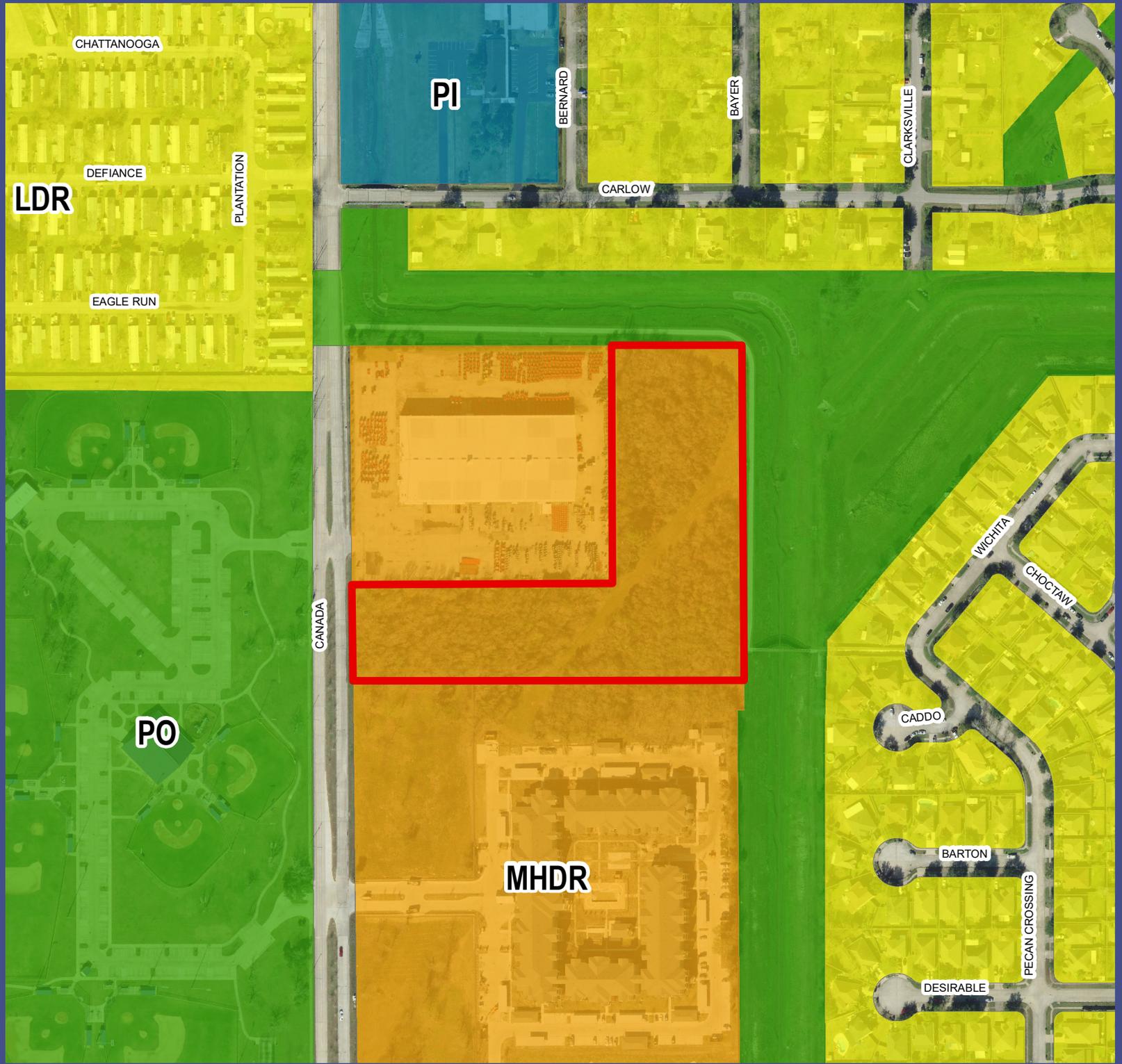
Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a meeting on August 16, 2018 for a request to amend the City's Future Land Use Plan as adopted in the Comprehensive Plan for a 6.92 acre tract of land located at the 3400 Block of Canada Rd. on the east side, and is legally described as Reserve A, Block 1 Dawson Subdivision. The request was for approval of a change of the future land use designation from "Mid-High Density Residential" use to "Commercial" use

The Commission voted 6-0 to recommend denial of the proposed amendments to the City's Future Land Use Map.

Respectfully submitted,

Ian Clowes, City Planner
On Behalf of the Planning and Zoning Commission



FLUP MAP

**Zone Change
18-92000008**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel

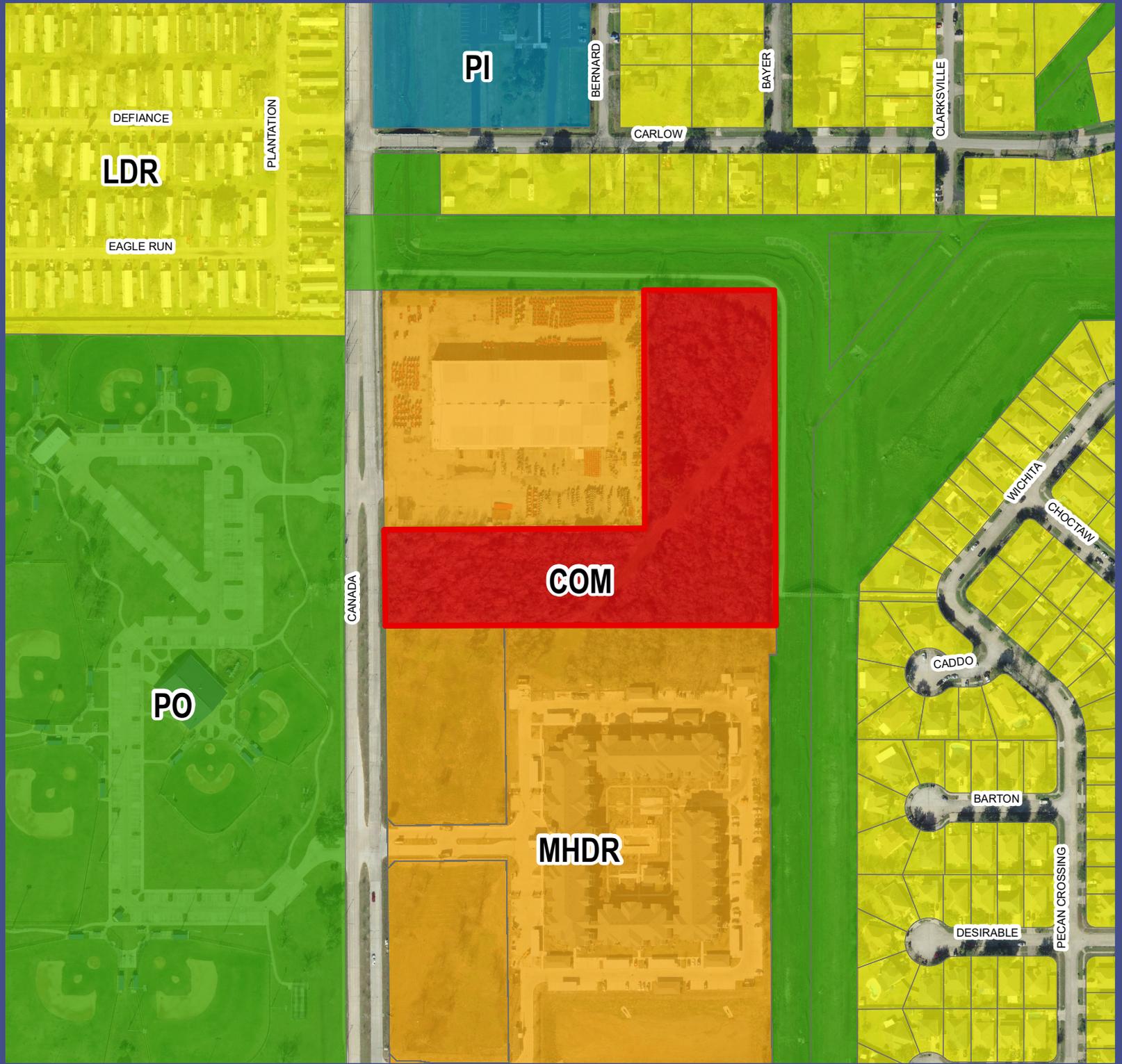


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet



**AUGUST 2018
PLANNING DEPARTMENT**



PROPOSED FLUP MAP

SCUP
18-9100008

3400 Block
Canada Rd.

Legend

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet



AUGUST 2018
PLANNING DEPARTMENT

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 24, 2018</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning and Development</u>
Report: <u> X </u> Resolution: <u> </u> Ordinance: <u> X </u>

<u>Appropriations</u>	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<u>N/A</u>

- Exhibits:**
- Ordinance**
 - P&Z Recommendation Letter**
 - Applicant Information and Request**
 - Aerial Map**
 - Zoning Map**
 - Land Use Map**

SUMMARY & RECOMMENDATION

Michael Anderson of Business Venture Group, applicant, on behalf of Texas Cargoways, LLC, owner; is seeking approval of a Zone Change from the Mid Density Residential (R-2) zoning district to the General Commercial (GC) zoning district. The property in question is located on the east side of Canada Rd. near the 3400 Block, and is legally described as Reserve A, Block 1 Dawson Subdivision.

The property is currently undeveloped. The applicant would like to develop the site for a possible used car dealership. In order to allow this, the site must be rezoned to General Commercial. The adjacent property to the north, the zoned R-2, is currently occupied by a commercial/light industrial use.

Staff received 1 comment sheet stating opposition to the proposed zone change. At the meeting, 8 area residents spoke in opposition to the proposal, stating concerns with increased traffic and proximity to Pecan Park and area residential uses.

The Planning and Zoning Commission, at their August 16, 2018 regular meeting, voted 6-0 to recommend denial of the proposed Zone Change.

Action Required by Council:

1. Conduct public hearing.

2. Consider action on a recommendation by the Planning and Zoning Commission to deny an Ordinance for zone change request #18-92000008, for a 6.92 acre tract of land located on the east side of Canada Rd. near the 3400 Block and is legally described as Reserve A, Block 1 Dawson Subdivision.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY CHANGING THE ZONING CLASSIFICATION OF A 6.92 ACRE TRACT OF LAND LOCATED IN THE 3400 BLOCK OF CANADA ROAD AND LEGALLY DESCRIBED AS RESERVE A, BLOCK 1, DAWSON SUBDIVISION, FROM MID DENSITY RESIDENTIAL (R-2) TO GENERAL COMMERCIAL (GC); MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by changing the zoning classification of the following described property, to wit: a 6.92 acre tract of land located in the 3400 Block of Canada Rd. and legally described as Reserve A, Block 1, Dawson Subdivision, Harris County, Texas, from Mid Density Residential (R-2) to General Commercial (GC).

Section 2. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 3. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200’) of the properties under consideration in compliance with code provisions.

Section 6. It is directed that the Official Zoning Map of the City of La Porte, Texas be changed to reflect the zoning classification established by this ordinance

Section 7. The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Map and Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 8. This ordinance shall be effective after its passage and approval.

PASSED AND APPROVED this the 24th day of SEPTEMBER, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney



August 17, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Zone Change Request #18-92000008

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the August 16, 2018 meeting on a zone change request by Michael Anderson of Business Venture Group, applicant, on behalf of Texas Cargoways, LLC, owner; for a zone change of property legally described as Reserve A, Block 1 Dawson Subdivision, from Mid Density Residential (R-2) to General Commercial (GC). The site is a 6.92 acre tract of land located on the east side of Canada Rd. within the 3400 Block.

The Commission voted 6-0 to recommend denial of the proposed zone change.

Respectfully submitted,

Ian Clowes, City Planner
On Behalf of the Planning and Zoning Commission



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 CANADA Road / 6.92 HCAD# 1299140010001
 Legal description where zone change is being requested: 1299140010001 TRS A BLK 1 Dawson 30147959
 HCAD Parcel Number where zone change is being requested: 1299140010001
 Zoning District: Commercial Lot area: 6.92

A request for approval of a zone change is hereby made to the City of La Porte.

Description of Request: We would like to Request of Re-zoning From Residential to Commercial For Auto Sales

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: Michael Anderson
 Company (if applicable): Business Venture Group
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Michael Anderson
 Company (if applicable): Business Venture Group
 Address: 501 GULF Freeway
 City: Houston State: TX Zip: 77023
 Phone: 281-235-3173 Email: [REDACTED]

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: [Signature] Date: 7/13/18

Owner(s) Signature(s): _____ Date: _____

STAFF USE ONLY:

Case Number:
18 - 92000008

Date Application Received:
7/16/18



Zone Change Application

Planning and Development Department

AFFIDAVIT OF POSTING PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: 0 CANADA Road

LEGAL DESCRIPTION: RES A BLK 1 Dawson 30147959

2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: 8/5/2018

3. Said sign shall be placed on the property within 20 feet of the abutting street.

4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Applicant's Signature

Michael Anderson

Applicant's Printed Name

Subscribed and sworn before me this 13th day of July, 2018, by

Michael Anderson (Print Applicant's Name).

Notary Public



My commission expires: 7-7-2019

Business Venture Group Michael Anderson

501 Gulf freeway Houston Tx 77023

281-235-3173

mt8893@aol.com

July 13th 2018

City of Laporte

604 W. Fairmont Prky

Laporte Tx 77571

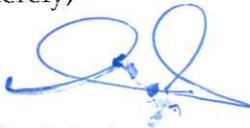
Dear City of Laporte,

We Humbly request the rezoning of property located on 0 Canada road .legal

description RES A BLK 1 DAWSON 301479 SQ From residential to commercial

in order to put an auto sales there. properties on both sides of this property are zoned for commercial use. if I can be of further assistance please let me know

Sincerely,



Michael Anderson



BUSINESS VENTURE
PROFESSION OF INDUSTRY
CARGOWAYS LLC

CITY OF LAPORTE

MANAGER • BVG • 604 W.FAIRMONT PKY • LAPORTE TX 77571

CONTACT

501 gulf freeway
Houston tx 77023
Mt8893@aol.com
281-235-3173

July 13th 2018

Dear city of laporte,

This is to certify that Texas cargoways llc is granting permission to business venture group to act on its behalf for the request of the rezoning from residential to commercial for said property located on o Canada rd or 62 acres or hcad #1299140010001 res A BLK 1DAWSON 301479sq.

Sincerely,
business venture group

Manager
Cargoways llc



EMAIL



TWITTER HANDLE



TELEPHONE



LINKEDIN URL

Google Maps

Completed



Imagery ©2018 Google, Map data ©2018 Google 50 ft

Proposed Acty Seles

Arrive on time with notifications

Get reminders when it's time to leave for your next destination.
Learn more



X NO THANKS ✓ TURN ON



AERIAL MAP

**Zone Change
18-92000008**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel

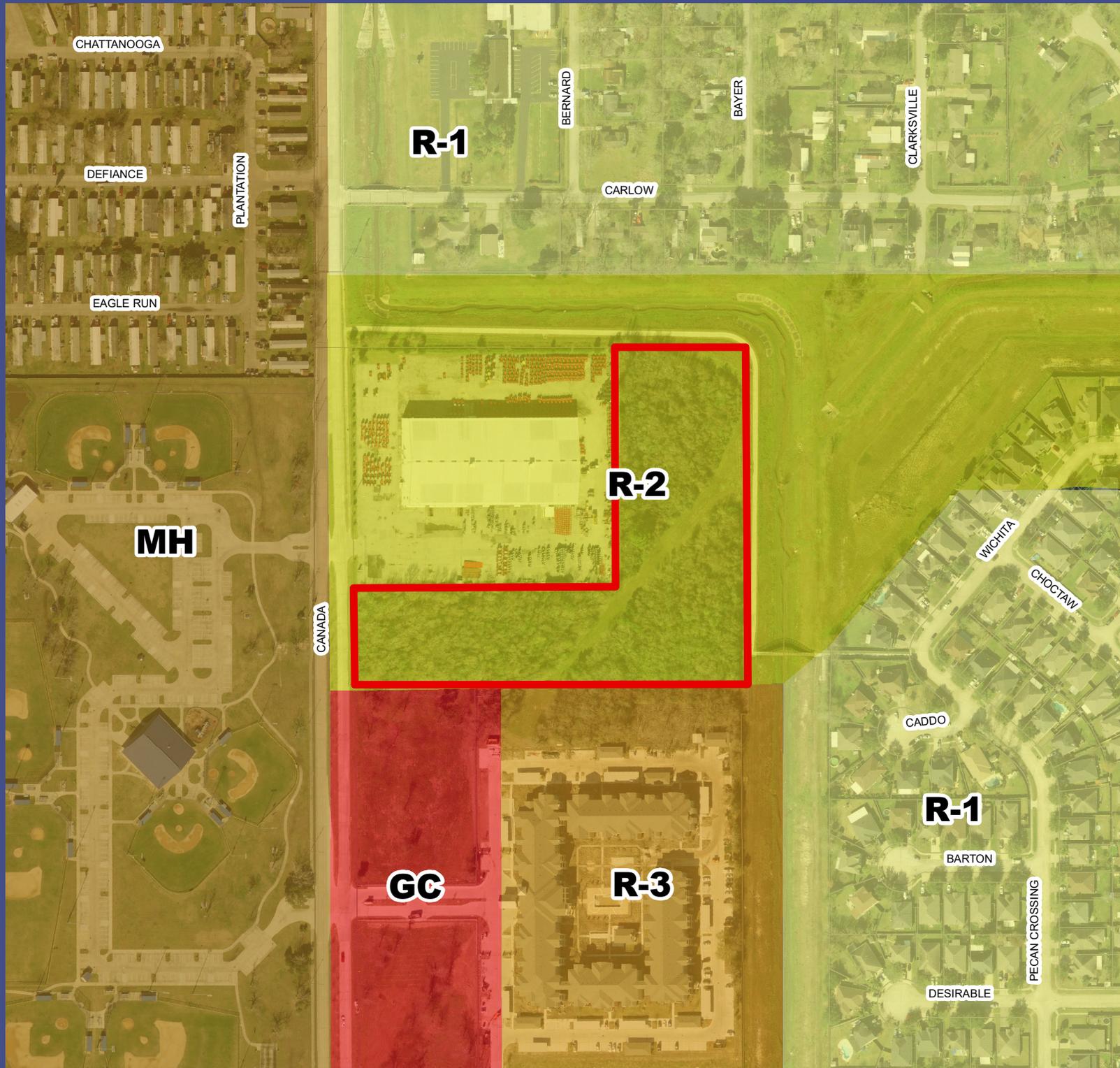


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet

**AUGUST 2018
PLANNING DEPARTMENT**





ZONING MAP

Zone Change
18-92000008

3400 Block
Canada Rd.

Legend

 Subject Parcel

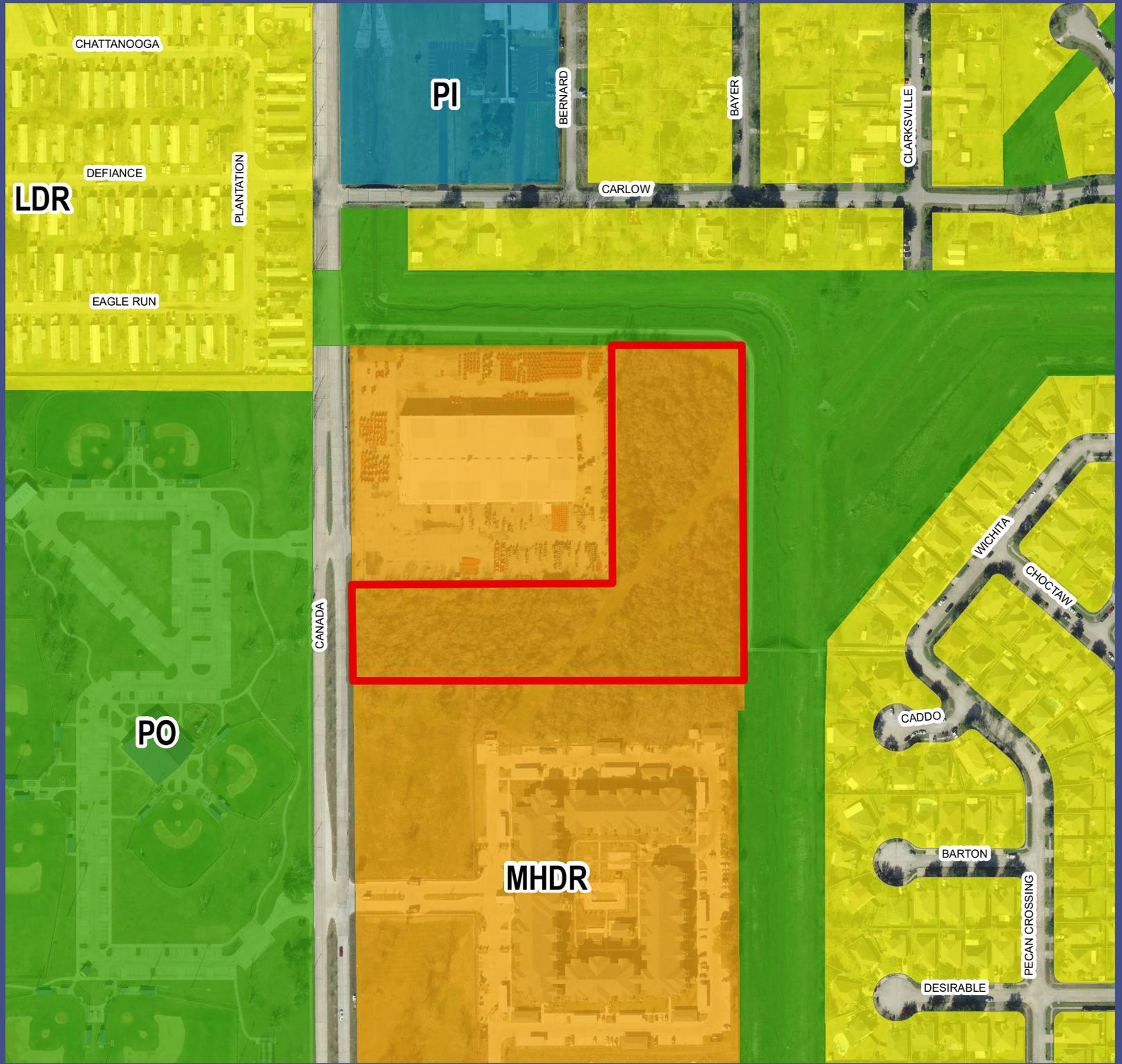


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet



AUGUST 2018
PLANNING DEPARTMENT



FLUP MAP

**Zone Change
18-92000008**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet



**AUGUST 2018
PLANNING DEPARTMENT**

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 24, 2018</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning and Development</u>
Report: <u> X </u> Resolution: <u> </u> Ordinance: <u> X </u>

<u>Appropriations</u>	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<u>N/A</u>

- Exhibits:**
- Ordinance**
 - Proposed SCUP**
 - P&Z Recommendation Letter**
 - Applicant Information and Request**
 - Aerial Map**
 - Zoning Map**
 - Land Use Map**

SUMMARY & RECOMMENDATION

Applicant and owner, Nilvarni LP, is seeking approval of a SCUP to allow for a Hotel/Motel Use to locate in the General Commercial (GC) Zoning District. The property in question is a 2.28 acre tract of land located at 711 W. Fairmont Pkwy. and is legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 of 7th St. ROW and Adjacent 16 foot Alley La Porte Subdivision.

The property is currently partially occupied by a surface parking lot for the adjacent US Post Office and is zoned General Commercial (GC). The applicant is interested in removing the existing paving and redeveloping the site. Current plans call for a Holiday Inn Express and Suites hotel to occupy the entire 2.28 acres.

Staff received 1 comment sheet stating opposition to the proposed SCUP.

The Planning and Zoning Commission, at their August 16, 2018 regular meeting, voted 5-1 to recommend denial of the proposed SCUP, as presented. Commissioner Tschappat was the dissenting vote. If the City Council decides to approve the request, staff has suggested a number of conditions of approval. Below is a list of all included conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the City’s Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. Permitted use on site will be described as Hotel/Motel.

3. The underlying zoning is GC. All GC requirements will need to be met.
4. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process for any proposed building improvements.
5. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

If City Council decides to approve the proposed SCUP, staff recommends the addition of a sixth condition that states no truck parking shall be permitted on site and no future truck parking plans shall be approved for the site.

Action Required by Council:

1. Conduct public hearing.
2. Consider approval or other action on a recommendation by the Planning and Zoning Commission to deny an Ordinance for SCUP #18-91000010

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 18-91000010, TO ALLOW FOR A HOTEL (EXCEPT CASINO HOTELS) AND MOTEL USE IN A GENERAL COMMERCIAL (GC) ZONING DISTRICT, ON A 2.28 ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS LOTS 1 – 16 AND 19 – 32, BLOCK 1103 AND EAST 30 FEET OF 7TH ST. ROW AND ADJACENT 16 FOOT ALLEY, LA PORTE SUBDIVISION, LA PORTE, HARRIS COUNTY, TEXAS; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by granting Special Conditional Use Permit #18-91000010 attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for a Hotel (except Casino Hotels) and Motel use on a 2.28 acre tract of land, said tract being legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 feet of 7th St. ROW and Adjacent 16 foot Alley, La Porte Subdivision, La Porte, Harris County, Texas, and situated within a General Commercial (GC) zoning district.

Section 2. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 3. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200') of the properties under consideration.

Section 6. The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 7. This ordinance shall be effective after its passage and approval.

PASSED AND APPROVED this the 24th day of SEPTEMBER, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney

EXHIBIT A

City of La Porte
Special Conditional Use Permit #18-91000010

This permit is issued to: Nilvarni LP
Owner or Agent

5750 Vista Rd. Pasadena, TX 77386
Address

For Development of: Fairmont Motel
Development Name

711 W. Fairmont Pkwy.
Address

Legal Description: Lots 1 – 16 and 19 – 32, Block 1103 and East 30 of 7th St. ROW and Adjacent 16 foot Alley La Porte Subdivision, Harris County, TX

Zoning: GC, General Commercial

Use: Hotel (except Casino Hotels) and Motel

Permit Conditions:

This Special Conditional Use Permit (SCUP) is applicable for the subject property, a copy of which shall be maintained in the files of the City’s Planning and Development Department upon approval. Project development shall be in accordance with the following conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the City’s Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. Permitted use on site will be described as Hotel/Motel.
3. The underlying zoning is GC. All GC requirements will need to be met.
4. All necessary documentation for building permit review must be submitted in conjunction with the city’s building permit application process for any proposed building improvements.
5. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, “Zoning” of the City’s Code of Ordinances.

Failure to start construction of the site within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If contract or agreement is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: _____

Director of Planning and Development

City Secretary



August 17, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #18-91000010

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a regular meeting on August 16, 2018 to hear a Special Conditional Use Permit request by , Nilvarni LP, applicant/owner; for a Special Conditional Use Permit to allow for a Hotel/Motel Use. The subject site is located at 711 W. Fairmont Pkwy., and is legally described as Lots 1 – 16 and 19 – 32, Block 1103 and East 30 of 7th St. ROW and Adjacent 16 foot Alley La Porte Subdivision. The subject site is zoned General Commercial (GC) and Section 106-310 of the Code of Ordinances requires a Special Conditional Use Permit in order for the above referenced use to be permitted within the GC zoning district.

The Commission voted 5-1 to recommend denial of the proposed SCUP. Commissioner Tschappat was the dissenting vote.

Respectfully submitted

Ian Clowes, City Planner
On behalf of the Planning and Zoning Commission



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 711 WEST FAIRMONT PARKWAY
 Legal description where SCUP is being requested: LTS 1 thru 16 & 19 thru 32 BLK 1103 & E 30 FT OF 7TH
 HCAD Parcel Number where SCUP is being requested: 024-185-003-0001 + 024-185-003-0017
 Zoning District: _____ Lot area: 99350 sq. ft
 A request for approval of a Special Conditional Use Permit is hereby made to the City of La Porte.
 Description of Request: 100 UNIT HOLIDAY INN EXPRESS & SUITE HOTEL
SEE ATTACHED DOCUMENT FOR ADDITIONAL DETAILS

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: NIL VARMI LP OWNED BY DIMPLE PATEL AND PARTNERS
 Company (if applicable): _____
 Address: 5450 VISTA ROAD
 City: PASADENA State: TX Zip: 77505
 Phone: 713-530-8993 Email: _____

AUTHORIZED AGENT (If other than owner)

Name: _____
 Company (if applicable): _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: [Signature] Date: 7-11-18
 Owner(s)' Signature(s): [Signature] Date: 7-11-18

STAFF USE ONLY:

Case Number:
18-91000010

Date Application Received:
7-11-18



Special Conditional Use Permit Application

Planning and Development Department

AFFIDAVIT OF POSTING PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: 711 WEST FAIRMONT PARKWAY LA PORTE TX 77571

LEGAL DESCRIPTION: LTS 1 thru 16 d19 thru 32 BLK 1103 & E 30FT of 7th AND ADJ 16 FT ALLEY

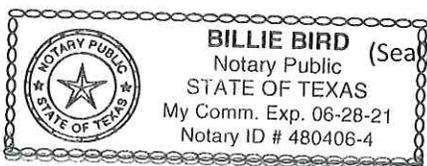
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: 7-11-18.
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

[Signature]
Applicant's Signature

DIMPLE PATEL
Applicant's Printed Name

Subscribed and sworn before me this 11th day of July, 2018, by

DIMPLE PATEL (Print Applicant's Name).



[Signature]
Notary Public

My commission expires: 6/28/21

July 11, 2018

Dimple Patel
Nil Varni LP
5450 Vista Road
Pasadena, TX 77505
713-530-8993

Property Located: 711 West Fairmont Parkway

LTS 1 THRU 16 & 19 THRU 32
BLK 1103 & E 30 FT OF 7TH ST
& ADJ 16 FT ALLEY
LA PORTE

Request: We are requesting approval of a Special Conditional Use Permit (SCUP) located at 711 West Fairmont Parkway to build a 100 unit Holiday Inn Express and Suites.

Background: We have been in the hotel industry since 1979. We joined the City of La Porte in 1993 when we developed the Best Western at 705 HWY 146 S. Later we developed the Holiday Inn Express & Suites at 908 West G Street in 2005.

History: We purchased this track of land at 711 West Fairmont Parkway in 2008 with the intention of building a new hotel at the market appropriate time. When we purchased the land in 2008 there was not a requirement for a SCUP.

Hotel Operations: As a developer and operator in La Porte we strive for providing great service and excellent accommodations. We continue to achieve high levels of guest reviews at our hotel. We also employ 15 full-time and part-time employees mostly residences of La Porte.

Economic Impact: After being the second hotel in La Porte we have helped pave the way for tremendous economic growth with the addition of new hotels. As an operator we help keep the level of service high and help to maintain high standards of our hotels and our competition.

Tax Revenue: Over the past 13 years our existing Holiday Inn Express has generated over \$20million in revenue with about \$1,400,000 in City tax revenue along with about \$2million in County and State tax revenue. There is also the addition of property tax paid over the last 13 years with the hotel value averaging \$3.7million per year (about \$50million over 13 years). We have paid all taxes on time and we never had any delinquent taxes, late utility payments, or other violations.

Franchise History: We operate 3 Holiday Inn Express hotels in this area; Deer Park, Pasadena, & La Porte. We have been trusted by this franchise to operate in this area because of our commitment to the brand and dedication to serving the tri-city area. The franchise believes this is the right time to begin development for a new property with a larger room count to service this market. They have given us a timeline to develop this project and open this business by January 2020.

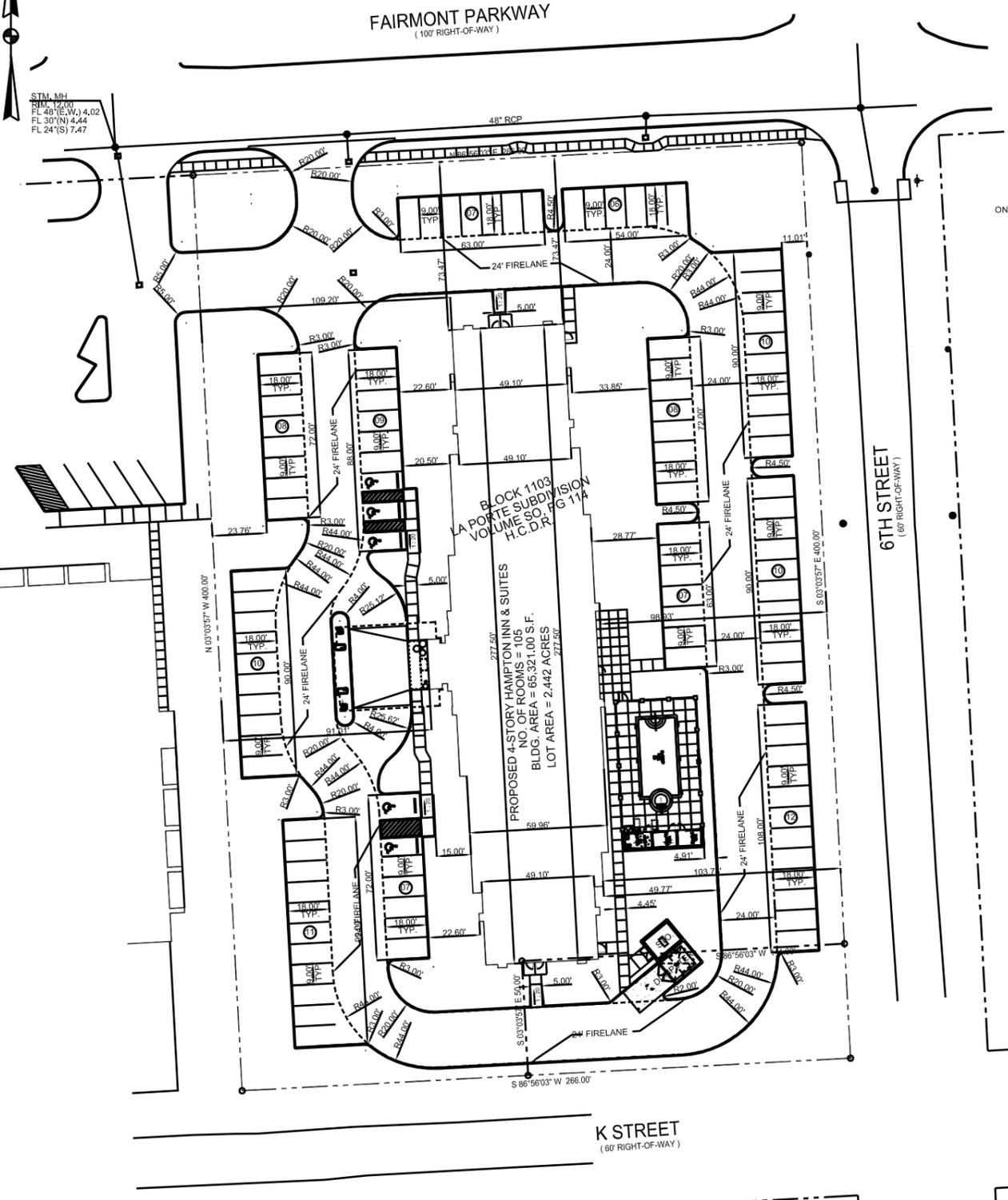
Location and Neighbors: When we purchased this land in 2008 we considered the location as being ideal for a hotel. It is on the main corridor of the City. It is adjacent to the Post Office. Near highway 146 but not too close that the guests would be impacted from highway noise of large trucks. Near many local business.

We anticipate to have the largest meeting space in the City with over 2500 sq ft of meeting space. Allowing us to accommodate birthday parties, graduations, wedding, corporate training and sales meetings; along with local municipality meetings. We look forward to hosting and supporting the many local business clients such as Aker Industrial, Total Petrochemicals, Sulzer, Cat-Spec, Du Pont, along with many other industries that help grow the City of La Porte.

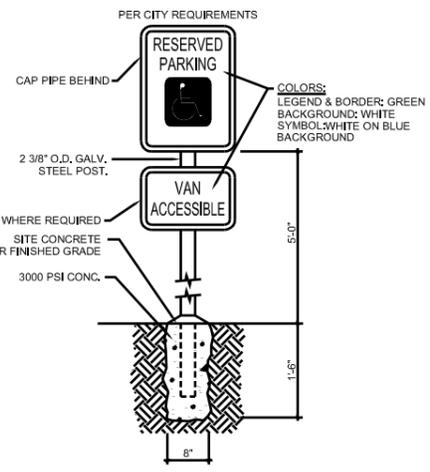
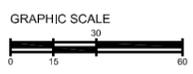
Conclusion: We ask P&Z along with citizens of the City of La Porte to grant a SCUP to build a 100 unit Holiday Inn Express & Suites at 711 West Fairmont Parkway. We have a proven history with the City to provide a great hotel and excellent accommodations.



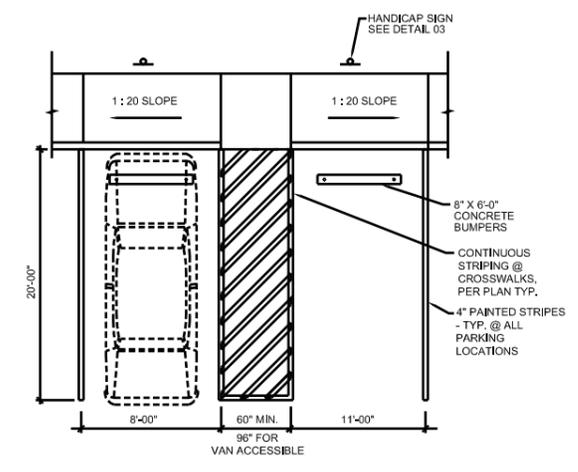
STM. MH
 12.00'
 FL 48" (E.W.) 4.02
 FL 30" (N) 4.44
 FL 24" (S) 7.47



01 CONCEPTUAL SITE PLAN
 SCALE: 1" = 30'-0"



03 DETAIL - HANDICAP SIGN
 SCALE: NONE



ACCESSIBLE ROUTE NOTES:
 1. MAXIMUM LONGITUDINAL SLOPE, 1:20
 2. MAXIMUM CROSS SLOPE, INCLUDING PARKING AISLE, 1:50

02 DETAIL - HANDICAP PARKING GRAPHICS
 SCALE: NONE

PROP. 4-STORY HAMPTON INN & SUITES
 NO. OF ROOMS = 105
 TOTAL PARKING REQUIRED = 105 SPACES

	HOTEL	TOTAL
BUILDING AREA	65,321.00 SQ.FT.	65,321.00 SQ.FT.
PARKING REQUIRED	1 SPACE/ROOM UNIT = 105 SPACES	105 SPACES
PARKING FURNISHED	105 SPACES	105 SPACES
H.C. PARKING REQUIRED		5 SPACES (01 VAN)
H.C. PARKING FURNISHED		5 SPACES (01 VAN)

- GENERAL NOTES:**
- ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE STANDARD SPECIFICATIONS OF THE CITY OF LA PORTE, TEXAS.
 - CONTRACTOR SHALL PROVIDE "AS BUILT" PLANS TO THE ENGINEER SO THAT THE REPRODUCIBLES OF THE ENGINEERING PLANS MAY BE CORRECTED TO REFLECT "AS BUILT" CONDITIONS.
 - THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE AND MAINTAIN ALL NECESSARY WARNING AND SAFETY DEVICES (FLASHING LIGHTS, BARRICADES, SIGNS, ETC.) TO PROTECT THE PUBLIC SAFETY AND HEALTH UNTIL THE WORK HAS BEEN COMPLETED AND ACCEPTED BY THE CITY.
 - THE LOCATIONS OF EXISTING UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN UTILITY LOCATES BY UTILIZING ONE OF THE THREE FOLLOWING NUMBERS:
 TEXAS EXCAVATION SAFETY SYSTEM - 1-800-344-9377
 TEXAS ONE CALL SYSTEM - 1-800-245-4545
 LONE STAR NOTIFICATION CENTER - 1-800-669-8344
 - THE FOLLOWING UTILITY PROVIDERS WITHIN THE CITY OF CLEBURNE ARE NOT MEMBERS OF A ONE CALL SYSTEM AND THE CONTRACTOR OR PERMITEE SHALL NOTIFY THE FOLLOWING UTILITY PROVIDERS AT LEAST 2 WORKING DAYS PRIOR TO CONSTRUCTION SO THAT LOCATES MAY BE MARKED:
 JOHNSON COUNTY SPECIAL UTILITY DISTRICT - 817-558-9522
 JOHNSON COUNTY FRESH WATER DISTRICT - 817-558-2424
 UNITED COOPERATIVE SERVICES - 817-556-4000

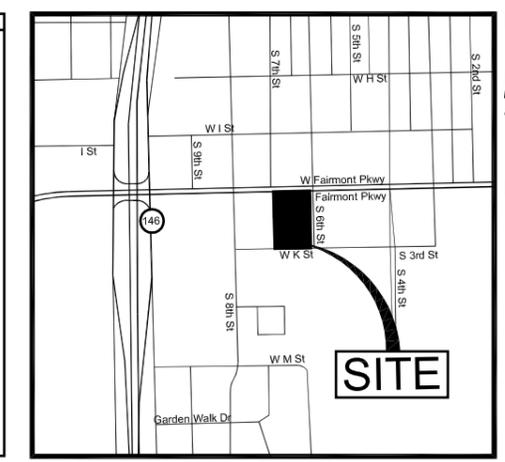
FIRE LANE STRIPING SPECIFICATIONS AND REQUIREMENTS

THE ACCESS ROADWAY AND/OR FIRE LANE SHALL BE STRIPPED ON A PAVED SURFACE, AND BE CLEARLY MARKED ON THE PAVEMENT WITH A "RED" LINE AT LEAST SIX (6) INCHES WIDE. "FIRE LANE NO PARKING" IN NOT LESS THAN FOUR (4) INCH LETTERS IN "WHITE" SHALL BE PLACED EVERY OTHER TWENTY FIVE (25) FEET ON THE STRIP. WHERE THE FIRE LANE IS ADJACENT TO A CURB, THE ENTIRE CURB SHALL BE PAINTED. A LEGEND STATING "NO PARKING - FIRE LANE" OF A MINIMUM OF EIGHTEEN (18) INCHES PAINTED IN "YELLOW" SHALL BE PLACED AT ALL ENTRANCES TO THE FIRE LANE (LETTERING MAY BE LARGER, BUT 18" IS MINIMUM). ALL FIRE LANES SHALL CONNECT AT BOTH ENDS TO A DEDICATED STREET OR BE CONSTRUCTED WITH TURNAROUND AREAS AT THE DEAD-END WITH A MINIMUM RADIUS OF FOURTY FIVE (45) FEET. ALL PAINT REFERRED TO SHALL BE A TRAFFIC MARKING PAINT.

WHEN REQUIRED DURING CONSTRUCTION OR OTHER TEMPORARY USE, APPROVED SIGNS SHALL BE PROVIDED AND MAINTAINED FOR FIRE APPARATUS ACCESS ROADS TO IDENTIFY SUCH ROADS AND PROHIBIT THE OBSTRUCTION THEREOF OR BOTH. SIGN MUST BE SECURED SO THAT THEY CANNOT BE MOVED UNTIL PERMANENT FIRE LANE IS PAINTED.

LEGEND

SANITARY SEWER MANHOLE	SS	EXISTING CONTOURS
STORM SEWER MANHOLE	SM	PROPOSED CONTOURS
CLEAN OUT	CO	PROPOSED SANITARY SEWER PIPE
FIRE HYDRANT	FH	EXISTING SANITARY SEWER PIPE
POWER POLE	PP	PROPOSED WATER LINE
TELEPHONE BOX	TB	EXISTING WATER LINE
WATER METER	WM	PROPOSED POWER LINE
GATE VALVE	GV	EXISTING POWER LINE
LIGHT POLE	LP	PROPOSED TELEPHONE LINE
IRRIGATION SPRINKLER HEAD LOCATION	IS	EXISTING TELEPHONE LINE
VAN ACCESSIBLE	VA	PROPOSED TELEPHONE LINE
HANDICAP PARKING	HP	EXISTING TELEPHONE LINE
SIGN LOCATION	SL	PROPOSED GAS LINE
RIGHT OF WAY	R.O.W.	EXISTING GAS LINE
SET IRON ROD	S.I.R.	PROPOSED STORM SEWER PIPE
EXPANSION JOINT	E.J.	EXISTING STORM SEWER PIPE
SAW JOINT	S.J.	PROPOSED GUY WIRE
CONSTRUCTION JOINT	C.J.	EXISTING GUY WIRE
EXIST. LIGHTPOLE	EL	PROPOSED STORM SEWER PIPE
DRAINAGE & UTILITY EMBANKMENT	DEUE	EXISTING STORM SEWER PIPE
DRAINAGE FLOW ARROW	DF	PROPOSED GUY WIRE
TRAFFIC FLOW ARROW	TF	EXISTING GUY WIRE
FOUND IRON ROD	F.I.R.	OVERHEAD ELECTRICAL LINE
GAS METER	GM	EXISTING FIBER OPTICS CABLE
EXIST. WATER VALVE	EWV	



NOTE:
 ENSURE A "GUEST PARKING, USER ASSUMES ALL RISKS" SIGNAGE BE DISPLAYED THROUGHOUT THE PARKING LOT.

GENERAL CONSTRUCTION NOTES
 IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO NOTIFY, PROVIDE INFORMATION, AND COORDINATE WITH THE CITY/COUNTY UTILITY DEPARTMENTS AND OTHER UTILITY COMPANIES REGARDING THE LOCATION, DEPTHS, SIZES AND ANY RELEVANT INFORMATION OF ALL PROPOSED ABOVE AND UNDERGROUND UTILITIES INCLUDING GAS, FIBER OPTIC, COMMUNICATION CABLES, AND THE LIKE, PRIOR TO PERFORMING ANY DIRTWORK, EXCAVATION, EMBANKMENT FILL, OR HOLE DRILLING RELATED TO ONSITE OR OFFSITE WORK FOR THIS PROJECT.

OWNERSHIP AND USE OF DRAWINGS
 THESE DRAWINGS WHETHER PRINTED OR ELECTRONIC IN FORM, PREPARED BY THE ENGINEER BW HUDSON ENGINEERS AND ASSOCIATES, ARE INSTRUMENTS OF SERVICE THROUGH WHICH THE CONTRACTOR SHALL EXECUTE THE WORK DESCRIBED HEREIN. ONLY THE ENGINEER SHALL OWN, CLAIM AUTHORSHIP, CLAIM COPYRIGHT OR RETAIN ANY OTHER RESERVED RIGHTS ON THESE DRAWINGS, UNLESS OTHERWISE AGREED TO OR PERMITTED IN WRITING BY THE ENGINEER. THESE DRAWINGS SHALL NOT BE COPIED, REVISED OR TRANSMITTED TO ANY THIRD PARTY.
 THESE DRAWINGS SHALL NOT BE USED BY THE CONTRACTOR, SUBCONTRACTOR, MATERIAL OR EQUIPMENT SUPPLIER ARE PERMITTED TO USE OR REPRODUCE PORTIONS OF THE DRAWINGS RELATIVE TO THEIR PERFORMANCE CONTRACT AS SPECIFIED IN THE CONTRACT DOCUMENTS.
 THESE DRAWINGS SHALL NOT BE USED BY THE CONTRACTOR, SUBCONTRACTOR, MATERIAL OR EQUIPMENT SUPPLIER ON OTHER PROJECTS OR ON ADDITIONS TO THIS PROJECT OUTSIDE THE ORIGINAL SCOPE OF WORKS WITHOUT THE SPECIFIC WRITTEN CONSENT OF THE ENGINEER.
 OFFICIAL SUBMISSION OF THESE PLANS TO REGULATORY AGENCIES SHALL ONLY MEAN COMPLIANCE TO REGULATORY REQUIREMENTS AND SHALL NOT BE CONSTRUED AS PUBLICATION OR LOSS OF ENGINEER'S COPYRIGHTS OR OTHER RESERVED RIGHTS.

OWNER/DEVELOPER:

PROJECT STATUS:
 PRELIMINARY
PROJECT MANAGER:
 JAY PATEL
DESIGN COORDINATOR:
 KRIS LOUIE TORTAL
DATE:
 10/15/08
DRAWING DONE BY:
 KRIS LOUIE TORTAL

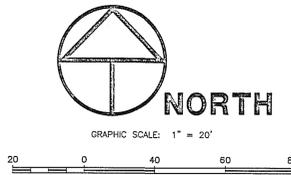
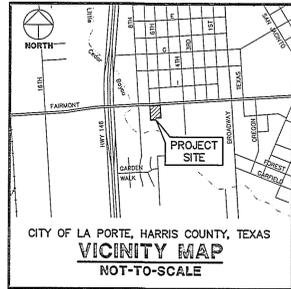
BW HUDSON ENGINEERS AND ASSOCIATES
 BUILDING DESIGN-RENDERING
 BLUE PRINTING-SCANNING
 SCALE MODELS-ANIMATIONS

132 E. Main Street, Suite 200
 Grand Prairie, Texas 75050
 www.bwhudsonengineers.com
 Bhudson911@aol.com

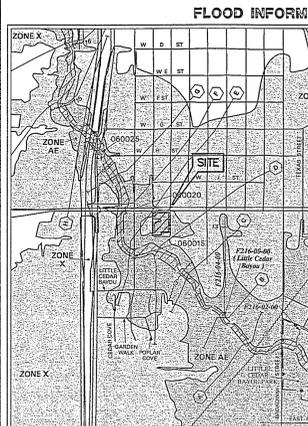
OCTOBER 15, 2008

Tel. No.: (972) 264-4408
 Fax No.: (972) 264-4416

CONCEPTUAL SITE PLAN
PROPOSED HAMPTON INN & SUITES
 BLOCK 1103 LA PORTE SUBDIVISION
 FAIRMONT PARKWAY / 6TH STREET
 CITY OF LA PORTE, TEXAS
 2.442 ACRES



- LEGEND**
- SOME OF THESE ELEMENTS MAY NOT BE USED ON THIS SURVEY
 - BO - BOLLARD
 - HC - HANDICAP
 - GM - GAS METER
 - GV - GAS VALVE
 - PH - FIRE HYDRANT
 - WM - WATER METER
 - WV - WATER VALVE
 - ICV - IRRIGATION CONTROL VALVE
 - GI - GRATE INLET
 - GR - GRATE
 - MA - MANHOLE
 - GM - GREASE TRAP MANHOLE
 - EL - ELEVATION
 - TP - TELEPHONE FEEDSTAB
 - EB - ELECTRIC BOX
 - LP - LIGHT POLE
 - PL - TRAFFIC LIGHT POLE
 - DP - DROP POLE
 - PP - POWER POLE
 - MP - METER POLE
 - SP - SERVICE POLE
 - GA - GUY ANCHOR
 - OL - OVERHEAD POWER LINE
 - BL - BARBED WIRE FENCE
 - WF - WROUGHT IRON FENCE
 - WF - WOOD FENCE
 - CF - CHAINLINK FENCE
 - UL - OVERHEAD UTILITY LINE
 - EX - EXISTING
 - AP - APPROXIMATE
 - HB - HIGHBANK
 - SI - SIGN
 - PM - PIPELINE MARKER
 - UCS - UNDERGROUND CABLE SIGN
 - MS - MONITORING WELL
 - BC - BACK OF CURB
 - G - GUTTER
 - TO - TOP OF GRATE
 - FL - FLOW LINE
 - HL - HIGHBANK
 - SM.SW - SANITARY SEWER
 - SM.SW - STORM SEWER
 - CM - CORRUGATED METAL PIPE
 - RC - REINFORCED CONCRETE PIPE
 - TEL - TELEPHONE
 - SWT - SOUTHWESTERN BELL TELEPHONE CO.
 - WR - WATER
 - UG - UNDERGROUND
 - RD - ROAD
 - H.C.C.F. - HARRIS COUNTY CLERK FILE
 - H.C.D.R. - HARRIS COUNTY DEED RECORDS
 - H.C.M.R. - HARRIS COUNTY MAP RECORDS
 - IP - IRON PIPE
 - IR - IRON ROD
 - NO. - NUMBER
 - PL - PACE
 - R.O.W. - RIGHT-OF-WAY
 - SQ. FT. - SQUARE FEET
 - VL - VOLINE
 - F.C. - FILM CODE
 - TC - TOP OF CURB
 - SET CAPPED 5/8" IR - 5/8" IRON ROD W/ PLASTIC CAP STAMPED WINDROSE LAND SERVICES
 - TR - TREE/SHRUB
 - TD - TRAFFIC DIRECTION ARROW



FIRM FLOOD INSURANCE RATE MAP
HARRIS COUNTY, TEXAS
AND INCORPORATED AREAS

PANEL 0945L

FIRM FLOOD INSURANCE RATE MAP
HARRIS COUNTY, TEXAS
AND INCORPORATED AREAS

PANEL 945 OF 1150
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

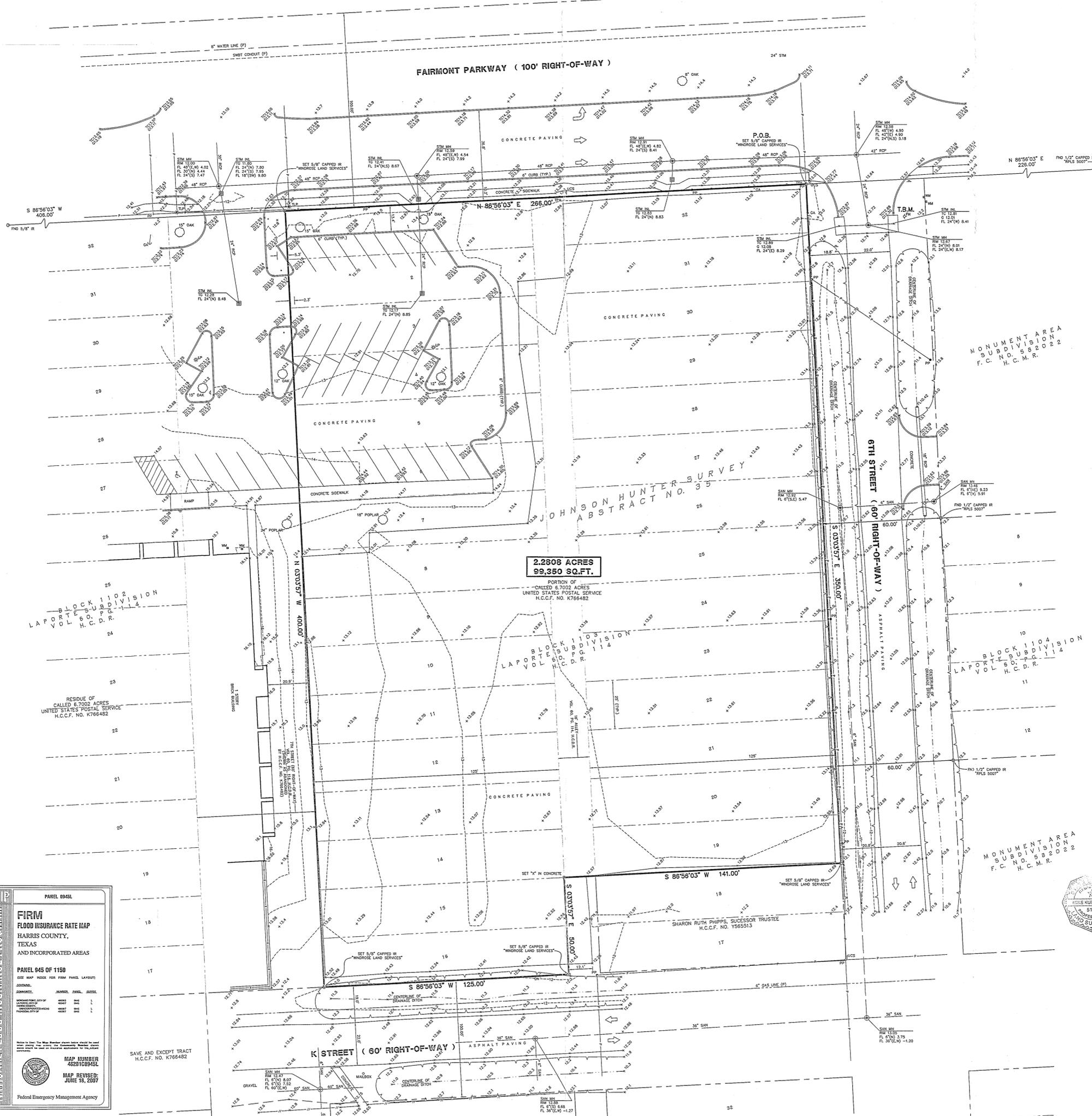
CONTRACT: 42201C0945L

DATE: JUNE 18, 2007

MAP NUMBER: 42201C0945L

MAP REVISED: JUNE 18, 2007

Federal Emergency Management Agency



LEGAL DESCRIPTION

A TRACT OR PARCEL CONTAINING 2,288 ACRES OR 99,350 SQUARE FEET OF LAND SITUATED IN THE JOHNSON HUNTER SURVEY, ABSTRACT NO. 35, HARRIS COUNTY, TEXAS, BEING OUT OF BLOCK 1103 AND BEING SUBDIVISION NO. 114 OF FAIRMONT PARKWAY (100' WIDE) AND THE WESTERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY (100' WIDE) AND THE WESTERLY RIGHT-OF-WAY LINE OF 6TH STREET (60' WIDE) FOR AN INTERIOR CORNER OF LOT 32 OF SAID BLOCK 1103 AND THE HERIN DESCRIBED TRACT;

BEGINNING AT A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET MARKING THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY (100' WIDE) AND THE WESTERLY RIGHT-OF-WAY LINE OF 6TH STREET (60' WIDE) FOR AN INTERIOR CORNER OF LOT 32 OF SAID BLOCK 1103 AND THE HERIN DESCRIBED TRACT;

THENCE SOUTH 03 DEG. 03 MIN. 57 SEC. EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY (100' WIDE) A DISTANCE OF 125.00 FEET TO A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET MARKING THE COMMON EASTERLY CORNER OF LOTS 18 AND 19 OF SAID BLOCK 1103, FOR THE SOUTHEASTERLY CORNER OF THE HERIN DESCRIBED TRACT;

THENCE SOUTH 86 DEG. 56 MIN. 03 SEC. WEST ALONG THE COMMON LINE OF SAID LOTS 18 AND 19 AT A DISTANCE OF 725.00 FEET TO THE COMMON WESTERLY CORNER OF SAID LOTS 18 AND 19 BEING IN THE EASTERLY LINE OF A 16 FOOT WIDE ALLEY AS SHOWN ON SAID LAPORTE SUBDIVISION, CONTINUING FOR A TOTAL DISTANCE OF 141.00 FEET TO AN IRON ROD "STAMPED WINDROSE LAND SERVICES" SET MARKING THE COMMON EASTERLY CORNER OF LOTS 14 AND 15 OF SAID BLOCK 1103, FOR AN INTERIOR CORNER OF THE HERIN DESCRIBED TRACT;

THENCE SOUTH 03 DEG. 03 MIN. 57 SEC. EAST ALONG THE WESTERLY LINE OF SAID 16 FOOT WIDE ALLEY, A DISTANCE OF 50.00 FEET TO A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET IN THE NORTHERLY RIGHT-OF-WAY LINE OF K STREET (60' WIDE) MARKING THE SOUTHEASTERLY CORNER OF LOT 16 OF SAID BLOCK 1103;

THENCE SOUTH 86 DEG. 56 MIN. 03 SEC. WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF K STREET, A DISTANCE OF 125.00 FEET TO A CAPPED 5/8" IRON ROD "STAMPED WINDROSE LAND SERVICES" SET IN THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY MARKING THE NORTHERLY CORNER OF LOT 1 OF SAID BLOCK 1103 AND THE HERIN DESCRIBED TRACT;

THENCE NORTH 03 DEG. 03 MIN. 57 SEC. WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY MARKING THE NORTHERLY CORNER OF LOT 1 OF SAID BLOCK 1103 AND THE HERIN DESCRIBED TRACT;

THENCE NORTH 86 DEG. 56 MIN. 03 SEC. EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF FAIRMONT PARKWAY, A DISTANCE OF 125.00 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 1, BEING IN THE WESTERLY LINE OF SAID 16 FOOT WIDE ALLEY, CONTINUING FOR A TOTAL DISTANCE OF 250.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2,288 ACRES OR 99,350 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 43971WC, PREPARED BY WINDROSE LAND SERVICES, INC.

- GENERAL NOTES**
1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN THE COMMITMENT OF NO. 43971WC, LAWYERS TITLE INSURANCE COMPANY, EFFECTIVE DATE OF APRIL 2, 2008, ISSUED DATE OF APRIL 8, 2008.
 2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
 3. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR HARRIS COUNTY, TEXAS, MAP NO. 48201C0945L, REVISED/DATED JUNE 18, 2007, THE SUBJECT TRACT APPEARS TO LIE WITHIN SHADDED ZONE "X" AND ZONE "AE". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES, INC.
 4. READILY VISIBLE IMPROVEMENTS AND UTILITIES WERE LOCATED WITH THIS SURVEY. NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED BY WINDROSE LAND SERVICES, INC.
 5. ENVIRONMENTAL AND DRAINAGE ISSUES ARE BEYOND THE SCOPE OF THIS SURVEY.
 6. THE SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE SURVEY. IT DOES NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
 7. FENCES SHOWN HEREON WITH DIMENSIONAL TIES ARE SHOWN WHERE THEY ARE PHYSICALLY MEASURED. THE FENCE MAY MEANDER BETWEEN MEASURED LOCATIONS.
 8. ELEVATIONS SHOWN TO THE NEAREST TENTH ARE NATURAL GROUND SURFACE ELEVATIONS AND ELEVATIONS SHOWN TO THE NEAREST HUNDRETH ARE SOLID SURFACE ELEVATIONS.
 9. GAS, SANITARY, STORM, TELEPHONE AND WATER LINES SHOWN HEREON ARE BASED ON UTILITY PLANS ACQUIRED FROM THE CITY OF LA PORTE, HARRIS COUNTY, ALBERT AND CENTERPOINT ENERGY, AND WERE FIELD VERIFIED WHERE POSSIBLE. OTHER UTILITY PLANS OR INFORMATION MAY EXIST NOT KNOWN TO THIS COMPANY.
 10. SURVEYOR DID NOT PHYSICALLY ENTER MANHOLES. UNDERGROUND PIPE SIZES WERE DETERMINED BY A "MEASURE DOWN" METHOD FROM TOP OF MANHOLE RIM OR TOP OF GRATE OR TOP OF CURB AND WERE COMPARED WITH UTILITY PLANS WHERE AVAILABLE.
 11. SURVEYOR HAS CONTACTED DIGTESS FOR LOCATION OF BURIED UTILITY AND FIBER OPTIC LINES PRIOR TO THIS SURVEY. AT THE TIME OF SURVEY, NO MARKERS WERE FOUND INDICATING UNDERGROUND UTILITY LINES OR FIBER OPTIC LINES ON THE SUBJECT TRACT OR IN ADJACENT RIGHT-OF-WAYS. OTHER UTILITY LINES OR FIBER OPTIC LINES MAY EXIST NOT KNOWN TO THIS COMPANY. IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT DIGTESS OR OTHER UTILITY NOTIFICATION SERVICES FOR LOCATION OF UNDERGROUND UTILITIES, PRIOR TO CONSTRUCTION.

- SCHEDULE 'B' NOTES**
- B.10(a) SUBJECT TO TERMS, CONDITIONS AND STIPULATIONS OF THE LA PORTE AREA WATER AUTHORITY CREATED BY ORDINANCE NO. 1295, AS RECORDED UNDER H.C.C.F. NO. L292772, (PLANET IN NATURE).
- B.10(f) SUBJECT TO THE ZONING ORDINANCES NOW IN FORCE IN THE CITY OF LA PORTE, TEXAS.
- B.10(g) THE SUBJECT PROPERTY IS LOCATED WITHIN THE CITY OF HOUSTON OR WITHIN ITS EXTRA-TERRITORIAL JURISDICTION (WITHIN 5 MILES OF THE CITY LIMITS BUT OUTSIDE ANOTHER MUNICIPALITY) IT IS SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS OF THE CITY OF HOUSTON ORDINANCE 85-1878, PERTAINING TO AMONG OTHER THINGS, THE PLATTING AND RELATING OF REAL PROPERTY AND TO THE ESTABLISHMENT OF BUILDING LINES (25 FEET ALONG MAJOR THOROUGHFARES AND 10 FEET ALONG OTHER STREETS), A CERTIFIED COPY OF SAID ORDINANCE WAS RECORDED UNDER H.C.C.F. NO. N253886, SAID ORDINANCE BEING AMENDED BY ORDINANCE NO. 1999-282.

BENCHMARK PUBLISHED ELEVATION - 12.97'

FLOODPLAIN RM NO. 066020, HARRIS COUNTY FLOOD CONTROL DISTRICT DISK (STAMPED) P 218 884-033 LOCATED ON THE SOUTH SIDE OF FAIRMONT PARKWAY BRIDGE OVER LITTLE CEDAR BAYOU (STREAM F 216-00-00) 220' +/- WEST OF 8TH STREET (NAVD83, 2001 ADJUSTMENT).

TEMPORARY BENCHMARK ELEVATION - 15.68'

"L" IN MUELLER ON FIRE HYDRANT LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF FAIRMONT PARKWAY AND 6TH STREET.

SURVEYOR'S CERTIFICATION

TO: UNITED STATES POSTAL SERVICE
LAWYERS TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7a, 7b, 8, 9, 10, 11a, 11b, 12, 13, 14, 15, 17 AND 18 OF TABLE A THEREOF PURSUANT TO THE ACCURACY STANDARDS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDESIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

MIKE KIRCHGESSER
Registered Professional Land Surveyor
Texas Registration No. 5101

DATE: 05/02/08

REVISIONS

DATE	REASON	BY

Windrose Land Services, Inc.
3626 Westchase
Houston, Texas 77062
Phone (713) 458-2282 Fax (713) 451-1151
Professional Surveying & Engineering Services

ALTA/ACSM LAND TITLE SURVEY OF
2,288 ACRES OR 99,350 SQ. FT.
SITUATED IN THE
JOHNSON HUNTER, ABSTRACT NO. 35
HARRIS COUNTY, TEXAS



AERIAL MAP

SCUP
18-91000010

711 Fairmont Pkwy.

Legend

 Subject Property

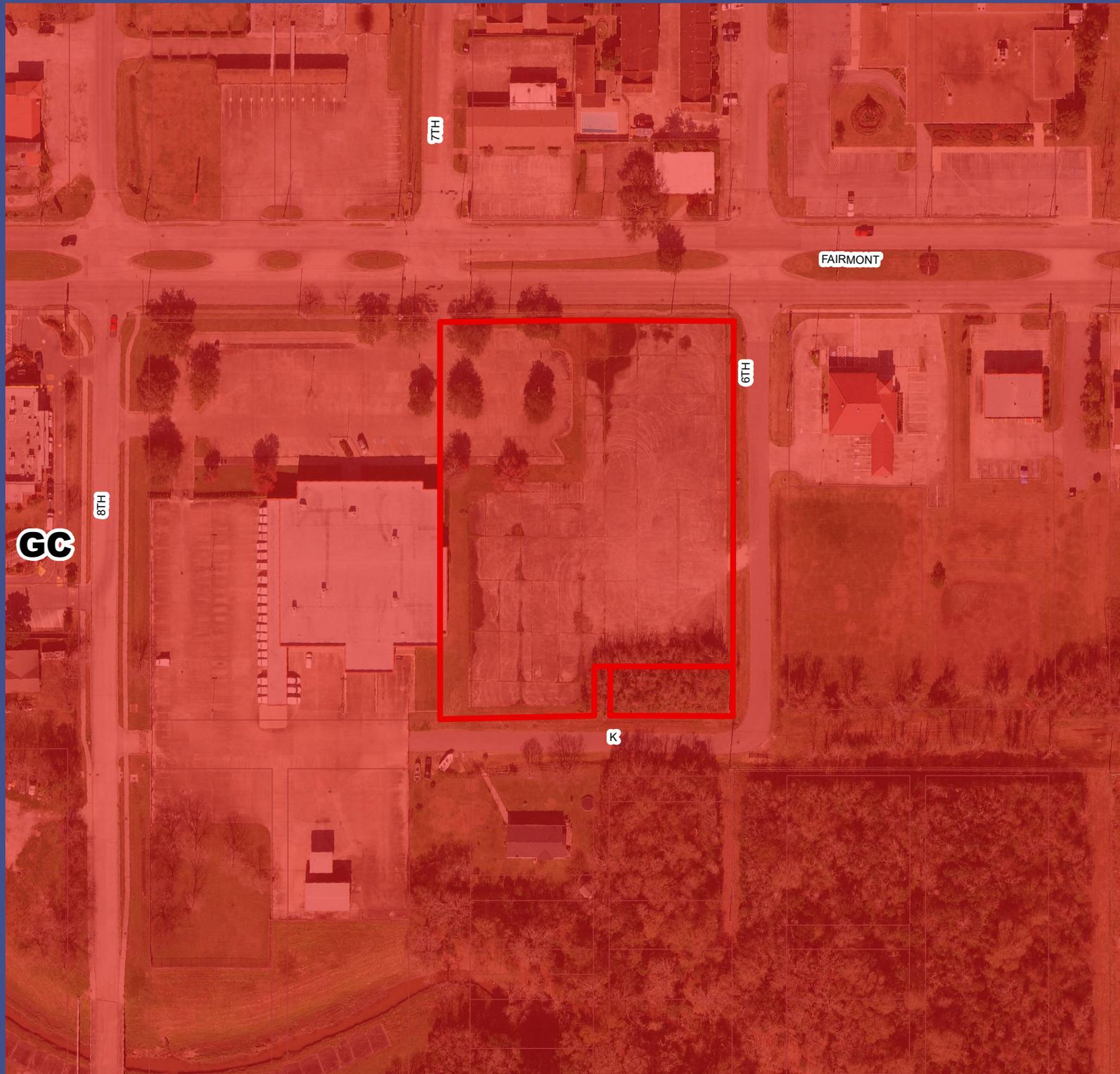


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 137 feet



AUGUST 2018
PLANNING DEPARTMENT



ZONING MAP

SCUP
18-91000010

711 Fairmont Pkwy.

Legend

 Subject Property

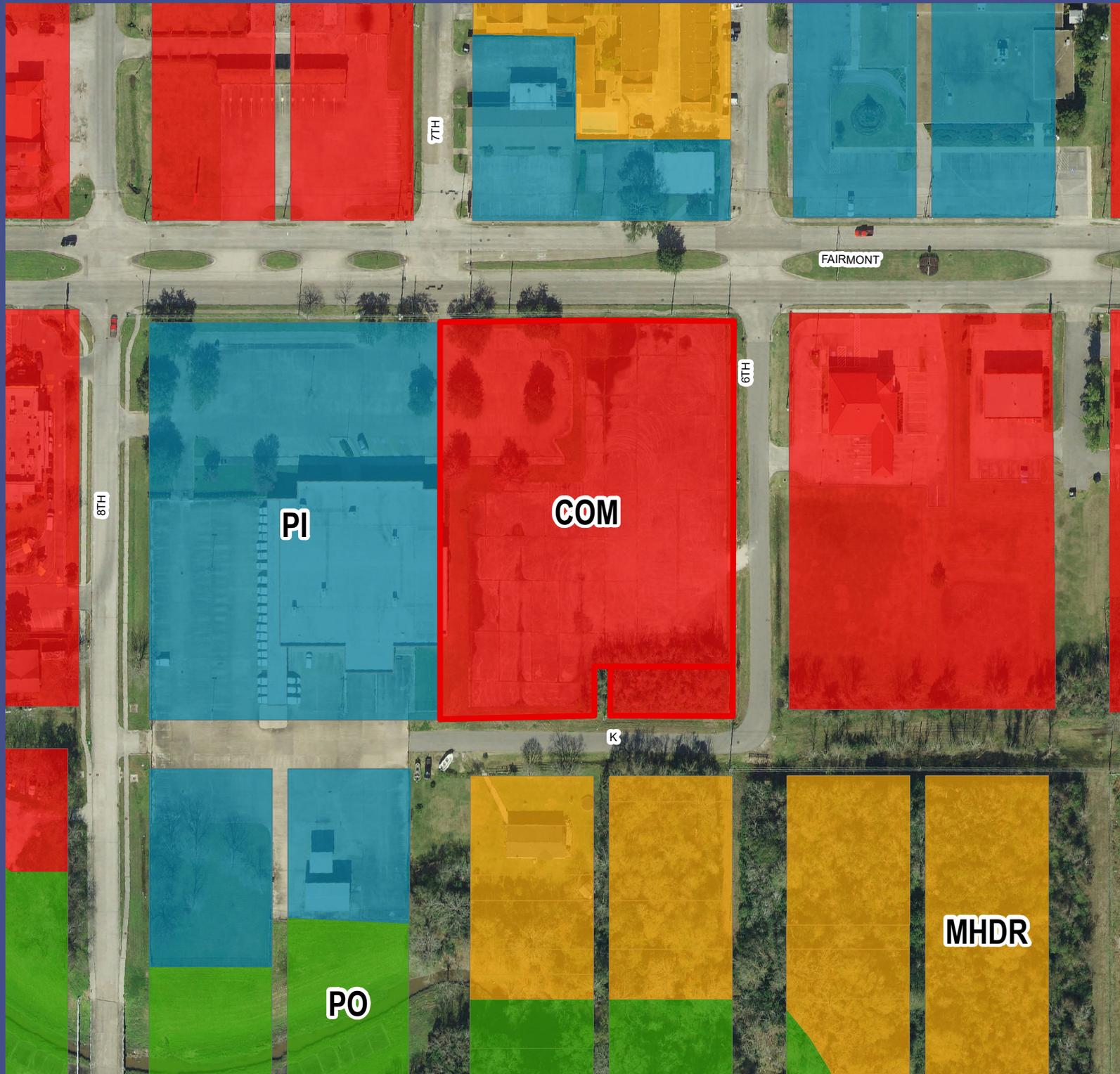


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 137 feet



AUGUST 2018
PLANNING DEPARTMENT



FLUP MAP

SCUP

18-91000010

711 Fairmont Pkwy.

Legend

 Subject Property



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 137 feet



AUGUST 2018
PLANNING DEPARTMENT

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 24, 2018</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning and Development</u>
Report: <u> X </u> Resolution: <u> </u> Ordinance: <u> X </u>

<u>Appropriations</u>	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<u>N/A</u>

- Exhibits:**
- Ordinance**
 - Proposed SCUP**
 - P&Z Recommendation Letter**
 - Applicant Information and Request**
 - Aerial Map**
 - Zoning Map**
 - Land Use Map**

SUMMARY & RECOMMENDATION

Applicant, Michael Gartner; on behalf of Sailesh & Paresh Gandhi, owner; is seeking approval of a SCUP to allow for a Hotel/Motel Use to locate in the General Commercial (GC) Zoning District. The property in question is a 2.39 acre tract of land located at the southeast corner of the K and 15th St. ROW (between Waffle House and Home 2 Suites) and is legally described as Reserve A, Block 1, Home Porte.

The property is currently undeveloped and zoned General Commercial (GC). The applicant is interested in clearing the property to develop a new hotel. Current plans call for a 4 story, 140 room Fairfield/Town Place hotel to occupy the entire 2.39 acres. The applicant owns the adjacent Home 2 Suites hotel to the south of the subject property, as well as the Candlewood Suites Hotel to the east of the property.

To date, staff has not received any notices in opposition or in favor of the proposed SCUP application.

The Planning and Zoning Commission, at their August 16, 2018 regular meeting, voted 6-0 to recommend approval of the proposed SCUP, as presented, with the addition of a number of conditions regarding required amenities, minimum size, and truck parking. These conditions have been included to the original list of conditions recommended by staff. Below is a list of all included conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the City’s Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.

2. Permitted use on site will be described as Hotel/Motel.
3. The underlying zoning is GC. All GC requirements will need to be met.
4. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process for any proposed building improvements.
5. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.
6. Hotel must have a minimum of 130 hotel rooms.
7. Hotel amenities must include at minimum, a fitness center, pool, and meeting/conference rooms.
8. No truck parking shall be permitted on site. Additionally, no future truck parking plans shall be approved for the site.

Action Required by Council:

1. Conduct public hearing.
2. Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve an Ordinance for SCUP #18-9100011

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 18-91000011, TO ALLOW FOR A HOTEL (EXCEPT CASINO HOTELS) AND MOTEL USE IN A GENERAL COMMERCIAL (GC) ZONING DISTRICT, ON A 2.39 ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS RESERVE A, BLOCK 1, HOME PORTE, LA PORTE, HARRIS COUNTY, TEXAS; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by granting Special Conditional Use Permit #18-91000011, attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for a Hotel (except Casino Hotels) and Motel use on a 2.39 acre tract of land, said tract being legally described as Reserve A, Block 1, Home Porte, La Porte, Harris County, Texas, and situated within a General Commercial (GC) zoning district.

Section 2. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 3. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200') of the properties under consideration.

Section 6. The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 7. This ordinance shall be effective after its passage and approval.

PASSED AND APPROVED this the 24th day of SEPTEMBER, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney

EXHIBIT A

City of La Porte
Special Conditional Use Permit #18-91000011

This permit is issued to: Sailesh & Paresh Gandhi
Owner or Agent

1251 South 13th St. La Porte, TX 77571
Address

For Development of: Marriott Motel
Development Name

SE Corner of W. K St. and S 14th St.
Address

Legal Description: Reserve A, Block 1, Home Porte

Zoning: GC, General Commercial

Use: Hotel (except Casino Hotels) and Motels

Permit Conditions:

This Special Conditional Use Permit (SCUP) is applicable for the subject property, a copy of which shall be maintained in the files of the City’s Planning and Development Department upon approval. Project development shall be in accordance with the following conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the City’s Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. Permitted use on site will be described as Hotel/Motel.
3. The underlying zoning is GC. All GC requirements will need to be met.
4. All necessary documentation for building permit review must be submitted in conjunction with the city’s building permit application process for any proposed building improvements.
5. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, “Zoning” of the City’s Code of Ordinances.
6. Hotel must have a minimum of 130 hotel rooms
7. Hotel amenities must include, at minimum, a fitness center, pool, and meeting/conference rooms
8. No truck parking will be permitted on site and no future truck parking plans shall be approved for the site.

Failure to start construction of the site within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If contract or agreement is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: _____

Director of Planning and Development

City Secretary



August 17, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #18-9100011

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a regular meeting on August 16, 2018 to hear a Special Conditional Use Permit request by Michael Gartner, on behalf of Sailesh & Paresh Gandhi, owner; for a Special Conditional Use Permit to allow for a Hotel/Motel Use. The subject site is located at the southeast corner of K and 15th St. ROW and is legally described as Reserve A, Block 1, Home Porte. The subject site is zoned General Commercial (GC) and Section 106-310 of the Code of Ordinances requires a Special Conditional Use Permit in order for the above referenced use to be permitted within the GC zoning district.

The Commission voted 6-0 to recommend approval of the proposed SCUP with additional conditions. These conditions have been included in the proposed ordinance.

Respectfully submitted

Ian Clowes, City Planner
On behalf of the Planning and Zoning Commission



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: (not assigned) South 13th Street, La Porte Texas

Legal description where SCUP is being requested: Reserve A, Block 1, Home Porte

HCAD Parcel Number where SCUP is being requested: 1291920010001

Zoning District: General Commercial Lot area: ±2.39 acres

A request for approval of a Special Conditional Use Permit is hereby made to the City of La Porte.

Description of Request: Applicant requests a SCUP for a 4 story, Type V construction, Marriott Hotel approximately 75,000 to 85,000 s.f., 120 rooms with pool, meeting room, lobby social space, dining area, fitness center and patio - outdoor social area

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: Sailesh & Paresh Gandhi

Company (if applicable): _____

Address: 1251 South 13th Street

City: La Porte State: TX Zip: 77571

Phone: (832) 766-3305 Email: [REDACTED]

AUTHORIZED AGENT (If other than owner)

Name: Michael Gaertner, Sr.

Company (if applicable): Michael Gaertner Architects

Address: 2413 Mechanic Street, Suite A

City: Galveston State: TX Zip: 77550

Phone: (713) 223-1191 Email: [REDACTED]

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: *Michael Gaertner, Sr.* Date: 7/11/2018

Owner(s)' Signature(s): *[Signature]* Date: 7/11/2018

STAFF USE ONLY:

Case Number:
18-91000011

Date Application Received:
7-11-18



Special Conditional Use Permit Application

Planning and Development Department

AFFIDAVIT OF POSTING PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: (not assigned) South 13th Street, La Porte, Texas

LEGAL DESCRIPTION: Reserve A, Block 1, Home Porte

2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: July 25, 2018.

3. Said sign shall be placed on the property within 20 feet of the abutting street.

4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Applicant's Signature

SAM GANDHI

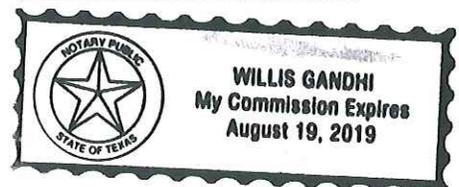
Applicant's Printed Name

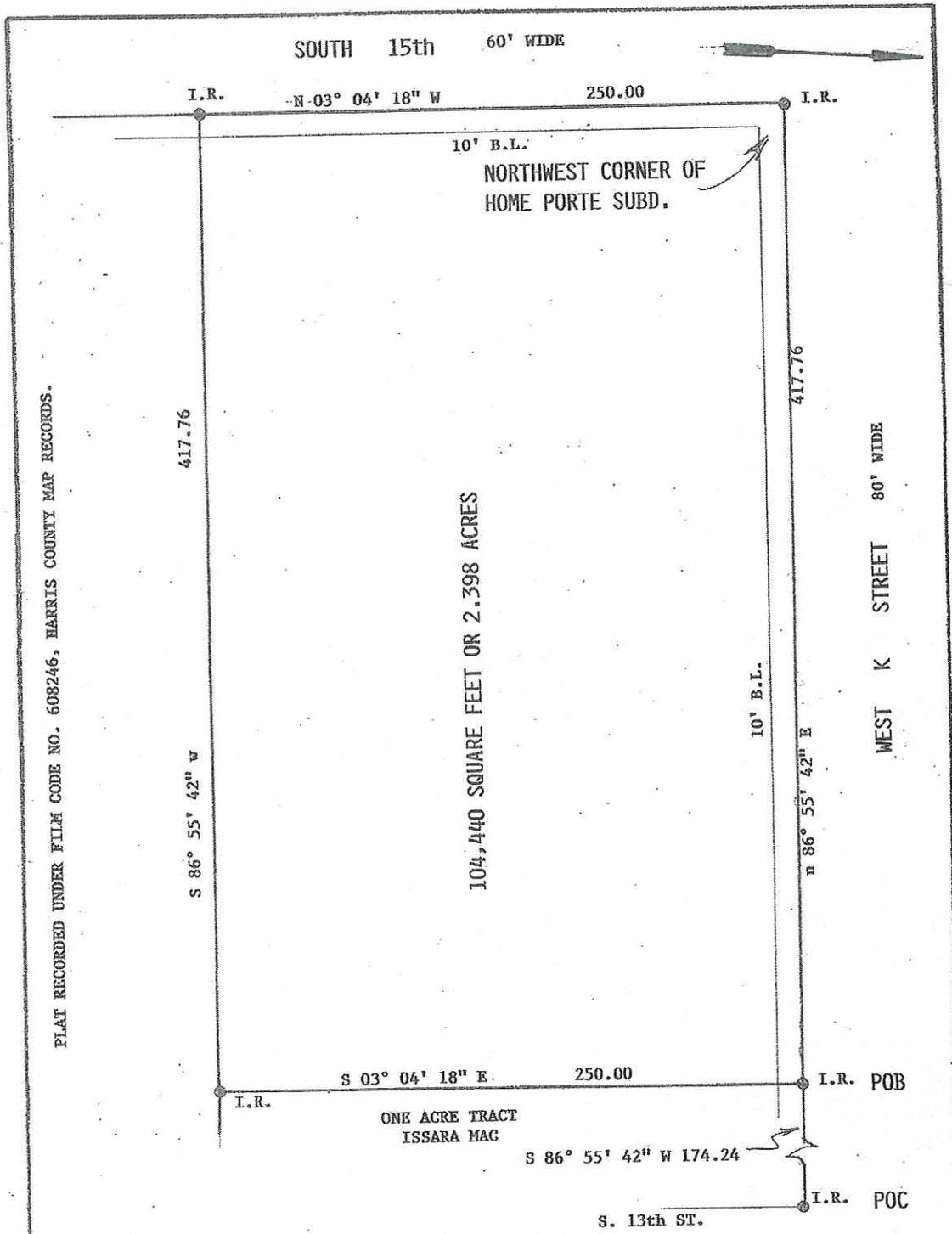
Subscribed and sworn before me this 11 day of July, 2018, by Sailesh Gandhi (Print Applicant's Name).

Notary Public

(Seal)

My commission expires: _____





PLAT RECORDED UNDER FILM CODE NO. 608246, HARRIS COUNTY MAP RECORDS.

417.76
S 86° 55' 42" W

104,440 SQUARE FEET OR 2.398 ACRES

417.76
N 86° 55' 42" E

WEST K STREET 80' WIDE

S 03° 04' 18" E 250.00

ONE ACRE TRACT
ISSARA MAC

S 86° 55' 42" W 174.24

S. 13th ST.

**SURVEY OF A 2,398 ACRE TRACT OUT OF COMMERCIAL RESERVE
"A", BLOCK 1, HOME PORTE SUBDIVISION, HARRIS COUNTY, TEXAS**

SCALE: 1"=50'
DATE: 6/22/18
REVISED:
SURVEY BY: B.L.S.
DRAWN BY: B.L.S.
FOR: RANDY JONES

THIS PLAT IS AN ACCURATE REPRESENTATION OF THAT SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THERE ARE NO APPARENT ENCROACHMENTS OR CONFLICTS ACROSS PROPERTY LINES AT THE TIME OF THIS SURVEY, EXCEPT AS SHOWN HEREON.



PURCHASER:

Billy L. Shanks
BILLY L. SHANKS RPLS NO. 1821

281-808-4789

SHANKSL@SBCGLOBAL.NET

4902 CAROLINE ST., SEABROOK, TX., 77586

FAX 281-942-9009

Project Description

The Owners propose to construct a dual- branded Marriott Hotel containing a Fairfield Inn and TownPlace Suites.

The Owners presently own 7 hotels, two of which are within the City of La Porte, the Candlewood Inn & Suites and the soon to open Home2 Suites by Hilton. The Owners are intimately familiar with the hotel industry having owned as many as 12 hotels in the greater Houston area over 25 years. The Owners build hotels for themselves and others, having constructed over 20 hotels in the last 25 years.

The Owners have applied for and obtained a franchise agreement with Marriott, which provides for the hotel as described herein.

Marriott International, Inc. is a leading global lodging company with more than 6,500 properties across 127 countries and territories, reporting revenues of more than \$22 billion in fiscal year 2017. Founded by J. Willard and Alice Marriott and guided by family leadership for 90 years, the company is located outside of Washington, D.C. in Bethesda, Maryland.

The proposed site is approximately 2.39 acres of the Home Porte subdivision located west of South 13th street and south of K Street (unimproved). From Fairmont Parkway, 14th Street, extended south, will intersect the site. The proposed hotel will be four stories with some rooms, and all amenities, guest services & back of house operations on the ground floor, and guest rooms on floors 2 – 4.

The dual-brand hotel project includes all of the guest amenities associated with each of the two brands including pool, meeting room, lobby social space, dining area, fitness center and a patio (outdoor social area). TownPlace Suites offers extended stay guest rooms with a separate sitting area and limited kitchen and dining areas. The Fairfield Inn is a more traditional hotel room. Dual branded properties are typically:

- Are a single building that contains multiple distinct, yet complimentary branded hotels operations within the Marriott portfolio,

- Projects that drive operational efficiencies while not compromising the individual brand experience, and

- Hotels share back of the house operations and some shared amenities such as meeting facilities, fitness center and pool.

Dual branded hotels are indicated in La Porte because:

- La Porte is a high barrier--to--entry location with high land costs and the city requiring public improvements at the Owners' expense,

- There is a small labor pool, and

- The Owners have a long-term investment strategy to own both hotels brands.

Guests respond favorably to dual branded hotels and the choice of price point, length of stay, access to additional amenities and access to Marriott's loyalty (rewards) program.

The Owners have selected a dual branded hotel because of:

- Shared construction and operational expenses, i.e. management and shared services, resulting in attractive, long-term cost savings,

- The advantage of two brands to attract two different audiences and drive incremental spending,

- The concept leverages hotel room mix with different room types to drive occupancy and rate, and

- The project maximizes real estate and land value.

The Owners are familiar with the local barriers to development, the overall and location specific economics of hotel operations and current & forecast economic conditions.

Benefits to the City: The proposed Hotel will generate property tax, hotel occupancy tax and sales tax revenues for the city as well as creating jobs and revenue for nearby businesses such as restaurants. Having committed a sizable franchise fee paid to Marriott, the Owners have every intent of constructing the Hotel, if not in La Porte than in a nearby community more receptive to hotel development.

The Owners respectfully request approval of the proposed dual brand hotel on this site, based on their expertise and experience in the hotel business, the quality associated with Marriott projects and the tax benefits to the City of La Porte and the economic benefit to the community as a whole.



Special Conditional Use Permit Application

Planning and Development Department

(e) If construction is terminated after the completion of any stage and there is ample evidence that further development is not contemplated, the division establishing such special conditional use permit may be rescinded by the city council, upon its own motion or upon the recommendation of the planning and zoning commission of the city, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

(f) Every special conditional use permit granted as provided herein shall be considered as an amendment to the zoning ordinance as applicable to such property.

Sec. 106-217. - Conditions for approval.

A special conditional use permit shall be issued only if all of the following conditions have been found:

- (1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.
- (2) That the conditions placed on such use as specified in each district have been met by the applicant.
- (3) That the applicant has agreed to meet any additional conditions imposed, based on specific site constraints, and necessary to protect the public interest and welfare of the community.

Sec. 106-218. - Amendments.

The procedure for amendments for a special conditional use permit shall be the same as for a new application.

Please note that requirements for notification of the public hearing are subject to the provisions of Section 106-171 of the Code of Ordinances.



AERIAL MAP

SCUP
18-91000011

SE Corner
K and 15th St. ROW

Legend

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 175 feet



AUGUST 2018
PLANNING DEPARTMENT



ZONING MAP

SCUP
18-91000011

SE Corner
K and 15th St. ROW

Legend

 Subject Parcel

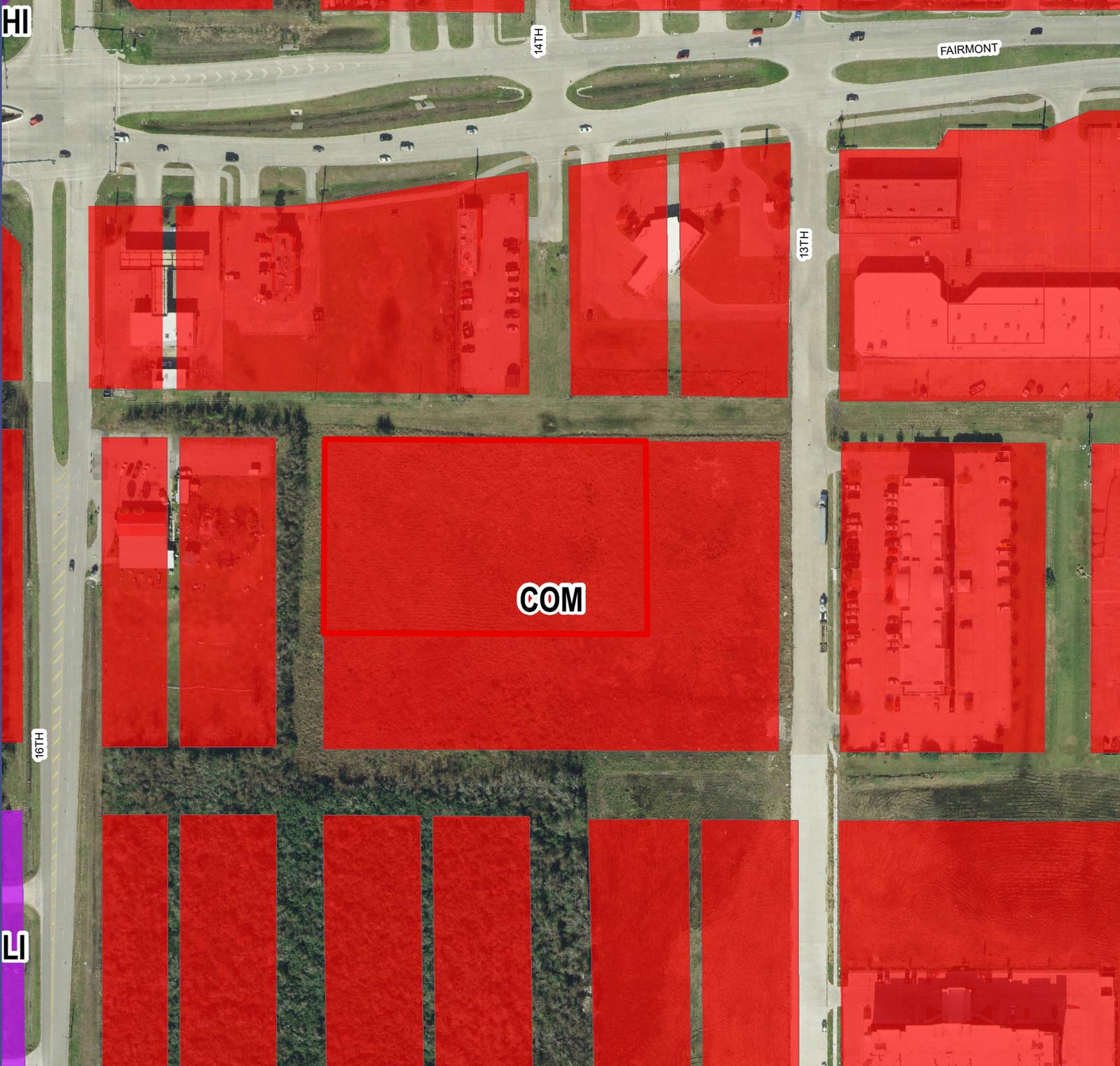


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 175 feet



AUGUST 2018
PLANNING DEPARTMENT



FLUP MAP

SCUP
18-91000011

SE Corner
K and 15th St. ROW

Legend

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 175 feet



AUGUST 2018
PLANNING DEPARTMENT

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 24, 2018</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning and Development</u>
Report: <u> X </u> Resolution: <u> </u> Ordinance: <u> X </u>

<u>Appropriations</u>	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<u>N/A</u>

Exhibits: **Ordinance – Changes Shown**
 Ordinance – Clean Version
 P&Z Recommendation Letter

SUMMARY & RECOMMENDATION

At the August 16, 2018 Planning and Zoning Commission meeting, the Commission held a Public Hearing regarding amendments to Chapter 106 of the City Code of Ordinances based on the annual review of the code.

The Planning and Zoning Commission formed a subcommittee consisting of 4 members of the commission. Along with staff support, the subcommittee was tasked with reviewing Chapter 106 of the City Code of Ordinances and discuss possible amendments. The committee met weekly for 4 months, finalizing a draft version of their proposal for review by the entire commission.

This draft was brought to the full commission as a discussion item in April and May of 2018. Based on comments received, the subcommittee finalized their draft amendments. The final version was recommended for approval by the full commission at their August meeting.

Attached is the draft version of the proposed modifications to the Zoning Ordinance. Those in red indicate changed language as part of the proposed modification to Chapter 106.

Action Required by Council:

1. Conduct public hearing.
2. Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve an ordinance amending 106 “Zoning” of the Code of Ordinances of the City of La Porte based on the annual review conducted by the Planning and Zoning Commission.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE IN CONNECTION WITH THE ANNUAL COMPREHENSIVE REVIEW AND UPDATE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That the following definitions contained in Section 106-1 “Definitions”, Article I “In General” of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, are hereby amended and shall hereinafter read as follows:

“*Grazing livestock* means domestic livestock (including but not limited to cattle, horses, sheep, goats, ~~hogs~~ swine etc.) that are intended to be pasture animals that can sustain themselves under normal circumstances in concentration defined herein in this chapter.

...

Multi-family residential development means the use of a lot for more than ~~two~~ ten dwelling units, within one or more structures. This includes an apartment complex.

...

Recreational livestock means domestic livestock (including but not limited to cattle, horses, sheep, goats, ~~hogs~~ swine etc.) that are intended to be housed in a barn or similar structure, requiring supplemental feed and care in order to be kept in concentration defined in this chapter.”

Section 2: That Section 106-310 “Table A, Commercial & Industrial Uses”, Article III “Districts”, Division 1 “Generally”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-310. - Table A, Commercial & Industrial Uses.

2012 7 NAICS Code	2012 7 NAICS Title	**	NC	MS	GC	MU	BI	LI	HI
	Artisan shops with a retail component (1,000 sq ft max)		P ³			P ³			
	Artisan shops with a retail component (2,500 sq ft max)			P ³	P ³	C			
	Offices only for any use code			P	P		P	P	P
	All uses permitted or/accessory in R-3 zone, except single-family detached and special lot, duplexes, quadraplexes, townhouses, and multi-family		P	P ¹	P	P			

	Single-family detached			P ²		P			
	All Conditional uses in R-3 zone		C	C	C	C			
11	Agriculture, Forestry, Fishing & Hunting	**							
21	Mining	**							
22	Utilities	**							
23	Construction								
236	Construction of Buildings			P	P		P	P	P
237	Heavy and Civil Engineering Construction						P	P	P
2381	Foundation, Structure, and Building Exterior Contractors								
2382	Building Equipment Contractors			P	P		P	P	P
2383	Building Finishing Contractors								
238910	Site Preparation Contractors				C		P	P	P
238990	All Other Specialty Trade Contractors				C		P	P	P
31-33	Manufacturing								
3111	Animal Food Manufacturing								
3112	Grain and Oilseed Milling								
3113	Sugar and Confectionery Product Manufacturing							C	P
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing								
3115	Dairy Product Manufacturing								
3116	Animal Slaughtering and Processing							C	C
3117	Seafood Product Preparation and Packaging								
311811	Retail Bakeries		P	P	P	P	P	P	P
3118	Commercial Bakeries and Tortilla Manufacturing			P ¹⁸	P ¹⁸		P		
311811	Retail Bakers		P	P	P	P	P	↔ P	P
3119	Other Food Manufacturing			P ¹⁸	P ¹⁸		P		
31211	Soft drink and Ice Manufacturing							C	P
31212	Breweries								
31213	Wineries		C	C	C	C	C	C	P
31214	Distilleries								
312230	Tobacco Manufacturing							C	P
313	Textile Mills			P ¹⁸	P ¹⁸		P	P	P
314	Textile Product Mills						P	P	P
315	Apparel Manufacturing						P	P	P
316110	Leather and Hide Tanning and Finishing								C

3162	Footwear Manufacturing						C	P	P
3169	Other Leather and Allied Product Manufacturing								
321	Wood Product Manufacturing	**							
3221	Pulp, Paper, and Paperboard Mills	**							
322211	Corrugated and Solid Fiber Box Manufacturing						C	P	
322212	Folding Paperboard Box Manufacturing						C	P	
322219	Other Paperboard Container Manufacturing						P	P	P
32222	Paper Bag and Coated and Treated Paper Manufacturing						C	P	
323111	Commercial Printing (except Screen and Books)		P	P			P	P	P
323113	Commercial Screen Printing		P	P			P	P	P
323117	Books Printing		P	P			P	P	P
323120	Support Activities for Printing						P	P	P
324	Petroleum and Coal Products Manufacturing	**							
325	Chemical Manufacturing	**							
326	Plastic and Rubber Products Manufacturing						C	C	P
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing						C	C	P
32712	Clay Building Material and Refractories Manufacturing								
3272	Glass and Glass Product Manufacturing								
3273	Cement and Concrete Product Manufacturing								P
3274	Lime and Gypsum Product Manufacturing								
3279	Other Nonmetallic Mineral Product Manufacturing								
331	Primary Metal Manufacturing								P
3321	Forging and Stamping							P	P
3322	Cutlery and Hand tool Manufacturing								
3323	Architectural and Structural Metals Manufacturing								
3324	Boiler, Tank, and Shipping Container Manufacturing						P	P	P
3325	Hardware Manufacturing								
3326	Spring and Wire Product Manufacturing								
3327	Turned Product and Screw, Nut, and Bolt Manufacturing								
332811	Metal Heat Treating						C	P	P
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers							P	P
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring						P	P	P
332911	Industrial Valve Manufacturing							P	P
332912	Fluid Power Valve and Hose Fitting Manufacturing							P	P

332913	Plumbing Fixture Fitting and Trim Manufacturing						P	P	P
332919	Other Metal Valve and Pipe Fitting Manufacturing						P	P	P
332991	Ball and Roller Bearing Manufacturing							P	P
332992	Small Arms Ammunition Manufacturing								P
332993	Ammunition (except Small Arms) Manufacturing								P
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing								C
332996	Fabricated Pipe and Pipe Fitting Manufacturing							P	P
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing						P	P	P
3331	Agriculture, Construction, and Mining Machinery Manufacturing								
333241	Food Product Machinery Manufacturing								
333242	Semiconductor Machinery Manufacturing							P	P
333243	Sawmill, Woodworking, and Paper Machinery Manufacturing								
333244	Painting Machinery and Equipment Manufacturing								
333249	Other Industrial Machinery Manufacturing						P	P	P
3333	Commercial and Service Industry Machinery Manufacturing								
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing							P	P
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing						P	P	P
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing						P	P	P
3335	Metalworking Machinery Manufacturing								
333611	Turbine and Turbine Generator Set Units Manufacturing								
333612	Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing							P	P
333613	Mechanical Power Transmission Equipment Manufacturing								
333618	Other Engine Equipment Manufacturing						P	P	P
333911-333914	Pump, Pumping Equipment, and Measuring and Dispensing Pump Manufacturing							P	P
333912	Air and Gas Compressor Manufacturing							P	P
333913-333914	Measuring and Dispensing Pump Manufacturing-						P	P	P
333921	Elevator and Moving Stairway Manufacturing							P	P
333922	Conveyor and Conveying Equipment Manufacturing							P	P

333923	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing						P	P	P
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing							P	P
333991	Power-Driven Hand tool Manufacturing							P	P
333992	Welding and Soldering Equipment Manufacturing						P	P	P
333993	Packaging Machinery Manufacturing							P	P
333994	Industrial Process Furnace and Oven Manufacturing						P	P	P
333995	Fluid Power Cylinder and Actuator Manufacturing							P	P
333996	Fluid Power Pump and Motor Manufacturing								
333997	Scale and Balance Manufacturing						P	P	P
333999	All Other Miscellaneous General Purpose Machinery Manufacturing								
3341	Computer and Peripheral Equipment Manufacturing			p ¹⁸	p ¹⁸		p ¹⁸	P	P
3342	Communications Equipment Manufacturing								
3343	Audio and Video Equipment Manufacturing								
3344	Semiconductor and Other Electronic Component Manufacturing			p ¹⁸	p ¹⁸		P	P	P
3345	Navigation, Measuring, Electromedical and Control Instruments Manufacturing								
3346	Manufacturing and Reproducing Magnetic and Optical Media								
3351	Electric Lighting Equipment Manufacturing								
3352	Household Appliance Manufacturing						P	P	P
3353	Electrical Equipment Manufacturing								
33591	Battery Manufacturing							P	P
33592	Communication and Energy Wire and Cable Manufacturing								
33593	Wiring Device Manufacturing			p ¹⁸	p ¹⁸		P	P	P
33599	All Other Electrical Equipment and Component Manufacturing								
3361	Motor Vehicle Manufacturing							P	P
3362	Motor Vehicle Body and Trailer Manufacturing								
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing						P	P	P
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing						P	P	P
33633	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing								
33634	Motor Vehicle Brake System Manufacturing							P	P
33635	Motor Vehicle Transmission and Power Train Parts Manufacturing								

33636	Motor Vehicle Seating and Interior Trim Manufacturing						P	P	P
33637	Motor Vehicle Metal Stamping							P	P
33639	Other Motor Vehicle Parts Manufacturing						P	P	P
3364	Aerospace Product and Parts Manufacturing							P	P
3365	Railroad Rolling Stock Manufacturing								
336611	Ship Building and Repairing								P
336612	Boat Building				C		P	P	P
336991	Motorcycle, Bicycle, and Parts Manufacturing			p ¹⁸	p ¹⁸		P	P	P
336992	Military Armored Vehicle, Tank, and Tank Component Manufacturing							P	P
336999	All Other Transportation Equipment Manufacturing							P	P
337110	Wood Kitchen Cabinet and Countertop Manufacturing			p ³	p ³		P	P	P
337121	Upholstered Household Furniture Manufacturing			p ³	p ³		P	P	P
337122	Non-upholstered Wood Household Furniture Manufacturing			p ³	p ³		P	P	P
3371	Household and Institutional Furniture and Kitchen Cabinet Manufacturing								
3372	Office Furniture (including Fixtures) Manufacturing						P	P	P
3379	Other Furniture Related Product Manufacturing								
339	Miscellaneous Manufacturing						P	P	P
42	Wholesale Trade								
4231	Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers								
4232	Furniture and Home Furnishing Merchant Wholesalers								
4233	Lumber and Other Construction Materials Merchant Wholesalers						P	P	P
4234	Professional and Commercial Equipment and Supplies Merchant Wholesalers								
42351	Metal Service Centers and Other Metal Merchant Wholesalers								
42352	Coal and Other Mineral Merchant Wholesalers								P
4236	Household Appliances and Electrical and Electronic Goods Merchant Wholesalers						P	P	P
4237	Hardware, and Plumbing and Heating Equipment and Supplies Wholesalers								
4238	Machinery, Equipment, and Supplies Merchant Wholesalers							C	P
423910	Sporting and Recreational Goods and Supplies Merchant Wholesalers			p ¹⁸	€ p ¹⁸		P	P	P
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers			p ¹⁸	€ p ¹⁸		p ⁴	p ⁴	p ⁴

423930	Recyclable Material Merchant Wholesalers								P
423940	Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers					P	P	P	
423990	Other Miscellaneous Durable Goods Merchant Wholesalers					P	P	P	
4241	Paper and Paper Product Merchant Wholesalers								
4242	Drugs and Druggists' Sundries Merchant Wholesalers					P	P	P	
4243	Apparel, Piece Goods, and Notions Merchant Wholesalers								
4244	Grocery and Related Product Merchant Wholesalers								
4245	Farm Product Raw Material Merchant Wholesalers						P	P	
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers					P	P	P	
424690	Other Chemical and Allied Products Merchant Wholesalers					P	P	P	
424710	Petroleum Bulk Stations and Terminals								C
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)					C	P	P	
424810	Beer and Ale Merchant Wholesalers					P	P	P	
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers					P	P	P	
424910	Farm Supplies Merchant Wholesalers						C	P	
42492	Book, Periodical, and Newspaper Merchant Wholesalers								
42493	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers					C	P	P	
42495	Paint, Varnish, and Supplies Merchant Wholesalers								
42499	Other Miscellaneous Nondurable Goods Merchant Wholesalers								
425	Wholesale Electronic Markets and Agents and Brokers			P		P	P	P	
44-45	Retail Trade								
441110	New Car Dealers		P	P		P	P	P	
441120	Used Car Dealers		P	P		P	P	P	
441210	Recreational Vehicle Dealers			P		P	P	P	
44122	Motorcycle, Boat, and Other Motor Vehicle Dealers		P	P		P	P	P	
4413	Automotive Parts, Accessories, and Tire Stores								
442	Furniture and Home Furnishings Stores		P	P		P	P	P	
443	Electronics and Appliance Stores	P	P	P		P	P	P	
444110	Home Centers			P		P	P	P	
444120	Paint and Wallpaper Stores		P	P		P	P	P	
444130	Hardware Stores	P	P	P		P	P	P	
44419	Other Building Material Dealers	P	P	P	P	P	P	P	

4442	Lawn and Garden Equipment and Supplies Stores							
445	Food and Beverage Stores	P	P	P	P	P	P	P
446	Health and Personal Care Stores	P	P	P	P	P	P	P
44711	Gasoline Stations with Convenience Stores	P	P	P		P	P	P
44719	Other Gasoline Stations			p ⁵		p ⁵	p ⁵	p ⁵
448	Clothing and Clothing Accessories Stores	P	P	P	P	P	P	P
451	Sporting Goods, Hobby, Musical Instrument, and Book Stores	P	P	P	P	P	P	P
4521- 452210	Department Stores							
452910- 452311	Warehouse Clubs and Supercenters			P		P	P	P
452990- 452319	All Other General Merchandise Stores	P	P	P	P	P	P	P
4531	Florists							
4532	Office Supplies, Stationery, and Gift Stores							
4533	Used Merchandise Stores	P	P	P	P	P	P	P
45391	Pet and Pet Supplies Stores							
45392	Art Dealers							
45393	Manufactured (Mobile) Home Dealers					P	P	P
453991	Tobacco Stores	P	P	P	P	P	P	P
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)	P	P	P	P	P	P	P
4541	Electronic Shopping and Mail-Order Houses	P	P	P		P	P	P
454210	Vending Machine Operators		p ¹⁸	P		P	P	P
454310	Fuel Dealers						P	P
454390	Other Direct Selling Establishments		P	P		P	P	P
48-49	Transportation and Warehousing							
481	Air Transportation					P	P	P
482	Rail Transportation							P
483	Water Transportation	**						
484	Truck Transportation						p ⁶	p ⁶
4851	Urban Transit Systems			P		P	P	P
4852	Interurban and Rural Bus Transportation							
48531	Taxi Service		P	P		P	P	P
48532	Limousine Service		P	P		P	P	P
48541	School and Employee Bus Transportation			P		P	P	P
48551	Charter Bus Industry			P		P	P	P

485991	Special Needs Transportation			P	P		P	P	P
485999	All Other Transit and Ground Passenger Transportation			P	P		P	P	P
486	Pipeline Transportation	**							
487	Scenic and Sightseeing Transportation			P	P		P	P	P
4881	Support Activities for Air Transportation						P	P	P
4882	Support Activities for Rail Transportation								P
4883	Support Activities for Water Transportation	**							
488390	Other Support Activities for Water Transportation			P	P		P	P	P
4884	Support Services for Road Transportation				C		P	P	P
4885	Freight Transportation Arrangement (Office Only)			P	P		P	P	P
4885	Freight Transportation Arrangement							p ⁶	p ⁶
488991	Packing and Crating						C	P	P
488999	All Other Support Activities for Transportation						C	P	P
491	Postal Service				P		P	P	P
492110	Couriers and Express Delivery Services						P	P	P
492210	Local Messengers and Local Delivery				P		P	P	P
493	Warehousing and Storage							p ⁶	p ⁶
493190	Other Warehousing and Storage							p ¹⁷	p ¹⁷
51	Information								
511	Publishing Industries (except Internet)			C	P		P	P	P
512110	Motion Picture and Video Production						P	P	P
512120	Motion Picture and Video Distribution						P	P	P
512131	Motion Picture Theaters (except Drive-Ins)			P	P		P	P	P
512132	Drive-In Motion Picture Theaters						P	P	P
512191	Tele-production and Other Postproduction Services			P	P		P	P	P
512199	Other Motion Picture and Video Industries			p ¹⁸	↪ p ¹⁸		P	P	P
512210	Record Production			P	P		P	P	P
512220	Integrated Record Production/Distribution						P	P	P
51223	Music Publishers								
51224	Sound Recording Studios			P	P		P	P	P
51229	Other Sound Recording Industries								
515	Broadcasting (except Internet)			P	P		P	P	P
517	Telecommunications			P	P		P	P	P
518	Data Processing, Hosting, and Related Services			P	P		P	P	P

519	Other Information Services			P	P		P	P	P
52	Finance and Insurance								
521	Monetary Authorities-Central Bank			P	P		P	P	P
522	Credit Intermediation and Related Activities			P	P		P	P	P
523110	Investment Banking and Securities Dealing			P	P		P	P	P
523120	Securities Brokerage			P	P		P	P	P
523130	Commodity Contracts Dealing	P	P	P			P	P	P
523140	Commodity Contracts Brokerage			P	P		P	P	P
523210	Securities and Commodity Exchanges			P	P		P	P	P
523910	Miscellaneous Intermediation	P	P	P			P	P	P
523920	Portfolio Management	P	P	P			P	P	P
523930	Investment Advice			P	P		P	P	P
523991	Trust, Fiduciary, and Custody Activities	P	P	P			P	P	P
523999	Miscellaneous Financial Investment Activities			P	P		P	P	P
5241	Insurance Carriers			P	P		P	P	P
5242	Agencies, Brokerages, and Other Insurance Related Activities	P	P	P	P		P	P	P
52511	Pension Funds			P	P		P	P	P
52512	Health and Welfare Funds								
52519	Other Insurance Funds	P	P	P			P	P	P
5259	Other Investment Pools and Funds								
53	Real Estate Rental and Leasing								
531	Real Estate	P	P	P	P		P	P	P
532111	Passenger Car Rental			P	P		P	P	P
532112	Passenger Car Leasing			P	P		P	P	P
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing				P		P	P	P
532210	Consumer Electronics and Appliances Rental			P	P		P	P	P
53222- 532281	Formal Wear and Costume Rental								
53223- 532282	Video Tape and Disc Rental	P	P	P	P		P	P	P
532291- 532283	Home Health Equipment Rental								
532292- 532284	Recreation Good Rental								
532299- 532289	All Other Consumer Goods Rental			P	P		P	P	P

532310	General Rental Centers			P	P		P	P	P
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing							P	P
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing				P ⁷		P	P	P
532420	Office Machinery and Equipment Rental and Leasing			P	P		P	P	P
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing			P ¹⁸	P		P	P	P
533	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	P	P	P			P	P	P
54	Professional, Scientific, and Technical Services								
5411	Legal Services								
541211	Offices of Certified Public Accountants	P	P	P			P	P	P
541213	Tax Preparation Services								
541214	Payroll Services								
541219	Other Accounting Services								
54131	Architectural Services								
54132	Landscape Architectural Services								
54133	Engineering Services	P			P		P	P	P
54134	Drafting Services								
54135	Building Inspection Services								
54136	Geophysical Surveying and Mapping Services								
50137	Surveying and Mapping (except Geophysical) Services								
541380	Testing Laboratories				P		P	P	P
5414	Specialized Design Services								
5415	Computer Systems Design and Related Services			P	P		P	P	P
5416	Management, Scientific, and Technical Consulting Services								
541711-541713	Research and Development in Biotechnology							P	P
541712-541713	Research and Development in the Physical, Engineering, and Life Sciences, and (except Biotechnology)							P	P
54172	Research and Development in the Social Sciences and Humanities								
5418	Advertising, Public Relations, and Related Services			P	P		P	P	P
54191	Marketing Research and Public Opinion Polling								
541921	Photography Studios, Portrait	P	P	P	P		P	P	P
541922	Commercial Photography			C	P		P	P	P

541930	Translation and Interpretation Services			P	P		P	P	P
541940	Veterinary Services		p ⁸	p ⁸	p ⁸		P	P	P
541990	All Other Professional, Scientific, and Technical Services			P	P		P	P	P
55	Management of Companies and Enterprises			P	P		P	P	P
56	Administrative and Support, Waste Management, and Remediation Services								
5611	Office Administrative Services								
5612	Facilities Support Services			P	P		P	P	P
5613	Employment Services								
5614	Business Support Services								
561510	Travel Agencies		P	P	P	P	P	P	P
56152	Tour Operators								
56159	Other Travel Arrangement and Reservation Services			P	P		P	P	P
56161	Investigation, Guard, and Armored Car Services								
561621	Security Systems Services (except Locksmiths)								
561622	Locksmiths		P	P	P	P	P	P	P
561710	Exterminating and Pest Control Services		P	P		P	P	P	
561720	Janitorial Services		P	P	P		P	P	P
561730	Landscaping Services			P	P		P	P	P
561740	Carpet and Upholstery Cleaning Services			P	P		P	P	P
561790	Other Services to Buildings and Dwellings		P	P	P		P	P	P
5619	Other Support Services				P		P	P	P
562111	Solid Waste Collection							P	P
562112	Hazardous Waste Collection								C
562119	Other Waste Collection							P	P
5622	Waste Treatment and Disposal								C
5629	Remediation and Other Waste Management Services						P	P	P
61	Educational Services								
6111	Elementary and Secondary Schools								
6112	Junior Colleges		P	P	P		P	P	P
6113	Colleges, Universities, and Professional Schools								
611410	Business and Secretarial Schools			C	C		P	P	P
61142	Computer Training								
61143	Professional and Management Development Training			P	P		P	P	P
611511	Cosmetology and Barber Schools								

611512	Flight Training							
611513	Apprenticeship Training							
611519	Other Technical and Trade schools		P ⁹	P ⁹		P	P	P
6116	Other Schools and Instruction		P	P		P	P	P
6117	Educational Support Services							
62	Health Care and Social Assistance							
6211	Office of Physicians							
6212	Office of Dentists	P	P	P		P	P	P
6213	Office of Other Health Practitioners							
621410	Family Planning Centers		C	P		P	P	P
621420	Outpatient Mental Health and Substance Abuse Centers		C	P		P	P	P
621491	HMO Medical Centers		P	P		P	P	P
621392	Kidney Dialysis Centers							
621493	Free Standing Ambulatory Surgical and Emergency Centers							
621498	All Other Outpatient Care Centers		C	P		P	P	P
6215	Medical and Diagnostic Laboratories							
6216	Home Health Care Services							
6219	Other Ambulatory Health Care Services							
622	Hospitals		C	P		P	P	P
623110	Nursing Care Facilities (Skilled Nursing Facilities)	P	P	P		P	P	P
623210	Residential Intellectual and Developmental Disability Facilities	P	P	P		P	P	P
623220	Residential Mental Health and Substance Abuse Facilities			P		P	P	P
623311	Continuing Care Retirement Communities	P	P	P		P	P	P
623312	Assisted Living Facilities for the Elderly			P		P	P	P
62399	Other Residential Care Facilities			P		P	P	P
624	Social Assistance			P		P	P	P
624410	Child Day Care Services	P	P	P		P	P	P
71	Arts, Entertainment, and Recreation							
7111	Performing Arts Companies							
711211	Sports Teams and Clubs		P	P		P	P	P
711212	Racetracks	**						
711219	Other Spectator Sports							
7113	Promoters of Performing Arts, Sports, and Similar Events		P	P		P	P	P
7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures							

7115	Independent Artists, Writers, and Performers							
712	Museums, Historical Sites, and Similar Institutions		P	P		P	P	P
71311	Amusement and Theme Parks		P	P		P	P	P
713120	Amusement Arcades		P ₁₀	P ¹⁰		P ₁₀	P ₁₀	P ₁₀
7132	Gambling Industries	**						
71391	Golf Courses and Country Clubs		P	P		P	P	P
71392	Skating Facilities							
71393	Marinas	**						
71394	Fitness and Recreational Sports Centers		P	P	P		P	P
71395	Bowling Centers							
713990	All Other Amusement and Recreation Industries except shooting range and slot machines.		P ₁₁	P ¹¹		P ₁₁	P ₁₁	P ₁₁
72	Accommodation and Food Services							
721110	Hotels (except Casino Hotels) and Motels		P ₁₂	P ¹²		P ₁₂	P ₁₂	P ₁₂
721120	Casino Hotels	**						
721191	Bed-and-Breakfast Inns		P	P	P	P	P	P
721199	All Other Traveler Accommodation	**						
721211	RV (Recreational Vehicle) Parks and Campgrounds	**						
721214	Recreational and Vacation Camps (except Campgrounds)	**						
721310	Rooming and Boarding Houses		P	P	P	P	P	P
722310	Food Service Contractors			P	P		P	P
722320	Caterers			P	P		P	P
722330	Mobile Food Services				P		P	P
722410	Drinking Places (Alcoholic Beverages)			P	P	P	P	P
7225	Restaurants and Other Eating Places		P	P	P		P	P
81	Other Services, except Public Administration							
8111	Automotive Repair and Maintenance (except Truck Repair)			P ₁₅	P ¹⁵		P ₁₅	P ₁₅
8111	Automotive Repair and Maintenance (Truck Repair)						P ₁₅	P ₁₅
811211	Consumer Electronics Repair and Maintenance		P	P	P		P	P
811212	Computer and Office Machine Repair and Maintenance			P	P		P	P
811213	Communication Equipment Repair and Maintenance		P	P	P		P	P
811219	Other Electronic and Precision Equipment Repair and Maintenance		P	P	P		P	P

811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance					P	P	P
811411	Home and Garden Equipment Repair and Maintenance		P	P		P	P	P
811412	Appliance Repair and Maintenance	P	P	P		P	P	P
81142	Reupholstery and Furniture Repair							
81143	Footwear and Leather Goods Repair							
81149	Other Personal and Household Goods Repair and Maintenance							
8121	Personal Care Services	P	P	P	P	P	P	P
81221	Funeral Homes and Funeral Services							
812220	Cemeteries and Crematories	P ₁₃	P					
812310	Coin-Operated Laundries and Drycleaners	P	P	P	P	P	P	P
812320	Dry Cleaning and Laundry Services (except Coin- Operated)	P	P	P	P	P	P	P
812331	Linen Supply		P ¹⁸	P		P	P	P
812332	Industrial Launderers						P	P
812910	Pet Care (except Veterinary) Services	C ₁₄	C ₁₄	C ₁₄		C ₁₄	C ₁₄	C ₁₄
812921	Photofinishing Laboratories (except One-Hour)			P		P	P	P
812922	One-Hour Photofinishing			P		P	P	P
812930	Parking Lots and Garages		C ₁₆	P ¹⁶		P ₁₆	P ₁₆	P ₁₆
812990	All Other Personal Services		C	P		P	P	P
813110	Religious Organizations	P	C	P		P	P	P
8132	Grantmaking and Giving Services	P	P	P		P	P	P
8133	Social Advocacy Organizations							
8134	Civic and Social Organizations	P	C	P		P	P	P
81391	Business Associations							
81392	Professional Organizations							
81393	Labor Unions and Similar Labor Organizations							
81394	Political Organizations							
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)	C	C	C	C	P	P	P
92	Public Administration		P	P		P	P	P
	Parking ramps and structures	P	C	P	C			
	Commercial/Ind. PUD (ref. to Section 106-636)	C	C	C	C	C	C	C
	Outdoor sales as accessory use		P	P				
	Outdoor storage as accessory use		P	P				

Off-site parking		C	C	C	C			
Unlisted uses, similar to uses listed above		C	C	C	C	C	C	C

--

Footnotes:

--

** Non-classified use categories.

1 Within the overlay portion, residential activities are only allowed above the first floor.

2 Single family detached prohibited in main street overlay zone, but permitted in main street district.

3 Artisan shops are allowed (see Section 106-480 (Artisan Shop), 106-500 (Artisan Shop), 106-514 (Artisan Shop)).

4 No storage or sale of fireworks.

5 Truck Stop shall only be permitted in Business Industrial districts on truck routes along Barbour's Cut Boulevard, State Hwy 225 and State Highway 146 (north of Barbour's Cut Blvd). No construction of any kind shall be permitted within setbacks for BI zone.

6 Must be adjacent to high frequency truck roads as shown on High Frequency Truck Road Map (Ref. Section 106-746).

7 Only allowed along State Highway 146.

8 Livestock prohibited on premises.

9 Truck schools prohibited.

10 Refer to Chapter 10 of the Code of Ordinances (must be at least 300 feet from church, school, or hospital & measured from property line to property line).

11 Shooting range is a conditional use.

12 Hotels and Motel Uses. Hotels and motels are allowed as a conditional use under this Chapter when within 250 feet of residential zoned properties (R-1, R-2, R-3, MH, and LL zoning districts). All hotel and motels are required to install and operate a security and surveillance system to monitor the parking lot area and all ingress/egress points to the buildings.

13 Crematories prohibited.

14 Dog grooming. There shall be no overnight boarding of animals. All areas used for holding animals shall be located within the same building in which grooming activities take place.

15 No vehicle may be parked outside for longer than two weeks.

16 Parking of commercial motor vehicles, including truck tractors not in combination with trailers, prohibited.

17 Automobile dead storage must be fully contained within an enclosed building. Use must be located adjacent to high frequency truck roads as shown on High Frequency Truck Route Map

18 Proposed use must be located on a parcel that is no greater than 1.5 acres and building and/or buildings where use is located may not exceed 15,000 sq. ft. Uses shall not be permitted in the Main Street Overlay.

All permitted uses in commercial and industrial zones must meet the following minimum performance standards. If requested by the enforcement officer, all applications for building permits must include a certification from a

registered engineer that verifies compliance with these performance standards. Where applicable, all permitted uses in industrial zones must meet and be in compliance with the appropriate federal, state, or local regulations.

A. *Lighting and glare.* Any lighting used shall be arranged so as to deflect light away from any adjoining residential zone or from public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed onto any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one foot-candle (meter reading) as measured from the centerline of such street. Any light or combination of lights which casts light on residential property shall not exceed 0.4 foot-candles (meter reading) as measured from such property.

B. *Radiation and electrical emissions.* No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas. There shall be no electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.

C. *Smoke.* The emission of smoke by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

D. *Dust or other particulate matter.* The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

E. *Odors.* The emission of odor by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

F. *Explosives.* No activities involving the storage, utilization, or manufacture of materials or products such as TNT or dynamite which could decompose by detonation shall be permitted except such as are specifically licensed by the city council.

G. *Noise.* All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness and as measured at any property line, shall not exceed the following intensity in relation to sound frequency:

Octave Band Frequency	Maximum Sound Levels - Decibels	
	Lot Line	Residential District Boundary
Cycles per Second		
20 to 75	78	63
75 to 150	74	59
150 to 300	68	55
300 to 600	61	51
600 to 1,200	55	45
1,200 to 2,400	49	38
2,400 to 4,800	43	31
Above 4,800	41	25
Impact noise	80	55

Between the hours of 10:00 P.M. and 6:00 A.M. the permissible sound levels beyond residential district boundaries (both Column II and Impact) shall be six decibels less than shown above.

In distances where it is determined that a proposed land use may generate a level of noise that will impact on surrounding land uses, the planning and zoning commission and city council may require that efforts to reduce the potential noise impact be undertaken. These efforts may include screening and landscaping techniques.

H. *Hours of Operation.* Hours of operation are limited for truck stops adjacent to residential areas only. The facility shall only operate during the hour of 6:00 a.m. to 9:00 p.m. and no overnight facilities are allowed on the premises.

Section 3: That Section 106-331 “Table A, Residential Uses”, Article III “Districts”, Division 2 “Residential District Regulations”, Subdivision 1 “Generally”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-331. - Table A, residential uses.

P (abc)—Permitted uses (subject to designated criteria established in section 106-334 (Special use performance standards; residential)).

P—Permitted uses.

A—Accessory uses (subject to requirements of section 106-741 (General provisions)).

C—Conditional uses (subject to requirements of sections 106-216 (General conditions for all conditional uses in all zoning districts), 106-217 (Conditions for approval), and 106-218 (Amendments) and designated criteria established in section 106-334 (Special use performance standards; residential) as determined by the planning and zoning commission).

*—Not allowed.

Uses (NAICS Code #)	Zones				
	R-1	R-2	R-3	MH	LL
Agriculture, Forestry, Fishing and Hunting (111110-111199)	P	P	P	P	P
Agricultural production, (animal specialties - breeding or sale)	C	*	*	*	C
Bed and breakfast as defined by section 106-1 (Definitions) (721191)	C(h)	C(h)	C(h)	*	C(h)
All other animal production, limited to dogs and cats, on residential large lot I (112990)	A	A	C	C	A
Pet care (except veterinary) services, limited to boarding kennels only (812910)	*	*	*	*	P
Domestic livestock-With an existing principal structure on the property (cattle, horses, hogs, swine, sheep, goats, chickens, and geese)— Single-family residential, large lot	A	A	A	A	A
Domestic livestock—Without an existing principal structure on the property (permitted in large lot district, but only if tract is one acre in size or greater) including cattle, horses, hogs, swine, sheep, goats, chickens, and geese	*	*	*	*	P
Industrialized housing on a permanent foundation	P	P	P	P	P
Single-family dwelling, detached	P	P	P	P	P
Single-family dwelling, special lot	*	P	P	P	*
Single-family dwellings, zero lot line (patio homes, etc.)	*	P	P	*	*
Duplexes, double bungalows (two-family dwelling units)	*	P	P	*	*

Townhouses/Condominium	*	P(l)	P(l)	*	*
Conversion of single-family dwellings to duplexes (or no more than two-family dwellings)	*	P	P	*	*
Tri-plexes and quadraplexes (three and four-family dwelling units)	*	P(l)	P(l)	*	*
Multi-family (more than four dwelling units)	*	*	P(l)	*	*
3—4 unit multi-family dwellings	*	P	P	*	*
Multi-family (over 4 units)	*	*	P	*	*
Modular housing on a permanent foundation system section 106-1 (Definitions)	P	P	P	P	P
Manufactured housing subdivisions restricted to H.U.D. certified mobile homes; min. width 20 feet, min. shingled roof pitch 3:12, permanent foundation system; siding similar to surrounding residential	*	C(a)	C(a)	P(a)	*
Manufactured housing subdivisions (restricted to H.U.D. certified mobile homes on permanent foundation systems)	*	C(a)	*	*	
Manufactured housing parks	*	*	*	P (a,d,f)	*
Manufactured housing	*	*	*	P	*
Group care facilities providing food and shelter to persons who are unrelated to the proprietor of the establishment (623)					
3 or less persons	P (j)	P (j)	P (j)	P (j)	P (j)
4 or more persons	P (k)	P (k)	P (k)	P (k)	P (k)
Childcare home in private home (services no more than 6)	P	P	P	P	P
Daycare centers (services more than 6) (624410)	*	P	P	P	*
Freestanding on-premises identification sign; townhouses, multi-family developments, group care facilities (not located within a residential neighborhood), subdivisions, education and religious facilities	See article VII of this chapter				
Residential PUD (refer to section 106-636 (Planned unit development procedures))	*	C	C	C	*
Public parks and playgrounds	P	P	P	P	P
Recreational buildings and community centers	C	P	P	P	C
Religious institutions (813110)	C	P (AB)	P (AB)	P (AB)	C
Public or private educational institutions limited to elementary, junior and senior high (611110)	C	P	P	P	C
Junior colleges and technical institutes (611210 and 6115)	*	C	P	*	*
Boarding homes (721310)	*	P	P	*	*
Civic, social and fraternal organizations (8134)	*	*	C	*	*
Convalescent homes, sanitarium, nursing or convalescent homes	*	*	P	*	*
Private garages, carports and off-street parking (associated with residential uses)	A	A	A	A	A

Storage of equipment behind a screening device (permitted in large lot district, but only if tract is one acre in size or greater)	A	A	A	A	P
Storage of recreational vehicles or boats	A	A	A	A	A
Storage of equipment in an accessory building or behind a screening device	A	A	A	A	A
Home occupations	A	A	A	A	A
Noncommercial greenhouses	A	A	A	A	A
Noncommercial recreation facilities associated with residence	A	A	A	A	A
Noncommercial tool houses, barns, sheds, storage buildings (associated with residence, except in large lot district for tracts one acre in size or greater)	A	A	A	A	P
Boarding or renting of rooms (1 person max.)	A	A	A	A	A
Off-street loading (refer to section 106-840 (Off-street loading requirements))	*	*	*	*	*
Off-street parking (refer to See article VI of this chapter)	A	A	A	A	A
Petroleum pipelines (restricted to existing pipeline corridors)	P	P	P	P	P
Residential density bonus, as provided in section 106-334(g) (Density bonus)	C	C	C	C	C
Secondary dwelling units	C	P	P	*	C
Yard Parking, as defined by section 106-334 (e) (Compatible alterations and adequate parking)	*	*	*	*	*

Section 4: That Section 106-333 “Table B, Residential Area Requirements”, Article III “Districts”, Division 2 “Residential District Regulations”, Subdivision 1 “Generally”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-333. - Table B, residential area requirements.

(a) *Table B, residential area requirements.*

Uses ⁸	Minimum Lot Area/D.U. S.F.	Minimum Lot Width L.F.	Minimum Yard Setbacks L.F. F.R.S. 2, 3, 4, 5, 6, 10, 11, 12, 13, 14	Maximum Height ¹⁵	Minimum Site Area/Unit S.F. ^{7, 16}	Minimum Development Open Space/ Unit S.F. ¹⁷	Maximum Lot Coverage/ Minimum Landscaping Required ^{9, 18, 19}
Single-family detached	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	—	40%/N/A
Single-family large lot	43560	90	25-15-5	45 Ft.	43560 1.0 DU/A	—	40%/N/A
Single-family special lot line, 0 lot line	4500	40	20-10-0	35 Ft.	7300 6.0 DU/A	Footnote # 1	60%/N/A

Duplexes	6000	60	25-20-20	45 Ft.	8.0 DU/A	Footnote # 1	60%/N/A
Single-family converted to multifamily	6000	50	20-10-5	35 Ft.	N/A	N/A	50%/N/A
Townhouses, quadraplexes (10,000 s.f of site area 100 ft. wide)	2000	20	25-20-20	45 Ft.	4400 10.0 DU/A	Footnote # 1	75%/25%
Multifamily	20000	100	25-20-20	45 Ft.	1600 14-20 DU/A	Footnote # 1	60%/25%
Manufactured housing	4500	40	20-10-5	25 Ft.	7300 6.0 DU/A	Footnote # 1	60%
Manufactured housing subdivision or parks (5 acre min.)		100 of front road frontage	N/A	N/A	N/A	N/A	N/A/N/A
State Licensed & Registered Child-care homes (Max. 12 in private home; per TX Dept. of Family & Protective Services, Ch. 747)	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	N/A	40% / N/A
Group care facilities— 3 or less persons	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	N/A	40% / N/A
Public or private educational and religious institutions, large group care facilities, daycare centers, recreational buildings, boarding, and nursing homes			30-20-10	45 Ft.	N/A	N/A	N/A
Freestanding on-premises signs	See article VII of this chapter						
Large lot district where tract is one acre in size or greater (without existing principal structure) Accessory structure/domestic livestock	See section 106-416 (Special regulations)						

TABLE B FOOTNOTES

Lot Size	Required Developed Open Space/Lot
5000—6000 Sq. Ft.	200 Sq. Ft.
4000—4999 Sq. Ft.	300 Sq. Ft.
3000—3999 Sq. Ft.	400 Sq. Ft.
2000—2999 Sq. Ft.	500 Sq. Ft.

- a. Minimum size of developed open space: One-half acre for every 80 units or fraction thereof.
 - (i) For multi-family residential developments: Minimum of 25 percent of the total development regardless of size of development.
 - (ii) For townhouse/quadrplex developments: One-half acre for every 80 units or fraction thereof.
- b. All required developed open spaces must be operated and maintained by a homeowners association, subject to the conditions established in sections 106-676 (Property controls), 106-677 (Public services), 106-678 (Building height), and 106-679 (Roadways), with all documentation required to be submitted for filing in conjunction with the final plat. (See also the City Development Ordinance Number 1444, section 4.04 which is on file in the city secretary's office.)
- 2 A minimum landscape setback of 20 feet will be required adjacent to all conservation areas. Buildings, parking areas, and refuse containers will not be allowed in such setback area. These areas are to be landscaped with trees, shrubs, and groundcover, with a planting plan required to be submitted and approved by the enforcement officer.
- 3 The minimum setback adjacent to any utility easement located in a rear yard shall be three feet. No portion of any building including projections of any nature shall encroach into any utility easement or vertical projection of the easement boundary.
- 4 Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback shall be the average of the adjacent structures. If there is only one adjacent structure, the front yard minimum setback shall be the average of the required setback and the setback of only one adjacent structure. In no case shall the minimum front yard setback exceed 30 feet.
- 5 All side yards adjacent to public R.O.W.'s not classified as freeway, arterial or collector must be five feet except accessory building (see Section 106-741). All side yards adjacent to public R.O.W.'s classified as freeway, arterial or collector must be 10 feet.
 - 6 In the case of zero lot line housing, the side setback opposite the zero lot line must be ten feet.
 - 7 D.U.A. is an abbreviation for dwelling units per acre, or the maximum density permitted.
- 8 All structures except slab on grade, shall be placed on a foundation system described as: An assembly of materials constructed below or partially below grade, not intended to be removed from its installation site, which is designed to support the structure and engineered to resist the imposition of external forces as defined by the City's Code of Ordinances or in the case of industrialized housing, the requirements of the TDLS. Such foundation system shall be skirted or enclosed with wood or masonry to give the appearance of a solid foundation, if one is not provided, compatible with the appearance of adjacent housing, and subject to the requirements of the City's Code of Ordinances.
 - 9 See article V, division 4 of this chapter for additional requirements.
- 10 In the case of multi-family residential developments ~~with 50 or more units~~, said complexes must be located at least 1,000 feet from other multi-family residential developments ~~of 20 or more units~~.
- 11 Within the building setback, there must be a ten-foot opaque screen consisting of shrubs and fencing. (See section 106-334(i) (Additional multi-family regulations) for screening and fencing requirements.)
 - 12 Residential developments that are townhouses, quadrplexes, or multi-family dwelling units must have a minimum of 25 percent landscaping.
- 13 Multi-family residential developments adjacent to single-family residential developments must establish a 25-foot buffer between the two developments. This buffer is in addition to the setback as established by this table.
 - 14 In the case of multi-family residential developments, no off-street parking shall be placed within the required setback, or within the required additional 25-foot buffer when the development is situated adjacent to a single-family residential development. The space needed

to meet the required parking spaces shall be exclusive of the required setback and the additional buffer.

15 In the case of multi-family residential developments being adjacent to single-family residential developments, the buildings within the multi-family residential developments that are directly adjacent to the single-family residential development shall be limited to two-stories in height. Buildings within the interior of the multi-family residential developments may be three-stories in height.

16 Multi-family residential developments ~~cannot exceed 180 dwelling units~~ must contain a minimum of 100 units with a maximum of 300 units, per development.

17 See section 106-334(i)(3) for open space utilization criteria.

18 Following structures exempted from 40 percent lot coverage on single-family detached: Accessory buildings 200 s.f. or less and patio covers up to 900 s.f.

19 Maximum lot coverage for single-family detached in planned unit development (PUD) zoning district or residential subdivisions requiring a detention/drainage system, shall be 50 percent.

(The impervious cover factor of 55 percent for the total site for drainage, as prescribed in PICM, remains in effect.)

Section 5: That Section 106-742 “Domestic Livestock”, Article V “Supplementary District Regulations”, Division 2 “Accessory Buildings, Uses and Equipment”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-742. - Domestic livestock.

(a) Domestic livestock (cattle, horses, ~~hogs~~, ~~swine~~, sheep, goats, chickens, and geese) are a permitted accessory use on lots in excess of one acre (43,560 square feet), provided that all domestic livestock as defined above be restrained by a properly constructed and maintained fence no closer than five feet from property that is not devoted to the keeping of domestic livestock or by a perimeter property (exterior) fence of such construction so as to be impenetrable by livestock and to prevent intrusion into neighboring residential properties, and provided further that said domestic livestock be kept in a concentration that is less than or equal to:

- (1) Two cows per acre.
- (2) Two horses per acre.
- (3) Two ~~hogs~~ ~~swine~~ per acre.
- (4) Two sheep or goats per acre.

Plus one head for each additional one-half acre of land on the same parcel.

(b) In any event, the total for the above referenced grazing animals (i.e. sheep, goats, ~~hogs~~, ~~swine~~, cows, or horses) shall be cumulative. In the event of fowl or recreational livestock in the large lot uses, no specific concentration is established herein, but in no event, shall the cumulative concentration of fowl grazing or recreational livestock be such as to create a health hazard or nuisance. The requirements of section 34-126 et seq. shall apply in any event.

(c) The keeping of livestock or fowl for the purpose of breeding, commercial feeding or sale, whether engaged in as a primary or accessory activity, shall be considered a conditional use as specified by section 106-331 (Table A, residential uses).

(d) Large lot district only.

(1) Recreational livestock is a permitted accessory use kept on tracts of contiguous land (under one ownership) totaling one acre in size or larger.

(2) For any pre-existing, nonconforming livestock use, without the required primary structure in existence prior to this article, shall be permitted upon submittal and subsequent city approval.

Upon such approval registration form shall be issued to the property owner.

- (3) Recreational livestock concentration shall not exceed grazing livestock concentration unless the following provisions are met:
 - a. A barn and/or similar structure adequate to house livestock is provided to accommodate the number of livestock regardless of type;
 - b. Proper maintenance/care is adequately provided; and
 - c. The site shall be maintained to avoid any public nuisance

Section 6: That Section 106-773 “Exterior Storage”, Article V “Supplementary District Regulations”, Division 3 “Area Requirements”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-773. - Exterior storage.

In residential zones, all materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties and any public right-of-way, except for the following:

- (1) Clothesline poles and wires;
- (2) Construction and landscaping material currently being used on the premises;
- (3) Off-street parking of passenger vehicles and light trucks, as defined in this chapter;
- (4) Firewood, compost, or residential lawn and garden tools;
- (5) Portable Storage containers that are less than 175 sq. ft. in area, may be permitted on an improved surface for up to 30 days. Use of said storage container in excess of 30 days, requires approval by the Planning and Development Director.”

Section 7: That Section 106-839 “Number of spaces required”, Article VI “Off-Street Parking”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by changing the terms “2012 NAICS Code” and “2012 NAICS Title” where those terms appear at the top of the use table in said section, and shall hereinafter read as follows:

201 2 7 NAICS Code	201 2 -7 NAICS Title	MINIMUM NUMBER OF REQUIRED PARKING SPACES (combination)

Section 8. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

Section 9. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 11. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 12. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the 24th day of SEPTEMBER, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark T. Askins, Assist. City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE IN CONNECTION WITH THE ANNUAL COMPREHENSIVE REVIEW AND UPDATE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That the following definitions contained in Section 106-1 “Definitions”, Article I “In General” of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, are hereby amended and shall hereinafter read as follows:

“*Grazing livestock* means domestic livestock (including but not limited to cattle, horses, sheep, goats, swine etc.) that are intended to be pasture animals that can sustain themselves under normal circumstances in concentration defined herein in this chapter.

...

Multi-family residential development means the use of a lot for more than ten dwelling units, within one or more structures. This includes an apartment complex.

...

Recreational livestock means domestic livestock (including but not limited to cattle, horses, sheep, goats, swine etc.) that are intended to be housed in a barn or similar structure, requiring supplemental feed and care in order to be kept in concentration defined in this chapter.”

Section 2: That Section 106-310 “Table A, Commercial & Industrial Uses”, Article III “Districts”, Division 1 “Generally”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-310. - Table A, Commercial & Industrial Uses.

2017 NAICS Code	2017 NAICS Title	*	NC	MS	GC	MU	BI	LI	HI
	Artisan shops with a retail component (1,000 sq ft max)		P ³			P ³			
	Artisan shops with a retail component (2,500 sq ft max)			P ³	P ³	C			
	Offices only for any use code			P	P		P	P	P
	All uses permitted or/accessory in R-3 zone, except single-family detached and special lot, duplexes, quadraplexes, townhouses, and multi-family		P	P ¹	P	P			

	Single-family detached			P ²		P			
	All Conditional uses in R-3 zone		C	C	C	C			
11	Agriculture, Forestry, Fishing & Hunting	**							
21	Mining	**							
22	Utilities	**							
23	Construction								
236	Construction of Buildings			P	P		P	P	P
237	Heavy and Civil Engineering Construction						P	P	P
2381	Foundation, Structure, and Building Exterior Contractors								
2382	Building Equipment Contractors			P	P		P	P	P
2383	Building Finishing Contractors								
238910	Site Preparation Contractors				C		P	P	P
238990	All Other Specialty Trade Contractors				C		P	P	P
31-33	Manufacturing								
3111	Animal Food Manufacturing								
3112	Grain and Oilseed Milling								
3113	Sugar and Confectionery Product Manufacturing							C	P
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing								
3115	Dairy Product Manufacturing								
3116	Animal Slaughtering and Processing							C	C
3117	Seafood Product Preparation and Packaging								
311811	Retail Bakeries		P	P	P	P	P	P	P
3118	Commercial Bakeries and Tortilla Manufacturing			p ¹⁸	p ¹⁸		P		
311811	Retail Bakers		P	P	P	P	P	P	P
3119	Other Food Manufacturing			p ¹⁸	p ¹⁸		P		
31211	Soft drink and Ice Manufacturing							C	P
31212	Breweries								
31213	Wineries		C	C	C	C	C	C	P
31214	Distilleries								
312230	Tobacco Manufacturing							C	P
313	Textile Mills			p ¹⁸	p ¹⁸		P	P	P
314	Textile Product Mills						P	P	P
315	Apparel Manufacturing						P	P	P
316110	Leather and Hide Tanning and Finishing								C

3162	Footwear Manufacturing						C	P	P
3169	Other Leather and Allied Product Manufacturing								
321	Wood Product Manufacturing	**							
3221	Pulp, Paper, and Paperboard Mills	**							
322211	Corrugated and Solid Fiber Box Manufacturing						C	P	
322212	Folding Paperboard Box Manufacturing						C	P	
322219	Other Paperboard Container Manufacturing						P	P	P
32222	Paper Bag and Coated and Treated Paper Manufacturing						C	P	
323111	Commercial Printing (except Screen and Books)			P	P		P	P	P
323113	Commercial Screen Printing			P	P		P	P	P
323117	Books Printing			P	P		P	P	P
323120	Support Activities for Printing						P	P	P
324	Petroleum and Coal Products Manufacturing	**							
325	Chemical Manufacturing	**							
326	Plastic and Rubber Products Manufacturing						C	C	P
327110	Pottery, Ceramics, and Plumbing Fixture Manufacturing						C	C	P
32712	Clay Building Material and Refractories Manufacturing								
3272	Glass and Glass Product Manufacturing								
3273	Cement and Concrete Product Manufacturing								P
3274	Lime and Gypsum Product Manufacturing								
3279	Other Nonmetallic Mineral Product Manufacturing								
331	Primary Metal Manufacturing								P
3321	Forging and Stamping							P	P
3322	Cutlery and Handtool Manufacturing								
3323	Architectural and Structural Metals Manufacturing								
3324	Boiler, Tank, and Shipping Container Manufacturing						P	P	P
3325	Hardware Manufacturing								
3326	Spring and Wire Product Manufacturing								
3327	Turned Product and Screw, Nut, and Bolt Manufacturing								
332811	Metal Heat Treating						C	P	P
332812	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers							P	P
332813	Electroplating, Plating, Polishing, Anodizing, and Coloring						P	P	P
332911	Industrial Valve Manufacturing							P	P
332912	Fluid Power Valve and Hose Fitting Manufacturing							P	P

332913	Plumbing Fixture Fitting and Trim Manufacturing						P	P	P
332919	Other Metal Valve and Pipe Fitting Manufacturing						P	P	P
332991	Ball and Roller Bearing Manufacturing							P	P
332992	Small Arms Ammunition Manufacturing								P
332993	Ammunition (except Small Arms) Manufacturing								P
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing								C
332996	Fabricated Pipe and Pipe Fitting Manufacturing							P	P
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing						P	P	P
3331	Agriculture, Construction, and Mining Machinery Manufacturing								
333241	Food Product Machinery Manufacturing								
333242	Semiconductor Machinery Manufacturing							P	P
333243	Sawmill, Woodworking, and Paper Machinery Manufacturing								
333244	Painting Machinery and Equipment Manufacturing								
333249	Other Industrial Machinery Manufacturing						P	P	P
3333	Commercial and Service Industry Machinery Manufacturing								
333413	Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing							P	P
333414	Heating Equipment (except Warm Air Furnaces) Manufacturing						P	P	P
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing						P	P	P
3335	Metalworking Machinery Manufacturing								
333611	Turbine and Turbine Generator Set Units Manufacturing								
333612	Speed Changer, Industrial High-Speed Drive, and Gear Manufacturing							P	P
333613	Mechanical Power Transmission Equipment Manufacturing								
333618	Other Engine Equipment Manufacturing						P	P	P
333914	Pump, Pumping Equipment, and Measuring and Dispensing Pump Manufacturing							P	P
333912	Air and Gas Compressor Manufacturing							P	P
333921	Elevator and Moving Stairway Manufacturing							P	P
333922	Conveyor and Conveying Equipment Manufacturing							P	P
333923	Overhead Traveling Crane, Hoist, and Monorail System Manufacturing						P	P	P
333924	Industrial Truck, Tractor, Trailer, and Stacker Machinery Manufacturing							P	P

333991	Power-Driven Hand tool Manufacturing						P	P
333992	Welding and Soldering Equipment Manufacturing						P	P
333993	Packaging Machinery Manufacturing						P	P
333994	Industrial Process Furnace and Oven Manufacturing						P	P
333995	Fluid Power Cylinder and Actuator Manufacturing						P	P
333996	Fluid Power Pump and Motor Manufacturing							
333997	Scale and Balance Manufacturing						P	P
333999	All Other Miscellaneous General Purpose Machinery Manufacturing							
3341	Computer and Peripheral Equipment Manufacturing		p ¹⁸	p ¹⁸			p ¹⁸	P
3342	Communications Equipment Manufacturing							
3343	Audio and Video Equipment Manufacturing							
3344	Semiconductor and Other Electronic Component Manufacturing		p ¹⁸	p ¹⁸			P	P
3345	Navigation, Measuring, Electromedical and Control Instruments Manufacturing							
3346	Manufacturing and Reproducing Magnetic and Optical Media							
3351	Electric Lighting Equipment Manufacturing							
3352	Household Appliance Manufacturing						P	P
3353	Electrical Equipment Manufacturing							
33591	Battery Manufacturing							P
33592	Communication and Energy Wire and Cable Manufacturing							P
33593	Wiring Device Manufacturing		p ¹⁸	p ¹⁸			P	P
33599	All Other Electrical Equipment and Component Manufacturing							
3361	Motor Vehicle Manufacturing							P
3362	Motor Vehicle Body and Trailer Manufacturing							P
336310	Motor Vehicle Gasoline Engine and Engine Parts Manufacturing						P	P
336320	Motor Vehicle Electrical and Electronic Equipment Manufacturing						P	P
33633	Motor Vehicle Steering and Suspension Components (except Spring) Manufacturing							
33634	Motor Vehicle Brake System Manufacturing							P
33635	Motor Vehicle Transmission and Power Train Parts Manufacturing							
33636	Motor Vehicle Seating and Interior Trim Manufacturing						P	P
33637	Motor Vehicle Metal Stamping							P
33639	Other Motor Vehicle Parts Manufacturing						P	P
3364	Aerospace Product and Parts Manufacturing							P

4242	Drugs and Druggists' Sundries Merchant Wholesalers							
4243	Apparel, Piece Goods, and Notions Merchant Wholesalers							
4244	Grocery and Related Product Merchant Wholesalers							
4245	Farm Product Raw Material Merchant Wholesalers						P	P
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers						P	P
424690	Other Chemical and Allied Products Merchant Wholesalers						P	P
424710	Petroleum Bulk Stations and Terminals							C
424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)						C	P
424810	Beer and Ale Merchant Wholesalers						P	P
424820	Wine and Distilled Alcoholic Beverage Merchant Wholesalers						P	P
424910	Farm Supplies Merchant Wholesalers						C	P
42492	Book, Periodical, and Newspaper Merchant Wholesalers							
42493	Flower, Nursery Stock, and Florists' Supplies Merchant Wholesalers						C	P
42495	Paint, Varnish, and Supplies Merchant Wholesalers							
42499	Other Miscellaneous Nondurable Goods Merchant Wholesalers							
425	Wholesale Electronic Markets and Agents and Brokers				P		P	P
44-45	Retail Trade							
441110	New Car Dealers			P	P		P	P
441120	Used Car Dealers			P	P		P	P
441210	Recreational Vehicle Dealers				P		P	P
44122	Motorcycle, Boat, and Other Motor Vehicle Dealers			P	P		P	P
4413	Automotive Parts, Accessories, and Tire Stores							
442	Furniture and Home Furnishings Stores			P	P		P	P
443	Electronics and Appliance Stores		P	P	P		P	P
444110	Home Centers				P		P	P
444120	Paint and Wallpaper Stores			P	P		P	P
444130	Hardware Stores		P	P	P		P	P
44419	Other Building Material Dealers		P	P	P	P	P	P
4442	Lawn and Garden Equipment and Supplies Stores							
445	Food and Beverage Stores		P	P	P	P	P	P
446	Health and Personal Care Stores		P	P	P	P	P	P
44711	Gasoline Stations with Convenience Stores		P	P	P		P	P
44719	Other Gasoline Stations				p ⁵		p ⁵	p ⁵

448	Clothing and Clothing Accessories Stores		P	P	P	P	P	P	P
451	Sporting Goods, Hobby, Musical Instrument, and Book Stores		P	P	P	P	P	P	P
452210	Department Stores				P		P	P	P
452311	Warehouse Clubs and Supercenters								
452319	All Other General Merchandise Stores		P	P	P	P	P	P	P
4531	Florists								
4532	Office Supplies, Stationery, and Gift Stores								
4533	Used Merchandise Stores		P	P	P	P	P	P	P
45391	Pet and Pet Supplies Stores								
45392	Art Dealers								
45393	Manufactured (Mobile) Home Dealers						P	P	P
453991	Tobacco Stores		P	P	P	P	P	P	P
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)		P	P	P	P	P	P	P
4541	Electronic Shopping and Mail-Order Houses		P	P	P		P	P	P
454210	Vending Machine Operators			p ¹⁸	P		P	P	P
454310	Fuel Dealers							P	P
454390	Other Direct Selling Establishments			P	P		P	P	P
48-49	Transportation and Warehousing								
481	Air Transportation						P	P	P
482	Rail Transportation								P
483	Water Transportation	**							
484	Truck Transportation							p ⁶	p ⁶
4851	Urban Transit Systems				P		P	P	P
4852	Interurban and Rural Bus Transportation								
48531	Taxi Service			P	P		P	P	P
48532	Limousine Service			P	P		P	P	P
48541	School and Employee Bus Transportation				P		P	P	P
48551	Charter Bus Industry				P		P	P	P
485991	Special Needs Transportation			P	P		P	P	P
485999	All Other Transit and Ground Passenger Transportation			P	P		P	P	P
486	Pipeline Transportation	**							
487	Scenic and Sightseeing Transportation			P	P		P	P	P
4881	Support Activities for Air Transportation						P	P	P
4882	Support Activities for Rail Transportation								P
4883	Support Activities for Water Transportation	**							

488390	Other Support Activities for Water Transportation			P	P		P	P	P
4884	Support Services for Road Transportation				C		P	P	P
4885	Freight Transportation Arrangement (Office Only)			P	P		P	P	P
4885	Freight Transportation Arrangement							p ⁶	p ⁶
488991	Packing and Crating						C	P	P
488999	All Other Support Activities for Transportation						C	P	P
491	Postal Service				P		P	P	P
492110	Couriers and Express Delivery Services						P	P	P
492210	Local Messengers and Local Delivery				P		P	P	P
493	Warehousing and Storage							p ⁶	p ⁶
493190	Other Warehousing and Storage							p ¹⁷	p ¹⁷
51	Information								
511	Publishing Industries (except Internet)			C	P		P	P	P
512110	Motion Picture and Video Production						P	P	P
512120	Motion Picture and Video Distribution						P	P	P
512131	Motion Picture Theaters (except Drive-Ins)			P	P		P	P	P
512132	Drive-In Motion Picture Theaters						P	P	P
512191	Tele-production and Other Postproduction Services			P	P		P	P	P
512199	Other Motion Picture and Video Industries			p ¹⁸	p ¹⁸		P	P	P
512210	Record Production			P	P		P	P	P
512220	Integrated Record Production/Distribution						P	P	P
51223	Music Publishers								
51224	Sound Recording Studios			P	P		P	P	P
51229	Other Sound Recording Industries								
515	Broadcasting (except Internet)			P	P		P	P	P
517	Telecommunications			P	P		P	P	P
518	Data Processing, Hosting, and Related Services			P	P		P	P	P
519	Other Information Services			P	P		P	P	P
52	Finance and Insurance								
521	Monetary Authorities-Central Bank			P	P		P	P	P
522	Credit Intermediation and Related Activities			P	P		P	P	P
523110	Investment Banking and Securities Dealing			P	P		P	P	P
523120	Securities Brokerage			P	P		P	P	P
523130	Commodity Contracts Dealing			P	P	P	P	P	P
523140	Commodity Contracts Brokerage			P	P		P	P	P

523210	Securities and Commodity Exchanges			P	P		P	P	P
523910	Miscellaneous Intermediation		P	P	P		P	P	P
523920	Portfolio Management		P	P	P		P	P	P
523930	Investment Advice			P	P		P	P	P
523991	Trust, Fiduciary, and Custody Activities		P	P	P		P	P	P
523999	Miscellaneous Financial Investment Activities			P	P		P	P	P
5241	Insurance Carriers			P	P		P	P	P
5242	Agencies, Brokerages, and Other Insurance Related Activities		P	P	P	P	P	P	P
52511	Pension Funds			P	P		P	P	P
52512	Health and Welfare Funds								
52519	Other Insurance Funds		P	P	P		P	P	P
5259	Other Investment Pools and Funds								
53	Real Estate Rental and Leasing								
531	Real Estate		P	P	P	P	P	P	P
532111	Passenger Car Rental			P	P		P	P	P
532112	Passenger Car Leasing			P	P		P	P	P
532120	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing				P		P	P	P
532210	Consumer Electronics and Appliances Rental			P	P		P	P	P
532281	Formal Wear and Costume Rental								
532282	Video Tape and Disc Rental		P	P	P	P	P	P	P
532283	Home Health Equipment Rental								
532284	Recreation Good Rental								
532289	All Other Consumer Goods Rental			P	P		P	P	P
532310	General Rental Centers			P	P		P	P	P
532411	Commercial Air, Rail, and Water Transportation Equipment Rental and Leasing							P	P
532412	Construction, Mining, and Forestry Machinery and Equipment Rental and Leasing				P ⁷		P	P	P
532420	Office Machinery and Equipment Rental and Leasing			P	P		P	P	P
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing			P ¹⁸	P		P	P	P
533	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)		P	P	P		P	P	P
54	Professional, Scientific, and Technical Services								
5411	Legal Services								
541211	Offices of Certified Public Accountants		P	P	P		P	P	P

541213	Tax Preparation Services							
541214	Payroll Services							
541219	Other Accounting Services							
54131	Architectural Services							
54132	Landscape Architectural Services							
54133	Engineering Services	P		P		P	P	P
54134	Drafting Services							
54135	Building Inspection Services							
54136	Geophysical Surveying and Mapping Services							
50137	Surveying and Mapping (except Geophysical) Services							
541380	Testing Laboratories			P		P	P	P
5414	Specialized Design Services							
5415	Computer Systems Design and Related Services		P	P		P	P	P
5416	Management, Scientific, and Technical Consulting Services							
541713	Research and Development in the Physical, Engineering, Life Sciences, and Biotechnology						P	P
54172	Research and Development in the Social Sciences and Humanities							
5418	Advertising, Public Relations, and Related Services		P	P		P	P	P
54191	Marketing Research and Public Opinion Polling							
541921	Photography Studios, Portrait	P	P	P	P	P	P	P
541922	Commercial Photography		C	P		P	P	P
541930	Translation and Interpretation Services		P	P		P	P	P
541940	Veterinary Services	P ⁸	P ⁸	P ⁸		P	P	P
541990	All Other Professional, Scientific, and Technical Services		P	P		P	P	P
55	Management of Companies and Enterprises		P	P		P	P	P
56	Administrative and Support, Waste Management, and Remediation Services							
5611	Office Administrative Services							
5612	Facilities Support Services							
5613	Employment Services		P	P		P	P	P
5614	Business Support Services							
561510	Travel Agencies	P	P	P	P	P	P	P
56152	Tour Operators							
56159	Other Travel Arrangement and Reservation Services		P	P		P	P	P
56161	Investigation, Guard, and Armored Car Services							

561621	Security Systems Services (except Locksmiths)							
561622	Locksmiths	P	P	P	P	P	P	P
561710	Exterminating and Pest Control Services	P	P		P	P	P	
561720	Janitorial Services	P	P	P		P	P	P
561730	Landscaping Services		P	P		P	P	P
561740	Carpet and Upholstery Cleaning Services		P	P		P	P	P
561790	Other Services to Buildings and Dwellings	P	P	P		P	P	P
5619	Other Support Services			P		P	P	P
562111	Solid Waste Collection						P	P
562112	Hazardous Waste Collection							C
562119	Other Waste Collection						P	P
5622	Waste Treatment and Disposal							C
5629	Remediation and Other Waste Management Services					P	P	P
61	Educational Services							
6111	Elementary and Secondary Schools							
6112	Junior Colleges	P	P	P		P	P	P
6113	Colleges, Universities, and Professional Schools							
611410	Business and Secretarial Schools		C	C		P	P	P
61142	Computer Training							
61143	Professional and Management Development Training							
611511	Cosmetology and Barber Schools		P	P		P	P	P
611512	Flight Training							
611513	Apprenticeship Training							
611519	Other Technical and Trade schools		P ⁹	P ⁹		P	P	P
6116	Other Schools and Instruction		P	P		P	P	P
6117	Educational Support Services							
62	Health Care and Social Assistance							
6211	Office of Physicians							
6212	Office of Dentists	P	P	P		P	P	P
6213	Office of Other Health Practitioners							
621410	Family Planning Centers		C	P		P	P	P
621420	Outpatient Mental Health and Substance Abuse Centers		C	P		P	P	P
621491	HMO Medical Centers		P	P		P	P	P
621392	Kidney Dialysis Centers							
621493	Free Standing Ambulatory Surgical and Emergency Centers		C	P		P	P	P

621498	All Other Outpatient Care Centers							
6215	Medical and Diagnostic Laboratories							
6216	Home Health Care Services							
6219	Other Ambulatory Health Care Services							
622	Hospitals			C	P		P	P
623110	Nursing Care Facilities (Skilled Nursing Facilities)		P	P	P		P	P
623210	Residential Intellectual and Developmental Disability Facilities		P	P	P		P	P
623220	Residential Mental Health and Substance Abuse Facilities				P		P	P
623311	Continuing Care Retirement Communities		P	P	P		P	P
623312	Assisted Living Facilities for the Elderly				P		P	P
62399	Other Residential Care Facilities				P		P	P
624	Social Assistance				P		P	P
624410	Child Day Care Services		P	P	P		P	P
71	Arts, Entertainment, and Recreation							
7111	Performing Arts Companies			P	P		P	P
711211	Sports Teams and Clubs						P	P
711212	Racetracks	**						
711219	Other Spectator Sports							
7113	Promoters of Performing Arts, Sports, and Similar Events							
7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures			P	P		P	P
7115	Independent Artists, Writers, and Performers							
712	Museums, Historical Sites, and Similar Institutions			P	P		P	P
71311	Amusement and Theme Parks			P	P		P	P
713120	Amusement Arcades			P ₁₀	P ₁₀		P ₁₀	P ₁₀
7132	Gambling Industries	**						
71391	Golf Courses and Country Clubs			P	P		P	P
71392	Skating Facilities							
71393	Marinas	**						
71394	Fitness and Recreational Sports Centers							
71395	Bowling Centers		P	P	P		P	P
713990	All Other Amusement and Recreation Industries except shooting range and slot machines.			P ₁₁	P ₁₁		P ₁₁	P ₁₁
72	Accommodation and Food Services							

721110	Hotels (except Casino Hotels) and Motels			P 12	P 12		P 12	P 12	P 12
721120	Casino Hotels	**							
721191	Bed-and-Breakfast Inns		P	P	P	P	P	P	P
721199	All Other Traveler Accommodation	**							
721211	RV (Recreational Vehicle) Parks and Campgrounds	**							
721214	Recreational and Vacation Camps (except Campgrounds)								
721310	Rooming and Boarding Houses		P	P	P	P	P	P	P
722310	Food Service Contractors			P	P		P	P	P
722320	Caterers			P	P		P	P	P
722330	Mobile Food Services				P		P	P	P
722410	Drinking Places (Alcoholic Beverages)			P	P	P	P	P	P
7225	Restaurants and Other Eating Places		P	P	P		P	P	P
81	Other Services, except Public Administration								
8111	Automotive Repair and Maintenance (except Truck Repair)			P 15	P 15		P 15	P 15	P 15
8111	Automotive Repair and Maintenance (Truck Repair)						P 15	P 15	P 15
811211	Consumer Electronics Repair and Maintenance		P	P	P		P	P	P
811212	Computer and Office Machine Repair and Maintenance			P	P		P	P	P
811213	Communication Equipment Repair and Maintenance		P	P	P		P	P	P
811219	Other Electronic and Precision Equipment Repair and Maintenance		P	P	P		P	P	P
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance						P	P	P
811411	Home and Garden Equipment Repair and Maintenance			P	P		P	P	P
811412	Appliance Repair and Maintenance								
81142	Reupholstery and Furniture Repair		P	P	P		P	P	P
81143	Footwear and Leather Goods Repair								
81149	Other Personal and Household Goods Repair and Maintenance								
8121	Personal Care Services		P	P	P	P	P	P	P
81221	Funeral Homes and Funeral Services								
812220	Cemeteries and Crematories		P 13	P 13	P 13	P ¹³	P 13	P 13	P
812310	Coin-Operated Laundries and Drycleaners		P	P	P	P	P	P	P
812320	Dry Cleaning and Laundry Services (except Coin- Operated)		P	P	P	P	P	P	P
812331	Linen Supply			P ¹⁸	P		P	P	P

812332	Industrial Launderers						P	P
812910	Pet Care (except Veterinary) Services	C 14	C 14	C 14		C 14	C 14	C 14
812921	Photofinishing Laboratories (except One-Hour)			P		P	P	P
812922	One-Hour Photofinishing			P		P	P	P
812930	Parking Lots and Garages		C 16	P 16		P 16	P 16	P 16
812990	All Other Personal Services		C	P		P	P	P
813110	Religious Organizations	P	C	P		P	P	P
8132	Grantmaking and Giving Services							
8133	Social Advocacy Organizations	P	P	P		P	P	P
8134	Civic and Social Organizations							
81391	Business Associations							
81392	Professional Organizations		C	P		P	P	P
81393	Labor Unions and Similar Labor Organizations							
81394	Political Organizations							
813990	Other Similar Organizations (except Business, Professional, Labor, and Political Organizations)	C	C	C	C	P	P	P
92	Public Administration		P	P		P	P	P
	Parking ramps and structures	P	C	P	C			
	Commercial/Ind. PUD (ref. to Section 106-636)	C	C	C	C	C	C	C
	Outdoor sales as accessory use		P	P				
	Outdoor storage as accessory use		P	P				
	Off-site parking	C	C	C	C			
	Unlisted uses, similar to uses listed above	C	C	C	C	C	C	C

Footnotes:
** Non-classified use categories.
1 Within the overlay portion, residential activities are only allowed above the first floor.
2 Single family detached prohibited in main street overlay zone, but permitted in main street district.
3 Artisan shops are allowed (see Section 106-480 (Artisan Shop), 106-500 (Artisan Shop), 106-514 (Artisan Shop)).
4 No storage or sale of fireworks.

5	Truck Stop shall only be permitted in Business Industrial districts on truck routes along Barbour's Cut Boulevard, State Hwy 225 and State Highway 146 (north of Barbour's Cut Blvd). No construction of any kind shall be permitted within setbacks for BI zone.
6	Must be adjacent to high frequency truck roads as shown on High Frequency Truck Road Map (Ref. Section 106-746).
7	Only allowed along State Highway 146.
8	Livestock prohibited on premises.
9	Truck schools prohibited.
10	Refer to Chapter 10 of the Code of Ordinances (must be at least 300 feet from church, school, or hospital & measured from property line to property line).
11	Shooting range is a conditional use.
12	Hotels and Motel Uses. Hotels and motels are allowed as a conditional use under this Chapter when within 250 feet of residential zoned properties (R-1, R-2, R-3, MH, and LL zoning districts). All hotel and motels are required to install and operate a security and surveillance system to monitor the parking lot area and all ingress/egress points to the buildings.
13	Crematories prohibited.
14	Dog grooming. There shall be no overnight boarding of animals. All areas used for holding animals shall be located within the same building in which grooming activities take place.
15	No vehicle may be parked outside for longer than two weeks.
16	Parking of commercial motor vehicles, including truck tractors not in combination with trailers, prohibited.
17	Automobile dead storage must be fully contained within an enclosed building. Use must be located adjacent to high frequency truck roads as shown on High Frequency Truck Route Map
18	Proposed use must be located on a parcel that is no greater than 1.5 acres and building and/or buildings where use is located may not exceed 15,000 sq. ft. Uses shall not be permitted in the Main Street Overlay.
All permitted uses in commercial and industrial zones must meet the following minimum performance standards. If requested by the enforcement officer, all applications for building permits must include a certification from a registered engineer that verifies compliance with these performance standards. Where applicable, all permitted uses in industrial zones must meet and be in compliance with the appropriate federal, state, or local regulations.	
A.	<i>Lighting and glare.</i> Any lighting used shall be arranged so as to deflect light away from any adjoining residential zone or from public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed onto any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one foot-candle (meter reading) as measured from the centerline of such street. Any light or combination of lights which casts light on residential property shall not exceed 0.4 foot-candles (meter reading) as measured from such property.
B.	<i>Radiation and electrical emissions.</i> No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas. There shall be no electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance.
C.	<i>Smoke.</i> The emission of smoke by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.
D.	<i>Dust or other particulate matter.</i> The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.

E. <i>Odors.</i> The emission of odor by any use shall be in compliance with and regulated by the appropriate federal, state or local agency.		
F. <i>Explosives.</i> No activities involving the storage, utilization, or manufacture of materials or products such as TNT or dynamite which could decompose by detonation shall be permitted except such as are specifically licensed by the city council.		
G. <i>Noise.</i> All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness and as measured at any property line, shall not exceed the following intensity in relation to sound frequency:		
Octave Band Frequency	Maximum Sound Levels - Decibels	
Cycles per Second	Lot Line	Residential District Boundary
20 to 75	78	63
75 to 150	74	59
150 to 300	68	55
300 to 600	61	51
600 to 1,200	55	45
1,200 to 2,400	49	38
2,400 to 4,800	43	31
Above 4,800	41	25
Impact noise	80	55
Between the hours of 10:00 P.M. and 6:00 A.M. the permissible sound levels beyond residential district boundaries (both Column II and Impact) shall be six decibels less than shown above.		
In distances where it is determined that a proposed land use may generate a level of noise that will impact on surrounding land uses, the planning and zoning commission and city council may require that efforts to reduce the potential noise impact be undertaken. These efforts may include screening and landscaping techniques.		
H. <i>Hours of Operation.</i> Hours of operation are limited for truck stops adjacent to residential areas only. The facility shall only operate during the hour of 6:00 a.m. to 9:00 p.m. and no overnight facilities are allowed on the premises.		

Section 3: That Section 106-331 “Table A, Residential Uses”, Article III “Districts”, Division 2 “Residential District Regulations”, Subdivision 1 “Generally”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-331. - Table A, residential uses.

P (abc)—Permitted uses (subject to designated criteria established in section 106-334 (Special use performance standards; residential)).

P—Permitted uses.

A—Accessory uses (subject to requirements of section 106-741 (General provisions)).

C—Conditional uses (subject to requirements of sections 106-216 (General conditions for all conditional uses in all zoning districts), 106-217 (Conditions for approval), and 106-218 (Amendments))

and designated criteria established in section 106-334 (Special use performance standards; residential) as determined by the planning and zoning commission).

*—Not allowed.

Uses (NAICS Code #)	Zones				
	R-1	R-2	R-3	MH	LL
Agriculture, Forestry, Fishing and Hunting (111110-111199)	P	P	P	P	P
Agricultural production, (animal specialties - breeding or sale)	C	*	*	*	C
Bed and breakfast as defined by section 106-1 (Definitions) (721191)	C(h)	C(h)	C(h)	*	C(h)
All other animal production, limited to dogs and cats, on residential large lot I (112990)	A	A	C	C	A
Pet care (except veterinary) services, limited to boarding kennels only (812910)	*	*	*	*	P
Domestic livestock-With an existing principal structure on the property (cattle, horses, swine, sheep, goats, chickens, and geese)— Single-family residential, large lot	A	A	A	A	A
Domestic livestock—Without an existing principal structure on the property (permitted in large lot district, but only if tract is one acre in size or greater) including cattle, horses, swine, sheep, goats, chickens, and geese	*	*	*	*	P
Industrialized housing on a permanent foundation	P	P	P	P	P
Single-family dwelling, detached	P	P	P	P	P
Single-family dwelling, special lot	*	P	P	P	*
Single-family dwellings, zero lot line (patio homes, etc.)	*	P	P	*	*
Duplexes, double bungalows (two-family dwelling units)	*	P	P	*	*
Townhouses/Condominium	*	P(I)	P(I)	*	*
Conversion of single-family dwellings to duplexes (or no more than two-family dwellings)	*	P	P	*	*
Tri-plexes and quadraplexes (three and four-family dwelling units)	*	P(I)	P(I)	*	*
Multi-family (more than four dwelling units)	*	*	P(I)	*	*
3—4 unit multi-family dwellings	*	P	P	*	*
Multi-family (over 4 units)	*	*	P	*	*
Modular housing on a permanent foundation system section 106-1 (Definitions)	P	P	P	P	P
Manufactured housing subdivisions restricted to H.U.D. certified mobile homes; min. width 20 feet, min. shingled roof pitch 3:12, permanent foundation system; siding similar to surrounding residential	*	C(a)	C(a)	P(a)	*
Manufactured housing subdivisions (restricted to H.U.D. certified mobile homes on permanent foundation systems)	*	C(a)	*	*	
Manufactured housing parks	*	*	*	P (a,d,f)	*
Manufactured housing	*	*	*	P	*

Group care facilities providing food and shelter to persons who are unrelated to the proprietor of the establishment (623)					
3 or less persons	P (j)	P (j)	P (j)	P (j)	P (j)
4 or more persons	P (k)	P (k)	P (k)	P (k)	P (k)
Childcare home in private home (services no more than 6)	P	P	P	P	P
Daycare centers (services more than 6) (624410)	*	P	P	P	*
Freestanding on-premises identification sign; townhouses, multi-family developments, group care facilities (not located within a residential neighborhood), subdivisions, education and religious facilities	See article VII of this chapter				
Residential PUD (refer to section 106-636 (Planned unit development procedures))	*	C	C	C	*
Public parks and playgrounds	P	P	P	P	P
Recreational buildings and community centers	C	P	P	P	C
Religious institutions (813110)	C	P (AB)	P (AB)	P (AB)	C
Public or private educational institutions limited to elementary, junior and senior high (611110)	C	P	P	P	C
Junior colleges and technical institutes (611210 and 6115)	*	C	P	*	*
Boarding homes (721310)	*	P	P	*	*
Civic, social and fraternal organizations (8134)	*	*	C	*	*
Convalescent homes, sanitarium, nursing or convalescent homes	*	*	P	*	*
Private garages, carports and off-street parking (associated with residential uses)	A	A	A	A	A
Storage of equipment behind a screening device (permitted in large lot district, but only if tract is one acre in size or greater)	A	A	A	A	P
Storage of recreational vehicles or boats	A	A	A	A	A
Storage of equipment in an accessory building or behind a screening device	A	A	A	A	A
Home occupations	A	A	A	A	A
Noncommercial greenhouses	A	A	A	A	A
Noncommercial recreation facilities associated with residence	A	A	A	A	A
Noncommercial tool houses, barns, sheds, storage buildings (associated with residence, except in large lot district for tracts one acre in size or greater)	A	A	A	A	P
Boarding or renting of rooms (1 person max.)	A	A	A	A	A
Off-street loading (refer to section 106-840 (Off-street loading requirements))	*	*	*	*	*
Off-street parking (refer to See article VI of this chapter)	A	A	A	A	A
Petroleum pipelines (restricted to existing pipeline corridors)	P	P	P	P	P
Residential density bonus, as provided in section 106-334(g) (Density bonus)	C	C	C	C	C
Secondary dwelling units	C	P	P	*	C

Yard Parking, as defined by section 106-334 (e) (Compatible alterations and adequate parking)	*	*	*	*	*
---	---	---	---	---	---

Section 4: That Section 106-333 “Table B, Residential Area Requirements”, Article III “Districts”, Division 2 “Residential District Regulations”, Subdivision 1 “Generally”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-333. - Table B, residential area requirements.

(a) *Table B, residential area requirements.*

Uses ⁸	Minimum Lot Area/D.U. S.F.	Minimum Lot Width L.F.	Minimum Yard Setbacks L.F. F.R.S. 2, 3, 4, 5, 6, 10, 11, 12, 13, 14	Maximum Height ¹⁵	Minimum Site Area/Unit S.F. ^{7, 16}	Minimum Development Open Space/ Unit S.F. ¹⁷	Maximum Lot Coverage/ Minimum Landscaping Required ^{9, 18, 19}
Single-family detached	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	—	40%/N/A
Single-family large lot	43560	90	25-15-5	45 Ft.	43560 1.0 DU/A	—	40%/N/A
Single-family special lot line, 0 lot line	4500	40	20-10-0	35 Ft.	7300 6.0 DU/A	Footnote # 1	60%/N/A
Duplexes	6000	60	25-20-20	45 Ft.	8.0 DU/A	Footnote # 1	60%/N/A
Single-family converted to multifamily	6000	50	20-10-5	35 Ft.	N/A	N/A	50%/N/A
Townhouses, quadraplexes (10,000 s.f of site area 100 ft. wide)	2000	20	25-20-20	45 Ft.	4400 10.0 DU/A	Footnote # 1	75%/25%
Multifamily	20000	100	25-20-20	45 Ft.	1600 20 DU/A	Footnote # 1	60%/25%
Manufactured housing	4500	40	20-10-5	25 Ft.	7300 6.0 DU/A	Footnote # 1	60%
Manufactured housing subdivision or parks (5 acre min.)		100 of front road frontage	N/A	N/A	N/A	N/A	N/A/N/A

State Licensed & Registered Child-care homes (Max. 12 in private home; per TX Dept. of Family & Protective Services, Ch. 747)	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	N/A	40% / N/A
Group care facilities— 3 or less persons	6000	50	25-15-5	35 Ft.	9100 4.8 DU/A	N/A	40% / N/A
Public or private educational and religious institutions, large group care facilities, daycare centers, recreational buildings, boarding, and nursing homes			30-20-10	45 Ft.	N/A	N/A	N/A
Freestanding on-premises signs	See article VII of this chapter						
Large lot district where tract is one acre in size or greater (without existing principal structure) Accessory structure/domestic livestock	See section 106-416 (Special regulations)						

TABLE B FOOTNOTES	
Lot Size	Required Developed Open Space/Lot
5000—6000 Sq. Ft.	200 Sq. Ft.
4000—4999 Sq. Ft.	300 Sq. Ft.
3000—3999 Sq. Ft.	400 Sq. Ft.
2000—2999 Sq. Ft.	500 Sq. Ft.
<p>a. Minimum size of developed open space: One-half acre for every 80 units or fraction thereof.</p> <p>(i) For multi-family residential developments: Minimum of 25 percent of the total development regardless of size of development.</p> <p>(ii) For townhouse/quadrplex developments: One-half acre for every 80 units or fraction thereof.</p> <p>b. All required developed open spaces must be operated and maintained by a homeowners association, subject to the conditions established in sections 106-676 (Property controls), 106-677 (Public services), 106-678 (Building height), and 106-679 (Roadways), with all documentation required to be submitted for filing in conjunction with the final plat. (See also the City Development Ordinance Number 1444, section 4.04 which is on file in the city secretary's office.)</p> <p>2 A minimum landscape setback of 20 feet will be required adjacent to all conservation areas. Buildings, parking areas, and refuse containers will not be allowed in such setback area. These areas are to be landscaped with trees, shrubs, and groundcover, with a planting</p>	

plan required to be submitted and approved by the enforcement officer.

- 3 The minimum setback adjacent to any utility easement located in a rear yard shall be three feet. No portion of any building including projections of any nature shall encroach into any utility easement or vertical projection of the easement boundary.
- 4 Where adjacent structures within the same block have front yard setbacks different from those required, the front yard minimum setback shall be the average of the adjacent structures. If there is only one adjacent structure, the front yard minimum setback shall be the average of the required setback and the setback of only one adjacent structure. In no case shall the minimum front yard setback exceed 30 feet.
- 5 All side yards adjacent to public R.O.W.'s not classified as freeway, arterial or collector must be five feet except accessory building (see Section 106-741). All side yards adjacent to public R.O.W's classified as freeway, arterial or collector must be 10 feet.
 - 6 In the case of zero lot line housing, the side setback opposite the zero lot line must be ten feet.
 - 7 D.U.A. is an abbreviation for dwelling units per acre, or the maximum density permitted.
- 8 All structures except slab on grade, shall be placed on a foundation system described as: An assembly of materials constructed below or partially below grade, not intended to be removed from its installation site, which is designed to support the structure and engineered to resist the imposition of external forces as defined by the City's Code of Ordinances or in the case of industrialized housing, the requirements of the TDLS. Such foundation system shall be skirted or enclosed with wood or masonry to give the appearance of a solid foundation, if one is not provided, compatible with the appearance of adjacent housing, and subject to the requirements of the City's Code of Ordinances.
 - 9 See article V, division 4 of this chapter for additional requirements.
- 10 In the case of multi-family residential developments, said complexes must be located at least 1,000 feet from other multi-family residential developments.
- 11 Within the building setback, there must be a ten-foot opaque screen consisting of shrubs and fencing. (See section 106-334(i) (Additional multi-family regulations) for screening and fencing requirements.)
- 12 Residential developments that are townhouses, quadraplexes, or multi-family dwelling units must have a minimum of 25 percent landscaping.
- 13 Multi-family residential developments adjacent to single-family residential developments must establish a 25-foot buffer between the two developments. This buffer is in addition to the setback as established by this table.
 - 14 In the case of multi-family residential developments, no off-street parking shall be placed within the required setback, or within the required additional 25-foot buffer when the development is situated adjacent to a single-family residential development. The space needed to meet the required parking spaces shall be exclusive of the required setback and the additional buffer.
- 15 In the case of multi-family residential developments being adjacent to single-family residential developments, the buildings within the multi-family residential developments that are directly adjacent to the single-family residential development shall be limited to two-stories in height. Buildings within the interior of the multi-family residential developments may be three-stories in height.
- 16 Multi-family residential developments must contain a minimum of 100 units with a maximum of 300 units, per development.
 - 17 See section 106-334(i)(3) for open space utilization criteria.
- 18 Following structures exempted from 40 percent lot coverage on single-family detached: Accessory buildings 200 s.f. or less and patio covers up to 900 s.f.
- 19 Maximum lot coverage for single-family detached in planned unit development (PUD) zoning district or residential subdivisions requiring a detention/drainage system, shall be 50 percent.

(The impervious cover factor of 55 percent for the total site for drainage, as prescribed in PICM, remains in effect.)

Section 5: That Section 106-742 “Domestic Livestock”, Article V “Supplementary District Regulations”, Division 2 “Accessory Buildings, Uses and Equipment”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-742. - Domestic livestock.

(a) Domestic livestock (cattle, horses, swine, sheep, goats, chickens, and geese) are a permitted accessory use on lots in excess of one acre (43,560 square feet), provided that all domestic livestock as defined above be restrained by a properly constructed and maintained fence no closer than five feet from property that is not devoted to the keeping of domestic livestock or by a perimeter property (exterior) fence of such construction so as to be impenetrable by livestock and to prevent intrusion into neighboring residential properties, and provided further that said domestic livestock be kept in a concentration that is less than or equal to:

- (1) Two cows per acre.
- (2) Two horses per acre.
- (3) Two swine per acre.
- (4) Two sheep or goats per acre.

Plus one head for each additional one-half acre of land on the same parcel.

(b) In any event, the total for the above referenced grazing animals (i.e. sheep, goats, swine, cows, or horses) shall be cumulative. In the event of fowl or recreational livestock in the large lot uses, no specific concentration is established herein, but in no event, shall the cumulative concentration of fowl grazing or recreational livestock be such as to create a health hazard or nuisance. The requirements of section 34-126 et seq. shall apply in any event.

(c) The keeping of livestock or fowl for the purpose of breeding, commercial feeding or sale, whether engaged in as a primary or accessory activity, shall be considered a conditional use as specified by section 106-331 (Table A, residential uses).

(d) Large lot district only.

(1) Recreational livestock is a permitted accessory use kept on tracts of contiguous land (under one ownership) totaling one acre in size or larger.

(2) For any pre-existing, nonconforming livestock use, without the required primary structure in existence prior to this article, shall be permitted upon submittal and subsequent city approval. Upon such approval registration form shall be issued to the property owner.

(3) Recreational livestock concentration shall not exceed grazing livestock concentration unless the following provisions are met:

- a. A barn and/or similar structure adequate to house livestock is provided to accommodate the number of livestock regardless of type;
- b. Proper maintenance/care is adequately provided; and
- c. The site shall be maintained to avoid any public nuisance

Section 6: That Section 106-773 “Exterior Storage”, Article V “Supplementary District Regulations”, Division 3 “Area Requirements”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended and shall hereinafter read as follows:

“Sec. 106-773. - Exterior storage.

In residential zones, all materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties and any public right-of-way, except for the following:

- (1) Clothesline poles and wires;
- (2) Construction and landscaping material currently being used on the premises;
- (3) Off-street parking of passenger vehicles and light trucks, as defined in this chapter;
- (4) Firewood, compost, or residential lawn and garden tools;

- (5) Portable Storage containers that are less than 175 sq. ft. in area, may be permitted on an improved surface for up to 30 days. Use of said storage container in excess of 30 days, requires approval by the Planning and Development Director.

Section 7: That Section 106-839 “Number of spaces required”, Article VI “Off-Street Parking”, of Chapter 106, “Zoning,” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended by changing the terms “2012 NAICS Code” and “2012 NAICS Title” where those terms appear at the top of the use table in said section, and shall hereinafter read as follows:

2017 NAICS Code	2017 NAICS Title	MINIMUM NUMBER OF REQUIRED PARKING SPACES (combination)

Section 8. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

Section 9. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 11. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 12. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the 24th day of SEPTEMBER, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark T. Askins, Assist. City Attorney



August 17, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Proposed Ordinance Amending Chapter 106 "Zoning"

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the August 16, 2018 meeting to consider approval of an ordinance amending certain provisions of Chapter 106 (Zoning) of the City of La Porte's Code of Ordinances. These proposed changes are based on the annual review of Chapter 106 conducted by the Planning and Zoning Commission.

The Commission voted 6-0 to recommend approval of the provisions as included in the drafted ordinance presented in the Request for City Council Agenda Item.

Respectfully submitted,

Ian Clowes, City Planner
On behalf of the Planning and Zoning Commission

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 24, 2018</u>
Requested By: <u>Lorenzo Wingate, City Engineer</u>
Department: <u>Public Works</u>
Report: _____ Resolution: _____ Ordinance: _____

<u>Budget</u>
Source of Funds: _____
Account Number: _____
Amount Budgeted: _____
Amount Requested: _____
Budgeted Item: YES NO

Exhibit: DRAFT MOD Funding Breakdown Harvey

Exhibit: Public Hearing Notice

SUMMARY & RECOMMENDATION

The U.S. Department of Housing and Urban Development (HUD) allocated Harris County \$1.115 billion in CDBG-DR funding through the Texas General Land Office (GLO) and has developed a Method of Distribution (MOD) to allocate funding to local cities. Through the MOD, the City of La Porte has been allocated \$3,472,757 in CDBG-DR funding for infrastructure project(s) damaged or that failed to function during Hurricane Harvey. Additionally, the project must principally benefit those of low and moderate income areas.

Eligible Activities under CDBG-DR Infrastructure/Non-housing funding include:

- Flood control and drainage repair and improvements, including the construction or rehabilitation of storm water management systems;
- Restoration of publically owned infrastructure (such as water and sewer facilities, streets/bridges, provision of generators, etc.)
- Demolition, rehabilitation/reconstruction of publicly-owned commercial, institutional, or industrial buildings and code enforcement.

Ineligible Activities under CDBG-DR Infrastructure/Non-housing funding include:

- To enlarge a dam or levee beyond the original footprint of the structure
- To assist privately-owned utility for any purpose
- To assist building/facilities used for the general conduct of government (e.g. city halls, courthouses, and emergency operation centers)

Funding recipients are required to hold one public meeting regarding their CDBG-DR allocation and their intended projects before submission of applications.

Harris County's tentative timeline going forward is:

- **Mid-September 2018**- Release CDBG-DR Infrastructure Application/RFP
- **Mid-October 2018**- CDBG-DR Infrastructure Application Due Date
- **November 2018**- Harris County completes CDBG-DR Infrastructure projects submission packet and releases for 14-day public comment period and 2 public hearings

- **December 4, 2018**– CDBG-DR Infrastructure projects submission packet submitted to Court for approval and resolution to submit
- **January 2019**- GLO executes CDBG-DR Infrastructure contract with Harris County

Benefits:

Funding provides opportunity to address drainage issues within the City with minimal impact to budget.

This Public Hearing may reveal other potential projects desired by the public for this allocation.

Liabilities:

Would not fulfill citizen participation requirement necessary to submit CDBG-DR application by not having public hearing, thus not allowing access to funding allocation, thereby further delaying timing of flood mitigation efforts.

Operating Costs:

No Impact.

Action Required by Council:

Conduct public hearing to receive public comment(s) regarding Harris County’s Method of Distribution (MOD) for the Community Development Block Grant - Disaster Recovery (CDBG-DR) Round 1 funds for the Hurricane Harvey and the allocation of \$3,472,757 to the City.

Approved for City Council Agenda

Corby D. Alexander

Date

City, County or Eligible Entity	First Distribution Factor: Damage level				Second Distribution Factor: LMI %				Third Distribution Factor: Amount Unmet Need				Fourth Distribution Factor:				Entity Weighted Factor Total (EWFtot)	Weighted Factor Total (WFtot)	Proportional Weighted Factor (PWF) EWFtot/WFtot	Non-Housing Allocation for Formulaic Distribution (NHA)	Proportional Distribution PWF x NHA
	Maximum Factor Measure: 488853463.3400				Maximum Factor: 68.4600				Maximum Factor Measure: 167243263.1200				Maximum Factor: 0.0000								
	Factor Weight: 60				Factor Weight: 10				Factor Weight: 30				Factor Weight:								
Factor Measure (FM)	Factor Measure Maximum (FMmax)	Weight (W)	Weighted Factor Wx(FM/FMmax)	Factor Measure (FM)	Factor Measure Maximum (FMmax)	Weight (W)	Weighted Factor Wx(FM/FMmax)	Factor Measure (FM)	Factor Measure Maximum (FMmax)	Weight (W)	Weighted Factor Wx(FM/FMmax)	Factor Measure (FM)	Factor Measure Maximum (FMmax)	Weight (W)	Weighted Factor Wx(FM/FMmax)						
Harris County	\$ 488,853,463.34	\$ 488,853,463.34	60	60	37.85	68.46	10	5.528776	\$ 167,243,263.12	\$ 167,243,263.12	30	30					95.52877593	186.3004589	0.51276726	\$120,000,000.00	\$61,532,071
Pasadena	\$ 32,257,990.14	\$ 488,853,463.34	60	3.959222	52.13	68.46	10	7.614665	\$ 6,982,920.96	\$ 167,243,263.12	30	1.252592					12.82647987	186.3004589	0.068848354	\$120,000,000.00	\$8,261,802
Friendswood	\$ 24,292,147.71	\$ 488,853,463.34	60	2.9815251	15.35	68.46	10	2.242185	\$ 9,006,500.64	\$ 167,243,263.12	30	1.615581					6.839291186	186.3004589	0.036711081	\$120,000,000.00	\$4,405,330
Bellaire	\$ 21,016,582.60	\$ 488,853,463.34	60	2.5794948	9.38	68.46	10	1.370143	\$ 13,429,383.59	\$ 167,243,263.12	30	2.408955					6.358593004	186.3004589	0.03413085	\$120,000,000.00	\$4,095,702
Baytown	\$ 18,619,782.06	\$ 488,853,463.34	60	2.2853207	47.27	68.46	10	6.904762	\$ 5,913,891.49	\$ 167,243,263.12	30	1.06083					10.25091301	186.3004589	0.055023552	\$120,000,000.00	\$6,602,826
South Houston	\$ 12,112,968.02	\$ 488,853,463.34	60	1.4866993	58.54	68.46	10	8.550979	\$ 2,751,178.07	\$ 167,243,263.12	30	0.493505					10.53118267	186.3004589	0.056527948	\$120,000,000.00	\$6,783,354
Humble	\$ 9,733,781.56	\$ 488,853,463.34	60	1.194687	54.72	68.46	10	7.992989	\$ 3,448,011.25	\$ 167,243,263.12	30	0.618502					9.806177907	186.3004589	0.052636359	\$120,000,000.00	\$6,316,363
La Porte	\$ 5,284,591.35	\$ 488,853,463.34	60	0.6486105	30.35	68.46	10	4.433246	\$ 1,726,018.29	\$ 167,243,263.12	30	0.309612					5.391468339	186.3004589	0.028939641	\$120,000,000.00	\$3,472,757
Katy	\$ 4,155,600.56	\$ 488,853,463.34	60	0.5100425	33.17	68.46	10	4.845165	\$ 1,763,912.24	\$ 167,243,263.12	30	0.31641					5.671617101	186.3004589	0.030443388	\$120,000,000.00	\$3,653,207
Deer Park	\$ 3,296,325.37	\$ 488,853,463.34	60	0.4045783	27.12	68.46	10	3.961437	\$ 936,959.97	\$ 167,243,263.12	30	0.168071					4.534087013	186.3004589	0.024337498	\$120,000,000.00	\$2,920,500
Jacinto City	\$ 1,981,620.57	\$ 488,853,463.34	60	0.2432165	54.81	68.46	10	8.006135	\$ 318,826.21	\$ 167,243,263.12	30	0.057191					8.306542343	186.3004589	0.044586806	\$120,000,000.00	\$5,350,417
Galena Park	\$ 1,534,039.06	\$ 488,853,463.34	60	0.1882821	68.46	68.46	10	10	\$ 373,779.94	\$ 167,243,263.12	30	0.067048					10.2553305	186.3004589	0.055047264	\$120,000,000.00	\$6,605,672
Weighted Factor Total:																186.3004589			1.00	\$120,000,000.00	

THE STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

PUBLIC HEARING

TEXAS GENERAL LAND OFFICE (TXGLO) COMMUNITY DEVELOPMENT BLOCK GRANT
DISASTER RECOVERY (CDBG-DR) PROGRAM

The City of La Porte will hold a public hearing at 6:00 p.m. on September 24, 2018, at the City Hall Council Chambers, 604 W Fairmont Parkway, La Porte, TX 77571, regarding Harris County's Method of Distribution (MOD) for the Community Development Block Grant - Disaster Recovery (CDBG-DR) Round 1 funds for the Hurricane Harvey and the allocation of \$3,472,757 to the city. The U.S. Department of Housing and Urban Development (HUD) allocated Harris County \$1.115 billion in CDBG-DR funding through the Texas General Land Office (GLO) and has developed a MOD to allocate funding to local cities. The City is seeking input on the community needs resulting from the Hurricane Harvey and the projects needed to assist with recovery within the city. Citizens are encouraged to attend this public hearing to discuss non-housing, community development needs, available funding, eligible activities, past use of funds, development of GLO CDBG-DR application(s), and local efforts to affirmatively further fair housing. Public comments will be accepted in the Office of the City Secretary at the above address from today until October 19, 2018.

Citizens wishing to address the Council, pro or con, during the Public Hearing, will be required to sign in before the meeting is convened.

CITY OF LA PORTE

Patrice Fogarty
City Secretary

THIS FACILITY HAS DISABILITY ACCOMMODATIONS AVAILABLE. REQUESTS FOR ACCOMMODATIONS FOR INTERPRETIVE SERVICES AT MEETINGS SHOULD BE MADE 48 HOURS PRIOR TO THE MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT 281-471-5020 OR TDD LINE 281-471-5030 FOR FURTHER INFORMATION.

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 24, 2018

Requested By: Michael G. Dolby

Department: Finance

Report: Resolution: Ordinance:

Other: _____

Appropriation

Source of Funds: _____

Account Number: _____

Amount Budgeted: _____

Amount Requested: _____

Budgeted Item: YES NO

Attachments :

- 1. Resolution**
- 2. Excerpt from Roll**

SUMMARY & RECOMMENDATIONS

On August 21, 2018, the City of La Porte received the Certified Appraisal Roll from the Harris County Appraisal District.

Section 26.04 of the State Property Tax Code requires the submission of the Appraisal Roll to the Governing Body.

The 2018 Certified Tax Roll for the City of La Porte, as received from the Harris County Appraisal District (HCAD), shows a total appraised value of \$3,445,880,516 and a total taxable value of \$3,040,666,454.

Action Required of Council:

Approve Resolution for acceptance of the appraisal roll.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, ADOPTING THE 2018 APPRAISAL ROLL OF THE HARRIS COUNTY APPRAISAL DISTRICT.

WHEREAS, the Harris County Appraisal District has submitted to the City Council of the City of La Porte, for approval, the 2018 tax appraisal roll; and

WHEREAS, the City Council is of the opinion that the 2018 appraisal roll with the amounts shown therein should be adopted;

WHEREAS, the Harris County Appraisal District has certified to the City Council that there was situated in the City of La Porte, as of January 1, 2018, property with a total appraised value of \$3,445,880,516.00 and a total taxable value of \$3,040,666,454.00.

WHEREAS, new personal property added to the appraisal roll had a total taxable value of \$274,982.00 as of January 1, 2018;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, THAT:

Section 1. The 2018 tax appraisal roll, showing that there was situated in the City of La Porte, as of January 1, 2018, property with a total appraised value of \$3,445,880,516.00 and a total taxable value of \$3,040,666,454.00, as submitted by the Harris County Appraisal District, is hereby adopted;

Section 2. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the offices of City of La Porte for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 24th day of September, 2018.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark T. Askins, Assistant City Attorney

HARRIS COUNTY APPRAISAL DISTRICT
HOUSTON, TEXAS

THE STATE OF TEXAS, }
COUNTY OF HARRIS. }

2018
CERTIFICATION OF APPRAISAL ROLL AND
LISTING OF PROPERTIES UNDER SECS. 26.01(c) AND (d)
FOR
City of La Porte

Pursuant to Section 26.01(a), Texas Tax Code, I hereby certify the 2018 appraisal roll of properties taxable by City of La Porte. The roll is delivered in electronic form.

The total appraised value now on the appraisal roll for this unit is: \$3,445,880,516

The taxable value now on the appraisal roll for this unit is: \$3,040,666,454

As required by Section 26.01(c), Texas Tax Code, I have included with your roll a listing of those properties which are taxable by the unit but which are under protest and are therefore not included in the appraisal roll values approved by the appraisal review board and certified above. My estimate of the total taxable value which will be assigned to such properties if the owners' claims are upheld by the appraisal review board is: \$176,353,799

Pursuant to Section 26.01(d), Texas Tax code, the estimated value of taxable property not under protest and not yet included on the certified appraisal roll, after hearing loss, is \$195,800,393

Signed this 24th day of August, 2018



Roland Altinger

Roland Altinger, CAE, RPA, CTA
Chief Appraiser

ASSESSOR'S ACKNOWLEDGEMENT

As tax assessor/collector of the above-named taxing unit, I hereby acknowledge receipt of the certified 2018

appraisal roll on this the 21st day of August, 2018

Charlene Piggot

071 CITY OF LAPORTE
TAX YEAR: 2018

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/10/2018
DELV DATE: 08/24/2018

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
A1 Real, Residential, Single-Family	9,547	2,339.1700	1,552,119,192	1,531,355,180	0	382,472,558	1,148,882,622
A2 Real, Residential, Mobile Homes	72	16.9846	3,310,276	3,122,271	0	516,092	2,606,179
B1 Real, Residential, Multi-Family	18	68.1527	58,602,735	58,602,735	0	41,553	58,561,182
B2 Real, Residential, Two-Family	63	11.3528	6,304,570	6,297,529	0	175,488	6,122,041
B3 Real, Residential, Three-Family	0	0.0000	0	0	0	0	0
B4 Real, Residential, Four- or More-Family	0	0.0000	0	0	0	0	0
C1 Real, Vacant Lots/Tracts	769	182.9423	16,565,811	15,726,402	0	167,114	15,559,288
C2 Real, Vacant Commercial	471	483.5947	48,619,669	48,619,669	0	48,174	48,571,495
C3 Real, Vacant	4	0.4998	177,945	177,945	0	0	177,945
D1 Real, Qualified Agricultural Land	16	86.2527	3,990,864	0	123,961	0	123,961
D2 Real, Unqualified Agricultural Land	44	539.5313	20,686,244	20,686,244	0	1,450,907	19,235,337
E1 Real, Farm & Ranch Improved	5	10.6654	2,146,209	2,098,775	0	599,755	1,499,020
F1 Real, Commercial	616	1,206.7752	773,827,453	772,631,493	0	36,170	772,595,323
F2 Real, Industrial	59	828.7199	335,268,492	335,268,492	0	380,978	334,887,514
G1 Oil and Mineral Gas Reserves	0	0.0000	0	0	0	0	0
G2 Real Property Other Mineral Reserves	0	0.0000	0	0	0	0	0
H1 Tangible, Vehicles	0	0.0000	0	0	0	0	0
H2 Tangible, Goods In Transit	0	0.0000	0	0	0	0	0
I1 Real, Banks	0	0.0000	0	0	0	0	0
J1 Real & Tangible Personal, Utility Water	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
 TAX YEAR: 2018

HARRIS COUNTY APPRAISAL DISTRICT
 PROPERTY USE CATEGORY RECAP
 CERTIFIED ROLL 00

LAST UPDATED: 08/10/2018
 DELV DATE: 08/24/2018

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
J2 Gas Companies	2	0.0000	4,587,680	4,587,680	0	0	4,587,680
J3 Electric Companies	26	92.3902	22,955,068	22,955,068	0	0	22,955,068
J4 Telephone Companies	5	1.1478	3,154,830	3,154,830	0	380	3,154,450
J5 Railroads	23	164.9645	6,754,680	6,754,680	0	0	6,754,680
J6 Pipelines	136	3.7460	13,497,139	13,497,139	0	0	13,497,139
J7 Major Cable Television Systems	2	0.0000	6,716,240	6,716,240	0	0	6,716,240
L1 Tangible, Commercial	551	0.0000	201,296,577	201,296,577	0	26,513	201,270,064
L2 Tangible, Industrial	289	0.0000	382,140,728	382,140,728	0	18,364,430	363,776,298
M1 Tangible, Nonbusiness Watercraft	0	0.0000	0	0	0	0	0
M2 Tangible, Nonbusiness Aircraft	0	0.0000	0	0	0	0	0
M3 Tangible, Mobile Homes	518	0.0000	6,594,014	6,594,014	0	773,134	5,820,880
M4 Tangible, Miscellaneous	0	0.0000	0	0	0	0	0
N1 Intangibles	0	0.0000	0	0	0	0	0
O1 Inventory	19	3.0915	70,092	70,092	0	0	70,092
O2 Inventory	3	0.0000	534,856	534,856	0	0	534,856
S1 Dealer Inventory	26	0.0000	2,707,100	2,707,100	0	0	2,707,100
U0 Unknown	0	0.0000	0	0	0	0	0
XA Public Property for Housing Indigent Persons	0	0.0000	0	0	0	0	0
XB Income Producing Personal Property (<\$500)	0	0.0000	0	0	0	0	0
XC Mineral Interest (<\$500)	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
 TAX YEAR: 2018

HARRIS COUNTY APPRAISAL DISTRICT
 PROPERTY USE CATEGORY RECAP
 CERTIFIED ROLL 00

LAST UPDATED: 08/10/2018
 DELV DATE: 08/24/2018

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
XD Improving Property for Housing w/ Volunteer Labor	0	0.0000	0	0	0	0	0
XE Community Housing Development Organizations	0	0.0000	0	0	0	0	0
XF Assisting Ambulatory Health Care Centers	0	0.0000	0	0	0	0	0
XG Primarily Performing Charitable Functions	0	0.0000	0	0	0	0	0
XH Developing Model Colonia Subdivisions	0	0.0000	0	0	0	0	0
XI Youth Spiritual, Mental and Physical Development	0	0.0000	0	0	0	0	0
XJ Private Schools	0	0.0000	0	0	0	0	0
XL Economic Development Services to Local Community	0	0.0000	0	0	0	0	0
XM Marine Cargo Containers	0	0.0000	0	0	0	0	0
XN Motor Vehicles Leased for Personal Use	0	0.0000	0	0	0	0	0
XO Motor Vehicles (Income Production & Personal Use)	0	0.0000	0	0	0	0	0
XP Offshore Drilling Equipment Not In Use	0	0.0000	0	0	0	0	0
XQ Intracoastal Waterway Dredge Disposal Site	0	0.0000	0	0	0	0	0
XR Nonprofit Water or Wastewater Corporations	0	0.0000	0	0	0	0	0
XS Raw Cocoa and Green Coffee Held in Harris County	0	0.0000	0	0	0	0	0
XT Limitation on Taxes in Certain Municipalities	0	0.0000	0	0	0	0	0
XU Miscellaneous Exemptions	0	0.0000	0	0	0	0	0
XV Other Exempt (Incl Public, Religious, Charitable)	1	0.7433	160,816	160,816	0	160,816	0
JURISDICTION TOTALS:	13,285	6,040.7247	\$3,472,789,280	\$3,445,756,555	\$123,961	\$405,214,062	\$3,040,666,454

071 CITY OF LAPORTE
 TAX YEAR: 2018

HARRIS COUNTY APPRAISAL DISTRICT
 PROPERTY USE CATEGORY RECAP
 UNCERTIFIED ROLL 00

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
A1 Real, Residential, Single-Family	1,291	337.5373	189,468,649	181,374,904	0	37,456,069	143,918,835
A2 Real, Residential, Mobile Homes	8	4.8140	576,588	562,011	0	75,936	486,075
B1 Real, Residential, Multi-Family	4	0.9166	623,399	623,399	0	0	623,399
B2 Real, Residential, Two-Family	10	1.7665	1,052,976	1,052,976	0	0	1,052,976
B3 Real, Residential, Three-Family	0	0.0000	0	0	0	0	0
B4 Real, Residential, Four- or More-Family	0	0.0000	0	0	0	0	0
C1 Real, Vacant Lots/Tracts	262	125.3564	8,259,336	8,236,124	0	39,611	8,196,513
C2 Real, Vacant Commercial	132	127.3067	20,548,281	20,548,281	0	0	20,548,281
C3 Real, Vacant	7	0.9780	136,124	136,124	0	0	136,124
D1 Real, Qualified Agricultural Land	37	735.4516	44,973,928	0	13,049,244	0	13,049,244
D2 Real, Unqualified Agricultural Land	4	144.0990	6,861,741	6,861,741	0	0	6,861,741
E1 Real, Farm & Ranch Improved	1	1.1358	563,118	378,935	0	135,787	243,148
F1 Real, Commercial	98	134.5508	45,044,354	45,044,354	0	12,000	45,032,354
F2 Real, Industrial	0	0.0000	0	0	0	0	0
G1 Oil and Mineral Gas Reserves	0	0.0000	0	0	0	0	0
G2 Real Property Other Mineral Reserves	0	0.0000	0	0	0	0	0
H1 Tangible, Vehicles	0	0.0000	0	0	0	0	0
H2 Tangible, Goods In Transit	0	0.0000	0	0	0	0	0
I1 Real, Banks	0	0.0000	0	0	0	0	0
J1 Real & Tangible Personal, Utility water	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
TAX YEAR: 2018

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
UNCERTIFIED ROLL 00

LAST UPDATED: 08/10/2018
DELV DATE: 08/24/2018

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
J2 Gas Companies	0	0.0000	0	0	0	0	0
J3 Electric Companies	0	0.0000	0	0	0	0	0
J4 Telephone Companies	0	0.0000	0	0	0	0	0
J5 Railroads	1	14.3800	0	0	0	0	0
J6 Pipelines	2	0.0000	2,942,630	2,942,630	0	269,095	2,673,535
J7 Major Cable Television Systems	0	0.0000	0	0	0	0	0
L1 Tangible, Commercial	711	0.0000	99,413,278	99,413,278	0	26,255	99,387,023
L2 Tangible, Industrial	121	0.0000	73,632,459	73,632,459	0	6,325,080	67,307,379
M1 Tangible, Nonbusiness Watercraft	0	0.0000	0	0	0	0	0
M2 Tangible, Nonbusiness Aircraft	0	0.0000	0	0	0	0	0
M3 Tangible, Mobile Homes	23	0.0000	478,681	478,681	0	31,812	446,869
M4 Tangible, Miscellaneous	0	0.0000	0	0	0	0	0
N1 Intangibles	0	0.0000	0	0	0	0	0
O1 Inventory	0	0.0000	0	0	0	0	0
O2 Inventory	0	0.0000	0	0	0	0	0
S1 Dealer Inventory	0	0.0000	0	0	0	0	0
U0 Unknown	0	0.0000	0	0	0	0	0
XA Public Property for Housing Indigent Persons	0	0.0000	0	0	0	0	0
XB Income Producing Personal Property (<\$500)	0	0.0000	0	0	0	0	0
XC Mineral Interest (<\$500)	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
TAX YEAR: 2018

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
UNCERTIFIED ROLL 00

LAST UPDATED: 08/10/2018
DELV DATE: 08/24/2018

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
XD Improving Property for Housing w/ Volunteer Labor	1	0.0000	81,038	81,038	0	81,038	0
XE Community Housing Development Organizations	0	0.0000	0	0	0	0	0
XF Assisting Ambulatory Health Care Centers	0	0.0000	0	0	0	0	0
XG Primarily Performing Charitable Functions	2	2.0088	771,382	771,382	0	771,382	0
XH Developing Model Colonia Subdivisions	0	0.0000	0	0	0	0	0
XI Youth Spiritual, Mental and Physical Development	0	0.0000	0	0	0	0	0
XJ Private Schools	0	0.0000	0	0	0	0	0
XL Economic Development Services to Local Community	0	0.0000	0	0	0	0	0
XM Marine Cargo Containers	0	0.0000	0	0	0	0	0
XN Motor Vehicles Leased for Personal Use	0	0.0000	0	0	0	0	0
XO Motor Vehicles (Income Production & Personal Use)	0	0.0000	0	0	0	0	0
XP Offshore Drilling Equipment Not In Use	0	0.0000	0	0	0	0	0
XQ Intracoastal Waterway Dredge Disposal Site	0	0.0000	0	0	0	0	0
XR Nonprofit Water or Wastewater Corporations	0	0.0000	0	0	0	0	0
XS Raw Cocoa and Green Coffee Held in Harris County	0	0.0000	0	0	0	0	0
XT Limitation on Taxes in Certain Municipalities	0	0.0000	0	0	0	0	0
XU Miscellaneous Exemptions	0	0.0000	0	0	0	0	0
XV Other Exempt (Incl Public, Religious, Charitable)	929	1,861.0976	273,492,649	273,492,649	0	273,492,649	0
JURISDICTION TOTALS:	3,644	3,491.3991	\$768,920,611	\$715,630,966	\$13,049,244	\$318,716,714	\$409,963,496

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 24, 2018

Appropriation

Requested By: Michael G. Dolby

Source of Funds: _____

Department: Finance

Account Number: _____

Report: Resolution: Ordinance:

Amount Budgeted: _____

Other: _____

Amount Requested: _____

Budgeted Item: YES NO

Attachments :

1. Ordinance

2. Effective Tax Rate Calculation

SUMMARY & RECOMMENDATIONS

The Fiscal Year 2018-19 Budget was built around a tax rate of .71 cents per hundred dollar valuation.

A breakdown of the tax rate is as follows:

General Fund = .605 cents per hundred dollar valuation

Debt Service = .105 cents per hundred dollar valuation

The tax rate of .71 cents is the same rate that has been adopted for the last thirty years.

The Effective Tax Rate = 0.731 cents per hundred dollar valuation.

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of La Porte from the same properties in both the 2017 tax year and the 2018 tax year.

Action Required of Council:

Approve Ordinance establishing the tax rate for Fiscal Year 2018-19 at 71 cents per hundred dollar valuation.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE LEVYING TAXES UPON TAXABLE PROPERTY LOCATED WITHIN AND SUBJECT TO TAXATION IN THE CITY OF LA PORTE, TEXAS; MAKING APPROPRIATIONS FOR SUPPORT, MAINTENANCE, AND IMPROVEMENT OF THE CITY GOVERNMENT OF SAID CITY OF LA PORTE; FINDING THAT ALL REQUIRED NOTICES HAVE BEEN PUBLISHED AND ALL REQUIRED HEARINGS HELD; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE

Section 1. That there is hereby levied for the fiscal year beginning October 1, 2018, and ending September 30, 2019, on all real property situated and all personal property owned within the taxable limits of the said City of La Porte, on the first day of January, 2018, except so much as may be exempt under the constitution and laws of the United States, this State, and the City of La Porte, the following taxes:

- (1) An Ad Valorem Tax of and at the rate of sixty and five tenths cents (\$.605) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States for the current expenses for the support, maintenance, and improvement of the City Government of said City of La Porte; and
- (2) An Ad Valorem Tax of and at the rate of ten and five tenths cents (\$.105) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States, to pay current interest on and provide one year's sinking fund and to pay all of the Principal and Interest accruing on all outstanding general obligation bonds and certificates of obligation lawfully issued by the City of La Porte.

That this provides the sum of total Ad Valorem tax at the rate of seventy-one cents (\$.71) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States.

Section 2. All property upon which a rate of taxation is hereinabove levied shall be assessed on a ratio of one hundred percent (100%) of the estimated market value thereof.

Section 3. That the sums hereinafter accruing and collected from the hereinabove taxes so levied be and the same are hereby appropriated for the support, maintenance, and improvement of the City Government of the City of La Porte.

Section 4. The City Council officially finds, determines, recites and declares that all notices required by law have been published, and that all matters prerequisite to the establishment and levy of an ad valorem tax have been accomplished, all as required by the laws of the State of Texas, and the Home Rule Charter of the City of La Porte.

Section 5. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to be the intention of this City Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required.

Section 8. This Ordinance shall be in effect from and after its passage and approval.

PASSED AND APPROVED this the 24th day of September, 2018.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark T. Askins, Assistant City Attorney

2018 Tax Rate Calculation Worksheet

Date: 08/23/2018 02:16 PM

Taxing Units Other Than School Districts or Water Districts

City of La Porte

281-471-5020

Taxing Unit Name

Phone (area code and number)

604 W. Fairmont Pkwy., La Porte, Texas 77571

ci.la-porte.tx.us

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the effective tax rate and rollback tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest.

School districts do not use this form, but instead use Comptroller Form 50-859 Tax Rate Calculation Worksheet for School Districts.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 Water District Rollback Tax Rate Worksheet.

This worksheet is provided to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: Effective Tax Rate (No New Taxes)

The effective tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the effective tax rate should decrease.

The effective tax rate for a county is the sum of the effective tax rates calculated for each type of tax the county levies.

Effective Tax Rate Activity	Amount/Rate
1. 2017 total taxable value. Enter the amount of 2017 taxable value on the 2017 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-third over-appraisal corrections from these adjustments. This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 14). ¹	\$3,296,761,382
2. 2017 tax ceilings. Counties, cities and junior college districts. Enter 2017 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2017 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$249,238,705
3. Preliminary 2017 adjusted taxable value. Subtract Line 2 from Line 1.	\$3,047,522,677
4. 2017 total adopted tax rate.	\$0.710/\$100
5. 2017 taxable value lost because court appeals of ARB decisions reduced 2017 appraised value.	
A. Original 2017 ARB Values.	\$123,396,892
B. 2017 values resulting from final court decisions.	\$107,910,555
C. 2017 value loss. Subtract B from A. ³	\$15,486,337
6. 2017 taxable value, adjusted for court-ordered reductions. Add Line 3 and Line 5C.	\$3,063,009,014
7. 2017 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2017. Enter the 2017 value of property in deannexed territory. ⁴	\$0
8. 2017 taxable value lost because property first qualified for an exemption in 2018.	

Note that lowering the amount or percentage of an existing exemption does not create a new exemption or reduce taxable value. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost to freeport or goods-in-transit exemptions.	
A. Absolute exemptions. Use 2017 market value:	\$119,811
B. Partial exemptions. 2018 exemption amount or 2018 percentage exemption times 2017 value:	\$11,492,144
C. Value loss. Add A and B. ⁵	\$11,611,955
9. 2017 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2018. Use only properties that qualified in 2018 for the first time; do not use properties that qualified in 2017.	
A. 2017 market value:	\$55,539
B. 2018 productivity or special appraised value:	\$140
C. Value loss. Subtract B from A. ⁶	\$55,399
10. Total adjustments for lost value. Add lines 7, 8C and 9C.	\$11,667,354
11. 2017 adjusted taxable value. Subtract Line 10 from Line 6.	\$3,051,341,660
12. Adjusted 2017 taxes. Multiply Line 4 by Line 11 and divide by \$100.	\$21,664,525
13. Taxes refunded for years preceding tax year 2017. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2017. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2017. This line applies only to tax years preceding tax year 2017. ⁷	\$440,357
14. Taxes in tax increment financing (TIF) for tax year 2017. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2018 captured appraised value in Line 16D, enter 0. ⁸	\$1,096,107
15. Adjusted 2017 taxes with refunds and TIF adjustment. Add Lines 12 and 13, subtract Line 14. ⁹	\$21,008,775
16. Total 2018 taxable value on the 2018 certified appraisal roll today. This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled. ¹⁰	
A. Certified values:	\$3,040,666,454
B. Counties: Include railroad rolling stock values certified by the Comptroller's office:	\$0
C. Pollution control and energy storage system exemption : Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property:	\$0
D. Tax increment financing: Deduct the 2018 captured appraised value of property taxable	\$262,128,856

by a taxing unit in a tax increment financing zone for which the 2018 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 21 below. ¹¹	
E. Total 2018 value. Add A and B, then subtract C and D.	\$2,778,537,598
17. Total value of properties under protest or not included on certified appraisal roll. ¹²	
A. 2018 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value. ¹³	\$176,353,799
B. 2018 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value. ¹⁴	\$195,800,393
C. Total value under protest or not certified: Add A and B.	\$372,154,192
18. 2018 tax ceilings. Counties, cities and junior colleges enter 2018 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2017 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁵	\$238,278,698
19. 2018 total taxable value. Add Lines 16E and 17C. Subtract Line 18.	\$2,912,413,092
20. Total 2018 taxable value of properties in territory annexed after Jan. 1, 2017. Include both real and personal property. Enter the 2018 value of property in territory annexed. ¹⁶	\$12,016,280
21. Total 2018 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2017. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2017, and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2018. ¹⁷	\$26,713,520
22. Total adjustments to the 2018 taxable value. Add Lines 20 and 21.	\$38,729,800
23. 2018 adjusted taxable value. Subtract Line 22 from Line 19.	\$2,873,683,292
24. 2018 effective tax rate. Divide Line 15 by Line 23 and multiply by \$100. ¹⁸	\$0.731/\$100
25. COUNTIES ONLY. Add together the effective tax rates for each type of tax the county levies. The total is the 2018 county effective tax rate. ¹⁹	

¹Tex. Tax Code Section 26.012(14)

²Tex. Tax Code Section 26.012(14)

³Tex. Tax Code Section 26.012(13)

⁴Tex. Tax Code Section 26.012(15)

⁹Tex. Tax Code Section 26.012(13)

¹⁰Tex. Tax Code Section 26.012

¹¹Tex. Tax Code Section 26.03(c)

¹²Tex. Tax Code Section 26.01(c) and (d)

⁵Tex. Tax Code Section 26.012(15)

⁶Tex. Tax Code Section 26.012(15)

⁷Tex. Tax Code Section 26.012(13)

⁸Tex. Tax Code Section 26.03(c)

¹³Tex. Tax Code Section 26.01(c)

¹⁴Tex. Tax Code Section 26.01(d)

¹⁵Tex. Tax Code Section 26.012(6)

¹⁶Tex. Tax Code Section 26.012(17)

SECTION 2: Rollback Tax Rate

The rollback tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O):** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus eight percent. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt:** The debt tax rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The rollback tax rate for a county is the sum of the rollback tax rates calculated for each type of tax the county levies. In most cases the rollback tax rate exceeds the effective tax rate, but occasionally decreases in a taxing unit's debt service will cause the effective tax rate to be higher than the rollback tax rate.

Rollback Tax Rate Activity	Amount/Rate
26. 2017 maintenance and operations (M&O) tax rate.	\$0.605/\$100
27. 2017 adjusted taxable value. Enter the amount from Line 11.	\$3,051,341,660
28. 2017 M&O taxes.	
A. Multiply Line 26 by Line 27 and divide by \$100.	\$18,460,617
B. Cities, counties and hospital districts with additional sales tax: Amount of additional sales tax collected and spent on M&O expenses in 2017. Enter amount from full year's sales tax revenue spent for M&O in 2017 fiscal year, if any. Other taxing units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$0
C. Counties: Enter the amount for the state criminal justice mandate. If second or later year, the amount is for increased cost above last year's amount. Other taxing units enter 0.	\$0
D. Transferring function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in H below. The taxing unit receiving the function will add this amount in H below. Other taxing units enter 0.	\$0
E. Taxes refunded for years preceding tax year 2017: Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2017. This line applies only to tax years preceding tax year 2017.	\$375,241
F. Enhanced indigent health care expenditures: Enter the increased amount for the current year's enhanced indigent health care expenditures above the preceding tax year's enhanced indigent health care expenditures, less any state assistance.	\$0
G. Taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2018 captured appraised value in Line 16D, enter 0.	\$1,096,107
H. Adjusted M&O Taxes. Add A, B, C, E and F. For taxing unit with D, subtract if discontinuing function and add if receiving function. Subtract G.	\$17,739,751

29. 2018 adjusted taxable value. Enter Line 23 from the Effective Tax Rate Worksheet.	\$2,873,683,292
30. 2018 effective maintenance and operations rate. Divide Line 28H by Line 29 and multiply by \$100.	\$0.617/\$100
31. 2018 rollback maintenance and operation rate. Multiply Line 30 by 1.08.	\$0.666/\$100
<p>32. Total 2018 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that:</p> <p>(1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year and (4) are not classified in the taxing unit's budget as M&O expenses.</p> <p>A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. Enter debt amount.</p> <p>B. Subtract unencumbered fund amount used to reduce total debt.</p> <p>C. Subtract amount paid from other resources.</p> <p>D. Adjusted debt. Subtract B and C from A.</p>	<p>\$4,733,822</p> <p>\$1,675,788</p> <p>\$0</p> <p>\$3,058,034</p>
33. Certified 2017 excess debt collections. Enter the amount certified by the collector.	\$0
34. Adjusted 2018 debt. Subtract Line 33 from Line 32D.	\$3,058,034
35. Certified 2018 anticipated collection rate. Enter the rate certified by the collector. If the rate is 100 percent or greater, enter 100 percent.	100.00%
36. 2018 debt adjusted for collections. Divide Line 34 by Line 35	\$3,058,034
37. 2018 total taxable value. Enter the amount on Line 19.	\$2,912,413,092
38. 2018 debt tax rate. Divide Line 36 by Line 37 and multiply by \$100.	\$0.105/\$100
39. 2018 rollback tax rate. Add Lines 31 and 38.	\$0.771/\$100
40. COUNTIES ONLY. Add together the rollback tax rates for each type of tax the county levies. The total is the 2018 county rollback tax rate.	

SECTION 3: Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its effective and rollback tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its effective tax rate and/or rollback tax rate because it adopted the additional sales tax.

Activity	Amount/Rate
<p>41. Taxable Sales. For taxing units that adopted the sales tax in November 2017 or May 2018, enter the Comptroller's estimate of taxable sales for the previous four quarters.²⁰ Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2017, skip this line.</p>	\$0
<p>42. Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue.²¹</p> <p>Taxing units that adopted the sales tax in November 2017 or in May 2018. Multiply the amount on Line 41 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95.²²</p> <p>- or -</p> <p>Taxing units that adopted the sales tax before November 2017. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.</p>	\$0
<p>43. 2018 total taxable value. Enter the amount from Line 37 of the Rollback Tax Rate Worksheet.</p>	\$2,912,413,092
<p>44. Sales tax adjustment rate. Divide Line 42 by Line 43 and multiply by \$100.</p>	\$0.000/\$100
<p>45. 2018 effective tax rate, unadjusted for sales tax.²³ Enter the rate from Line 24 or 25, as applicable, on the Effective Tax Rate Worksheet.</p>	\$0.731/\$100
<p>46. 2018 effective tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2017 or in May 2018. Subtract Line 44 from Line 45. Skip to Line 47 if you adopted the additional sales tax before November 2017.</p>	\$0.731/\$100
<p>47. 2018 rollback tax rate, unadjusted for sales tax.²⁴ Enter the rate from Line 39 or 40, as applicable, of the Rollback Tax Rate Worksheet.</p>	\$0.771/\$100
<p>48. 2018 rollback tax rate, adjusted for sales tax. Subtract Line 44 from Line 47.</p>	\$0.771/\$100

¹⁷Tex. Tax Code Section 26.012(17)

¹⁸Tex. Tax Code Section 26.04(c)

¹⁹Tex. Tax Code Section 26.04(d)

²⁰Tex. Tax Code Section 26.041(d)

²¹Tex. Tax Code Section 26.041(i)

²²Tex. Tax Code Section 26.041(d)

²³Tex. Tax Code Section 26.04(c)

²⁴Tex. Tax Code Section 26.04(c)

SECTION 4: Additional Rollback Protection for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Additional Rollback Protection for Pollution Control Activity	Amount/Rate
49. Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ²⁵ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ²⁶	\$0
50. 2018 total taxable value. Enter the amount from Line 37 of the Rollback Tax Rate Worksheet.	\$2,912,413,092
51. Additional rate for pollution control. Divide Line 49 by Line 50 and multiply by \$100.	\$0.000/\$100
52. 2018 rollback tax rate, adjusted for pollution control. Add Line 51 to one of the following lines (as applicable): Line 39, Line 40 (counties) or Line 48 (taxing units with the additional sales tax).	\$0.771/\$100

SECTION 5: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

Effective tax rate (Line 24; line 25 for counties; or line 46 if adjusted for sales tax)	\$0.731
Rollback tax rate (Line 39; line 40 for counties; or line 48 if adjusted for sales tax)	\$0.771
Rollback tax rate adjusted for pollution control (Line 52)	\$0.771

SECTION 6: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the taxing unit.

print here Charlene Piggott

Printed Name of Taxing Unit Representative

sign here _____

Taxing Unit Representative

Date

²⁵Tex. Tax Code Section 26.045(d)

²⁶Tex. Tax Code Section 26.045(i)

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested <u>September 24, 2018</u>	<u>Appropriation</u>
Requested By: <u>Patrice Fogarty</u>	Source of Funds: <u>N/A</u>
Department: <u>City Secretary</u>	Account Number: <u>N/A</u>
Report <u> </u> Resolution: <u> X </u> Ordinance: <u> </u>	Amount Budgeted: <u>N/A</u>
Exhibit: Resolution	Amount Requested: <u>N/A</u>
	Budgeted Item: YES NO

SUMMARY & RECOMMENDATION

According to H-GAC's bylaws, the City is authorized to select one councilmember as a representative and one as an alternate to the H-GAC General Assembly and Board of Directors. H-GAC's bylaws stipulate that the representative is also the General Assembly delegate; and as such, is also designated to serve on H-GAC's Board of Directors.

The 2019 designated representatives begin their term of office the first of January.

The 2018 representative is Chuck Engelken, and the alternate is Jay Martin.

Chuck Engelken has agreed to serve again as representative; however, Jay Martin will step aside to give another councilmember an opportunity to serve as alternate.

Action Required by Council:

Consider approval or other action of a Resolution appointing one representative and one alternate to the H-GAC 2019 General Assembly and Board of Directors.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION NO. 2018 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE,
TEXAS, SELECTING A REPRESENTATIVE AND AN ALTERNATE TO
THE HOUSTON-GALVESTON AREA COUNCIL 2019 GENERAL
ASSEMBLY AND BOARD OF DIRECTORS.

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1. That the following individuals be and are hereby selected as the representative and alternate of the General Assembly of the Houston-Galveston Area Council for the year 2018:

REPRESENTATIVE: CHUCK ENGELKEN

ALTERNATE: _____

Section 2. That the hereinabove named representative and alternate are hereby selected as the representative and alternate to the Board of Directors of the Houston-Galveston Area Council for the year 2019.

Section 3. That the Executive Director of the Houston-Galveston Area Council be notified of the selection of the hereinabove named representative and alternate.

PASSED and ADOPTED this the 24th day of September, 2018.

CITY OF LA PORTE

By: _____
Louis R. Rigby
Mayor

ATTEST:

Patrice Fogarty
City Secretary



**Council Agenda Item
September 24, 2018**

9 (a) Receive report of the Fiscal Affairs Committee – Councilmember Engelken



Council Agenda Item September 24, 2018

10. ADMINISTRATIVE REPORTS

- City Council Meeting, Monday, October 8, 2018
- Planning and Zoning Commission Meeting, Thursday, October 18, 2018
- City Council Meeting, Monday, October 22, 2018
- Zoning Board of Adjustment Meeting, Thursday, October 25, 2018

11. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies. Councilmembers J. Martin, K. Martin, Kaminski, Zemanek, Bentley, Engelken, Earp, Ojeda and Mayor Rigby

12. ADJOURN
