

**NOTICE OF LA MARQUE  
PLANNING AND ZONING COMMISSION MEETING  
BY TELEPHONE CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the Planning and Zoning Commission of the City of La Marque will conduct its meeting scheduled for **Tuesday, April 20, 2021 at 4:00 PM by telephone and video conference** in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus/COVID-19. This Notice, the meeting agenda, and the agenda packet can be found online at:

<https://ci.la-marque.tx.us/AgendaCenter>

**THERE WILL BE NO PUBLIC ACCESS TO CITY HALL DURING THE  
MEETING.**

The public will be permitted to offer public comments telephonically as provided below during the meeting. A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request. You may submit comments in advance for this meeting by contacting the City Clerk's office.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE MEETING IS:

**1 (346) 248-7799**

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING:

**Meeting ID: 971 4681 6679**

Press \*6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address:

<https://zoom.us/j/97146816679>

Once you are on the website, you may need to enter the following:

**Meeting ID: 971 4681 6679**

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or [cityclerk@cityoflamarque.org](mailto:cityclerk@cityoflamarque.org) at least 48 hours prior to the meeting start time.



1111 Bayou Rd.  
La Marque, Texas 77568  
409-938-9202

**Hugh Cash - Chairperson**  
**Greg Cornett - Vice-Chairperson**  
**Douglas Wayne Hobgood - Commissioner**

**Alan Waters - Commissioner**  
**Augustino Molis - Commissioner**  
**Stephanie Gordon - Alternate**  
**Chris Colombo - Alternate**

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**CITY OF LA MARQUE**  
**PLANNING AND ZONING COMMISSION**  
**Regular Meeting**  
**AGENDA**  
**of**  
**April 20, 2021**

Notice is hereby given that the City of La Marque Planning and Zoning Commission will conduct a Regular Meeting via telephone/video conference hosted through Zoom as provided in the attached notice on Tuesday, April 20, 2021 at 4:00 p.m., for the purpose of considering and taking action on the following agenda:

**(1) CALL MEETING TO ORDER**

**(2) ROLL CALL**

**(3) PUBLIC COMMENTS**

At this time, any person who wishes to speak on any item on the agenda should speak at this time by giving the Chairperson your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.

**Press \*6 to mute or unmute if you are participating by telephone.**

**(4) REPORTS**

- a. Director's report on C-2 Restricted Commercial zoning regulation updates

**(5) PUBLIC HEARINGS**

- a. Public hearing on a preliminary report regarding amending Chapter 71, "Zoning," of the City Code of Ordinances by repealing the Thoroughfare Overlay zoning district and adopting two new commercial zoning districts entitled (c-3) Corridor Commercial and (c-4) Interstate Commercial, and adopting zoning regulations applicable to these districts

- b. Public hearing on a preliminary report regarding adoption of an amended and updated Official Zoning Map of the City of La Marque, to serve as the “master plan” pursuant to City Charter Section 10.03, and to be certified by the Mayor upon adoption pursuant to City Code Section 71-5, including the following categories of amendments: (i) parcels zoned “public” changed to either (R-1) Single-Family Residential or (C-1) General Commercial based on existing use and zoning of adjacent parcels; (ii) parcels currently in the Thoroughfare Overlay District changed to either (C-3) Corridor Commercial or (C-4) Interstate Commercial; (iii) R-1 Single Family Residential properties that front I-45 for which the owner has submitted a written request to change to a commercial zoning district are proposed to be changed to C-4 Interstate Commercial; and (iv) incorporation of previously passed zone change ordinances and clerical corrections

**(6) NEW BUSINESS**

- a. Discussion / possible action to issue a final report and provide a recommendation to City Council regarding a draft ordinance amending Chapter 71, “Zoning,” of the City Code of Ordinances by repealing the Thoroughfare Overlay zoning district and adopting two new commercial zoning districts entitled (c-3) Corridor Commercial and (c-4) Interstate Commercial, and adopting zoning regulations applicable to these districts
- b. Discussion / possible action regarding adoption of an amended and updated Official Zoning Map of the City of La Marque, to serve as the “master plan” pursuant to City Charter Section 10.03, and to be certified by the Mayor upon adoption pursuant to City Code Section 71-5

**(7) REQUESTS AND ANNOUNCEMENTS**

Requests by Commissioners for items to be placed on future Planning and Zoning agendas and announcements

**(8) ADJOURNMENT**

**CERTIFICATION:**

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas, on or before **April 16, 2021**, before 5:30 p.m.

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Robin Eldridge, TRMC  
City Clerk

**ORDINANCE NO. O-2021-00\*\***

**AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING CHAPTER 71, "ZONING," OF THE CITY CODE OF ORDINANCES BY REPEALING THE THOROUGHFARE OVERLAY ZONING DISTRICT AND ADOPTING TWO NEW COMMERCIAL ZONING DISTRICTS ENTITLED (C-3) CORRIDOR COMMERCIAL AND (C-4) INTERSTATE COMMERCIAL; ADOPTING ZONING REGULATIONS APPLICABLE TO THESE DISTRICTS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City zoning regulations currently include a Thoroughfare Overlay District that applies to the front 300 feet of any property along certain major thoroughfares;

**WHEREAS**, the Thoroughfare Overlay District did not distinguish between property fronting I-45 and property fronting other major thoroughfares;

**WHEREAS**, the proposed zoning regulations replace the Thoroughfare Overlay District with two new commercial zoning districts that promote development more specific to the type of thoroughfare on which a property is located;

**WHEREAS**, the Zoning Commission recommends these proposed changes to the zoning regulations; and

**WHEREAS**, the Zoning Commission and the City Council have conducted, in the time and manner required by law, a public hearing on the proposal to change the zoning regulations;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:**

**Section 1.** That the following Sections of Chapter 71, "Zoning," of the City of La Marque Code of Ordinances ("City Code") are hereby renumbered as follows:

Section 71-29, Residential Canal Zone, is renumbered as Section 71-13;

Section 71-13, (C-1) General Commercial, is renumbered as Section 71-14;

Section 71-14, (C-2) Restricted Commercial, is renumbered as Section 71-15;

Section 71-15 (I-1) Light Industrial, is renumbered as Section 71-18;

Section 71-16 (I-2) Heavy Industrial, is renumbered as Section 71-19;

Section 71-18, (PD) Planned Development, is renumbered as Section 71-20;

Section 71-17, (MHP) Manufactured Home Park, is renumbered as Section 71-22;

Section 71-19, (FP) Floodplain District, is renumbered as Section 71-23;

Section 71-20, Schedule of District Regulations, is renumbered as Section 71-27 and any reference to “Section 71-20” is hereby amended to refer to “Section 71-27”;

Section 71-22, Parking Space Regulations, is renumbered as Section 71-29; and

Section 71-23, Nonconforming Uses, is renumbered as Section 71-30.”

**Section 2.** Chapter 71, “Zoning” of the City Code is amended by adding Sections 71-16, “C-3 Corridor Commercial,” and 71-17, “C-4 Interstate Commercial,” that shall read as follows:

**“Sec. 71-16. - C-3 Corridor Commercial.**

- (a) *Purpose.* The C-3 district is established to accommodate those uses that are considered appropriate for major corridors within the City. Design requirements for this district are intended to enhance the appearance of these corridors and promote public and private investment in a manner that encourages unified high-quality development.
- (b) *Generally.*
  - (1) All business, servicing or processing, except for off-street parking, off-street loading and automobile service station operation, shall be conducted within completely enclosed buildings, except as otherwise provided.
  - (2) The activity and business shall be conducted within completely enclosed buildings, except for retail display yards attached to a main building and completely enclosed by masonry, wrought iron or similar fencing, not to exceed 25% of the total floor area of the main building. Wood fences and chain link shall be prohibited. except when powdercoated chain link with opaque vinyl slats with masonry columns is used.
  - (3) No use hereunder shall be permitted if said use entails storage of inoperable cars or equipment, shipping containers, or any other item storage except that provided in subsection 2, above, or accessory to a use authorized by a conditional use permit and subject to specific conditions of the conditional use permit (if a CUP has not been granted showing the storage on the site plan, storage shall not be authorized).
  - (4) All merchandise shall be sold at retail on the premises.
  - (5) Parking of trucks as an accessory use, when used in the conduct of a permitted business listed in this section, shall be limited to vehicles of not over 1½-ton capacity when located within 150 feet of a residential zoning district boundary line.

(c) *Uses permitted.* The following uses shall be permitted:

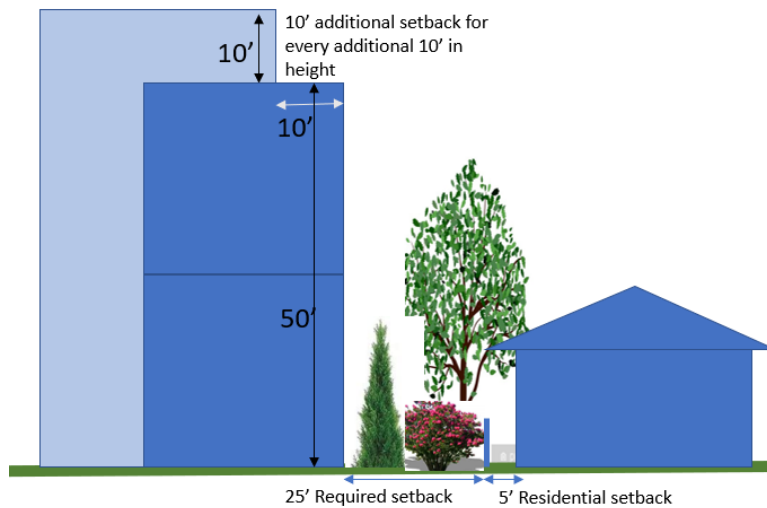
- (1) Multi-family apartment complexes, condominiums or hotels, provided the zoning lot is not less than 2 acres, the number of units is more than 50, and at least two amenities and 2 courtyards, parks or green spaces are provided (this requirement may also be met by means of continuous sidewalk accessible within 500 feet of every unit running continuously to at least two publicly usable parks); Further, these uses shall comply with the same screening, landscaping and miscellaneous requirements as those required in Section 71-17(g)-(j);
- (2) Neighborhood retail sales and service;
- (3) Business offices;
- (4) Professional offices, such as, doctors, dentists, attorneys, chiropractors, psychologists, insurance, real estate, architects, engineers, accountants, building contractors, and other similar uses;
- (5) Clinics, both medical and dental, that could include pharmaceutical sales, provided that such pharmacies are complementary to the primary clinic use of the structure. Other similar medical or dental, diagnostic or therapeutic facilities (except residences) are permitted;
- (6) Bakeries, cafes, confectioneries, ice cream shops, and restaurants that prepare foodstuffs for onsite retail sale only;
- (7) Automobile parking lots and structures, if accessory to a primary use;
- (8) Other neighborhood retail sales or service uses, which are similar in character to those enumerated above, and which will not be dangerous or otherwise detrimental to persons residing or working in the vicinity thereof, or to the public welfare, and will not impair the use, enjoyment or value of any property;
- (9) Churches;
- (10) Public utility and public service uses;
- (11) Printer;
- (12) Antique shops;
- (13) Art galleries and museums;
- (14) Banks and financial institutions;
- (15) Camera and photographic supply stores;
- (16) Coin and philatelic stores;
- (17) Department stores;
- (18) Grocery stores;

- (19) Florist shops and conservatories;
- (20) Furniture stores;
- (21) Travel bureaus and transportation ticket offices;
- (22) Household appliance stores including sales and services;
- (23) Leather goods and luggage stores;
- (24) Loan offices;
- (25) Musical instruments sales and repair; office supply stores; optical sales;
- (26) Physical culture and health services and reducing salons;
- (27) Picture framing;
- (28) Sporting goods stores;
- (29) Tailor shops;
- (30) Theaters, indoor and outdoor;
- (31) Trade Schools, private testing centers, and learning service providers;
- (32) China and glassware stores;
- (33) Clothing and costume rental stores;
- (34) Employment agencies;
- (35) Upholstery shops;
- (36) Water softener sales and services;
- (37) Indoor boat and RV storage facilities, provided all storage is within enclosed and roofed buildings only
- (38) Drycleaners;
- (39) Recreational vehicle parks;
- (40) Auto body operations;
- (41) Automobile accessory stores;
- (42) Automobile service stations;
- (43) Blueprinting and photostatting establishments;
- (44) Business machine sales and service establishments;
- (45) Carpet and rug stores;
- (46) Catering establishments;
- (47) Theaters, lodges, assembly halls, auditoriums;

- (48) Tire repair shops;
- (49) Commercial recreation uses, including bowling alleys, arcades, golf driving ranges, gymnasiums, miniature golf courses, pool halls, swimming pools and skating rinks;
- (50) Package distribution facilities;
- (51) Interior decorating shops, including upholstering and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operation and secondary to the principal use;
- (52) Paint and wallpaper stores;
- (53) Phonograph, record, sound equipment and sheet music stores;
- (54) Schools for music, dance, business or trade;
- (55) Other retail sales and service uses which are similar in character to those enumerated in this subsection, and which will not be dangerous or otherwise detrimental to persons residing at, or enjoyment, or value of, any property, but not including any of the following uses:
  - a. Any use permitted only in an I-1 or I-2 district;
  - b. Manufacturing and processing other than an accessory use customarily incidental to permitted commercial sales and service uses; or
  - c. Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration or noise, or which may impose hazard to health or property.
- (d) *Conditional uses.* The following conditional uses may be allowed in the C-3 district subject to the provisions of section 71-6.
  - (1) Dwelling units exceeding a total gross floor area of 5,000 square feet of dwelling units and located on the second floor or above the ground floor of a commercial building.
  - (2) Any use permitted only in an C-1 district, provided that the lot shall be not less than two acres, is not adjacent to any residential zoning district, and complies with the same screening, landscaping and miscellaneous requirements as those required in Section 71-16(g)-(j).
- (e) *Area; yard; and lot coverage requirement.* The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), and maximum percent of lot coverage, as pertains to this district, shall conform with the provisions of section 71-27, schedule of district regulations, and other applicable provisions of section 71-21 Supplementary district regulations.



- (f) **Height.** Height of buildings shall be limited to 50' plus an additional 10' of allowed height for every additional 10' of setback provided from the nearest property line beyond the required setback in section 71-27; provided, however: (i) required residential landscaping and screening buffers shall not be treated as providing additional setback; and (ii) where landscaping and screening buffers are required due to adjacent residential uses or zoning districts, additional setbacks provided to increase allowed building height shall be measured from the nearest required screening or landscaping buffer inner edge. Height limitations shall not apply to decorative elements of buildings that do not include any air conditioned floorspace.



- (g) **Automobile parking space regulations.** For parking space regulations, see section 71-22.

#### **Sec. 71-17. - C-4 Interstate Commercial.**

- (a) **Purpose.** The C-4 district is established to provide for more intense non-residential mixed-use development that provides a pedestrian oriented environment. The district is intended to include uses such as retail, commercial, professional offices, entertainment, hospitality, and service businesses for both the City and the region that benefit from location along Interstate Highway 45 (IH-45) and service the community. The purpose of this zoning category is to guide new development and redevelopment along the IH-45 by establishing enhanced standards that increase the quality of development and minimize impacts on abutting residential uses.
- (b) **Generally.**
- (1) All business, servicing or processing, except for off-street parking, off-street loading and automobile service station operation, shall be conducted within completely enclosed buildings, except as otherwise provided.

- (2) The activity and business shall be conducted within completely enclosed buildings, except for retail display yards attached to a main building and completely enclosed by masonry, wrought iron or similar fencing, not to exceed 25% of the total floor area of the main building. Wood fences and chain link shall be prohibited.
  - (3) No use hereunder shall be permitted if said use entails storage of inoperable cars or equipment, shipping containers, or any other item storage except that provided in subsection 2, above.
  - (4) All merchandise shall be sold at retail on the premises.
- (c) *Uses permitted.* The following uses shall be permitted:
- (1) Unified Business Development, which shall include only: (i) mixed commercial and residential uses that are master-planned as a consistent and integrated development, as shown by development under the same General Plan or on the same tract; (ii) development including pedestrian sidewalks or walkways throughout; (iii) a minimum area of development of five (5) contiguous acres; and (iv) development that involves more than ten thousand (10,000) square feet of new or refurbished building floor area that consists of a combination of two (2) or more principal uses (in addition to multi-family apartment complexes, condominiums or hotels). Unified Business Development may not include: (i) uses with only drive-in or drive-through facilities (e.g., banks, dry cleaners, pharmacies, restaurants, etc.); (ii) uses (ii) Vending kiosk/automated teller machine (ATM) that are not attached to or within the interior of a building (i.e. ATM's cannot be in a stand-alone structure intended solely for housing one or more ATMs).
  - (2) Multi-family apartment complexes, condominiums or hotels, provided the use is part of a Unified Business Development is does not exceed 40% of the development, the number of units is more than 50, and at least two amenities and 2 courtyards, parks or green spaces are provided (this requirement may also be met by means of continuous sidewalk accessible within 500 feet of every unit running continuously to at least two publicly usable parks);
  - (3) Department and grocery stores;
  - (4) Neighborhood retail sales and service, not including sales of vehicles, trailers or heavy equipment of any kind;
  - (5) Business offices;
  - (6) Professional offices, such as, doctors, dentists, attorneys, chiropractors, psychologists, insurance, real estate, architects, engineers, accountants, building contractors, and other similar uses;

- (7) Clinics, both medical and dental, that could include pharmaceutical sales, provided that such pharmacies are complementary to the primary clinic use of the structure. Other similar medical or dental, diagnostic or therapeutic facilities (except residences) are permitted;
- (8) Bakeries, cafes, confectioneries, ice cream shops, and restaurants that prepare foodstuffs for onsite retail sale only;
- (9) Automobile parking lots and structures if accessory to a primary use and used for customer and employee parking only;
- (10) Banks and financial institutions;
- (11) Musical instruments sales and repair; office supply stores; optical sales;
- (12) Florist shops and conservatories;
- (13) Picture framing;
- (14) Sporting goods stores;
- (15) Tailor shops;
- (16) Indoor theaters;
- (17) Travel bureaus and transportation ticket offices;
- (18) Trade Schools, private testing centers, and learning service providers;
- (19) Automobile service stations, provided that in addition to parking requirements for a particular use, additional parking equal to three times the number of service bays is provided;
- (20) Carpet and rug stores;
- (21) Catering establishments;
- (22) China and glassware stores;
- (23) Clothing and costume rental stores;
- (24) Employment agencies;
- (25) Interior decorating shops, including upholstering and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operation and secondary to the principal use;
- (26) Paint and wallpaper stores;
- (27) Schools for music, dance, business or trade;
- (28) Water softener sales and services;

- (29) Commercial recreation uses, including bowling alleys, arcades, golf driving ranges, gymnasiums, miniature golf courses, pool halls, swimming pools and skating rinks;
- (30) Other retail sales and service uses which are similar in character to those enumerated in this subsection, and which will not be dangerous or otherwise detrimental to persons residing at, or enjoyment, or value of, any property, but not including any of the following uses:
  - a. Any use permitted only in an I-1 or I-2 district;
  - b. Manufacturing and processing other than an accessory use customarily incidental to permitted commercial sales and service uses; or
  - c. Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration or noise, or which may impose hazard to health or property.
- (d) *Conditional uses. Conditional uses.* The following conditional uses may be allowed in the C-4 district subject to the provisions of section 71-6.
  - (1) Any use permitted in the C-3 zoning district without requiring a conditional use permit, provided that the lot shall be not less than five acres and complies with the same screening, landscaping and miscellaneous requirements as those required in Section 71-16(g)-(j).
- (e) *Area; yard; and lot coverage requirement.* The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of section 71-27, schedule of district regulations, and other applicable provisions of section 71-21, Supplementary district regulations.
- (f) *Height.* Height of buildings shall be limited to 50' plus an additional 10' of allowed height for every additional 10' of setback provided from the nearest property line beyond the required setback in section 71-27; provided, however:
  - (i) required residential landscaping and screening buffers shall not be treated as providing additional setback; and
  - (ii) where landscaping and screening buffers are required due to adjacent residential uses or zoning districts, additional setbacks provided to increase allowed building height shall be measured from the nearest required screening or landscaping buffer inner edge. Height limitations shall not apply to decorative elements of buildings that do not include any air conditioned floorspace.
- (g) *Screening requirements.*
  - (1) Outside storage shall be screened on all sides by a solid opaque brick or stone wall of not less than six feet in height measured at the highest finished grade, constructed in accordance with general design standards of the city.

- (2) Trash receptacle shall be visually screened on three sides by a solid, opaque brick or stone wall not less than six feet in height, measured at the highest finished grade. The height of the trash receptacle shall not exceed the height of the screening. Screening shall not be required on the side used for access by garbage collection services. Such side shall not face less than 45 degrees from any adjacent street. Trash receptacles already enclosed by a solid, opaque brick or stone wall of at least six feet in height measured at the highest finished grade shall not be required to provide additional screening.
- (3) Any fencing, required or otherwise shall be a solid, brick or stone wall or wrought iron wall of not more than eight feet in height, measured at the highest finished grade.
- (4) Roof mounted equipment including but not limited to, storage tanks, compressor units, satellite dishes, vent stacks greater than four inches in diameter, and elevator machinery, shall be integrated into the building design and screened from view from the adjacent streets and public facilities. Rooftop screening shall use building materials similar to the facade of the building to which such items are located, to create a smooth, clean, integrated appearance. For purposes of this section, a highway or interstate frontage road shall be designated as an adjacent street. Any existing building or structure which becomes diminished 50 percent or more in assessed value due to fire, storms or other calamity shall, if rebuilt or repaired, be done so in compliance with this section.

(h) *Landscaping requirements.*

- (1) Front yard landscaping for non-residential and multifamily developments shall be required. A minimum of one shade tree (minimum diameter of two-inch caliper measured at six inches above ground level at the time of planting) shall be planted for each 30 linear feet of landscape buffer. A minimum of ten shrubs (a minimum of three feet tall at the time of planting) shall be planted for each 30 linear feet of landscape buffer. All other areas within the landscape buffer shall be covered with grass, or another solid vegetative cover approved at the time of site plan approval.
- (2) Landscaping shall be required to screen the parking areas along major thoroughfares and collectors when nonresidential parking areas are located on the nonresidential lot such that they are adjacent to such roadways (i.e., there is no building between the parking area and the lot line adjacent to the roadway). In such cases, parking areas should be screened by a continuous hedge of shrubs that are maintained at a height of no more than thirty-six inches (36") nor less than twenty-four inches (24") as measured from the surrounding soil line and at a minimum thirty-six inch (36") spacing.

- (3) A minimum of one shade tree (minimum diameter of two-inch caliper measured at six inches above ground level at the time of planting) shall be planted for every fifty (50) parking spaces. Each tree shall be planted on an island that is a minimum dimension of six (6) feet.
- (i) *Buffer requirements.* A nonresidential or multifamily use adjacent to a single-family use or zone shall provide a minimum twenty (20) feet landscape buffer adjacent to the property line of the residential use or residentially zoned property. A nonresidential use that is adjacent to a multifamily development shall provide a minimum of ten-foot landscape buffer adjacent to the property line of such residential use or residentially used property. Industrial uses shall be required to install a 40-foot buffer when adjacent to all residential uses or zones (R-1, R-2, and R-3 properties).

In addition to the above-mentioned landscaping, a six-foot solid masonry (brick, stone, precast concrete or similar) screening fence shall be provided behind the landscaping buffer that abuts residential uses and zones.

- (j) *Miscellaneous requirements.*
  - (1) All areas used for outside display or storage in conjunction with any use involving storage or display of motor vehicles, manufactured homes, trailers or boats, regardless of whether such areas are screened from public view, shall have a concrete surface, constructed in accordance with the standards prescribed by the city.
  - (2) All utilities within 200 feet of the property line, which will serve parcel, shall be installed underground, except for any transmission line or feeder lines, either existing or proposed; provided that, such transmission or feeder lines shall be located within a designated paved easement or alleyway provided by the property owner.
  - (3) Any renovation of an existing building or structure which adds 50 percent or more of either: (i) assessed value to such building or structure as shown by the Galveston County Appraisal District, or (ii) 30% more floor area to such building or structure, shall be in compliance with this section, including compliance of the parcel with all landscaping, fencing and screening requirements.
  - (4) Landscaping shall cover a minimum of 15 percent of the of the total land area of any property.
  - (5) Structures regardless of structure height, shall meet the following masonry requirements: 100 percent of the total exterior walls, front and side walls, which may be seen from any public thoroughfare, excluding doors, windows and window walls, shall be constructed of brick, stone, masonry or precast concrete panels.
  - (6) Requirements in Section 71-27. - Schedule of district regulations, will apply, unless otherwise stated herein.

(k) *Monument sign regulations.*

In the C-4 Interstate Commercial Zoning District only, notwithstanding Section 71-28 of the City Code, monument signs, defined as on-premises signs with width of the base not less than 50% width of the sign face (signs may have two supports where the combined width of the supports is not less than 50% of the width of sign face) meeting all of the following requirements are authorized within the C-4 zoning district:

- (1) Maximum effective sign area shall be 160 square feet for multi-tenant (2 or more tenants) or 100 square feet for single tenant (Excludes area of the sign base);
- (2) Maximum number of monument signs shall be one per 500 feet of street frontage, plus 1 for each additional 125 feet of frontage (Sites with multiple street frontage shall be permitted one (1) sign per street frontage; Sites with multiple tenants may have one multiple tenant sign per 500 feet of street frontage, plus 1 for each additional 125 feet of frontage, in addition to one ground monument sign per tenant every 125 feet of street frontage);
- (3) Sign base shall be a minimum 2' tall and sign bases may not be used as effective sign area or for advertising of any kind;
- (4) Maximum sign height for a monument sign shall be 25 feet for single tenant and 55 feet for multi-tenant monument signs as measured from the ground;
- (5) Monument signs shall be surrounded by a landscape bed(s) that extend a minimum of three feet (3') from the base of the ground structure of the sign;
- (6) Minimum sign setback shall be 10 feet (measured from the nearer of the property line or right-of-way line of the street the sign is facing);
- (7) A monument sign may not be located within 50 feet of any another freestanding sign on another premises;
- (8) A monument sign may not be located within 125 feet of another freestanding sign on the same premises;
- (9) A monument sign may not be placed or located within the public Right-of-Way unless the City gives its written consent to the encroachment;
- (10) The use of "project identification" signs in the form of monument signs are encouraged; the effective sign area of the project identification language shall be exempt from the maximum effective sign face area limitation, provided the project identification language is the same language and font appearing at least 3 times on a parcel or adjacent parcels of two acres or more; and
- (11) All monument signs, including the base, must be designed and constructed to substantially appear as a solid mass, such as a cylinder, block, rectangle, or square, from ground level to the highest portion of the sign excluding the base. All monument signs, including the base, must be made of masonry, metal, routed wood planks or beams, or durable plastic; provided, however:

- (12) Unified business developments that meet the requirements of Section 71-17(c) shall be exempt from the maximum effective sign face area and distance limitations of this Subsection 71-17(k) under the following conditions: (i) approval of a general plan, pursuant to Chapter 41, Article IV, that includes a detailed sign plan; (i) the detailed sign plan approved with the general plan includes dimensions for all monument sign locations, sign face areas, and height; (ii) the monument signs do not exceed the height limitations provided in this Subsection 71-17(k); and (iii) the combined effective sign face area for the entire detailed sign plan (excluding the sign face area of billboard signs and signs that are not freestanding, i.e., are attached to a building) shall not exceed 40 square feet per acre of development included in the unified business development.
- (l) *Billboard sign regulations.*  
In the C-4 Interstate Commercial Zoning District only, notwithstanding Section 71-28 of the City Code, an existing off-premises or on-premise billboard sign shall be authorized for use in its current location or relocation to or within the C-4 zoning district, provided the sign meets the following regulations:
- (1) The existing billboard sign is currently located on a parcel in the C-4 zoning district;
  - (2) The billboard sign is located or proposed to be relocated to a point at least 2,000 feet from any other billboard sign;
  - (3) The maximum effective sign area for a billboard sign shall be the large of the existing billboard sign face or 600 square feet;
  - (4) A billboard sign base shall be a minimum 60' tall and sign bases may not be used as effective sign area or for advertising of any kind;
  - (5) Maximum billboard sign height shall be 100 feet measured from the ground;
  - (6) Billboard signs shall be surrounded by a landscape bed(s) that extend a minimum of three feet (3') from the base of the ground sign structure;
  - (7) Minimum sign setback shall be 10 feet (measured from the nearer of the property line or right-of-way line of the street the sign is facing);
  - (8) A billboard sign may not be located within 125 feet of any monument sign; and
  - (9) A billboard sign may not be placed or located within the public right-of-way unless the City gives its written consent to the encroachment.
- (n) *All other sign regulations for C-4 Interstate Commercial Zoning District.*  
All signs other than freestanding signs, including signs attached to buildings, shall comply with Section 71-28. Signs partially attached to a building shall not be permitted."

**Section 3.** Section 71-27, "Schedule of District Regulations," of the City Code is amended to read as follows:



“Sec 71-27. - Schedule of district regulations.

|                                                            | AG      | R-1   | R-2   | R-3   | C-1 | C-2 | C-3   | C-4   | I-1   | I-2   | MH    |
|------------------------------------------------------------|---------|-------|-------|-------|-----|-----|-------|-------|-------|-------|-------|
| Maximum height (ft.)                                       | 50      | 35    | 45    | 45    | 50  | 40  | 50*   | 50*   | 50    | 50    | 35    |
| Minimum side yard (ft.)                                    | 10      | 5*    | 5*    | 5*    | 5   | 5   | 5**   | 5**   | 5     | 5     | 5     |
| Minimum rear yard (ft.)                                    | 10      | 10    | 10    | 10    | 10  | 10  | 10**  | 10**  | 10    | 10    | 10    |
| Minimum front yard (ft.)                                   | 20      | 20    | 20    | 20    | 20  | 20  | 30*** | 40*** | 20    | 20    | 20    |
| Minimum lot area (sq. ft.)                                 | 2 acres | 6,000 | 7,500 | 7,500 | A   | A   | 7,500 | 7,500 | 6,000 | 6,000 | 6,000 |
| Minimum building size (sq. ft.)                            | 1,000   | 1,000 | B     | B     | NA  | NA  | 1,000 | 1,000 | NA    | NA    | 6,000 |
| Masonry and roofing                                        | NA      | C     | C     | C     | NA  | C   | NA    | C     | NA    | NA    | NA    |
| Minimum lot width (ft.)                                    | 60      | 60    | 60    | 60    | A   | 60  | 60    | 60    | A     | A     | D     |
| Minimum lot depth (ft.)                                    | 120     | 120   | 120   | 120   | A   | 120 | 120   | 120   | A     | A     | D     |
| Maximum lot coverage by buildings and impervious cover (%) | A       | 75    | 75    | 75    | A   | A   | 75    | 75    | A     | A     | 75    |

Notes:

- A None required except where a nonresidential use abuts a residential lot the requirement shall be the same as the adjoining residential zone and shall comply with visibility and parking requirements as provided within this chapter.
- B Minimum building size shall be for one bedroom unit: 650 square feet; two bedroom: 780 square feet; three bedroom: 930 square feet.
- C Masonry requirements shall mean the entire front facade (wall) for non-corner lots and the two street-facing facades for corner lots; provided, however, the exterior of additions and/or modifications to existing single-family residential structures and accessory buildings to such structures shall consist of materials consistent with the exterior of the existing structure. “Masonry” shall include brick, stone, glass, including concrete or similar façade materials that mimic brick or stone.
- D The requirements of Chapter 41, Article II, shall apply.

- \* Plus an additional 10' of allowed height for every additional 10' of setback provided from the nearest property line beyond the required setback, subject to Section 71-16 or 71-17, as applicable for the zoning district.
- \*\* Subject to the buffer requirements of Section 71-16 or 71-17, as applicable for the zoning district.
- \*\*\* Provided, however, this setback may be reduced to 20 feet if a 10-foot landscape buffer is provided at or near the front property line."

**Section 4. Penalty.** As provided in Section 71-3 of the City Code, Any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements t hereof, or who shall erect or alter any buil ding, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved t hereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor , and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be subject to the penalties herein provided.

**Section 5. Repeal.** This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

**Section 6. Severability.** In the event any clause, phrase, provision, sentence) or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 7. Publication and Effective Date.** This ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

**PASSED, AND APPROVED** by the City Council of the City of La Marque on First Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2021; and

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of La Marque on Second and Final Reading this \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF LA MARQUE, TEXAS**

\_\_\_\_\_  
Keith Bell, Mayor

**ATTEST:**

\_\_\_\_\_  
Robin Eldridge, TRMC, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Derra Leigh Purnell, City Attorney

**ORDINANCE NO. O-2021-00\*\***

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING THE CITY'S ZONING MAP, MASTER PLAN AND COMPREHENSIVE PLAN BY ADOPTING AN AMENDED AND UPDATED OFFICIAL ZONING MAP OF THE CITY OF LA MARQUE, TO SERVE AS THE "MASTER PLAN" PURSUANT TO CITY CHARTER SECTION 10.03, AND TO BE CERTIFIED BY THE MAYOR UPON ADOPTION PURSUANT TO CITY CODE SECTION 71-5; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, Chapter 211 of the Texas Local Government Code and Chapter 71 of the City Code contemplate that cities may adopt new zoning maps from time to time;

**WHEREAS**, the proposed zoning map contains large-scale updates, including the following categories of amendments: (i) parcels zoned "public" changed to either (R-1) Single-family residential or (C-1) General Commercial based on existing use and zoning of adjacent parcels; (ii) parcels currently in the Thoroughfare Overlay District changed to either (C-3) Corridor Commercial or (C-4) Interstate Commercial; (iii) R-1 Single-family Residential properties that front I-45 for which the owner has submitted a written request to change to a commercial zoning district are proposed to be changed to (C-4) Interstate Commercial; and (iv) incorporation of previously passed zone change ordinances and clerical corrections

**WHEREAS**, the Zoning Commission and the City Council have conducted, in the time and manner required by law, a public hearing on the proposed zoning map of the City of La Marque;

**WHEREAS**, notice of public hearing was published in the newspaper and the notice and proposed zoning map were posted on the City's website as prescribed by Ordinance for large-scale zoning map updates;

**WHEREAS**, the Zoning Commission recommended approval of the proposed zoning map; and

**WHEREAS**, the City Council finds that the proposed zoning map is consistent with the City's comprehensive plan, and, to the extent of any inconsistencies, that the comprehensive plan and master plan of the City should be amended to conform with the proposed zoning map;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:**

**Section 1.** That the official zoning map of the City, pursuant to Section 71-5 of the City Code, is hereby amended and replaced with the zoning map, attached as Exhibit A to this Ordinance and incorporated by reference for all purposes, (the "Zoning Map").

**Section 2. Comprehensive Plan.** The City's comprehensive plan is amended in accordance with this Ordinance, and, to the extent of any conflict between the the comprehensive plan and the Zoning Map, the comprehensive plan shall be amended to conform with the Zoning Map.

**Section 3.** **Master Plan.** The Zoning Map is hereby adopted as a part of the Master Plan, pursuant to Section 10.03 of the City Charter. Further, the City's master plan is amended in accordance with this Ordinance, and, to the extent of any conflict between the the master plan and the Zoning Map, the master plan shall be amended to conform with the Zoning Map..

**Section 4.** **Certification as Official Zoning Map.** The Mayor is hereby authorized and directed to sign and certify two official copies of the Zoning Map in the following manner:

"This is to certify that this is the official zoning map adopted as part of Ordinance No. 953, as amended and codified in Chapter 71 of the City of La Marque Code of Ordinances, of the City of La Marque, Texas."

Further, the City Clerk is authorized and directed to attest to the Mayor's signature and provide the City seal on at least two copies official copies of the Zoning Map, one of which shall remain in the City Clerk's records and shall be retained permanently. The second official copy shall be

**Section 5.** **Penalty.** As provided in Section 71-3 of the City Code, Any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements t hereof, or who shall erect or alter any buil ding, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved t hereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor , and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be subject to the penalties herein provided.

**Section 6.** **Repeal.** This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

**Section 7.** **Severability.** In the event any clause, phrase, provision, sentence) or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 8.** **Publication and Effective Date.** This ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

**PASSED, AND APPROVED** by the City Council of the City of La Marque on First Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2021; and

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of La Marque on Second and Final Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF LA MARQUE, TEXAS**

\_\_\_\_\_  
Keith Bell, Mayor

**ATTEST:**

\_\_\_\_\_  
Robin Eldridge, TRMC, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Derra Leigh Purnell, City Attorney

# Exhibit "A"

