

ORDINANCE NO. 2016-20

AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING CHAPTER 50 (ZONING) OF THE CODE OF ORDINANCES BY AMENDING SECTION 50-82(B) (“USE CHARTS”) IN REGARDS TO THE LAND USES “CHECK CASHING SERVICE”, “CONVENIENCE STORE (WITH OR WITHOUT GASOLINE SALES)”, “GASOLINE STATION”, “HOTEL/MOTEL”, “REHABILITATION CARE FACILITY (HALFWAY HOUSE)”, “TATTOO OR BODY PIERCING STUDIO” AND BY ADDING “LOAN SERVICE (PAYDAY / AUTO TITLE)” AND AMENDING SECTION 50-2 (“DEFINITIONS”) IN REGARDS TO THE LAND USE “HOTEL/MOTEL”; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF, MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

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WHEREAS, the City of Tomball has requested that Chapter 50 (Zoning) of the Code of Ordinances be amended;

WHEREAS, the Planning & Zoning Commission and the City Council of the City of Tomball, Texas, have published notice and conducted public hearings regarding the request to amend Chapter 50 (Zoning) of the Code of Ordinances;

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

Whereas, the Planning & Zoning Commission recommended in its final report that City Council approve amendments to Chapter 50 (Zoning) of the Code of Ordinances; and

Whereas, the City Council deems it appropriate to grant the amendments to Chapter 50 (Zoning) of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, THAT:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. Section 50-82(b) (Use Charts) of the Code of Ordinances is hereby amended by adding the following:

Land Use Type	Residential							Nonresidential				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Personal and Business													
Check cashing service									C	C	-	-	1 space per 100 square feet

Land Use Type	Residential							Nonresidential				OT&MU	Parking Ratio	
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI			
Retail														
Convenience store (with or without gasoline sales) ‡									C	P	P	P	C	See Section 50-112

Land Use Type	Residential							Nonresidential				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Transportation and Auto Services													
Gasoline station									P	P	P	-	See Section 50-112

Land Use Type	Residential							Nonresidential				OT&MU	Parking Ratio	
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI			
Personal and Business														
Hotel ‡									P	P			C	See Section 50-112
Motel ‡										C			C	See Section 50-112

Land Use Type	Residential							Nonresidential				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Personal and Business													
Rehabilitation care facility (halfway house) ‡	C	C	C	C	C	C	C	C	P	P	P	C	Greater of 1 per three beds or 1.5 spaces per dwelling

Land Use Type	Residential							Nonresidential				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Personal and Business													
Tattoo or body piercing studio ‡									-	C			1 space per 200 square feet
Land Use Type	Residential							Nonresidential				OT&MU	Parking Ratio
	AG	SF-20	SF-9	SF-6	D	MF	MHP	O	GR	C	LI		
Personal and Business													
Loan service (payday/auto title)									C	C			1 space per 100 square feet

Section 3. Section 50-2 (Definitions) of the Code of Ordinances is hereby amended by adding the following:

1. *Hotel* means a facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, housekeeping service and recreational facilities. The term “guest room” shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee. A hotel must also meet the following requirements:
 - a. Guest rooms must be accessible only through interior corridors;
 - b. Entrance through exterior doors must be secured and accessible only to guest and employees
 - c. Hotel management must be on-site 24 hours each day
 - d. Prohibit overnight parking of trucks with more than two axles in hotel’s parking areas;
 - e. Must contain at least three of the following amenities:
 - i. A minimum of 300 square feet of dedicated meeting and event facilities;
 - ii. A restaurant, eating or social area accessible through the interior of the hotel that offers food or food options and seating for at least 30 patrons during industry standard dining hours;
 - iii. Swimming pool; or
 - iv. Fitness center.
2. *Motel* means a building or group of buildings in which temporary lodging accommodations or guest rooms are offered at a daily rate to the general public. If a proposed business does not meet the “hotel” definition, it will be defaulted as “motel”.

Section 5. Chapter 50 (Zoning) of the Code of Ordinances shall be revised and amended as indicated above.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any other provision of Chapter 50 (Zoning) of the Code of Ordinances except as indicated above.

Section 7. In the event any section, paragraph, subdivision, clause, phrase, provision,

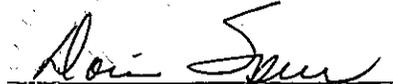
COUNCILMAN TOWNSEND
COUNCILMAN QUINN

AYE
AYE



Gretchen Fagan, Mayor

ATTEST:



Doris Speer, City Secretary