

ORDINANCE NO. 13,762

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, AMENDING APPENDIX A "UNIFIED LAND DEVELOPMENT CODE," ARTICLE II "USE DISTRICTS," DIVISION 3 "LAND USE TABLES AND CONDITIONS," SECTION 2.09 "LAND USE TABLES," TABLE 2-2 "NON-RESIDENTIAL USES"; SECTION 2.10 "LAND USE CONDITIONS," SUBSECTION A "NON-RESIDENTIAL CATEGORIES," ITEM 13 "EXTENDED STAY HOTELS"; ARTICLE IV "DEFINITIONS" OF THE CODE OF ORDINANCES, BAYTOWN, TEXAS, TO CHANGE THE DEFINITION AND ESTABLISH CONDITIONS FOR HOTEL, TO REMOVE THE DEFINITION AND USE OF AN "EXTENDED STAY MOTEL," TO REMOVE "MOTEL" FROM THE USE TABLE AND TO REMOVE HOTEL FROM THE LI ZONING DISTRICT; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; PRESCRIBING A MAXIMUM PENALTY OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00); AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That Appendix A "Unified Land Development Code," Article II "Use Districts" Division 3 "Land Use Tables and Conditions," Section 2.09 "Land Use Tables," Table 2-2 "Non-residential uses," "Extended stay motel" of the Code of Ordinances, Baytown, Texas, is hereby deleted from the table and "Hotels and motels" is hereby amended to read as follows:

APPENDIX A. UNIFIED LAND DEVELOPMENT CODE

ARTICLE II. USE DISTRICTS

DIVISION 3. LAND USE TABLES AND CONDITIONS

Sec. 2.09. Land use tables.

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Table 2-2. Non-residential uses.

USES	MU	NSC	ACE	GC	LC	LI	III	COND REF
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Hotel	PC		PC	PC	PC			A13
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Section 2: That Appendix A "Unified Land Development Code," Article II "Use Districts" Division 3 "Land Use Tables and Conditions," Section 2.10 "Land Use Conditions," Subsection A "Non-residential categories," Item 13 "Extended stay motels" of the Code of Ordinances, Baytown, Texas, is hereby amended to read as follows:

APPENDIX A. UNIFIED LAND DEVELOPMENT CODE

ARTICLE II. USE DISTRICTS

DIVISION 3. LAND USE TABLES AND CONDITIONS


Sec. 2.10 Land use conditions.

This section sets forth the conditions associated with identified land uses in section 2.05. The conditions expressed in the use table are cumulative of applicable conditions contained elsewhere in the Code.

Land Use	Applicable Zoning District	Conditions
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A. Non-Residential Categories

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		GC, ACE, MU, LC	Hotels shall be located on property that is at least one acre in size.													
13	Hotel	GC, ACE, MU, LC	Interior Access A hotel shall (i) only permit controlled access to rooms via a lobby and interior hallways; and (ii) include place(s) of assembly, including but not limited, to, spa room, fitness room, game room and/or cocktail lounge with a combined minimum of 2,000 square feet.													
		GC, MU	Exterior Access A hotel with primary access to rooms from the exterior of the building shall: (i) only apply to hotel uses within the area within the following boundaries <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Boundary</th> <th>Roadway</th> <th>Boundary Edge</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>State Highway 146</td> <td>south side</td> </tr> <tr> <td>East</td> <td>Alexander Drive</td> <td>rear property line of properties having frontage on the east side of Alexander Drive</td> </tr> <tr> <td>South</td> <td>W. Main Street</td> <td>rear property line of properties having frontage on the east side of Alexander Drive</td> </tr> <tr> <td>West</td> <td>State Highway 146</td> <td>east side</td> </tr> </tbody> </table> <p>which boundaries are depicted as follows:</p> <div style="text-align: center;">  </div> <p>and (ii) only be permitted along building facades that do not front on a public street; and be subject to the installation of a transition buffer as prescribed in Chapter 18, Section 18-1206.5 along the property lines where facades with exterior room access are adjacent to residential zoning districts.</p>	Boundary	Roadway	Boundary Edge	North	State Highway 146	south side	East	Alexander Drive	rear property line of properties having frontage on the east side of Alexander Drive	South	W. Main Street	rear property line of properties having frontage on the east side of Alexander Drive	West
Boundary	Roadway	Boundary Edge														
North	State Highway 146	south side														
East	Alexander Drive	rear property line of properties having frontage on the east side of Alexander Drive														
South	W. Main Street	rear property line of properties having frontage on the east side of Alexander Drive														
West	State Highway 146	east side														

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Section 3: That Appendix A “Unified Land Development Code,” Article IV “Definitions” of the Code of Ordinances, Baytown, Texas, is hereby amended to delete the definition of “extended stay hotel” and to amend the definition of “hotel and motel,” to remove “motel” and to amend the definition of “hotel,” which definitions shall read as follows:

APPENDIX A. UNIFIED LAND DEVELOPMENT CODE

ARTICLE IV. DEFINITIONS

The following words, terms and phrases, when used in this ULDC, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

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Hotel means a building with habitable suites/rooms for temporary occupancy by guest(s) who rent the suites/rooms on a daily basis. This term excludes rooming house or boarding house.

Section 4: Any person who fails to comply with any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty prescribed above, the city may pursue other remedies, such as abatement of nuisances, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: 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. In all other respects, this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6: If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void, or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances; and to this end, all provisions of this ordinance are declared to be severable.

Section 7: This ordinance shall take effect from and after ten (10) days from its passage by the City Council. The City Clerk is hereby directed to give notice hereof by causing the caption of this ordinance to be published in the official newspaper of the City of Baytown at least twice within ten (10) days after passage of this ordinance.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown, this the 10th day of May, 2018.


STEPHEN H. DONCARLOS, Mayor

ATTEST:


LETICIA BRYSCH, City Clerk



APPROVED AS TO FORM:


IGNACIO RAMIREZ, SR., City Attorney