



## 22ZA-002

## STAFF REPORT

**APPLICANT:**

Development Services  
Department

**REQUEST:**

Text Amendment

**APPLICABLE ZONING LAND USE**

**REGULATIONS:**

Article 2, Uses and Supplemental  
Standards  
Article 14: Definitions

**PROPOSED TEXT AMENDMENT:**

Same as above

**EXHIBITS:**

A – Comparison of Existing  
Regulations  
B – LDR Text Amendments

**STAFF:**

Catherine Gorman, AICP  
Assistant Director/HPO  
409-797-3665  
cgorman@galvestontx.gov



# LAND DEVELOPMENT REGULATIONS of 2015

**Executive Summary:**

Staff is proposing several text amendments related to golf carts in order to reduce confusion and provide more uniform regulation of golf cart businesses.

Currently, the Land Development Regulations has a land use of “Golf Cart, Sales and Service” which has the following definition:

*Golf Carts, Sales and Service means a facility for the sale and repair of golf carts, a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course. Gasoline powered golf carts are to remain in all auto oriented uses.*

The above land use does not include the rental of golf carts. Due to the fact that the current “Golf Cart, Sales and Service” land use does not include rental, Staff classifies rental uses as “Passenger Motor Vehicle Sales or Rental”.

Further complicating matters is the requirement in the “Golf Carts, Sales and Service” definition, that gasoline powered golf carts are classified as auto related uses. The sale of gasoline powered golf carts is classified as “Passenger Motor Vehicle Sales or Rental” and the repair of gasoline powered golf carts is classified as “Auto Service/Fueling or Charging Station”.

This means that golf cart related businesses have the potential to be classified as one of these three land uses, although the businesses may appear functional similar:

- Auto Service/Fueling or Charging Station
- Golf Cart, Sales and Service, or
- Passenger Motor Vehicle Sales or Rental.

**Executive Summary Cont.**

As shown in Attachment A, these three land uses are not aligned in the allowed locations or applicable Limited Standards. In order to simplify the regulatory process, Staff is recommending the following changes:

1. Modify the “Golf Cart, Sales and Service” land use to include rentals,
2. Establish a new land use of “Golf Cart, Service”,
3. Eliminate the requirement that gasoline powered golf carts be classified as auto uses,
4. Align the Limited Use Standards,
5. Establish new Limited Use Standards for the “Golf Cart, Service” land use, and
6. Remove golf carts from Article 3, Commercial Addendum, Note 12(q), which includes golf carts as an “auto-oriented business”.

**Criteria for Text Amendments**

Per Section 13.700: Text Amendments of the Land Development Regulations:

Recommendations and decisions regarding petitions for amendments to the text of these regulations are legislative in nature, but shall be based on consideration of all the following criteria:

The proposed amendment will help to implement the adopted City of Galveston 2011 Comprehensive Plan or if it involves a topic that is not

addressed or not fully developed in the City of Galveston 2011 Comprehensive Plan, the proposed amendment will not impair the implementation of the adopted City of Galveston 2011 Comprehensive Plan and other adopted special-area and special-topic plans when compared to the existing regulations.

2. The proposed amendment is consistent with the stated purposes of these regulations.
3. The proposed amendment will maintain or advance the public health, safety, or general welfare.
4. The proposed amendment will help to mitigate adverse impacts of the use and development of land on the natural or built environment, including, but not limited to mobility, air quality, water quality, noise levels, storm water management, wildlife protection, and vegetation or will be neutral with respect to these issues.
5. The proposed amendment will advance the strategic objectives of the City Council such as fiscal responsibility, efficient use of infrastructure, public services, and other articulated City objectives.

Per Section 13.702: Text Amendments of the Land Development Regulations:

Purposes: Text amendment proposals shall serve the following purposes:

1. Advancing the goals, objectives and policies of the City’s Comprehensive Plan and other adopted special-area and special-topic plans;

2. Securing adequate light, air, convenience of access, and safety from fire, flood and other danger;
3. Lessening or avoiding congestion in public ways; Promoting the public health, safety, comfort, morals, convenience and general welfare; and Otherwise accomplishing the purposes of Texas Local Government Code Chapter 211, Municipal Zoning Authority.

**Consideration for Text Amendments**

Considerations: In preparation and considering proposals for text amendments, the Planning Commission and City Council shall pay reasonable regard to:

1. The Comprehensive Plan and related plans;
2. Current conditions and the character of current uses and structures in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.


**Other Reviews**

City Council has final decision making authority on this request. It will be reviewed at their March 24, 2022 meeting.

**Staff Recommendation**

Staff recommends approval of this request as submitted.

Respectfully Submitted,



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Catherine Gorman, AICP  
Assistant Director, HPO

03/02/2022

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Date

Table 2.201 Permitted Uses: Commercial Uses														
P = permitted use; L = limited use; S = specific use review; "-" = prohibited use														
Zoning Districts														
Commercial Land Uses	R-0	R-1	R-2	R-3	MF	UN	NS	TN	C	CB	RES/ REC	LI	HI	Use Standard
Auto Service/Fueling or Charging Station	-	-	-	-	-	-	-	P	L	L	L	L	P	LIMITED
Golf Carts, Sales and Service	-	-	-	-	-	-	-	-	L	L	L	P	P	LIMITED
Passenger Motor Vehicle Sales or Rental	-	-	-	-	-	-	-	-	L	L	-	P	P	LIMITED

When marked with a "L" in the above table, the following Limited Use Standards must be met in order to operate. When marked with a "P", the use is permitted by right and the Limited Use Standards do not apply.

### SEC.2.307 AUTO SERVICE/FUELING OR CHARGING STATION

#### A. Limited Use Standards.

1. **Truck Access.** The use shall be located so associated truck traffic can access a collector, arterial, or highway without traveling on a public rights-of-way adjacent to any residential property, school, public park, or recreational area or facility.
2. **Minimum Distance from Residential.** The use shall be located a minimum of 200 feet from any residential use or residential zoning district boundary, measured as a radius from the property lines of the limited use.
3. **Charging Station Near Residential.** The use may not be located within 200 feet of the property line of a residential use or a residential zoning district boundary.
4. **Auto Service Orientation of Service Bays.** Vehicle service bays shall be oriented away from any adjacent residential use or residential zoning district boundary.
5. **Design of Use near Residential.** The use shall be conducted within a fully enclosed building so as not to be visible from the adjacent residential use or residential zoning district, although activities may be conducted in partially enclosed or open areas elsewhere on the site.
6. **Screening.**
  - a. **Residential Screening:** When the site is located adjacent to a residential use or residential zoning district boundary, visual screening shall be provided along all common sides and rear property lines. The screening shall consist of a landscaping strip at least four feet in width that provides a year-round visual barrier and positioned directly adjacent to the adjoining property. A solid masonry or concrete wall or a wood fence having a minimum height of five feet shall be installed immediately behind the landscaping strip.
  - b. **Outdoor Vehicle Service and Storage Areas:** Any outdoor areas used for vehicle service activity or temporary storage of vehicles undergoing service shall be screened so as not to be visible from abutting public street right-of-ways.

## SEC 2.329 GOLF CARTS, SALES AND SERVICE

### A. Limited Use Standards.

1. **Use Limitation in CB Districts.** The use shall be conducted in existing structures only. No outside repair or display/sales of golf carts permitted.
2. **Seawall Frontage.** No new or expanded surface parking permitted for this use on properties with frontage on Seawall Boulevard.
3. **Orientation of Service Bays.** Service or repair bays associated with the use shall be oriented away from arterial roadways and any adjacent residential use or residential zoning district boundary.
4. **Outdoor Display.** Outdoor vehicle display shall occur only on paved areas of the site; the displayed vehicles shall not occupy or obstruct required parking spaces.
5. **Elevated Display.** No more than one outdoor elevated display shall be permitted; the elevated display shall raise the golf cart no more than 3 feet off the ground.
6. **Screening.** Except in the CB district, when the site is located adjacent to a residential use or residential zoning district boundary, visual screening shall be provided along all common sides and rear property lines. The screening shall consist of a solid landscaping strip of at least 4 feet in width that provides a year-round visual barrier, and positioned directly adjacent to the adjoining property. A solid masonry or concrete wall or a wood fence having a minimum height of five feet shall be installed immediately behind the landscaping strip.
7. **Sidewalks.** Sidewalks, curbs, and curb cuts shall be provided on all street frontages. All onsite sidewalks shall be a minimum width of five feet.
8. **Property Maintenance.** The property upon which any used car lot is located must be maintained in a neat and orderly manner with no accumulation of inoperable golf carts, tires, gold cart parts, garbage, refuse, or debris on the property.

## SEC. 2.349 PASSENGER MOTOR VEHICLE SALES OR RENTAL

### A. Limited Use Standards.

1. **Use Limitation in CB Districts.** The use shall involve only vehicle rental and not vehicle sales. No outside repair of vehicles or bodywork permitted.
2. **No On-Site Direct Sales** Passenger Motor Vehicle Sales uses are prohibited on properties with frontage on Seawall Boulevard.
3. **Parking.** No new or expanded surface parking permitted for this use on properties with frontage on Seawall Boulevard.
4. **Minimum Setback.** Except in the CB district:
  - a. **Outdoor Vehicle Display/Sales and Other Outdoor Storage:** 25 feet from any residential property line or zoning district boundary.
  - b. **Vehicle Wash Facilities.** Accessory vehicle wash facilities and their incidental functions, including vacuums and air compressors, shall be set back at least 50 feet from the side or rear property line of any adjacent residential use or residential zoning district boundary.
5. **Interior Space Only in CB District.** All vehicle display and showroom areas shall be within an enclosed building.
6. **Orientation of Service Bays.** Except in the CB district, any service or repair bays associated with the use shall be oriented away from adjacent public street right-of-ways or any adjacent residential use or residential zoning district boundary.
7. **Outdoor Vehicle Display.** Outdoor vehicle display shall occur only on paved areas of the site; the displayed vehicles shall not occupy or obstruct required parking spaces.

8. **Elevated Vehicle Display.** No more than one outdoor elevated display vehicle shall be permitted; the elevated display shall raise the vehicle no more than 3 feet off the ground.
9. **Screening.** Except in the CB district, when the site is located adjacent to a residential use or residential zoning district boundary, visual screening shall be provided along all common sides and rear property lines. The screening shall consist of a solid landscaping strip at least 4 feet in width that provides a year-round visual barrier, and positioned directly adjacent to the adjoining property. A solid masonry or concrete wall or a wood fence having a minimum height of five feet shall be installed immediately behind the landscaping strip.
10. **Surface treatment.** All surfaces for vehicle travel or storage are to be treated with a dustless surface and an adequate system of storm drainage.
11. **Space Parameters.** Every space for a vehicle for sale shall measure 10 feet by 24 feet.
12. **Sidewalks.** Sidewalks, curbs, and curb cuts shall be provided on all street frontages. All onsite sidewalks shall be a minimum of width of five feet.
13. **Property maintenance.** The property upon which any used car lot is located must be maintained in a neat and orderly manner with no accumulation of junk vehicles, tires, auto parts, garbage, refuse, or debris on the property.

Table – 2.201: Change land use term and establish a new land use

Commercial Land Uses	R-0	R-1	R-2	R-3	MF	UN	NS	TN	C	CB	RES/ REC	LI	HI	Use Standard
Commercial Amusement, Indoor	-	-	-	-	-	L	L	L	L	L	L	L	P	LIMITED
Commercial Amusement, Outdoor	-	-	-	-	-	-	-	L	L	L	L	P	P	LIMITED
Commercial Lodging (Hotel)	-	-	-	-	-	S	-	L	L	P	L	L	P	SUP
Commercial Warehousing and Logistics	-	-	-	-	-	-	-	-	-	-	-	P	P	
Correctional or Rehabilitation Facility	-	-	-	-	-	-	-	-	S	-	-	S	S	SUP
Credit Access Business	-	-	-	-	-	-	-	-	L	-	-	-	-	
Family Care Facility	-	-	-	-	-	-	S	-	S	S	S	P	P	SUP
Fine Arts Instruction	L	L	P	P	P	P	P	P	P	P	P	P	P	LIMITED
Flea Market	-	-	-	-	-	-	-	-	L	L	L	L	L	LIMITED
Golf Carts, Sales, <del>and Service or Rental</del>	-	-	-	-	-	-	-	-	L	L	L	P	P	LIMITED
<del>Golf Carts, Service</del>	-	-	-	-	-	-	-	-	L	L	L	P	P	LIMITED
Heavy Vehicle, Manufactured Home, Watercraft or Aircraft Sales or Rental	-	-	-	-	-	-	-	-	-	-	L	L	L	LIMITED
Homeless Shelter	-	-	-	-	-	-	-	-	S	S	S	P	P	SUP
Hospital	-	-	-	-	-	-	-	P	P	P	P	P	-	
Kennel	-	-	-	-	-	-	-	-	L	-	L	L	P	LIMITED
Library	-	-	P	-	P	P	P	P	P	P	P	P	P	
Medical Office / Clinic / Lab	-	-	-	P	P	L	L	P	P	P	P	P	-	LIMITED
Nursery or Greenhouse, Retail	-	-	-	P	-	-	P	-	P	P	P	P	P	
Nursing / Convalescent Home	-	-	S	-	L	L	L	P	P	P	P	P	P	LIMITED/SUP
Office	-	-	-	-	-	L	L	L	P	L	L	L	L	LIMITED
Outdoor Storage	-	-	-	-	-	-	-	-	L	-	L	L	L	Limited

**Article 14 – Revise Definition and establish New Definition:**

Golf Carts, Sales, ~~and Service or Rental~~ means a facility for the sale ~~and repair~~ and/or rental of golf carts, a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course. ~~Gasoline powered golf carts are to remain in all auto oriented uses.~~

Golf Carts, Service means a facility for the repair of golf carts, a motor vehicle designed by the manufacturer primarily for transporting persons on a golf course.



## Article 2 – Revise Limited Use Standards and Establish New Limited Use Standards

**SEC 2.329 GOLF CARTS, SALES, ~~AND SERVICE OR RENTAL~~****A. Limited Use Standards.**

1. **Use Limitation in CB Districts.** The use shall be conducted in existing structures only. No outside repair or display/sales of golf carts permitted.
2. **Seawall Frontage.** No new or expanded surface parking permitted for this use on properties with frontage on Seawall Boulevard.
3. **Minimum Setback.** Except in the CB district:
  - a. **Outdoor Golf Cart Display/Sales and Other Outdoor Storage: 25 feet from any residential property line or zoning district boundary.**
  - b. **Golf Cart Wash Facilities. Accessory vehicle wash facilities and their incidental functions, including vacuums and air compressors, shall be set back at least 50 feet from the side or rear property line of any adjacent residential use or residential zoning district boundary.**
- ~~4. **Orientation of Service Bays.** Service or repair bays associated with the use shall be oriented away from arterial roadways and any adjacent residential use or residential zoning district boundary.~~
- ~~45. **Outdoor Display.** Outdoor ~~vehicle-golf cart~~ display shall occur only on paved areas of the site; the displayed ~~vehicles-golf carts~~ shall not occupy or obstruct required parking spaces. All golf cart display or storage shall take place on private property. No display or storage in the right-of-way is permitted.~~
- ~~56. **Elevated Display.** No more than one outdoor elevated display shall be permitted; the elevated display shall raise the golf cart no more than 3 feet off the ground.~~
- ~~67. **Screening.** Except in the CB district, when the site is located adjacent to a residential use or residential zoning district boundary, visual screening shall be provided along all common sides and rear property lines. The screening shall consist of a solid landscaping strip of at least 4 feet in width that provides a year-round visual barrier, and positioned directly adjacent to the adjoining property. A solid masonry or concrete wall or a wood fence having a minimum height of five feet shall be installed immediately behind the landscaping strip.~~
- ~~8. **Surface treatment.** All surfaces for vehicle travel or storage are to be treated with a dustless surface and an adequate system of storm drainage.~~
- ~~9. **Space Parameters.** Every space for a golf cart for sale or rental shall measure 5 feet by 10 feet.~~
- ~~710. **Sidewalks.** Sidewalks, curbs, and curb cuts shall be provided on all street frontages. All on-site sidewalks shall be a minimum width of five feet.~~
- ~~811. **Property Maintenance.** The property upon which any ~~used-car lot~~**Golf Carts, Sales and Rental use** is located must be maintained in a neat and orderly manner with no accumulation of inoperable golf carts, tires, ~~gold-golf~~ cart parts, garbage, refuse, or debris on the property.~~

**SEC. 2.330 GOLF CART, SERVICE**

**A. Limited Use Standards.**

- 1. Minimum Distance from Residential.** The use shall be located a minimum of 200 feet from any residential use or residential zoning district boundary, measured as a radius from the property lines of the limited use.
- 2. Screening, Outdoor.** Outdoor Golf Cart Service and Storage Areas: Any outdoor areas used for golf cart service activity or temporary storage of vehicles undergoing service shall be screened so as not to be visible from abutting public street rights-of-way.
- 3. Storage, Right-of-Way.** All golf cart display or storage shall take place on private property. No display or storage in the right-of-way is permitted.

**Article 3 - Remove golf carts from Article 3, Commercial Addendum, Note 12(q), which includes golf carts as an “auto-oriented business”**

- q. **Auto-Related Businesses (*Between 19<sup>th</sup> Street and 65<sup>th</sup> Street*)**
  1. All auto-oriented businesses, including ~~low-speed vehicles, (golf carts,~~ recreational vehicles), shall operate (including display) within an enclosed structure.