

# City Council Agenda Item Data Sheet

Meeting Date: October 16, 2023

## Topic:

Consideration to Approve **Ordinance Amendment OAM23-02**: Request by Chris & Tiona Campbell to amend Section 50-82 (*Use Regulations (charts)*), Subsection (b) (*Use Charts*) of the Tomball Code of Ordinances to allow “Exterminator Service/Company (no outdoor sales or storage)” land use with a Conditional Use Permit (CUP) in the Single Family Residential – 20 Estate (SF-20-E) zoning district.

## Conduct Public Hearing on **Ordinance Amendment OAM23-02**

Adopt, on First Reading, Ordinance No. 2023-40, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by revising its code of ordinance amending Section 50-82 (*Use Regulations (charts)*), Subsection (b) (*Use Charts*) of the Tomball Code of Ordinances to allow “Exterminator Service/Company (no outdoor sales or storage)” land use with a Conditional Use Permit (CUP) in the Single Family Residential – 20 Estate (SF-20-E) zoning district; 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.

## Background:

The applicants wish to establish a commercial pest control business at their property located at 1120 Rudolph Road. This use is defined as “Exterminator Service/Company (no outdoor sales or storage)” in the Tomball Code of Ordinance, said use is not permitted within the Single Family Residential – 20 zoning districts that the property presently falls within. In May of 2023, the applicants sought a rezoning of their property located at 1120 Rudolph Road to General Retail (GR) zoning to allow the establishment of the desired commercial business. This request to rezone to General Retail (GR) was denied by the City Council. In response to this denial, the applicants are requesting an amendment to the City of Tomball Code of Ordinance. Said amendment is to modify the “Exterminator Service/Company (no outdoor sales or storage)” land use to be allowed with the approval of a Conditional Use Permit (CUP) within the Single-Family Residential Estate (SF-20-E) zoning district. The applicants request that only properties which are 3-acres in size or larger be eligible for said CUP.

## Origination:

## Recommendation:

City staff recommends denial of **Ordinance Amendment OAM23-02**. Planning and Zoning Commission recommends Denial (Unanimously).

**Party(ies) responsible for placing this item on agenda:** Community Development

## FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: \_\_\_\_\_ No: \_\_\_\_\_ If yes, specify Account Number: # \_\_\_\_\_

If no, funds will be transferred from account: # \_\_\_\_\_ To Account: # \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Approved by:** \_\_\_\_\_  
Staff Member Date City Manager Date