



**TOWN OF LAKESIDE
PLANNING & ZONING COMMISSION MEETING &
PUBLIC HEARING
9830 CONFEDERATE PARK ROAD
LAKESIDE, TX 76108**



Place 1 August Zitzka – 2017
Place 2 Chairman Fred Finch - 2018
Place 3 Fletcher Phillips - 2017
Place 4 Vacant - 2018

Place 5 Wayne O. Smith - 2017
Alternate Place 1 Loney Gouyton - 2017
Alternate Place 2 Vacant - 2018

*Pursuant to the provisions of Chapter 551 Texas Government Code, **NOTICE** is hereby given of a Planning & Zoning Commission Meeting of the Town of Lakeside, to be held on **Monday, December 19, 2016 at 6:30 P.M. in the City Hall Council Chamber Room, 9830 Confederate Park Road, Lakeside, Texas, 76108**, for the purpose of considering the following items.*

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT

II. PUBLIC HEARING

A. The Planning & Zoning Commission of the Town of Lakeside will hold a public hearing on Monday December 19, 2016 at 6:30 p.m., at the Town of Lakeside Town Hall, 9830 Confederate Park Rd, Lakeside, to consider a request for a Specific Use Permit for a mulch, compost and soil retail outlet (www.livingearth.net) to be constructed at 8945, 8973 & 9001 Jacksboro Hwy, Memucun Hunt Survey Abstract 761Tract 1E.

III. STAFF REPORTS

None

IV. CONSENT AGENDA

None

V. REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – CASE# 2016-001 – Consideration for recommendation of approval to the City Council for the application for a Specific Use Permit for a mulch, compost and soil retail outlet (www.livingearth.net) to be constructed at 8945, 8973 & 9001 Jacksboro Hwy, Memucun Hunt Survey Abstract 761Tract 1E.

VI. FUTURE AGENDA ITEMS

VII. ADJOURNMENT

This is to certify that a copy of the Notice of the Planning & Zoning Commission Meeting agenda and Public Hearing for Monday, December 19, 2016, was posted on the bulletin board at Town Hall, in compliance with Chapter 551, of the Texas Government Code on Thursday, December 1, 2016 prior to 6:30 p.m.

Norman Craven
Town Administrator
City Secretary



TOWN OF LAKESIDE

9830 Confederate Park Road
Lakeside, Texas 76108-9484
www.lakesidetexas.us

Phone: 817-237-1234
Fax: 817-238-9187
Email: lakeside@lakesidetexas.us

December 1, 2016

Mr. Fred Finch
Chairman
Planning and Zoning Commission

REF: P&Z Case SUP 2016-001 – Specific Use Permit – Mark Rose, livingearth.net

BACKGROUND

A Specific Use Permit application has been submitted by Mark Rose, President and CEO of The LETCO Group to consider a request for a Specific Use Permit for a mulch, compost and soil retail outlet (www.livingearth.net) to be constructed at 8945, 8973 & 9001 Jacksboro Hwy, Memucun Hunt Survey Abstract 761Tract 1E.

Living Earth Technology Company (Living Earth) started in 1985 Houston, Texas. The company was purchased by Republic Services, Inc. (NYSE: RSG) in 1991 and in the same year added Dallas Organic Products and International Stone & Materials (now Living Earth in Missouri City, Texas).

Triple A Mulch (now Living Earth in The Woodlands) was added in 1995. Two larger companies were added beginning with CJM, The Soil Supermarket in March 1996 and Elliott's Agri-Service in May 1997. Living Earth was purchased by Hunt Special Situations Group, a private investment firm, and management in 2007.

From 2008-2012, four new sites were added, expanding the total to 20 locations: twelve in the Houston area, seven in the Dallas/Fort Worth area and one in Pineland (East Texas). In 2011, Living Earth partnered with NGP Energy Technology Partners.

LIVING EARTH AND GREEN MATERIAL RECYCLING

Returning tree limbs, brush, leaves and grass clippings to beneficial reuse for over 20 years, Living Earth is the largest recycler of green material in Texas. As consumers and municipalities are becoming increasingly aware, recycling green material reduces landfill use, reduces greenhouse gas emissions, promotes water conservation and returns organic material back into the environment. In 2007, Living Earth recycled over 500,000 tons of green material, the equivalent of taking 60,000 passenger cars off the road for one year.

The Land Use Table of the Zoning Ordinance requires that an application for Specific Use Permit be submitted. This process requires property owners within 200 feet of the property be advised of the application and advise them of when the Planning & Zoning Commission will hold a public hearing



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regarding the matter. The public hearing was advertised in the December 1, 2016 edition of the **Azle News**. Notices of the public hearing were mailed to surrounding property owners on December 1, 2016.

The Commission must review the application to determine if the requested land use for the property is appropriate. If the Commission determines it is allowed, then they should recommend the City Council approve the Specific Use Permit application.

The properties surrounding the location of this proposed mulch, compost and soil retail outlet are commercial in nature. The proposed retail outlet is a reasonable land use for this property.


RECOMMENDATION:

Staff recommends the Commission, recommend to City Council the requested Specific Use Permit be granted to construct a mulch, compost and soil retail outlet complying with the Town's regulation as outlined in the Zoning Ordinance Chapter 151.031.



Norman Craven
Town Administrator
City Secretary
Town of Lakeside



	SPECIFIC USE PERMIT APPLICATION Town of Lakeside 9830 Confederate Park Road Lakeside, Texas 76108 (817)237-1234, ext. 307		
	PART 1. APPLICANT INFORMATION (Please print or type all responses)		
Name of Applicant/Agent: <u>THE LETCO GROUP, LLC DBA LIVING EARTH, MARK ROSE</u>			
Street Address of Applicant/Agent: <u>1901 CALIFORNIA CROSSING ROAD</u>			
City/State/Zip Code of Applicant/Agent: <u>DALLAS TX 75077</u>			
Telephone Number(s): <u>OFFICE 972 506 8575 CELL 214 649 6501</u>			
Fax Number(s): <u>972 869 3371</u>			
Email Address: <u>MROSE@LETCOGROUP.COM</u>			
Are you the owner of the property? Yes _____ No <u>X</u>		Are you the owner's agent? Yes <u>X</u> No _____ <u>THE WILL BE OUR LANDLORD</u>	
NOTE: If you are not the owner of the property, you must attach a letter from the property owner giving you permission to submit this application.			
PART 2. DESCRIPTION OF REQUEST			
Current zoning Classification: <u>COMMERCIAL</u>		Proposed use of Property: <u>MULCH, SOIL, COMPOST, LANDSCAPE MATERIALS BUSINESS</u>	
Describe the nature of the proposed activity and any particular characteristics related to the use of the property: <u>PLEASE SEE THE ATTACHED</u>			
PART 3. PROPERTY OWNER INFORMATION			
Name of Property Owner: <u>RUSSELL FOX</u>		Reason for Special Use Permit: <u>PER TOWN ADMINISITRATOR.</u>	
Street Address of Property Owner: <u>16507 NORTHCROSS DR SUITE G</u>		Telephone Number of Property Owner: <u>704-604-0899</u>	
City/State/Zip Code of Property Owner: <u>HUNTERVILLE NC 28078</u>		Fax Number of Property Owner: <u>N/A</u>	
Survey or Map Attached as Required: Yes <u>X</u> No _____		NOTE: A map or plot plan of the property and drawings of the proposed construction must be submitted with this application. The applicants or their representatives must be present at their scheduled public hearing.	
I hereby certify that I am, or that I represent the legal owner of the property described above and do hereby submit this request for a Special Use Permit to the Planning and Zoning commission for consideration.			
Print Name: <u>MARK ROSE</u>		Date: <u>11/28/16</u>	
Signature: <u>[Signature]</u>			
PART 4. OFFICE USE ONLY			
Date Application Received: <u>11-29-2016</u>		Taxes, Liens & Assessments Paid? Yes _____ No _____	
Date of P&Z: <u>12-19-2016 @ 6:30pm</u> Date of Council Meeting:		Fees: \$350.00 Paid: Yes _____ No _____ Special Use Permit Approved: Yes _____ No _____	
		Conditions of Approval:	

Attachment to Town of Lakeside SUP Application for Living Earth

Living Earth proposes to use the property to locate one its Landscape Materials Businesses.

Activities will include:

- Sales of Mulch, Compost, Soil and other landscape materials in bulk and in bags.
- Loading of these materials on to customer's vehicles of Living Earth's delivery trucks.
- Taking in vegetative materials IE: Brush, Leaves and Grass to be processed to our Mulch, Compost and Soil Products.
- Processing the vegetative materials. This includes grinding, screening and mixing
 - Note: Were never operate at night or after 1PM on Saturday
- Site Personnel will include:
 - Site Manager
 - Customer Services Representative(s)
 - Two Equipment Operators
 - One bagged product/site cleanup worker. (we will have the contractor that mows and weed eats our other sites do this one as well)
 - Living Earth accounting, accounts payable, payroll and HR functions, four additional people will be on site.
- Site Improvements:
 - If allowed, use the existing building husk. Totally rewire it, re-plumb it, re-sheetrock it and paint it up really nice inside and out. Most likely totally new HV/AC
 - Clear/mow and clean up the property really nice.
 - Put a crushed rock road (interior road) around the perimeter of the property.

Russell Fox
16507 Northcross Drive, Suite G
Huntersville NC 28078-5082

November 21st, 2016

To: The Town of Lakeside TX
Attn: Norman Craven, Administrator

RE: The LETCO Group, LLC DBA, Living Earth SUP

Mr Craven, Per the requirements of the Town of Lakeside's SUP application, as the property owner I hear by write this letter authorizing/giving permission to Mark Rose as President of the LETCO Group, LLC DBA Living Earth to apply for Special Use Permit to allow Living Earth to operate a mulch, compost, soil and landscape material sales and processing facility on my property described below. 7.718 of land total

Entrance located at 9001 Jacksboro Hwy

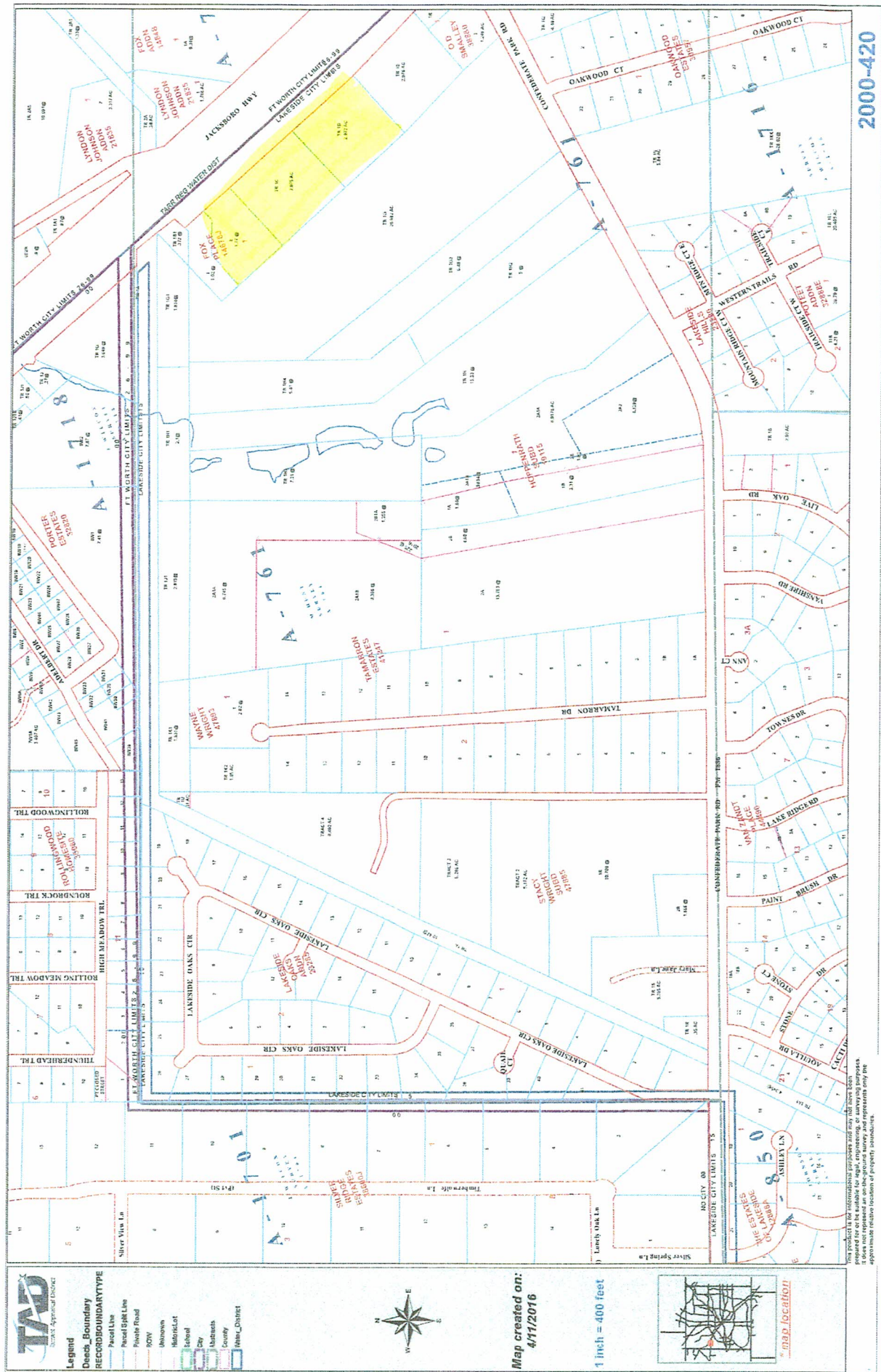
Containing three legal tracts: 1: Fox Place Block 1-Lot 2, 2: Hunt, Memucan Survey Abstract 761, Tract 1d, 3: Hunt, Memucan Survey Abstract 761, Tract 1c.

Mr. Rose and Living Earth have been in the compost, mulch, soil and landscape materials business for over 30 years and have 22 locations in the DFW and Houston areas. The Living Earth's facilities are always well kept and I believe Living Earth will make an excellent addition to the community.

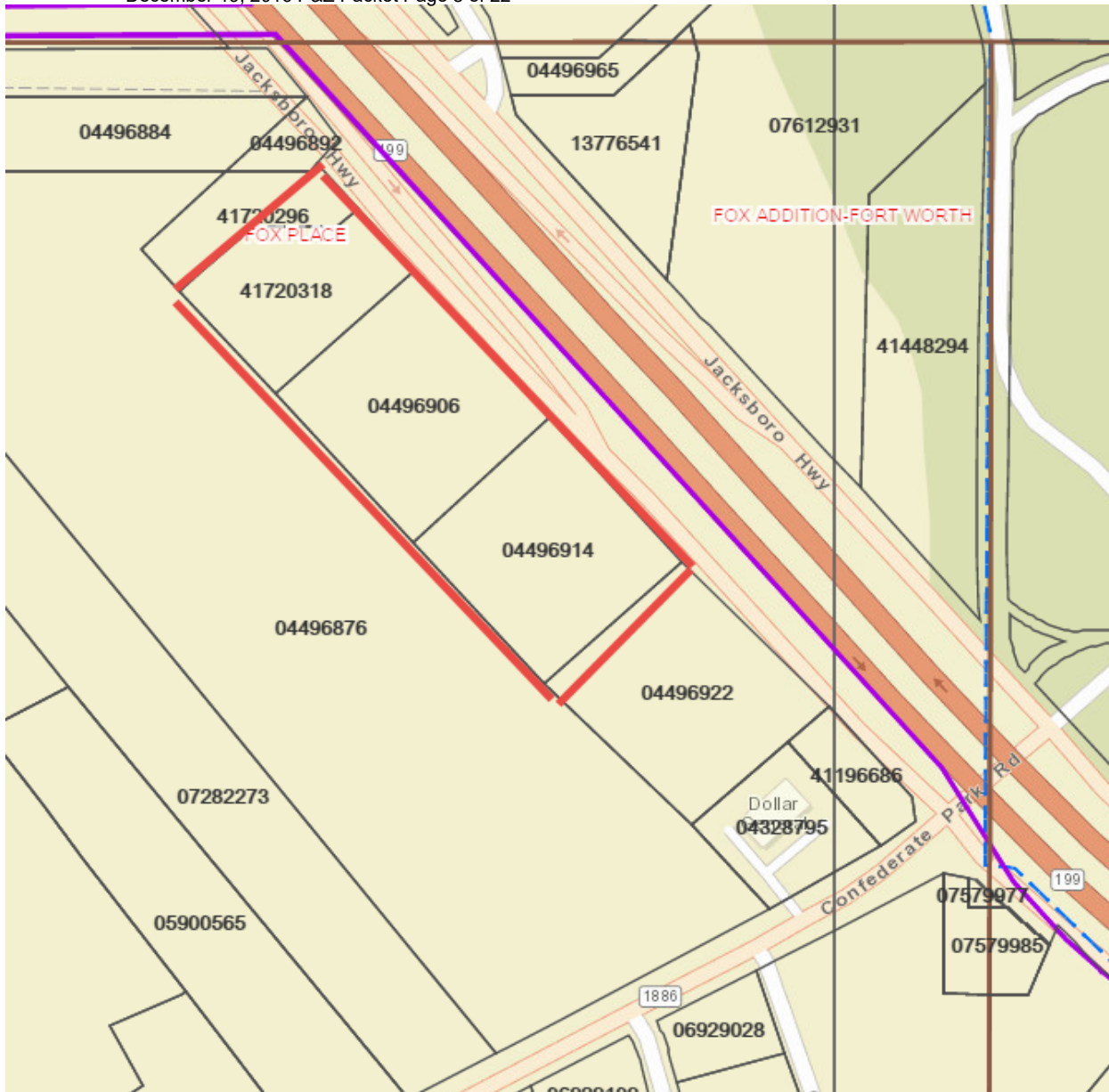
Sincerely



Russell Fox



7.718 Acres



Tarrant Appraisal District

Real Estate

11/22/2016

Account Number: 04496914
Georeference: [A 761-1D](#)
Property Location: 8945 JACKSBORO HWY, LAKESIDE, 76135



Owner Information: FOX RUSSELL
16507 NORTHCROSS DR STE G
HUNTERSVILLE NC 28078-5082

[1 Prior Owners](#)

Legal Description: HUNT, MEMUCAN SURVEY
Abstract: 761 Tract: 1d
Taxing Jurisdictions: 015 CITY OF LAKESIDE
220 TARRANT COUNTY
915 AZLE ISD
224 TARRANT COUNTY HOSPITAL
225 TARRANT COUNTY COLLEGE

This information is intended for reference only and is subject to change. It may not accurately reflect the complete status of the account as actually carried in TAD's database

Proposed Values for Tax Year 2016

	Land	Impr	2016 Total ††
Market Value	\$0	\$0	\$0
Appraised Value †	\$0	\$0	\$0
Gross Building Area †††			0
Net Leasable Area †††			0
Land SqFt ♦			129,504
Land Acres ♦			2.973

† Appraised value may be less than market value due to state-mandated limitations on value increases
†† A zero value indicates that the property record has not yet been completed for the indicated tax year

††† Rounded

♦ This represents one of a hierarchy of possible values ranked in the following order: Recorded, Computed, System, Calculated

5-Year Value History

Tax Year	Appraised Land	Appraised Impr	Appraised Total	Market Land	Market Impr	Market Total
2015	\$104,957	\$0	\$104,957	\$104,957	\$0	\$104,957
2014	\$139,863	\$0	\$139,863	\$139,863	\$0	\$139,863
2013	\$139,863	\$0	\$139,863	\$139,863	\$0	\$139,863
2012	\$164,469	\$0	\$164,469	\$164,469	\$0	\$164,469
2011	\$164,469	\$0	\$164,469	\$164,469	\$0	\$164,469

2016 Notice Sent:

Protest Deadline:

Exemptions:

Property Data:

Appraisal Site: 80656307

Deed Date: 04/16/1996
Deed Page: 0001880
Deed Volume: 0012394
Instrument: 00123940001880

State Code: C1C Vacant Land Commercial

TAD Map: [2000-420](#)
MAPSCO: TAR-044R
Agent: O'CONNOR & ASSOCIATES

Site Name: VACANT LAND

Class: LandVacantComm
of Parcels: 4

Primary Building:
Building Name:
Building Type:
Year Built:

Tarrant Appraisal District

Real Estate

11/22/2016

Account Number: 04496906
Georeference: [A 761-1C](#)
Property Location: 8973 JACKSBORO HWY, LAKESIDE, 76135



[2 Prior Owners](#)

Owner Information: FOX RUSSELL
16507 NORTHCROSS DR STE G
HUNTERSVILLE NC 28078-5082

Legal Description: HUNT, MEMUCAN SURVEY
Abstract: 761 Tract: 1c
Taxing Jurisdictions: 015 CITY OF LAKESIDE
220 TARRANT COUNTY
915 AZLE ISD
224 TARRANT COUNTY HOSPITAL
225 TARRANT COUNTY COLLEGE

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Proposed Values for Tax Year 2016

	Land	Impr	2016 Total ††
Market Value	\$0	\$0	\$0
Appraised Value †	\$0	\$0	\$0
Gross Building Area †††			0
Net Leasable Area †††			0
Land SqFt ♦			129,591
Land Acres ♦			2.975

† Appraised value may be less than market value due to state-mandated limitations on value increases

†† A zero value indicates that the property record has not yet been completed for the indicated tax year

††† Rounded

♦ This represents one of a hierarchy of possible values ranked in the following order: Recorded, Computed, System, Calculated

5-Year Value History

Tax Year	Appraised Land	Appraised Impr	Appraised Total	Market Land	Market Impr	Market Total
2015	\$104,957	\$0	\$104,957	\$104,957	\$0	\$104,957
2014	\$139,958	\$0	\$139,958	\$139,958	\$0	\$139,958
2013	\$139,958	\$0	\$139,958	\$139,958	\$0	\$139,958
2012	\$164,581	\$0	\$164,581	\$164,581	\$0	\$164,581
2011	\$164,581	\$0	\$164,581	\$164,581	\$0	\$164,581

2016 Notice Sent:

Protest Deadline:

Exemptions:

Property Data:

Appraisal Site: 80656307

Deed Date: 04/16/1996
Deed Page: 0001910
Deed Volume: 0012394
Instrument: 00123940001910

State Code: C2C CommercialLandWithImprovementValue

TAD Map: [2000-420](#)
MAPSCO: TAR-044M
Agent: O'CONNOR & ASSOCIATES

Site Name: VACANT LAND

Class: LandVacantComm
of Parcels: 4

Primary Building:
Building Name:
Building Type:
Year Built:

Tarrant Appraisal District

Real Estate

11/22/2016

Account Number: 41720318
Georeference: [14678J-1-2](#)
Property Location: 9001 JACKSBORO HWY, LAKESIDE, 76135



Owner Information: FOX RUSSELL
16507 NORTHCROSS DR STE G
HUNTERSVILLE NC 28078-5082
Legal Description: FOX PLACE
Block: 1 Lot: 2
PLAT-D214051379
Taxing Jurisdictions: 015 CITY OF LAKESIDE
220 TARRANT COUNTY
915 AZLE ISD
224 TARRANT COUNTY HOSPITAL
225 TARRANT COUNTY COLLEGE

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Proposed Values for Tax Year 2016

	Land	Impr	2016 Total ††
Market Value	\$0	\$0	\$0
Appraised Value †	\$0	\$0	\$0
Gross Building Area †††			0
Net Leasable Area †††			0
Land SqFt ♦			77,101
Land Acres ♦			1.77

† Appraised value may be less than market value due to state-mandated limitations on value increases
†† A zero value indicates that the property record has not yet been completed for the indicated tax year
††† Rounded

♦ This represents one of a hierarchy of possible values ranked in the following order: Recorded, Computed, System, Calculated

5-Year Value History

Tax Year	Appraised Land	Appraised Impr	Appraised Total	Market Land	Market Impr	Market Total
2015	\$84,811	\$0	\$84,811	\$84,811	\$0	\$84,811
2014	\$0	\$0	\$0	\$0	\$0	\$0
2013	\$0	\$0	\$0	\$0	\$0	\$0
2012	\$0	\$0	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0	\$0	\$0

2016 Notice Sent:

Protest Deadline:

Exemptions:

Property Data:

Appraisal Site: 80656307

Deed Date: 01/01/2014
Deed Page: 0000000
Deed Volume: 0000000
Instrument: 000000000000000
State Code: C2C CommercialLandWithImprovementValue
TAD Map: [2000-420](#)
MAPSCO: TAR-044M
Agent: O'CONNOR & ASSOCIATES

Site Name: VACANT LAND
Class: LandVacantComm
of Parcels: 4
Primary Building:
Building Name:
Building Type:
Year Built:



NOTICE OF PUBLIC HEARING
TOWN OF LAKESIDE
PLANNING & ZONING COMMISSION MEETING



Place 1 August Zitzka – 2017
Place 2 Chairman Fred Finch - 2018
Place 3 Fletcher Phillips - 2017
Place 4 Vacant - 2018

Place 5 Wayne O. Smith - 2017
Alternate Place 1 Loney Gouyton - 2017
Alternate Place 2 Vacant - 2018

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Lakeside, TX Code of Ordinances

Town of Lakeside Land Use Table													
P = Permitted Use							S = Specific Use Permit	Blank = Prohibited Use					
Residential							Land Use Designation	Non-Residential				Special Conditions (See § 151.013)	
			R-1	R-2	M-F	M-H		C					
							Coin and stamp shop	P					
							Contractor, no outside storage permitted	P					
							Contractor, outside storage permitted	S					b, g, k, m
							Contractor storage or equipment yard						
							Convenience store	P					
							Copy shop	P					
							Cosmetic tattoo establishment	P					
							Day care center, adult	P					j
							Day care center, child	P					j
							Department store	P					g, q
							Exterminating service	S					b
							Factory outlet, retail or wholesale store	P					a, g, q
							Farmers market, outdoor	S					b, g
							Feed and farm supply store	S					b, m
							Flea market						

Lakeside, TX Code of Ordinances

Town of Lakeside Land Use Table														
P = Permitted Use S = Specific Use Permit							Blank = Prohibited Use							
Residential							Land Use Designation	Non-Residential				Special Conditions (See § 151.013)		
			R-1	R-2	M-F	M-H		C						
							Floor covering store	P						
							Florist shop	P						
							Funeral home, mortuary	P						
							Furniture, fixture and appliance store	P					q	
							Gift shop	P						
							Greenhouse or plant nursery	S					q	
							Grocery store	P					g	
							Gun shop sales and service	S					a	
							Hardware store	P					g, q	
							Health club, recreational facility	P						
							Hearing aid sales and service	P						
			P	P	P	P	Hobby studio, private							
							Hotel, motel	P						
							Household furnishing and fixtures store	P						
							Kennel	S					b, i	
							Landscape service	S					b, q	

Lakeside, TX Code of Ordinances

Town of Lakeside Land Use Table												
P = Permitted Use S = Specific Use Permit							Blank = Prohibited Use					
Residential							Land Use Designation	Non-Residential				Special Conditions (See § 151.013)
			R-1	R-2	M-F	M-H		C				
												150.96)
			P	P	P	P	Temporary construction building	P				d
			P	P	P	P	Utility buildings and structures	P				

(Ord. 312, passed 6-22-2010; Ord. 319, passed 12-9-2010; Ord. 323, passed 4-14-2011; Ord. 341, passed 7-12-2012)

TITLE XV: LAND USAGE / CHAPTER 151: ZONING CODE / PERMITTED USES / § 151.013 SPECIAL CONDITIONS FOR LISTED USES.

§ 151.013 SPECIAL CONDITIONS FOR LISTED USES.

Description of Land Use Table conditions and special regulations. The following describe conditions and special regulations for uses listed in the § 151.012. Additional requirements may be added to these listed herein by the Town Council as deemed necessary to protect the health, safety, and general welfare of the citizens of Lakeside. No construction or occupancy shall commence for any permitted use until the conditions herein stated or required by the Town Council have been met.

- a. A site plan will be required in accordance with § 151.021.
- b. A site plan, in accordance with § 151.021 will only be required in districts which require a specific use permit.
- c. All storage shall be within completely enclosed buildings or effectively screened with screening not less than six feet nor more than eight feet in height, provided no storage

Lakeside, TX Code of Ordinances

located within 50 feet of such screening shall exceed the maximum height of such screening.

d. Temporary buildings for construction purposes for a period not to exceed the duration of such construction.

e. May not be located within 300 feet of any property zoned for a residential use or any property which is occupied by a church, public school, day care or nursing home. The measurement of distance shall be measured as a radius from the edge of the property line.

f. Permitted on a temporary basis only, in accordance with § 151.026.

g. All outdoor lighting, including parking lot lighting, shall be directed away from any property zoned or developed for residential uses.

h. Any proposed stable or barn must be set back 100 feet from the property line. Only animals permitted within the corporate limits by the Town Code will be permitted on site.

i. Pens, outdoor kennels, or animal runs must be located 300 feet from any residentially zoned property.

j. A copy of the state certification of licensing or registration as described in Tex. Human Resources Code, § 42.052 must be provided to the town.

k. Shall not be used for the storage of wrecked vehicles, or the dismantling of vehicles, or the storage of vehicle parts.

l. All vehicles being stored for repair shall be screened from all public rights-of-way.

m. All equipment shall be stored and displayed on a hard all weather surface.

n. Reserved

o. As regulated by Chapter 115 of the Town Code.

p. Smoke and tobacco shops shall meet the following standards:

1. Shall post a sign stating "No Minors Permitted Unless with a Parent."

2. Must derive annual gross revenues of at least 50% from the sale of tobacco products and smoking accessories.

3. Smoking accessories or paraphernalia shall not include water pipes, carburetion tubes, carburetion masks, clips or devices intended to hold burning material such as marijuana, cocaine spoons, cocaine vials, chamber pipes, electric pipes, air-driven pipes, chillums, bongs, and ice pipes or chillers.

Lakeside, TX Code of Ordinances

q. With the exception of live plant material, all outside display of equipment and building material shall be screened from public view.

r. Bed and breakfast facilities shall meet the following criteria:

1. One parking space per bedroom unit shall be required in addition to requirements for other uses such as restaurant and retail sales floor area.

2. Food service will be limited to overnight guests of the bed and breakfast establishment and may or may not be prepared on-site.

3. A permanent, wired, smoke alarm system meeting all city codes must be installed.

s. RV park (short term) shall meet the following criteria:

1. Length of stay may not exceed 90 days; however, one extension of 90 days may be provided by the Town Administrator.

2. The Town Administrator may defer the decision for an extension to the Town Council upon his or her discretion. In no event shall the length of stay exceed 180 days in any consecutive 12-month period.

3. A permanent caretaker residence may be located on site but may not be a manufactured home unless approved by the City Council, upon recommendation of the Planning and Zoning Commission.

t. Shall meet all of the requirements for supplemental district regulations as non-residential/commercial use.

(Ord. 312, passed 6-22-2010; Ord. 319, passed 12-9-2010)

TITLE XV: LAND USAGE / CHAPTER 151: ZONING CODE / PERMITTED USES / § 151.014 CLASSIFICATION OF NEW AND UNLISTED USES.

§ 151.014 CLASSIFICATION OF NEW AND UNLISTED USES.

It is recognized that new types of land use may develop and forms of land use not anticipated herein may seek to locate in the town. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use not listed in division (B) Land Use Table of § 151.012 Permitted Use Table, shall be made as follows:

Lakeside, TX Code of Ordinances

(A) *Administrative official action.* The administrative official shall refer the question concerning any new or unlisted use to the Town Council. Council will determine if a requested use falls under an existing use in the table or if the use should not be permitted. If the use does qualify to be listed under an existing use already in the table, Council will direct staff to accommodate the new and unlisted use. If Council desires that the use be added to or excluded from the Land Use Table, the use is referred to the Planning and Zoning Commission with instructions to make an interpretation as to the property zoning classification into which such use should be placed, and to amend the zoning ordinance.

(B) *Planning and Zoning Commission.* The Planning and Zoning Commission will make an interpretation as to the proper zoning classification into which the use should be placed. The use interpretation question shall be determined as to the nature of the use and whether it involves dwelling activity; sales; processing; type of product, storage and the amount and nature thereof (i.e., enclosed or open storage); anticipated employment; transportation requirements; the general degree of noise, odor, fumes, dust, toxic material and vibration likely to be generated, if any; and the general requirements for public utilities such as water and sanitary sewer. The Planning and Zoning Commission will prepare a recommendation to Council defining the use, the appropriate zoning classification for the use, if a specific use permit is required, and if special conditions apply.

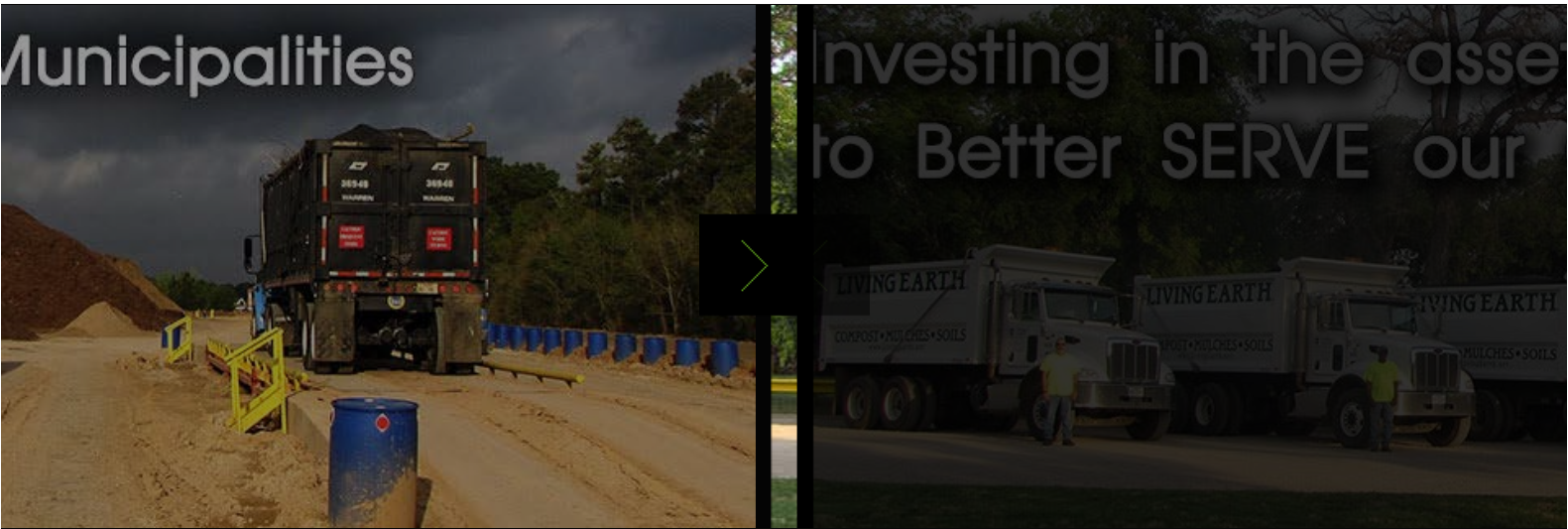
(C) *Notice of Planning and Zoning Commission hearing.* Administrative staff will advertise for a Planning and Zoning Commission public hearing, to be held at the next Planning and Zoning Commission meeting, at least 15 days in advance of the meeting and will also post the public hearing notice according to law.

(D) *Hearing; recommendation of Planning and Zoning Commission.* The required public hearing will be held, and the Planning and Zoning Commission will take action to consider approving the final recommendation for the use. Their recommendation will be forwarded to Council for their consideration of approval.

(E) *Notice of City Council hearing.* Administrative staff will advertise for a City Council public hearing, to be held at the next Council meeting, at least 15 days in advance of the meeting and will also post the public hearing notice according to law.

(F) *Hearing; final action of City Council.* The required public hearing will be held, and the City Council will consider the Planning and Zoning Commission recommendation regarding the use and take final action to amend division (B) Land Use Table of § 151.012 Permitted Use Table.

(Ord. 312, passed 6-22-2010; Ord. 340, passed 7-12-2012)



Mulch • Compost • Soils



Exceeding Expectations in Green Roof Design
Producing materials to the exacting specifications required for any rooftop garden system...

[Read more...](#)



Rock Solid Reliability for Landscape Pros
Premium mulches, soils, compost, sand and other soil amendments with rock solid, fair pricing...

[Read more...](#)



Consistent Quality for Landscape Architects
Meeting stringent specification requirements for stone, mulch, sand, rock and gravel efficiently...

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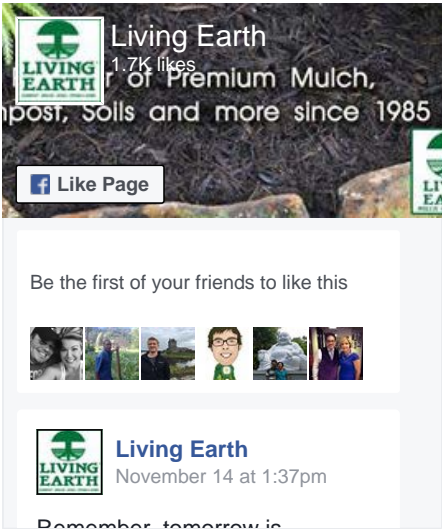
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December 19, 2015

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Our History

A History of Continued Growth

Living Earth Technology Company (Living Earth) started in 1985 with our first location in Houston, Texas. The company was purchased by Republic Services, Inc. (NYSE:RSG) in 1991 and in the same year added Dallas Organic Products and International Stone & Materials (now Living Earth in Missouri City, Texas).

Triple A Mulch (now Living Earth in The Woodlands) was added in 1995. Two larger companies were added beginning with CJM The Soil Supermarket in March 1996 and Elliott’s Agri-Service in May 1997. Living Earth was purchased by Hunt Special Situations Group, a private investment firm, and management in 2007.



From 2008-2012, four new sites were added, expanding the total to 20 locations: twelve in the Houston area, seven in the Dallas/Fort Worth area and one in Pineland (East Texas). In 2011, Living Earth partnered with NGP Energy Technology Partners.

LIVING EARTH AND GREEN MATERIAL RECYCLING

Returning tree limbs, brush, leaves and grass clippings to beneficial reuse for over 20 years, Living Earth is the largest recycler of green material in Texas. As consumers and municipalities are becoming increasingly aware, recycling green material reduces landfill use, reduces greenhouse gas emissions, promotes water conservation and returns organic material back into the environment.

In 2007, Living Earth recycled over 500,000 tons of green material, the equivalent of taking 60,000 passenger cars off of the road for one year. We invite everyone to join us in recycling to keep our communities beautiful and preserve the environment for generations to come.

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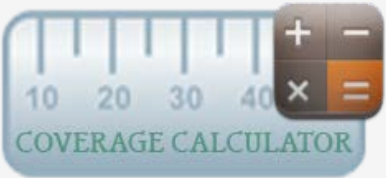
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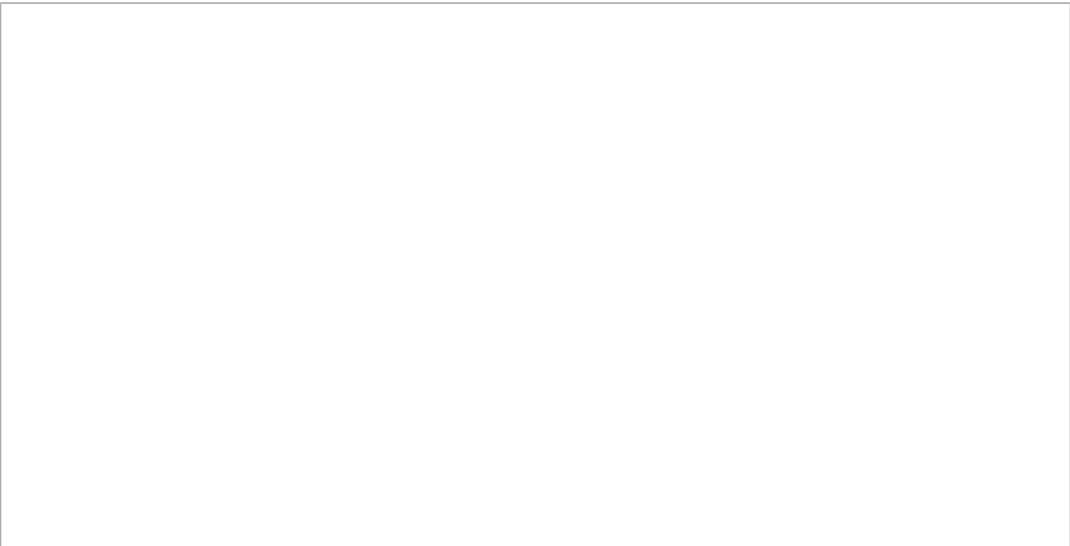
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