



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Lata Krishnarao, AICP, LEED ND

DATE: January 9, 2012

AGENDA ITEM SUBJECT: Discussion Items

- Old Business**
 New Business
 Discussion Item
 Workshop

Summary

The Management Connection, Inc. facilitated a Planning Workshop with the City of Pearland's Planning and Zoning Commission on Saturday, October 16, 2010. Seven priorities were identified by the Planning and Zoning Commission for 2011, as a result of this workshop.

Subsequently, Planning Department formed work teams to address these priorities and formulate recommendations for each priority. Each team consisted of two P & Z Commissioners, one lead planning staff, and the Planning Director. Each team presented their recommendations to the entire P & Z. The recommendations were finalized by P & Z, with input from ACM Mike Hodge.

In December 2011, P & Z reviewed their progress and identified the priorities for 2012.

Status of 2011 Priorities

2011 Priorities	2011 Teams	Status as for Dec. 2011
1. Establish Annexation Process a. Assist in developing a Communication Plan b. Assist in conducting a Cost/Benefit Analysis within the defined boundaries	Neil West, Henry Fuertes, Evan Duvall, Lata Krishnarao	Completed
2. Conduct quarterly or as needed conferences	Richard Golden,	Completed

with EDC and Chamber for the purpose of increasing communication/understanding	Henry Fuertes, Ian Clowes, Lata Krishnarao	
3. Develop strategy to address Brownfield Development (opportunities).	Darrell Diggs, Jerry Koza, Ian Clowes, Lata Krishnarao	Continue
4. Develop a plan to address: a. Transportation b. Mass Transit Connectivity (pedestrian access/ mobility)	Susan Sherrouse, Richard Golden, Harold Ellis, Lata Krishnarao	Continue
5. Update Land Use Matrix. Completed as part of the Unified Development Code Update T-12 and T-13.	P & Z Commission and Planning Staff	Completed
6. Update Comprehensive Plan.	Susan Sherrouse, Henry Fuertes, Evan DuVall, Lata Krishnarao	Continue
7. Develop a strategy for cell towers in the City.	Neil West, Darrell Diggs, Harold Ellis, Lata Krishnarao	Continue

2012 Priorities and Teams

2012 Priorities	2012 Teams
1. Develop strategy to address Brownfield Development (opportunities).	Phil Cessac, Henry Fuertes, Jerry Koza, Ian Clowes, Lata Krishnarao
2. Develop a plan to address: a. Transportation b. Mass Transit c. Connectivity (pedestrian access/ mobility)	Shiela Fischer, Richard Golden, Harold Ellis, Lata Krishnarao
3. Update Comprehensive Plan.	Shiela Fischer, Henry Fuertes, Evan DuVall,

	Lata Krishnarao
4. Develop a strategy for cell towers in the City.	Neil West, Phil Cessac, Henry Fuertes Harold Ellis, Lata Krishnarao

As in the 2011 report, each priority will be finalized in the following format:

- I Priority
- II Goal
- III Scope
- IV Tasks/milestones with completion dates
- V Findings
- VI Recommendations

The 2011 report on four priorities that are carried over is attached below.

Staff Recommendation

Discuss the future course of action and milestones.

PRIORITY 1

Team: Phil Cessac, Henry Fuertes, Jerry Koza, Ian Clowes, Lata Krishnarao

Develop strategy to address Brownfield Development (opportunities).

I Description

Identify and address how to best deal with Brownfield locations, within the city, and bring them up to the standards of the Unified Development Code. This will free up additional property, sometimes in key areas of the city, and produce additional tax revenue in the long run. At this time, the city does not currently have a policy in place that specifically deals with the redevelopment of these sites. It is to the city's benefit to develop a plan of action for future use.

II Outcome

Establish a plan of action by determining if any Brownfield sites currently exist in the city and how best to return these sites to income producing commercial or industrial businesses. This will free up additional property, sometimes in key areas of the city, and produce additional tax revenue in the long run.

III Scope

This project should address two main issues:

- a) Determine any existing Brownfield sites and develop a strategy to market these sites for redevelopment.
- b) Determine the causes of Brownfield status and enact a strategy to limit any future Brownfield sites within the city.

IV Tasks/milestones with completion dates

Kickoff/First Meeting: April 21, 2011
Aug 1 – Project conclusion*
Aug 15 – P & Z Discussion
Sept 12 – P & Z Finalization
July 25 – Refine scope/recommendation
Oct – P & Z Presentation to CC

Staff has researched Brownfield sites and discussed with local officials about possible incentives and actions that can be taken to remediate any potential hazards that may still exist.

V Findings

The City of Pearland has very limited sites that would be considered Brownfields. The few that do exist are mostly old gas stations and old industrial sites that may require some remediation before the sites will be a viable option for redevelopment. Pearland has three superfund sites located within our limits. These sites are monitored by the EPA and TCEQ and are not part of the Brownfield redevelopment scope.

VI Recommendations

- The City of Pearland should work with Pearland Economic Development Corporation to determine a course of action.
- Propose incentives such as tax breaks for a set amount of years that would encourage developers to redevelop these Brownfield's.
- Pearland is far from built out with a plethora of Greenfields to develop, incentives may be the main motivational factor for redevelopment of our Brownfield sites.

PRIORITY 2

Team: Shiela Fischer, Richard Golden, Harold Ellis, Lata Krishnarao

Develop a plan to address Connectivity (pedestrian/intra-City mobility)

I Description

The Commission felt that the City needed a comprehensive plan which addressed transportation, mass transit, and connectivity. Upon further research, it was discovered that the City is currently working with Houston Galveston Area Council on a number of different plans addressing the issues mentioned, both on a local and regional level. Upon further investigating those plans, it was discovered that they may not fully address recreational and non-recreational means of transportation. Therefore, the Commission would like that aspect to be addressed in a final transportation plan. The Commission felt that this proposed final transportation plan should combine all of the plans being worked on with the City and other regional entities into a comprehensive transportation plan, to be adopted as a part of the City's Comprehensive Plan to be used as a guide for future land use requests.

II Goal

Establish a comprehensive, city-wide mobility plan, to adopt and incorporate as a document in the comprehensive plan, to be used by the Commission when considering future land-use requests.

III Scope

This project should address intra-City connectivity and mobility for residents and visitors to the City. Specifically, this plan should address the following:

- a) Pedestrian and bicycle lanes or pathways, based on the City's thoroughfare plan and/or Parks Trails Master Plan, to effectively get people to major destination points
- b) Mobility within the City as a whole to Pearland's major destination points from various parts of the City via circulator system (e.g. Bus, trolley) developed as a result of this study.

IV Tasks/milestones with completion dates

Kickoff/First Meeting: April 6, 2011
May 6 – Detailed project goals
June 10 – Sugar Land Mobility Plan
July 25 – Refine scope/recommendation
Aug 1 – Project conclusion*
Aug 15 – P & Z Discussion

Sept 12 – P & Z Finalization
Oct – P & Z Presentation to CC

Staff has met with Engineering and City administration regarding coordination between various City projects which has resulted in the narrowed scope of this project.

V Findings

The City of Pearland already has plans or committees in place to address transportation (traffic flow, signal synchronization), regional transportation, connectivity within the City, and mass transit. At this time, the City's current Comprehensive Plan does not have a subsection in the Transportation Chapter of the Comprehensive Plan which would address the City's long-term goals for these issues.

VI Recommendations

- The City of Pearland should incorporate the findings and overall results of the various ongoing mobility projects into the City's next Comprehensive Plan update.
 - The new chapter of the Comprehensive Plan should serve as a guide for Staff, Commission, and Council to use when considering future development and its impact on transportation.
- Planning and Zoning Commission representation should be included as a stake holder in the review process of the ongoing City mobility projects once they are formalized to ensure that all aspects of intra-city transit are covered. This would be including but not limited to non-recreational bicycle connectivity within the City.

PRIORITY 3

Team: Shiela Fischer, Henry Fuertes, Evan DuVall, Lata Krishnarao

Develop a plan to update the Comprehensive Plan.

I Description

The Planning and Zoning Commission has prioritized developing a plan for updating the Comprehensive Plan as one of its Strategic Priorities.

The existing Comprehensive Plan was prepared in 1999, with minor updates in 2004 and 2009. In 2004, limited additions were made to the Comprehensive Plan to include topics that had not been addressed before. These topics included housing, community character, mixed uses, and others, that provided a basis for the new Unified Development Code adopted in 2006. In 2010, only the Future Land Use Map was reviewed with respect to vacant land and some changes were made.

During the last thirteen years, the City of Pearland has experienced almost a tripling of population. This substantial growth and emerging issues have diminished the effectiveness and validity of the current Plan.

Additionally, individual sections of the Plan, such as the Parks Plan, Water and Sewer Plan, Thoroughfare Plan, etc., have been updated independently of this document, but have not been incorporated.

The Comprehensive Plan is a document that guides public policy in terms of transportation, utilities, land use, recreation, housing, economic development and others. Texas state law requires municipalities that adopt zoning regulations to do so "in accordance with a comprehensive plan" (Texas Local Government Code §211.004). Aside from statutory requirements, having a plan provides the City with the opportunity to address issues related to growth and service provision in a proactive, coordinated manner that promotes the health, safety, and general welfare of residents.

Therefore P & Z believes that it is time to undertake a comprehensive update to make sure the Comprehensive Plan reflects current data, trends and community preferences. An updated Plan is imperative to guide future city's growth in the next twenty years. This need is further precipitated by the unprecedented growth in the last 10 years, from 37,640 in 2000 to 91,252 in 2010, the changes that the city has undergone, and regional changes in the Houston Galveston area.

II Outcomes

Provide a recommendation for updating the Comprehensive Plan for the City of Pearland to assure the goals of the City of Pearland are accomplished over the next twenty years.

III Scope

Review the goals of the City of Pearland's Comprehensive Plan and develop a strategy for updating the Comprehensive Plan.

IV Tasks/milestones with completion dates

Kickoff: March 07, 2011
Meeting: April 04, 2011
P&Z Discussion: August 15, 2011

V Findings

The City of Pearland's Comprehensive Plan (Plan) needs to be updated to reflect changes that have occurred over the past decade. Over the last six years two major updates have been completed; including the Future Land Use Plan and the 2006 Addendum. These updates have targeted only a few sections of the Plan and a substantial amount of the document is in its 1999 original adoption state. The 2004 update was an addendum and added some sections to the Comprehensive Plan. It did not revise the entire Plan. Similarly, the 2009 update focused on only a few sections and was not a comprehensive update.

1. The goals of the Comprehensive Plan have to be evaluated.

- a. Determine if goals established in 1999 are still applicable
 - i. Revise outdated goals.
 - ii. Examine if goals are being implemented by all departments of the city.
 1. Compare other documents utilized by other departments.
- b. Add additional goals
 - i. Determine if any additional goals are applicable to the City of Pearland.
 1. Sustainability
 2. Hazard Mitigation
 3. Mobility
- c. Facilitate Enforcement of the Plan among all departments
 - i. Assure that all departments are working together to obtain the future goals of the City of Pearland.

2. Complete update to the Comprehensive Plan

- a. Assure that the current information for the City of Pearland is accurate (Demographic, Cross Section for Streets, etc.)
- b. Add new information such as trails to the Comprehensive Plan.
- c. Add additional chapters as needed.

- i. Sustainability
- ii. Hazard Mitigation

3. Community involvement to validate the information contained in the Comprehensive Plan

- a. Community Meetings
- b. Online Surveys
- c. Open Houses

4. Need to assure city's departments are aligned

- a. Meetings with city departments
 - i. Review each department's implementation tools with the goals of the Plan to find opportunities or conflicts.

VI Recommendations

- The City of Pearland should do an all-inclusive update of the Comprehensive Plan for the City of Pearland.
 - This update will provide for a guide for the City of Pearland over the next twenty-years.
 - Explore additional resources required to complete this update.
 - Incorporate other Planning and Zoning Commission strategies in the Comprehensive Plan such as a Mobility Plan and Telecommunications Plan.

PRIORITY 4

Team: Neil West, Phil Cessac, Henry Fuertes, Harold Ellis, Lata Krishnarao

Develop a strategy for addressing future cell tower requests

I Description

Due to a number of past Conditional Use Permit requests related to cellular communication towers, the Commission felt that consideration for approvals lacked specific guidelines. Therefore, the Commission expressed a desire to have a future plan which establishes guidelines and policies to use as a basis for future cellular communication tower requests in the City to ensure future approvals are in the best interest of the City in terms of location, design, and coverage areas

II Goal

Develop a plan for the introduction of new cell towers over the next 10-15 years.

III Scope

Investigate existing telecommunication towers within the City limits and ETJ for capacity, height, locations, structures, with the purpose of developing a strategy for the introduction of new towers over the next 10-15 years.

IV Tasks/milestones with completion dates

Kickoff/1st Meeting: April 7, 2011 – Milestones Established

1. Review City's regulations and governance of telecommunication towers - met
2. Develop map of all existing towers within the City and ETJ - met
3. Investigate the possibility of a moratorium on new towers - met
4. Conduct a joint meeting between the Commission and tower owners and industry experts to develop a stealth plan - pending
5. Develop a coverage map for all towers within the City and ETJ - pending

July 15 – Project update/recommendation

Aug 1 – Project Conclusion

Aug 15 – P & Z Discussion

Sept 12 – P & Z Finalization

P & Z Presentation to City Council

V Findings

Milestones 1, 2, and 3, as listed above, have been completed. Item 4 will be addressed out of the recommendation for 5, which is to develop a coverage map for all towers, as well as proposing suggested stealth technologies and plan.

Additional findings to note:

- The City needs additional information regarding stealth technologies and practices of nearby communities
- The current Comprehensive Plan does not address cell towers
- The City needs a precise map showing not just locations of existing towers, but coverage capability of existing towers
- New technologies may phase out existing towers, the City needs a plan to address what will happen if this becomes an issue
- Grandfathering of towers makes improvements to existing towers difficult, research should be done on how to handle this issue

VI Recommendations

The City of Pearland should create a cellular coverage map for the City and ETJ. This study should take into account additional available capacity on existing towers to illustrate future coverage potential with existing towers. Additionally, the study should identify proposed stealth technologies based on the findings of the map, as well as other community regulations within the region. The study should also identify means of phasing out existing towers as technology changes the demand. The findings may then be discussed further with the Commission and Council to finalize an end product to be used when evaluating new towers and can be proposed for adoption with the annual Unified Development Code in 2012 (T-14).

Attachments:

Individual Commissioner Research and Input



**City of Pearland
Planning and Zoning Commission**

July 27, 2011

Subject: City of Pearland Cell Tower Strategy - Commissioner Input #1

Pursuant to the Planning and Zoning Commission Retreat conducted earlier this year, the Planning Director for the City of Pearland requested the commission to proactively pursue courses of action to ensure the identified goals and objectives might be attained. This request led to the formulation of several working groups within the commission to investigate in greater details the issues impacting the established goals. One such goal was the development of a strategy to guide the commission with regard to facilities siting of cell towers within the city and its extraterritorial jurisdiction (ETJ).

The Cell Tower workgroup comprised of Commissioner Darrell J. Diggs, Sr., Commissioner Neil West, and Senior Planner Harold Ellis met initially to identify the scope, milestones, and timeline. A final report is scheduled to be presented to the City Council on or before September 30, 2011. The project scope was defined as: *“Investigate existing telecommunication towers within the City limits and ETJ for capacity, height, location, and structure with the purpose of developing a strategy for introducing new towers over the next 10-15 years.”*

The Cell Tower Workgroup also established the following milestones to ensure progress and to guide the completion of this task.

- Review of City’s regulations and governance of telecommunication towers.
- Investigate the possibility of a moratorium on new towers.
- Develop a map of existing cell towers within the City and its ETJ.
- Develop a Stealth Plan governing the siting of towers throughout the City.
- Develop a coverage map for all towers within the City and ETJ.

This document identifies findings from Commissioner Darrell J. Diggs, Sr. research into federal data sources and regulations available from the Federal Communications Commission and Section 704 of the Telecommunications Act of 1996.

Section 704 of the Telecommunications Act of 1996 governs federal, state, and local government oversight of siting of "personal wireless service" (PWS) facilities. The act, while preserving local zoning authority, prohibits any action that would:

- discriminate between different providers of personal wireless services, and
- ban altogether the construction, modification, or placement of these kinds of facilities.

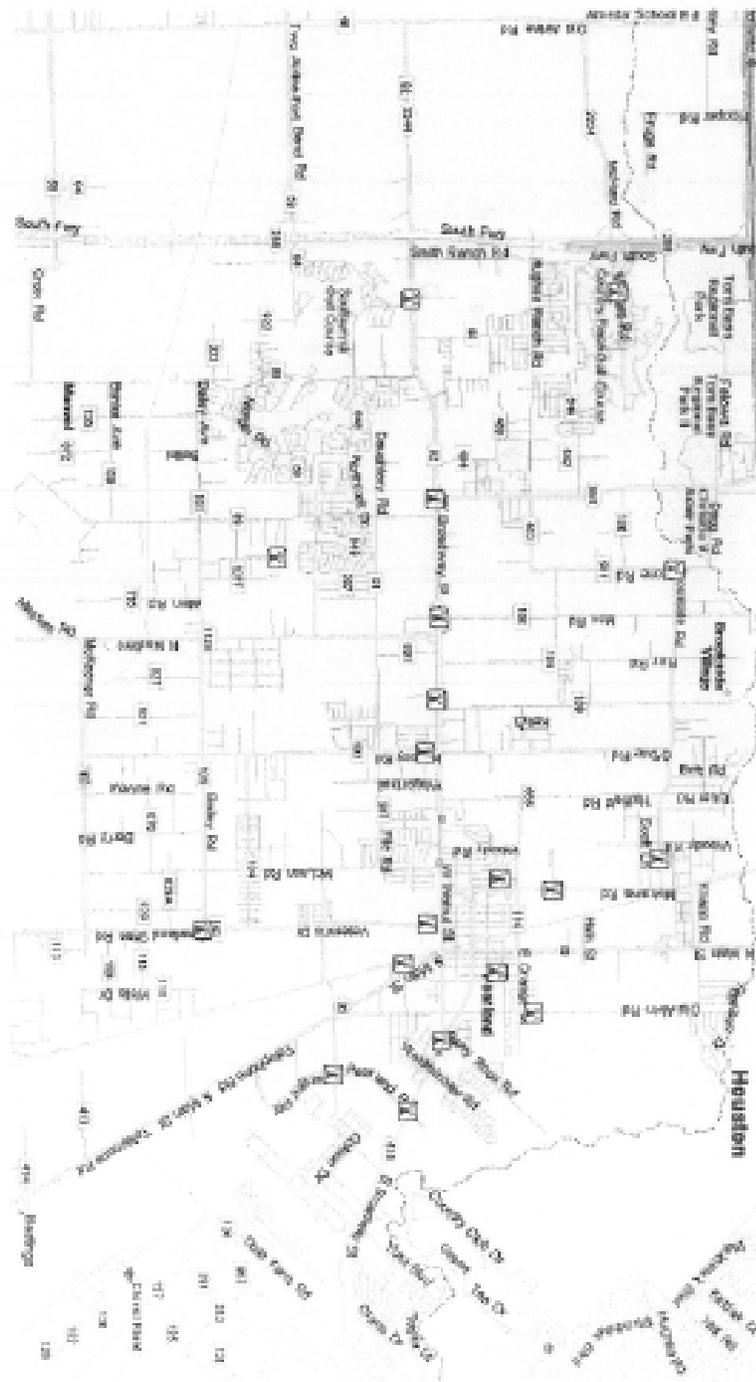
While the Telecommunications Act of 1996 clearly resolves the issue of placing moratoriums on the siting of new towers, its amendment to Section 332(c) of the Communications Act clearly preserves the authority of local government decisions regarding the placement, construction, and modification of PWS facilities.

This information, along with additional summary information regarding issues such as cellular market licensing management, effects of radio frequency emissions, and licensee requirements regarding Environmental Assessments are found on the FCC Wireless Telecommunications Bureau web site fact sheet (<http://wireless.fcc.gov/siting/fact1.html>).

The FCC site also contains publically available information on existing and proposed cellular tower siting facilities (see exhibit 1). The facilities database includes information such as:

- Registration Number,
- Tower Owner,
- Tower Address,
- Tower Height,
- Structure Type, and
- Date of Construction/Dismantling.

The following exhibit details the above information for the 28 towers currently within the City of Pearland and its ETJ. This information provides the basis for the completion of work by this group. Licensing information must be registered and approved by the Federal government and the availability of this licensing data can assist the Planning Department in its provision of factual and complete data regarding cell towers to the City Council and the P&Z Commission. In addition, the P&Z Commission can use this information in its deliberations regarding siting of new facilities.



*P & Z 2021 PROJECT GOAL; CELL TOWER STRATEGY
COMMENTS UPDATE, NEIL WEST, COMMISSIONER
08-08-21*

CELL TOWER STRATEGY DOES INCLUDE OTHER VIBLE ALTERNATIVES

CELL TOWER BASICS

*LOCATION-APPEARANCE-EFFECTIVENESS, NEED ADDRESSING
MORE EXTENSIVE USE OF TRANSMISSION POLES CURRENTLY
ALL CELLULAR TECHNOLOGY COULD BE UNDER A MASTER PLAN & MONITORED
PHASE CELL TOWERS OUT AS TECHNOLOGY ALLOWS,
NO GRANDFATHERING*

CUTTING EDGE TECHNOLOGY

*INVESTIGATE CURRENT TECHNOLOGY AVAILABL
KEEP UP TO DATE ON OTHER THAN TOWERS (SATELITES, OTHER TRANSMISSION
METHODS, ETC,)*