

AGENDA – WORKSHOP OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, AUGUST 5, 2013, AT 6:00 P.M., IN THE 2ND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

- 1. COMMISSION INPUT AND DISCUSSION: UNIFIED DEVELOPMENT CODE (UDC) AMENDMENTS T-16.** *Presentation by Mr. Ian Clowes, Planner II.*

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1840 prior to the meeting so that appropriate arrangements can be made.

I, Judy Brown, Office Coordinator of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 2nd day of August, 2013, A.D., at 5:30 p.m.

Judy Brown, Office Coordinator

Agenda removed _____ day of August 2013.



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Ian Clowes, Planner II

DATE: July 23, 2013

AGENDA ITEM SUBJECT: Unified Development Code (UDC) Amendments – T-16

Old Business New Business Discussion Item Workshop

Summary of the amendment process:

Amendments to the Unified Development Code (UDC) are reviewed annually. Based on input from citizens, developers, Planning and Zoning Commission, board members, and city staff, planning staff creates a list of changes to the UDC.

Since the UDC is our local zoning ordinance, state law and city charter requires a joint public hearing with the Planning & Zoning Commission (P & Z) and City Council, and two readings of the ordinance by the City Council to approve any changes to the local zoning ordinance.

In Pearland, the Council has directed that the Planning and Zoning Commission review these changes in detail and make a recommendation at the joint workshop. Therefore, the process starts with a P & Z workshop.

Workshop(s) were scheduled with the P & Z on July 15, August 5, and August 19, 2013, to discuss proposed amendments. Following these joint workshops, a joint workshops will be scheduled with P & Z and City Council. Tonight's workshop is the second of the three workshops.

Actual text changes will be done following input from the Commission. The language below is in draft form for discussion.

Proposed amendments:

1. Create a new use for Wine Bars

Section proposed to be added: 2.5.2.1 (a) (Page 2-158). Wine bars have become a more popular use in the last couple of years. In general, the majority of requests have been for wine bars where little to no food is sold but would not be best classified as a traditional Bar or Tavern, as those establishments differ in operation (including types of beverages sold), as well as the zoning districts they are permitted in.

Staff feels that a wine bar is a less intensive use than a tavern and thus would be appropriate in the GB and GC zone.

This proposed change was initiated by staff.

| Use | Residential Zoning Districts | | | | | | | | | | | Mixed Use Districts | | | | | Old Town | | | Non-Residential Zoning Districts | | | | | | | | | | | |
|----------|--|-----|-------|-------|-----|-----|-----|-----|----|----|----|---------------------|----|----|----|----|----------|--------|------|----------------------------------|-------|-----|----|-----|-----|----|----|----|-----|-----|--|
| | SD | R-E | SR-15 | SR-12 | R-1 | R-2 | R-3 | R-4 | TH | MF | MH | SPD | | | | | C-MU | G/O-MU | OT-R | OT-GB | OT-MU | RRN | OP | BP- | 288 | NS | GB | GC | M-1 | M-2 | |
| Wine Bar | | | | | | | | | | | | S1 | S2 | S3 | S4 | S5 | C | C | | C | C | | | | | | | P | P | P | |
| | Description: A facility that derives up to 100% of its revenue from the sale of wine (not beer or liquor) for consumption on the premises where the drinks are sold. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Parking: One space per 300 square feet of gross floor area. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

2. Add the phrase *Temporary Sign* to the section regarding Special Events Sign and Off Premise Special Event Signs.

Sections to be changed: 4.2.5.3 (b) (12) (Page 4-67) and 4.2.5.5 (d) (3) (Page 4-71).

For these types of signs, we need to clarify that the permitted signs are Temporary Signs as opposed to any other type of signs such as Portable Signs or Marquee Signs.

This is required due to a recent issue where a local business was permitted to use a portable sign as a temporary on premise sign advertising a special event at their business. The UDC currently has a definition for *Temporary Sign* but this type of sign is not appropriately referenced in the sign code.

This change was initiated by staff.

(12)Special Events Sign: **Temporary** Signs advertising a special event sponsored by a non-profit organization, charitable group, or civic club and placed on real property where said event is to take place shall be allowed subject to the following conditions:

- a. The signs may not be displayed more than fourteen (14) days before, or five (5) days after, the event.
 - b. The sign may not exceed six feet (6') in height or thirty-two square feet (32 ft²) in area per sign face.
 - c. Only one such sign is allowed per street frontage, with a maximum of three per property.
 - d. Portable Signs as defined in section 5.1.1.1 (a) (389) are not considered Temporary Signs and will not be permitted.
- 3) Off-premise special events signs: Temporary Signs advertising a special event sponsored by a non-profit organization, charitable group, or civic club may be placed off-premises of where said event is to take place shall be allowed subject to the following conditions:
- a. The signs may not be displayed more than fourteen (14) days before, or five (5) days after, the event.
 - b. No more than ten signs not exceeding six feet (6') in height or thirty-two square feet (32 ft²) in area per sign face are allowed within the City's limits, limited to one per street frontage. These signs shall be exempt from sign permit fees.
 - c. There is no quantity limit on signs not exceeding three and a half feet (3.5') in height or five square feet (5 ft²) in area per sign face, except only one is allowed per lot.
 - d. Portable Signs as defined in section 5.1.1.1 (a) (389) are not considered Temporary Signs and will not be permitted.

3. Human Signs.

Section to be changed: 4.2.5.5.9 (b) (7).

Amend the section of the sign code that discusses human signs by adding moderate restrictions on how human signs can be displayed throughout the city.

This is in response to a substantial increase in the use of human signs throughout the city including costumed characters.

This was initiated by City Council.

Example from Florida:

- (7) Human signs are allowed, providing they are standing (not seated) on the sidewalk or on private property. Human signs are defined as a person wearing a costume or holding a sign or other display while outside for the purpose of advertising a business, product, service, person, event or issue. The maximum size of any sign being held is six square feet. Example: maximum 2x3 feet, 3x2, or 1X6 feet. Human signs are not permitted on any public street, public medians or public swale. They are not permitted to be shaken, swung, oscillated, waved, rotated, twirled or thrown.

See attached example from the City of Webster for discussion at meeting.

This issue has been addressed recently and staff is working with legal on the best way to address this issue.

4. Carwash as part of primary use

Section to be changed: 2.5.2.1. and 2.4.5.1 (d) (4). We have had a number of CUP cases recently that have been for self service drive through carwashes that were secondary to a permitted primary use on the same lot in the GB.

The use, when tied to a permitted use should be allowed with restrictions put on the use regarding location of the bay doors.

This was initiated by the City Council.

| Use | Residential Zoning Districts | | | | | | | | | | | Mixed Use Districts | | | | | Old Town | | | Non-Residential Zoning Districts | | | | | | | | | | | | | | | |
|---|---|-----|-------|-------|-----|-----|-----|-----|----|----|----|---------------------|----|----|----|----|----------|------|-----|----------------------------------|-------|-------|-----|----|--------|----|----|----|-----|-----|---|---|---|---|---|
| | SD | R-E | SR-15 | SR-12 | R-1 | R-2 | R-3 | R-4 | TH | MF | MH | SPD | | | | | C-MU | G/O- | MLL | OT-R | OT-GB | OT-MU | RRN | OP | BP-288 | NS | GB | GC | M-1 | M-2 | | | | | |
| Gasoline Station (With or Without Auto Wash - Self Serve) | | | | | | | | | | | | S1 | S2 | S3 | S4 | S5 | C | | | | | P | | | | | | | | | P | P | P | P | P |
| | Description: An establishment where gasoline is sold and dispensed into motor vehicle tanks and may have an attached or detached auto wash use. The attached or detached auto wash must be an automated wash tunnel and does not include self serve wand style auto washes. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Parking: One space per employee plus spaces required to satisfy projected peak parking demand. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

(4) For any type of use that requires openings in the facade for vehicle entry or exit: These openings must not face a public roadway unless adequately screened to minimize the visual impact on the roadway. The screening should the meet the requirements 2.4.5.1 (i) (b), 2.4.5.1. (2), and 2.4.5.1 (3) (c) (a).

5. Separate new and used car sales in the land use matrix.

Section to be changed: 2.5.2.1: Recently we have had a number of used car lots open up throughout the city. The majority of these have opened in sites that do not currently comply with the UDC but improvements are not triggered. This has lead to further deterioration or sites as the used car sales use is more intense than many of the previous uses where they are now locating, and needed site improvements are warranted on these properties. The proposal is to separate new and used car sales and require used car sales to obtain a CUP prior to obtaining a CO. This will allow the City Council to look at each site and determine what if any improvements need to be completed prior to issuance of a CO.

This was initiated by staff.

| Use | Residential Zoning Districts | | | | | | | | | | Mixed Use Districts | | | | | Old Town | | | Non-Residential Zoning Districts | | | | | | | | | | |
|---|--|-----|-------|-------|-----|-----|-----|-----|----|----|---------------------|-----|----|----|----|----------|------|------|----------------------------------|------|-------|-------|-----|----|--------|----|----|----|-----|
| | SD | R-E | SR-15 | SR-12 | R-1 | R-2 | R-3 | R-4 | TH | MF | MH | SPD | | | | | C-MU | G/O- | MU | OT-R | OT-GB | OT-MU | RRN | OP | BP-288 | NS | GB | GC | M-1 |
| Office, Parole- Probation, Bail Bonds | | | | | | | | | | | S1 | S2 | S3 | S4 | S5 | | | | | | | | | | | | | | |
| | | | | | | | | | | | C | C | C | C | C | C | C | | | | C | C | C | C | C | C | C | C | |
| | Description: An office for conducting the supervision of recently paroled convicts for the purpose of successful integration into society. This use includes entities that issue bail bonds. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Parking: One space for each 300 square feet of gross floor area | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Recommended action:

Conduct the workshop

**All Walking Signs
are required to
have an approved
Sign Permit
beginning
May 16, 2013**

Definition:

Walking signs (also known as human directionals) are signs and attention grabbing devices that are held, worn, twirled, or spun by a person to identify or publicize a business, special event, sale, or other business promotion.

Examples:

- Seasonal or holiday sales
- Charity car washes
- Offers to buy or sell items
- Grand openings
- Inventory reduction sales
- Going out of business
- Happy hours
- Special events

**Approved Sign
Permit Required**



**Walking
Sign
Regulations**



New regulations effective
May 16, 2013



City of Webster
101 Pennsylvania Avenue
Webster, TX 77598
(281) 332-1826

Walking Sign Regulations

Location Restrictions:

Walking Signs may only be displayed at the business or event location.

Prohibited Locations:

Display of a walking sign in medians or right-of-ways is prohibited.

Time Limitations:

- Walking signs may be displayed from sunrise to sunset.
- Walking signs may be displayed for a maximum of ten consecutive days each month.

Number Permitted:

Only one walking sign per business is allowed. Businesses located on a corner lot may have two walking signs (permitted concurrently). Each walking sign requires an approved sign permit.

Prohibited Displays:

No electronic displays of any type, including flashing lights, video, LED, or reader-boards are allowed.

Prohibited Accessories:

- Attachments to, on, or near walking signs (i.e., wind devices, flags, balloons) are prohibited.
- Use of podiums, ladders, risers, stilts, vehicles, roofs, or any other structure or device is also prohibited.

Size Limitations:

- The size of a walking sign is limited to a maximum of six square feet per sign face.
- Sandwich signs are allowed.

Permit Requirements:

- Completed sign permit application.
- Site plan or satellite image showing the location of proposed walking sign.
- Drawing or photograph of walking sign.
- \$25 permit fee for lots or businesses with frontage on one street.
- \$50 permit fee for corner lots or businesses with frontage on two streets that seek two walking signs.

If Sign Permit is Approved:

- Approved Sign Permit must be attached to sign.
- If a human directional is in costume without a sign, that individual must carry the approved permit for display.

For more information:

- Check Ordinance 13-08 on our website — www.cityofwebster.com



Examples of acceptable sign sizes

