

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND TO BE HELD ON FEBRUARY 20, 1989, AT 7:30 P. M. IN THE COMMUNITY CENTER BUILDING, 3523 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF HEARING: TO DISCUSS THE FOLLOWING PROPOSED AMENDMENTS TO THE LAND USE AND URBAN DEVELOPMENT ORDINANCE NO. 509 AND AMENDMENTS TO THE ZONING MAP.

1. AMENDMENT OF ORDINANCE NO. 509-A, SECTION 22, SIGN ORDINANCE.
2. AMENDMENT OF MINIMUM PARKING AREA REQUIREMENTS FOR TYPICAL PARKING ANGLES FROM THE REQUIRED 10' STALL WIDTH TO 9' WIDTH.
3. REZONE GREEN TEE SUBDIVISION TOWNHOUSE RESERVE, BLOCKS 3, 7, AND 1/2 OF 8, SECTION I AND 1/2 OF BLOCK 8, SECTION II FROM R-3 TO R-4.
4. REZONE CORRIGAN SUBDIVISION, SECTIONS 1-5, FROM R-4 TO R-2.
5. REZONE WILLOWICK SUBDIVISION FROM R-4 TO R-2.
6. REZONE SPRINGFIELD SUBDIVISION FROM R-3 TO R-2.
7. ZONE SHERWOOD SUBDIVISION (NO ZONE INDICATED) TO R-2.

III. OPENING COMMENTS

IV. RECEIVE COMMENTS FROM AUDIENCE

V. ADJOURN

**NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL
AND THE PLANNING AND ZONING COMMISSION OF THE
CITY OF PEARLAND, TEXAS**

TO DISCUSS THE FOLLOWING PROPOSED AMENDMENTS TO THE
LAND USE AND URBAN DEVELOPMENT ORDINANCE NO. 509
AND AMENDMENTS TO THE ZONING MAP:

1. AMENDMENT OF ORDINANCE NO. 509-A, SECTION 22, SIGN ORDINANCE.
2. AMENDMENT OF MINIMUM PARKING AREA REQUIREMENTS FOR TYPICAL PARKING ANGLES FROM THE REQUIRED 10' STALL WIDTH TO 9' WIDTH.
3. REZONE GREEN TEE SUBDIVISION TOWNHOUSE RESERVE, BLOCKS 3, 7, AND 1/2 OF 8, SECTION I AND 1/2 OF BLOCK 8, SECTION II FROM R-3 TO R-4.
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6. REZONE SPRINGFIELD SUBDIVISION FROM R-3 TO R-2.
7. ZONE SHERWOOD SUBDIVISION (NO ZONE INDICATED) TO R-2.

**THIS HEARING WILL BE HELD ON FEBRUARY 20, 1989,
AT 7:30 P. M. IN THE COMMUNITY CENTER BUILDING,
3523 LIBERTY DRIVE, PEARLAND, TEXAS**

THOSE OWNERS OF PROPERTY WISHING TO PROVIDE INPUT CONCERNING THE
PROPOSED AMENDMENTS TO ORDINANCE NO. 509 OR AMENDMENTS TO THE
OFFICIAL ZONING MAP SHOULD ATTEND.

ORDINANCE NO. 509-A-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING ORDINANCE 509, THE ZONING ORDINANCE OF THE CITY OF PEARLAND BY AMENDING SECTION 22, SIGNS, SPECIFICALLY SECTION 22-1 (SIGNS REQUIRING PERMITS), SECTION 22-3 (MEASUREMENTS), SECTION 22-4 (HEIGHT RESTRICTIONS), SECTION 22-7 (PORTABLE SIGN LIMITATIONS), SECTION 22-11 (PROHIBITED SIGNS, ADVERTISING, LIGHTING), SECTION 22-16 (SIGN REGISTRATION), SECTION 22-17 (BUILDER/SUBDIVISION SIGNS), AND AMENDING TABLE VII OF SECTION 4 THERETO; PROVIDING A PENALTY FOR VIOLATION; HAVING A SEVERABILITY CLAUSE; HAVING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

I.

SECTION 1. THAT Ordinance No. 509, the Zoning Ordinance of the City of Pearland, Texas, be amended and as amended shall hereafter read as follows:

Section 22-1. ~~Signs requiring permits.~~ (4) No PERMIT SHALL BE REQUIRED FOR THE FOLLOWING SIGNS:

- (g) On-site directional and informational signs not exceeding two (2) square feet.
- (n) Banners and decorations erected announcing civic, patriotic events and/or seasonal celebrations and for any other purpose shall not remain for more than sixty (60) days.

Section 22-3. Measurements.

- (1) The area of any sign shall be deemed to be the computed area of one sign face, including cutouts.
- (2) Maximum sign height shall be measured from the highest point on the sign to the elevation of the center line of the street from which the sign is to be viewed.

Section 22-4. Height restrictions.

- (1) No free standing sign shall exceed thirty (30) feet above the elevation of the center line of street from which sign is to be viewed.

Section 22-7. Portable ~~Signs~~ ~~limitations~~.

- (1) Each lawfully operating business shall be allowed the use of one (1) on-premise portable sign for ninety (90) days during each calendar year; provided, however, that each usage of such portable sign shall be in increments of no less than fourteen (14) consecutive days.
- (2) A portable sign permit shall be obtained by each business for each use of a portable sign. Specifically, a permit will be required in the following situations:

- (a) Prior to installation and use of a portable sign.
 - (b) Prior to use of an existing installed portable sign by a different business located in the same shopping center.
- (3) In accordance with Section 22-1-4 (P) Portable signs may be used as a special event sign.

Fees for a portable sign permit shall be established by City Council. Each on-premise portable sign shall have its permit securely attached and visible.

- (4) When a state of emergency is declared due to adverse weather conditions, portable signs shall be removed.

Section 22-11. Prohibited signs, advertising, lighting.

- (7) No on-premise free standing sign shall be located within seventy-five (75) feet of another on-premise free standing sign on the same side of the street or highway.

Section 22-16. Sign registration.

Every person, firm, group, organization, corporation, association or other entity which has an erected sign on the effective date of this ordinance shall register these signs with the City Building Official within 120 days after the effective date of this amendment unless said person, firm, group, organization, corporation, association or other entity has previously registered its sign. This registration on the part of the owner will consist of notifying the City Building Official of the existence of signage. Inspection, measurement, and recording of signage will be done by the City. The City Building Official shall determine if the preexisting sign meets the requirements of this ordinance.

- (1) Conforming use: If such preexisting sign meets the requirements of this ordinance, the City Building Official shall issue to the applicant "Notice of Registration of a Conforming Sign(s)."
- (2) Nonconforming use: If such preexisting sign does not meet the requirements of this ordinance, the City Building Official shall issue to the applicant a registration entitled "Sign Registration Nonconforming Use." Such sign shall then be subject to the requirements of Section 22-15, "Replacement or Repair of Sign."
- (3) Unsafe signs: If such preexisting sign is found to be unsafe and a menace to the public by the City Building Official, such sign shall then be subject to the requirements of Section 22-14, "Unsafe Signs."
- (4) Delete

Section 22-17. Builder/Subdivision signs.

Builder/Subdivision signs will be permitted with the following restrictions:

- (1) One builder/subdivision sign may be located at the main entrance of any new subdivision. Four (4) additional directional signs may be located off-site at appropriate locations.

- (2) The maximum area of a builder/subdivision sign shall not exceed 130 square feet.
- (3) The maximum area of a subdivision directional sign shall not exceed 96 square feet.
- (4) Such sign(s) shall be removed after a period of five years or when the subdivision is 90% sold out, which ever occurs first.

Section 4. Table VII

Table VII

<u>Zoning District</u>	<u>Sign Type</u>	<u>Maximum Area of All Signs Allowed for a Business With Frontage</u>
NS	On-premise building, free standing, marquee and portable signs allowed.	Free Standing: 2 square feet per lineal foot of building frontage up to a maximum of 160 square feet
		Building Sign: 1 square foot per lineal foot of building frontage up to a maximum of 80 square feet
GB	On-premise building, free standing, marquee and portable signs allowed	Free Standing: 2 square feet per lineal foot of building frontage up to a maximum of 200 square feet
		Building Sign: 1 square foot per lineal foot of building frontage up to a maximum of 100 square feet
C	On-premise building, free standing, marquee and on-premise portable signs allowed	Free Standing: 2 square feet per lineal foot of building frontage up to a maximum of 300 square feet
		Building Sign: 1 square foot per lineal foot of building frontage up to a maximum of 150 square feet

M-1, M-2

On-premise free standing, building and on-premise portable signs allowed

Free Standing:
2 square feet of sign area for each lineal foot of street frontage not to exceed 300 square feet per face, no more than 600 square feet maximum

Building Sign:
1 square foot of sign area for each lineal foot of street frontage not to exceed 150 square feet per face, no more than 300 square feet maximum

EXCEPTIONS TO TABLE VII:

1. In the case of a business with frontage of less than 50', a building sign(s) not to exceed 50 square feet total shall be allowed.
2. In the case of a business with frontage of less than 25', a free standing sign(s) not to exceed 50 square feet total shall be allowed.
3. All or a portion of unused allowed square footage for a building sign(s) may be added to free standing sign, but in no case may free standing sign square footage be added to building sign(s).

SECTION 2. All ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. Penalty. Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon final conviction thereof shall be fined in a sum not to exceed \$1,000.00 for each offense. Each day such violation continues to exist shall constitute a separate offense. But in case any person, firm or corporation violates any of the provisions of this Ordinance or fails to comply therewith, the City of Pearland, in addition to imposing the penalties above provided, may institute any

appropriate action or proceedings in court to prevent, restrain, correct, or abate or to prevent any illegal act, conduct, business or use in or about any land; and the definition of any violation of the terms of this Ordinance as a misdemeanor, shall not preclude the City of Pearland from invoking the civil remedies given it by law in such cases but same shall be cumulative of and in addition to the penalties prescribed for such violation.

SECTION 5. This Ordinance shall be effective and in full force on the tenth day after its publication by caption and penalty clause in the official newspaper of the City of Pearland, Texas.

PASSED, APPROVED and ADOPTED this _____ day of _____, A. D., 1989.

Mayor

ATTEST:

City Secretary

PASSED, APPROVED and ADOPTED on second and final reading this _____ day of _____, A. D., 1989.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

EB

ORDINANCE NO. 509-A-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING ORDINANCE 509, THE ZONING ORDINANCE OF THE CITY OF PEARLAND BY AMENDING SECTION 22, SIGNS, SPECIFICALLY SECTION 22-1, (SIGNS REQUIRING PERMITS), ~~(2)~~, ~~(3)~~, SECTION 22-3, (MEASUREMENTS), ~~(1)~~, ~~(2)~~, SECTION 22-4, (HEIGHT RESTRICTIONS), ~~(1)~~, SECTION 22-7, (PORTABLE SIGN LIMITATIONS), ~~(1)~~, ~~(2)~~, ~~(3)~~, ~~(4)~~, SECTION 22-11, (PROHIBITED SIGNS, ADVERTISING, LIGHTING), ~~(1)~~, SECTION 22-16, (SIGN REGISTRATION), ~~(1)~~, ~~(2)~~, ~~(3)~~, ~~(4)~~, SECTION 22-17, (BUILDER/SUBDIVISION SIGNS), ~~(1)~~, ~~(2)~~, ~~(3)~~, ~~(4)~~, AND AMENDING TABLE VII OF SECTION 4 THERETO; PROVIDING A PENALTY FOR VIOLATION; HAVING A SEVERABILITY CLAUSE; HAVING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

I.

SECTION 1. THAT Ordinance No. 509, the Zoning Ordinance of the City of Pearland, Texas, be amended and as amended shall hereafter read as follows:

Section 22-1. Signs requiring permits.

- ✓(g) On-site directional and informational signs not exceeding two (2) square feet.
- ✓(n) Banners and decorations erected announcing civic, patriotic events and/or seasonal celebrations and for any other purpose shall not remain for more than sixty (60) days.

Section 22-3. Measurements.

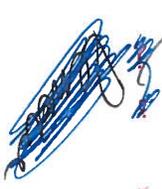
- ✓(1) The area of any sign shall be deemed to be the computed area of one sign face, including cutouts.
- ✓(2) Maximum sign height shall be measured from the highest point on the sign to the elevation of the center line of the street from which the sign is to be viewed.

Section 22-4. Height restrictions.

- ✓(1) No free standing sign shall exceed thirty (30) feet above the elevation of the center line of street from which sign is to be viewed.

Section 22-7. Portable sign limitations.

- ✓(1) Each lawfully operating business shall be allowed the use of one (1) on-premise portable sign for ninety (90) days during each calendar year; provided, however, that each usage of such portable sign shall be in increments of no less than fourteen (14) consecutive days.
- ✓(2) A portable sign permit shall be obtained by each business for each use of a portable sign. Specifically, a permit will be required in the following situations:



- (a) Prior to installation and use of a portable sign.
- (b) Prior to use of an existing installed portable sign by a different business located in the same shopping center.

✓(3) In accordance with Section 22-1-4 (P) Portable signs may be used as a special event sign.

Fees for a portable sign permit shall be established by City Council. Each on-premise portable sign shall have its permit securely attached and visible.

✓(4) When a state of emergency is declared due to adverse weather conditions, portable signs shall be removed.

Section 22-11. Prohibited signs, advertising, lighting.

(7) No on-premise free standing sign shall be located within seventy-five (75) feet of another on-premise free standing sign on the same side of the street or highway.

Section 22-16. Sign registration.

Every person, firm, group, organization, corporation, association or other entity which has an erected sign on the effective date of this ordinance shall register these signs with the City Building Official within 120 days after the effective date of this amendment unless said person, firm, group, organization, corporation, association or other entity has previously registered its sign. This registration on the part of the owner will consist of notifying the City Building Official of the existence of signage. Inspection, measurement, and recording of signage will be done by the City. The City Building Official shall determine if the preexisting sign meets the requirements of this ordinance.

✓(1) Conforming use: If such preexisting sign meets the requirements of this ordinance, the City Building Official shall issue to the applicant "Notice of Registration of a Conforming Sign(s)."

✓(2) Nonconforming use: If such preexisting sign does not meet the requirements of this ordinance, the City Building Official shall issue to the applicant a registration entitled "Sign Registration Nonconforming Use." Such sign shall then be subject to the requirements of Section 22-15, "Replacement or Repair of Sign."

✓(3) Unsafe signs: If such preexisting sign is found to be unsafe and a menace to the public by the City Building Official, such sign shall then be subject to the requirements of Section 22-14, "Unsafe Signs."

✓(4) Delete

Section 22-17. Builder/Subdivision signs.

Builder/Subdivision signs will be permitted with the following restrictions:

✓(1) One builder/subdivision sign may be located at the main entrance of any new subdivision. Four (4) additional directional signs may be located off-site at appropriate locations.

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M-1, M-2

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1. In the case of a business with frontage of less than 50', a building sign(s) not to exceed 50 square feet total shall be allowed.
2. In the case of a business with frontage of less than 25', a free standing sign(s) not to exceed 50 square feet total shall be allowed.
3. All or a portion of unused allowed square footage for a building sign(s) may be added to free standing sign, but in no case may free standing sign square footage be added to building sign(s).

17.

SECTION 2. All ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any other provision or application of this ordinance which can be given effect without the invalid provision or application and to this end the provisions of this ordinance are declared to be severable.

Section 4. Penalty *section 29.6*

SECTION 4. This Ordinance shall be effective and in full force on the tenth day after its publication by caption *penalty clause* in the official newspaper of the City of Pearland, Texas.

PASSED, APPROVED and ADOPTED this _____ day of _____,
A. D., 1988.

Mayor

ATTEST:

City Secretary

PASSED, APPROVED and ADOPTED on second and final reading this
_____ day of _____, A. D., 1988.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

D R A F T

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M-1, M-2

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SECTION 4. Penalty. Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon final conviction thereof shall be fined in a sum not to exceed \$1,000.00 for each offense. Each day such violation continues to exist shall constitute a separate offense. But in case any person, firm or corporation violates any of the provisions of this Ordinance or fails to comply therewith, the City of Pearland, in addition to imposing the penalties above provided, may institute any

appropriate action or proceedings in court to prevent, restrain, correct, or abate or to prevent any illegal act, conduct, business or use in or about any land; and the definition of any violation of the terms of this Ordinance as a misdemeanor, shall not preclude the City of Pearland from invoking the civil remedies given it by law in such cases but same shall be cumulative of and in addition to the penalties prescribed for such violation.

SECTION 5. This Ordinance shall be effective and in full force on the tenth day after its publication by caption and penalty clause in the official newspaper of the City of Pearland, Texas.

PASSED, APPROVED and ADOPTED this _____ day of _____, A. D., 1989.

Mayor

ATTEST:

City Secretary

PASSED, APPROVED and ADOPTED on second and final reading this _____ day of _____, A. D., 1989.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney