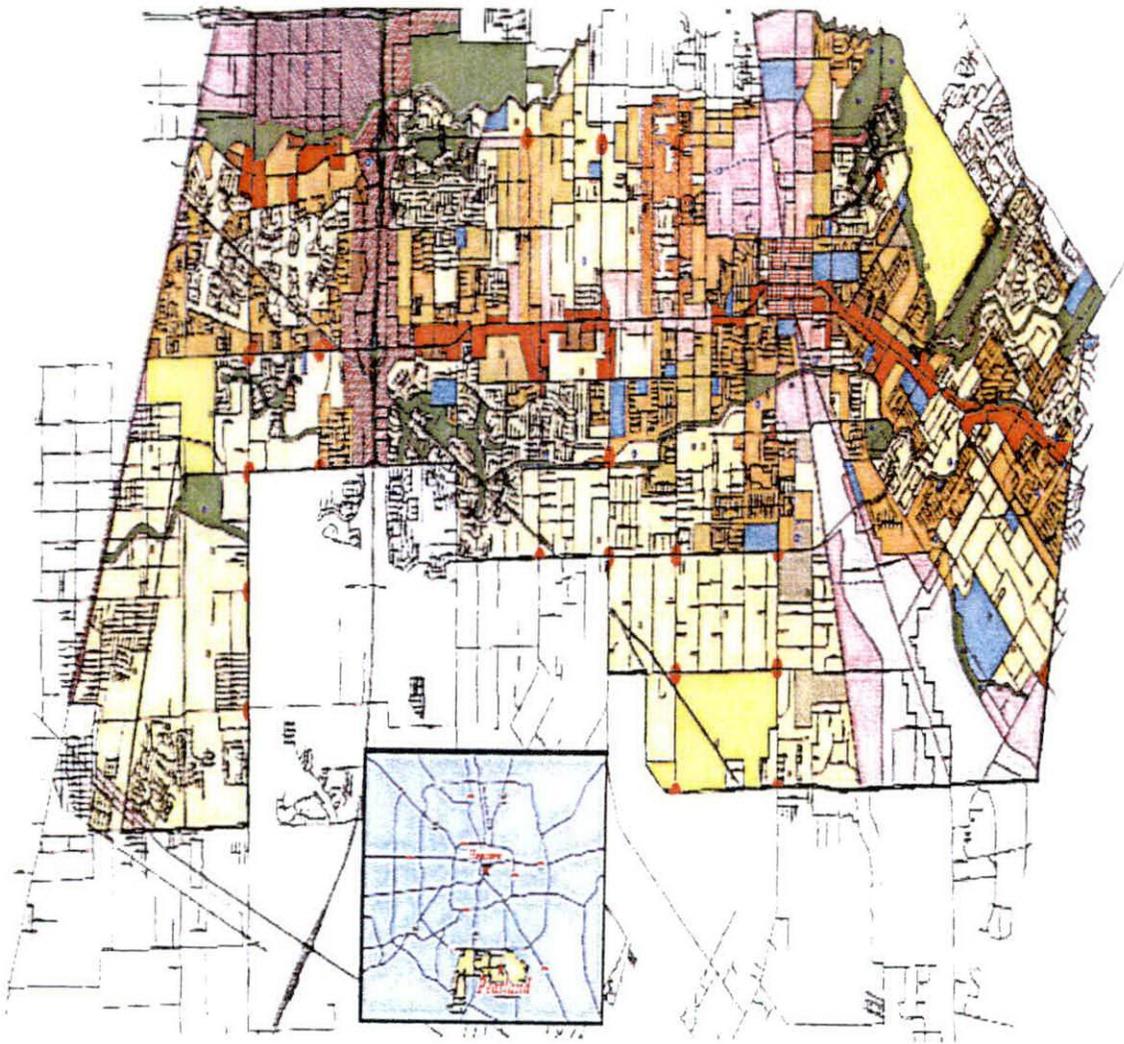


LAND USE STUDY



April 2009

Prepared by Planning Staff

LAND USE PLAN UPDATE

SUMMARY – March 30, 2009

COMMENTS FROM CC WORKSHOP OF FEBRAURY 2, 2009 AND RECOMMENDATIONS

This table summarizes the issues raised and the workshop and later, action plan, and recommendations. The following report discusses each numbered comment in detail. Comments 14,15,19, and 22 need to be discussed further.

	COMMENT	ACTION	COMPLETION DATE	RECOMMENDNATIONS
1	Identify areas in the Land Use Plan that need to change.	Examine Land Use Plan and formulate a recommend plan based on "ideal" situation.	March 6, 2009.	See Proposed Changes to Land Use Map. Conflicts identified from the FLUP, Zoning, and Current Land Uses have been addressed. Reponses to Council Comments have been shown, where applicable.
2	Effect of SH 35 on the land use plan for areas south of 518 around Magnolia.	Examine TX DOT's plan and propose guidelines.	March 6, 2009.	TX DOT does not have any specific plans yet. City will continue to get 120' ROW for a major thoroughfare during platting.
3	Between SH 35 and RR, south of 518, industrial park with internal roads for truck routes.	Examine the Thoroughfare Plan and FLUP and propose changes, if required.	February 20, 2009.	Proposed Major Collector alignment and recommendation attached.
4	Review COD standards in M-1 and M-2, especially along SH 35. Relax or flexible transparency. Ex. Turbocare.	Undertake case studies in Pearland and other towns, review historical data, and propose changes.	March 6, 2009.	3 Options proposed: 1. Specific Relaxation 2. Exemption from COD standards 3. CUP for variations.
5	Retain industrial along Mykawa and Main, north of FM 518 and along McHard.	Examine FLUP and zoning and propose changes if required.	February 20, 2009.	M-2 for areas north of FM 518, M-1 for areas south of FM 518.

6	Stop retail at Oiler, add minor node at SH 35 and Dixie Farm.	Examine FLUP and zoning and propose changes if required.	February 20, 2009.	Stop retail at Oiler. Minor node at Dixie Farm and SH 35.
7	Clean up conflicts in McHard – M-1, M-2, and FTZ.	Examine FLUP and zoning and propose changes if required. Consult PEDC on the intensity of industrial.	February 20, 2009.	Proposed FLUP changes to add industrial along McHard, east of Woody.
8	Market study/trends for housing choices – affordable, senior, tax-credit, patio, MF family. Explore mechanism to allow these.	Consult PEDC's study. Propose recommendations.	March 6, 2009.	Recommend options and further study.
9	Annexation of 1000' south of Bailey Avenue and land south of Southern Trails.	Discuss with legal, due to the 3 yr annexation requirement. Propose a schedule for annexation.	February 20, 2009.	Recommended annexation of areas both sides of Bailey between Veterans and CR 564.
10	Pearland Parkway and airport – commercial uses.	Examine further and Change FLUP.	February 20, 2009.	Recommend commercial uses in the vicinity of airport site along future Pearland Parkway and minor retail node at Dixie Farm and Future Pearland Parkway.
11	Veteran + Bailey – node.	Change FLUP, if required.	February 20, 2009.	Exists already.
12	Add retail as a component within manufacturing.	Examine the current table and propose changes.	February 20, 2009.	Options: 1. Permit retail/commercial uses in industrial zones by CUP. 2. Designate retail nodes in Industrial areas. 3. Add retail/commercial uses as accessory in industrial zones.

13	Add neighborhood nodes within residential – 5 acres total for each node. List of uses in this node. Justify the spots designated. Approved as CUPs.	Examine and propose recommendations.	February 20, 2009.	Seven nodes proposed.
14	Identify hard to develop vacant land – detention, flood plain etc.	Conduct study, with Engineering.	Next Workshop with CC, after April, 2009.	Future Study.
15	Address future use of vacant parcels.	Examine the FLUP and zoning for vacant parcels and discuss recommendations with CC.	Next Workshop with CC, after April, 2009.	Future Study.
16	Residential zoned parcels along Broadway – rezoned to commercial/retail.	Examine these parcels and propose changes.	February 20, 2009.	Proposed changes to FLUP and Zoning based on exiting uses.
17	David L Smith Project – review land use and zoning.	Review Comp. Plan proposal and propose changes if required.	February 20, 2009.	Retain retail and entertainment node as recommended in the Comprehensive Plan.
18	Commercial on Broadway between 521 and 288.	Review SCR PD and current zoning and FLUP. Propose changes if required.	February 20, 2009.	Added a major node at FM 521 and Broadway, in addition to existing ones.
19	Proactive plans. Address east west divide if possible.	Discuss further with staff and CC.	Next Workshop with CC, after April, 2009.	Removed from this study.
20	Explore more commercial zoned land – but not strip centers.	Study further. Identify areas with deep tracts that are suitable for non residential development.	February 27, 2009.	Proposed "Office" land use category along Pearland Parkway.
21	Trails under power lines.	Consult Parks, review parks plan and explore this option. Incorporate Parks and trails plan into the Comprehensive Plan. (Replace existing sections)	February 27, 2009.	Trails Plan has incorporated this.
22	Highest and best use of land.	Outcome of above actions.	Next Workshop with CC, after April 6, 2009.	Future Study.

23	Platting for Commercial/Industrial	Examine minor platting process and access by easements for non-residential.	March 30, 2009	Proposed minor plat process for developments requiring extension of public utilities just for their development, and access/frontage on easements for non-residential zones.
24	Analysis of detention for vacant industrial and commercial zoned properties and their use as parks/trails	Size detention areas for vacant land that is zoned commercial and industrial. Work with engineering and parks.	February 27, 2009.	Proposed 5 sites for regional detention. Incorporate into parks / trail plan.
25	Modify Cullen Mixed Use District to reinstate previous zoning	Examine the previous uses and zoning	March 29, 2009	Propose to retain C-MU District.
26	Differentiate between minor and major nodes in the FLUP	FLUP shows the nodes but does not differentiate the minor (25 acres) from Major (50acres)	March 29, 2009	Designated on the proposed FLUP

COMMENT

#1

Comment #1:

Identify Areas in the Land Use Plan That Needs to Change.

Explanation: The Council and P & Z had identified certain areas where there are conflicts between the current land uses, zoning designations and Future Land Use Plan designation. Further, due to the growth of the city, construction of roadways, and development of adjoining parcels, certain areas do not have the appropriate zoning or Future land Use designation.

Staff Analysis and Recommendation: As part of this study, staff compared the current uses, zoning categories, and Future Land Use Plan (FLUP) designation for parcels within the entire city and had identified areas of conflicts and recommendations. These recommendations have been incorporated in the proposed FLUP map, attached as appendix A, with explanations.

Attachment: Appendix A: Proposed Land Use Map.

To be provided at the workshop.

COMMENT

#2

Comment #2:

Effect of SH 35 on the Land Use Plan for Areas South of 518 Around Magnolia.

Explanation: With the future widening proposed for SH 35, Council and P & Z were interested to examine the effect of improvements on the properties located in the vicinity and if any modifications were required to the FLUP and zoning map.

Staff Analysis: Staff contacted TxDOT and others to get a copy of the proposed alignment and widths for SH 35 widening, south of FM 518. Mr. Jim Heacock of TxDOT District Office indicated that currently there is no Schematic for SH 35 south of FM 518. He did update on the following:

- Proposed Letting Date ~ 2018
- Environmental Assessment has not been done, but there will be public meetings and meetings with local agencies before finalizing
- The current limits of the proposed widening is from FM 518 to just south of HWY 6
- It is currently being discussed to be a 6 lane road with median and will need approximately 120' - 140' ROW, minimum. (Could be more due to drainage issues)

Currently, the ROW along SH 35, south of Broadway is generally 100'. Recently platted properties have been asked to dedicate 10' of ROW along SH 35 on each side. This is in conformance with the Thoroughfare Map that shows SH 35 as a Major Thoroughfare requiring 120' ROW.

Recommendation: Staff recommends that City continues to gain additional ROW for a 120' cross section through platting.

COMMENT

#3

Council Comment #3:

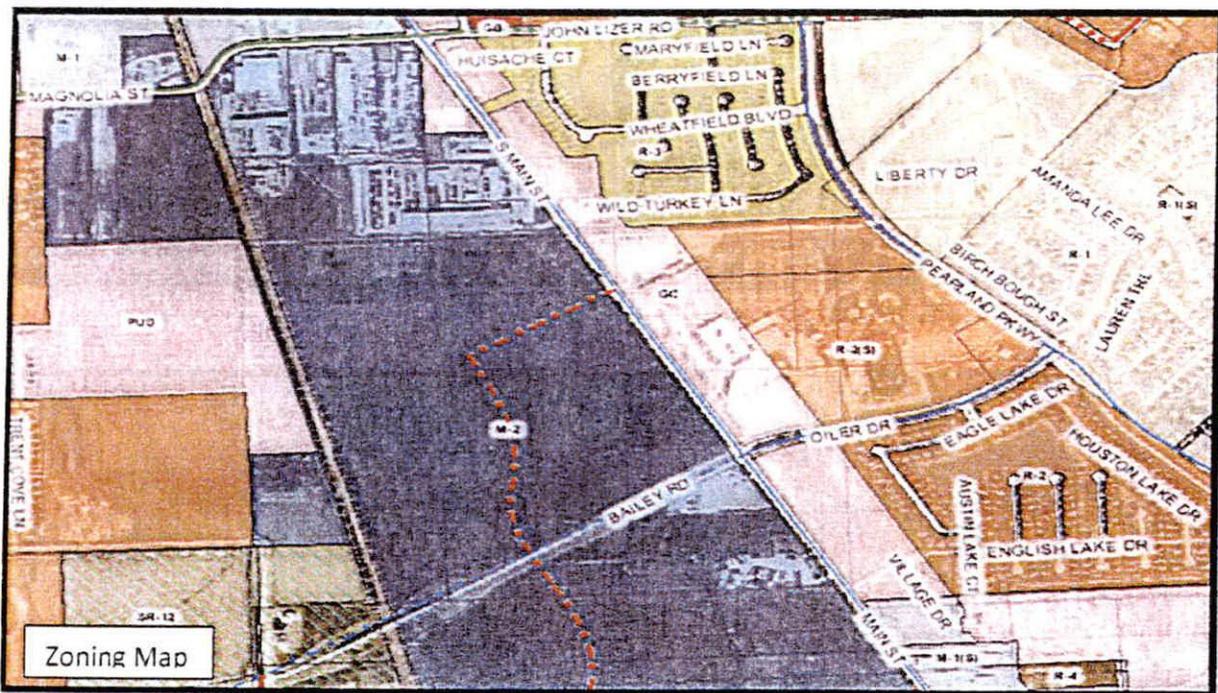
Between SH 35 and RR. South of 518. Industrial Park with Internal Roads for Truck Routes.

Explanation:

The council had talked about the desire to improve internal connectivity within the area bordered by Main and the Railroad Tracks south of 518 in order to promote more industrial growth.

Staff has attached the zoning maps with the existing Thoroughfare Map recommendations.

City Engineer Narciso Lira and consultant's recommendations area also attached.



North of Bailey – General Area

COMMENT

#4

Comment #4:
Review COD Standards in M-1 and M-2.

Explanation: City Council requested that staff review COD development standards especially along SH 35 for relaxed or flexible transparency.

Staff Analysis:

To provide a historic perspective staff researched the amendments made regarding M-1 and M-2 zones with the adoption of the UDC and its subsequent amendments. Then, staff reviewed M-1 and M-2 standards in Pearland and other cities. Specific standards in Corridor Overlay District (COD) were reviewed including – landscaping (front and parking lot), façade material, transparency, articulation, and color palette. Further, staff looked at existing buildings in Pearland and evaluated them for conformance. Pictures of certain buildings that do not meet any of the standards were also included. As part of the analysis, all variances and special exemptions approved by the ZBA and PDs approved by the Council in the past 5 years, pertaining to relaxation of standards of M-1 and M-2 were researched, to ascertain requirements that were causing hardship to the applicants.

Modifications to Regulations for M-1 and M-2 Zones with the Adoption of UDC and Subsequent Amendments

As evident in the following list of modifications, a number of changes were made to the requirements that affected properties in M-1 and M-2 zones, some of which relaxed the requirements. It appears that despite this list, additional relaxation and flexibility is required to assist in businesses retention and expansion.

February 2006 - Adoption of UDC

- Corridor Overlay District expanded to encompass the entire property with frontage instead of the 300' along the frontage.
- Relaxed façade requirements for M-1 and M-2 from 100% masonry on front and sides to 100% for front and 50% for sides.
- Permitted larger signs.
- Buildings built prior to January 1, 2001, located on Thoroughfares exempt from façade requirements.

Ordinance 2000T-2, February, 2007

- Allowed vegetative screens as an alternative to solid masonry fences to screen outdoor storage.
- Structures at least 250' from the curb or edge of roadway exempt from masonry requirements.
- Clarified that M-1 and M-2 zones located along Mykawa, between Orange Street and Beltway 8, and between railroad tracks and Scott Lane, were exempt from façade requirements.
- Allowed minor plat for lots where the only public improvement required was extension of water lines on public easements for fire fighting purposes.

Allowed permits to be issued, prior to completion of utilities, upon submission of a security for non-combustible improvements, and upon city council's approval for combustible improvements.
Permitted the payment in lieu of providing sidewalk for certain situations.
Permitted flag lots for non-residential.

Ordinance 2000T-3, July, 2007

Permitted alternate paving materials (other than concrete) upon approval by City Engineer.

Ordinance 2000T-4, September, 2007

Required buildings with expansions over 500 sq. ft. (instead of 1000 sq. ft.) to conform to façade requirements to be consistent with other triggers.
Added special exception provision to allow construction of additions on existing non conforming structures and lots, without bringing the entire property or existing structure into compliance with respect to landscaping, existing fencing/screening, facade requirements, transparency, articulation, color palette, parking. All new additions would require compliance.

Ordinance 2000T-6, November, 2007

Eliminated screening requirements between two adjacent industrial districts for outdoor storage.
Allowed alternative to asphalt or concrete paving for storage areas, as approved by city engineer.
Eliminated the requirement of a tree being located within 50' of a parking lot in COD for lots not intended for passenger cars driven by customers, patrons or employees.
Allowed wall systems with concealed fasteners and exposed seams in industrial zones.
Permitted 30' landscaped buffer as an alternative to 25' buffer and masonry fence between residential and non-residential properties.
Exempted roof mounted structures from screening requirements in industrial districts if located 250' feet or farther from the street and painted to match the building.

Ordinance 2000T-7, April, 2008

Permitted M-1 and M-2 uses in Garden Oday Mixed Use Districts by a CUP for properties zoned M-1 and M-2 prior to adoption of UDC.
Required detention basins in the front yard, in COD, to be amenitized.

Ordinance 2000T-8, August 25, 2008

Permitted fences, other than vinyl, to be used for detention basins with vegetative screens.

Ordinance 2000T-9, October 2008

Permitted flags to advertize company logo.

Overview of Requirements in Pearland and Other Cities:

The City of Pearland, TX:

Landscaping:

- 25-30' landscape strip along the Corridor (depending on parking lot placement).
- Minimum 15% of the gross lot area shall consist of landscaped open areas (including grass).
- Trees required along all streets.
- Trees required with 50 feet of parking spaces.
- Shrubbery to screen parking lots.
- Underground irrigation system required.
- 25' landscaped buffer with masonry fence or 30' wide landscaped buffer required when abutting residential uses.

Façade Material:

- 100% masonry (including EOFS and Stucco) for front façade, 50% for sides.
- 100% for facades adjacent to residential.

Transparency:

- 25% of front facade to be transparent (glass).

Articulation:

- Structures 50,000 sq.ft. or larger area – 3' depth for every 25' of horizontal or vertical length.
- Structures less than 50,000 sq.ft. area– 1' depth for every 10' of horizontal or vertical length.

Color Palette:

- Conformance to color palette required. 20% of the facade and signs exempt from color palette.

If all the requirements are met, in appropriate zones, no additional approval from P & Z or City Council is required and a permit can be applied for.

Relaxation of these requirements requires a special exception for existing uses (hardship does not need to be shown) and variances (need hardship) for new construction by ZBA or approval of a PD. ZBA process requires 3 weeks and PD requires 11-15 weeks approximately.

The City of Yuma, AZ, handles the issue of relaxed landscaping through an Industrial Park Zoning District (I-P) or by applying an Aesthetic Overlay (AO) Zoning District. When the proposed project is located within the AO, the design and landscaping of the project must be approved by a **Design Review Committee** prior to the issuance of any building permits. In addition to the OA District applied, they also require all heavy and light Industrial uses to obtain a **Conditional Use Permit**. Applications are heard by their

Planning and Zoning Commission and then by City Council. In Yuma's CUP format *exceptions (variances)* are permitted with a CUP. All landscaping and façade requirements are approved by the Design Review Committee, then Planning and Zoning and City Council. This adds additional levels of approval and the process takes approximately 3-6 months depending on the schedule of the Planning and Zoning Commission and City Council. Only 6 cases are heard per scheduled session and only 3 at a time can be CUP's.

The City of Webster, TX, uses standard M-1 and M-2 Industrial Zoning Districts. Their landscaping requirements mandate:

- 20% of that street yard area be landscaped.

- 10% of total public areas within property areas shall be landscaped.

- 10 feet on average between the building and parking shall be a landscaped area and walkway.

- Landscaped buffer of at least 10 feet adjacent to street right-of-ways

- The amount of trees based upon the total lot area and frontage

- An underground irrigation system is required to maintain all landscaped areas including a 50 square foot area around all signs

- An "**Alternative Compliance**" (Variance) can be requested for review by the City Council.

Texas City, TX, incorporates a Technical Code Exemption for Manufacturing or Processing Plants (Petroleum Products Only) within their City Code that states no permit is required for this activity. The F (light Industrial) and F-1 (Outdoor Industrial) façade and landscaping requirements are similar to the City of Pearland.

- Minimum open space to be landscaped is 20% of the gross lot area in F Industrial Zoning District and 15% of the gross lot area in the F-1 Industrial Zoning District.

- An underground irrigations system is required to maintain all landscaping.

- Buffers next to residential uses are 30 feet.

- Landscaped buffers in the front are 25 feet (arterials) and 40 feet (highways).

- The Façade is required to be 100% masonry on the main façade, and 80% masonry on the sides and rear facades. Any **deviations have to be presented to the City Council** by their planning division.

We met with Don Carroll, the Planner for Texas City, on March 19, 2009. He stated that they had looked at the City of Pearland, Sugarland, and the City of LaPorte, for industrial development standards that encourage sustainable development for the September 2, 2008 update in the Texas City Ordinances. He stated that by not having these standards, or If you relax or don't enforce the standards in place you lose the opportunity for sustainable development.

The City of Sugarland, TX, The M-1 and M-2 façade and landscaping requirements are similar to the City of Pearland.

Minimum open space to be landscaped is 20% of the gross lot area in M-1 Industrial Zoning District, and 15% of the gross lot area in the M-2 Industrial Zoning District.

An underground irrigation system is required to maintain all landscaping.

Buffers next to residential uses are 30 feet.

Landscaped buffers in the front are 25 feet (arterials) and 40 feet (highways).

Summary of ZBA Applications Pertaining to Relaxation of Standards in M-1 and M-2 Zones (2003-2009).

Six requests were made in the past 5 years. The following table summarizes the requests.

Year	Location	Applicant	Request	Action
January, 2009	3732 Magnolia Rd	Aggreko	Special Exception to permit encroachment within rear and side setbacks for existing buildings Reduce 30' landscape buffer along Magnolia	Approved Denied. Information not provided as to the amount requested. ZBA asked applicant to work with staff and reapply.
January, 2009	4170 Main St	David D'Agostaro	Reduce building transparency from 25% to 12.5 % for new building along SH 35. Increase distance between trees and parking lot from 50' to 150' for new parking	Denied. Denied.
January, 2004	Main Street (north of Halik)	Pauluhn	Relaxation of building façade requirement.	Denied Council approved a PD that addressed not only façade but other non conformities including setbacks, landscaping etc. for the entire

				complex.
August, 2006	Max Road	George Gartner	Relaxation of building façade requirement (masonry for new and existing buildings.)	Denied. Council approved a PD later that granted these and other variances for buffer and landscaping.
April, 2003	Magnolia St	BakerOil Tools, Excell Builders	Relaxation of building façade requirement	Denied
April 2003	Industrial	Edwin Smith, Deem Commercial Construction	Relaxation of building façade requirement	Denied

Summary of PD Applications Pertaining to Relaxation of Standards in M-1 and M-2 Zones (2003-2009).

Year	Location	Applicant	Request	Action
August, 2004	Main St and Halik	Pauluhn Electric	Future additions proposed. PD to permit setback, parking, & landscaping reductions due to existing development. New construction to comply with requirements, with payment to parkland fund in lieu of planting some trees. Also approved payment in lieu of constructing sidewalks due to future construction of SH 35.	Approved
September 2005	Alameda School Road and Beltway	Tim Stovall	Change of use/occupancy of existing metal building. Permitted 70% masonry for north and west sides (street sides) and 0% for the other two sides for existing building and for new addition, reduced landscaping along Beltway 8 due to lack of space, allowed surface of parking lot to be gravel, reduced setbacks for extension of existing building, allowed larger signage,	Approved

			exempted sidewalks along frontage road, permitted existing fence with barbed wire to remain.	
September 2007	Max Road	Gartner Coatings	Future expansion proposed. Relaxation of building façade requirement (reduced masonry for new and exempt existing buildings), reduction in landscaped buffer and waiver of masonry fence due to heavily vegetated existing buffer, sidewalk waiver.	Approved
January 2009	Mykawa Rd	Third Coast Investments	Future Expansion Proposed. Substitution of landscaping and parking on adjoining lot, modifications to standards for access road, reduction of lot frontage.	Approved

Based on the above research it appears that building facade and landscaping requirements cause hardship to the applicants, especially for expansions. The special exception provision has helped in addressing some the existing setbacks and landscaping issues.

Staff Recommendation:

As properties change use or when they expand, these properties are required to bring the lot, use, or structure into compliance with the current Unified Development Code. It is important that the City of Pearland help and encourage all applicants to meet the required current zoning code regulations. The city needs to administer the regulations accurately and with consistency. However, it is also important that the city encourage business retention and expansion. Therefore the city needs to strike a balance between high quality sustainable development that benefits the entire community verses relaxing the standards to encourage industrial establishments to locate, grow and prosper in Pearland.

It appears that the major area of conflict is between industrial uses located within the COD. Staff recommends the following options:

Option 1: Explore specific relaxations:

Facade requirement: Reduce the percentage of masonry for front façade to 50% and exempt side facades from the masonry requirement. Reduce the requirement of masonry for rear façade. For facade abutting residential, instead of requiring the entire facade to be masonry allow masonry for any portion of the wall that is above 6' (height of the fence) and visible from adjoining residential areas.

Articulation: Exempt M-1 and M-2 zones from articulation requirements.

Transparency: Reduce transparency requirements from 25% to 15%. Exempt buildings located farther than 250' from this requirement.

Landscaping: Retain the 30' buffer, with street trees and shrubs along COD, however exempt areas located beyond the 30' buffer from any landscaping requirement as long as the total number of tree and shrubs are provided on site. Similar provisions were included for educational facilities. flexibility. Retain the overall percentage of lot area to be landscaped to 15%. Since grass and native vegetation is included in this 15%, typically this is not a problem.

Color Palette: Retain this requirement.

Non conforming sites and building: Currently the code requires that any non-conforming structure or parcel, proposing expansions of greater than 500 sq. ft., apply for a special exception to allow the non-conformities to continue. This has proven to be a hardship, especially in cases where the ZBA has felt that there is scope for improvement.

Staff recommends that in M-1 and M-2 zones, non-conforming structures/sites be allowed to expand without a special exception as long as the new additions meet the requirements of the UDC, and any non-conformity is not expanded. While this would greatly benefit the property owners, it may cause the city to loose an opportunity to work with the property owners to improve the situation where possible, especially in terms of landscaping and buffers.

Further, staff recommends that in development with more than one lot, the property owner be allowed to provide all required landscaping for the entire development in adjacent lot/s, under same ownership. However, a mechanism needs to be in place to ensure that the lots remain in single ownership.

Option 2: Exempt all M-1 and M-2 Zoning Districts from the Corridor Overlay District requirements. This option may encourage immediate development, however; it may not result in the current and future design characteristics that the City of Pearland is seeking.

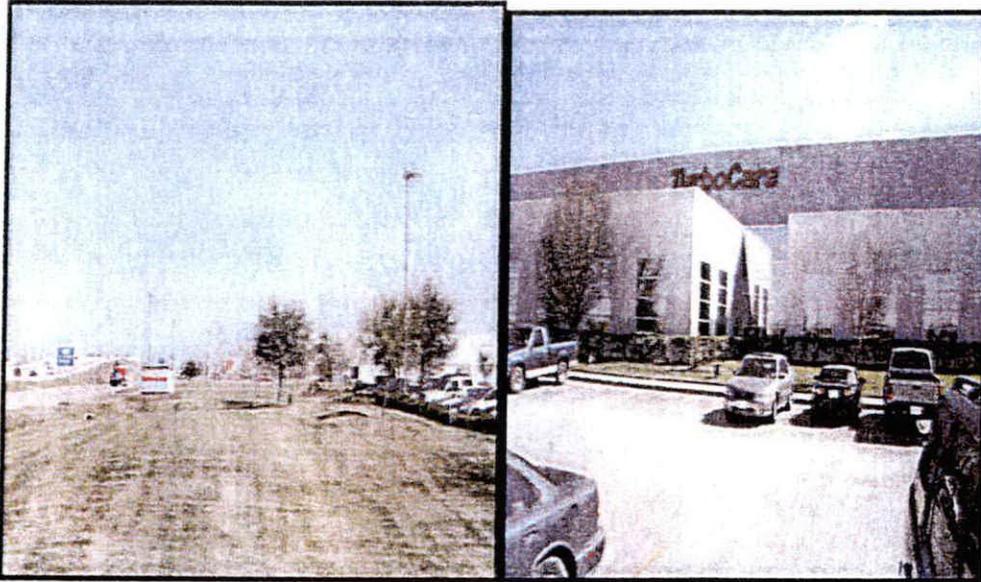
Option 3: Permit relaxation and flexibility by a Conditional Use Permit. For new development of industrial projects within COD, The City of Pearland should continue to enforce the development standards, specifically; landscaping, façade, materials, transparency, articulation, color palette, in the M-1 and M-2 zoning districts unless a CUP is granted. There are some great examples shown in this study such as; Kemlon, TurboCare and Speed Shore and how they enhance the aesthetic value of our community and provide an opportunity for sustainable development. A CUP will enable the P & Z and Council to evaluate the requests on a case-by-case basis.

Examples in Pearland

Staff has included some examples of industrial establishments and how they meet the current requirements. All of these examples pre-date the UDC and the COD requirements.

Example: TurboCare

Facade – Meets requirement for front. Has lesser than required for sides.
Landscaping: Meets requirements
Transparency: Exceeds requirements.
Articulation : Meets requirements.
Color Palette: Meets requirements.



Example: Speed Shore

Facade –Has lesser than required for front, does not meet requirement for sides.
Landscaping: Meets requirements.
Transparency: Meets requirements.
Articulation : Meets requirements.
Color Palette: Meets requirements.



Example: Kemlon

Special Exception approved by the ZBA to permit trees farther than 50' from the parking lot.

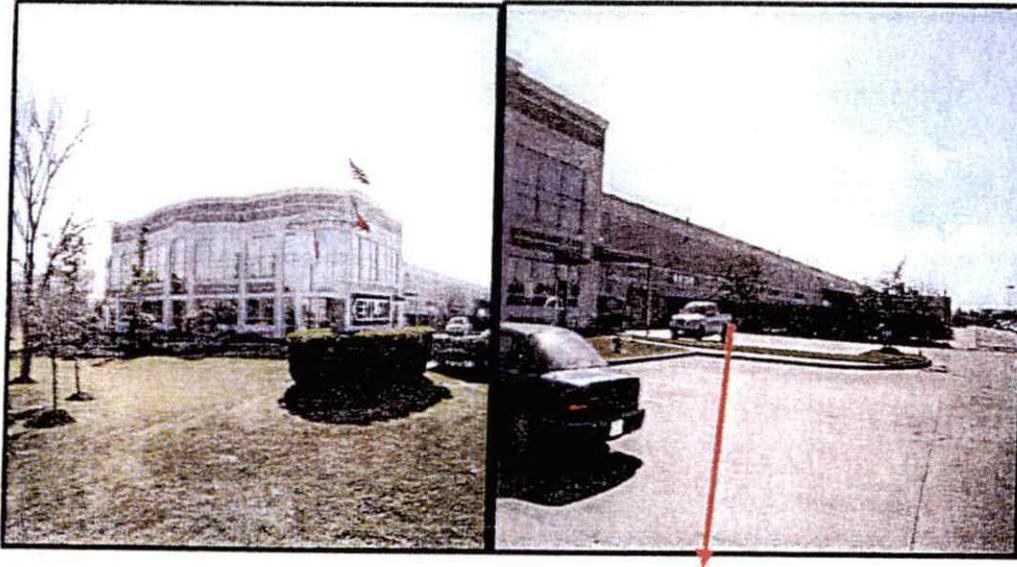
Facade –Meets for front, exceeds for sides.

Landscaping Meets requirements Was approved a variance to increase the distance of tree from parking space near the loading area.

Transparency: Exceeds requirements.

Articulation: Does not meet requirements

Color Palette: Meets requirements.



An example at Kemlon of effective screening from the street view using alternative landscaping with a rod iron fence and vegetative screening.

Example: Pauluhn Electronics on SH 35

Approved a PD for façade, landscaping & setbacks.

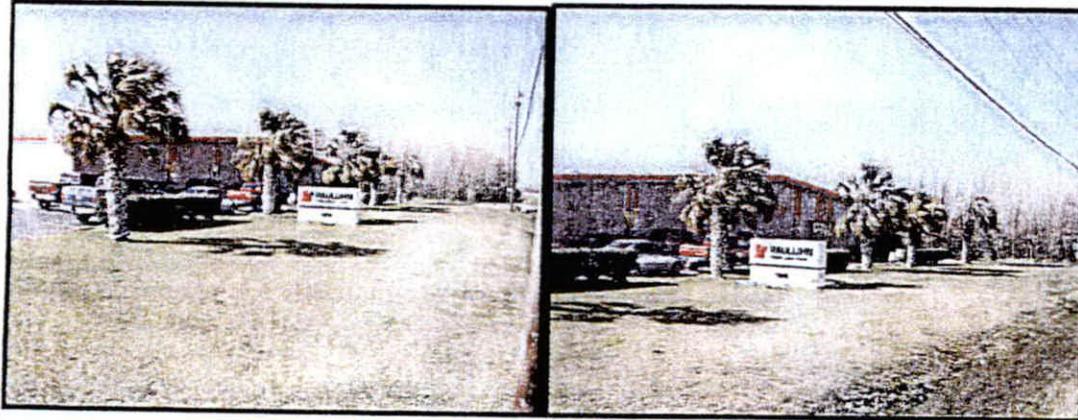
Facade –Does not meet the requirements.

Landscaping: Does not meet the requirements.

Transparency: Does not meet the requirements

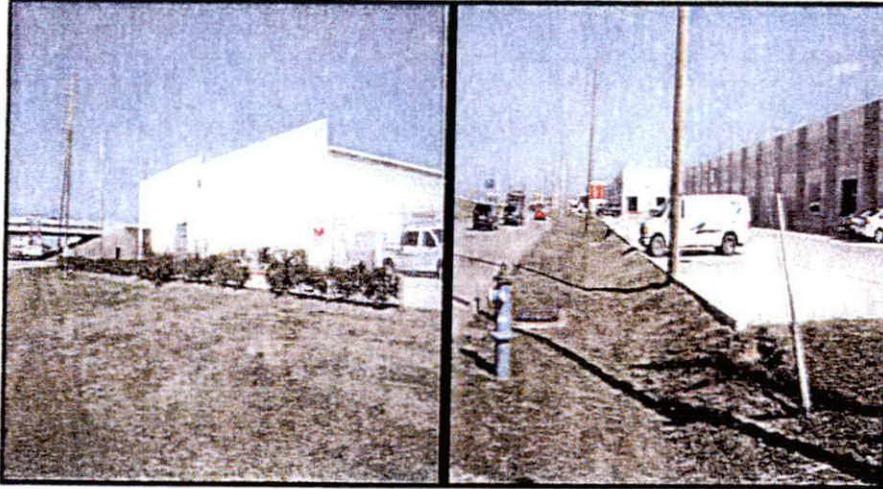
Articulation : Does not meet requirements.

Color Palette: Meets requirements.



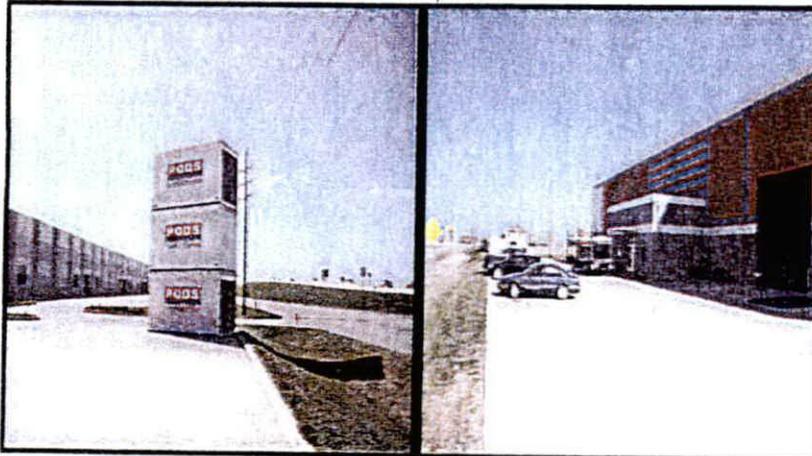
Example: 233 Business Park (ETJ) All the landscaping is on the side of the building is not near the façade that is facing the beltway. The façade is barely visible as you drive by on the Beltway

Facade –Meets requirements.
Landscaping: Does not meet the requirements.
Transparency: Does not meet the requirements
Articulation : Does not meet requirements.
Color Palette: Meets requirements.

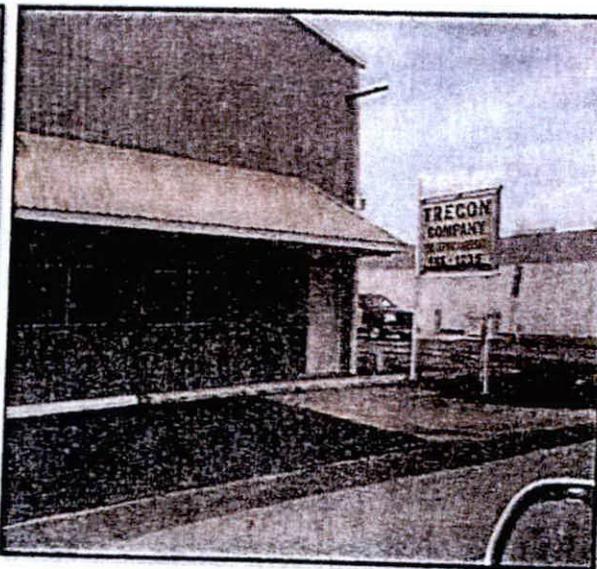
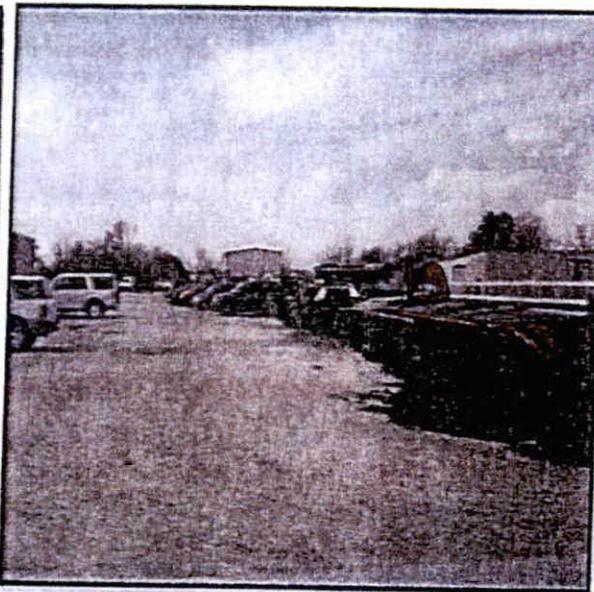
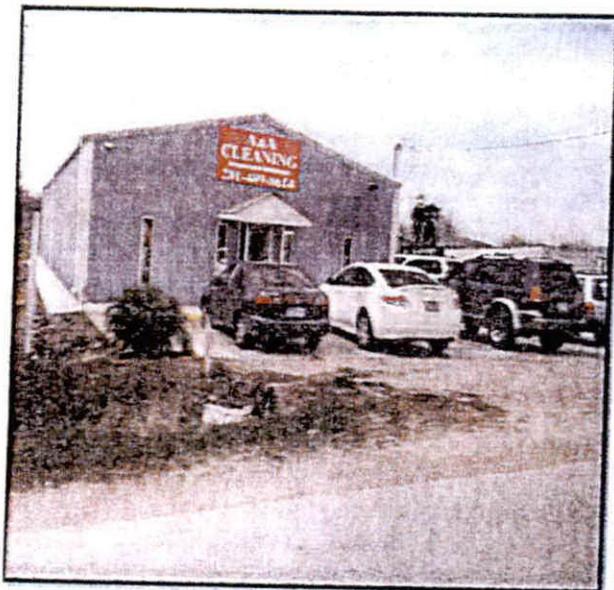


Example: PODS Store on Beltway 8. This is outside the city limits of Pearland.

Façade: Meets requirements.
Landscaping: Does not meet the requirements.
Transparency: Does not meet the requirements
Articulation : Does not meet requirements.
Color Palette: Does not meet requirements



Example: Wagon Trail between Fite Rd. and Broadway St. There is a mixture of businesses and residential uses that currently do not meet the façade, landscaping, articulation, transparency requirements of the Unified Development Code. These properties have been annexed into the City in 1997 and most are existing non-conforming uses.



COMMENT

#5 and #7

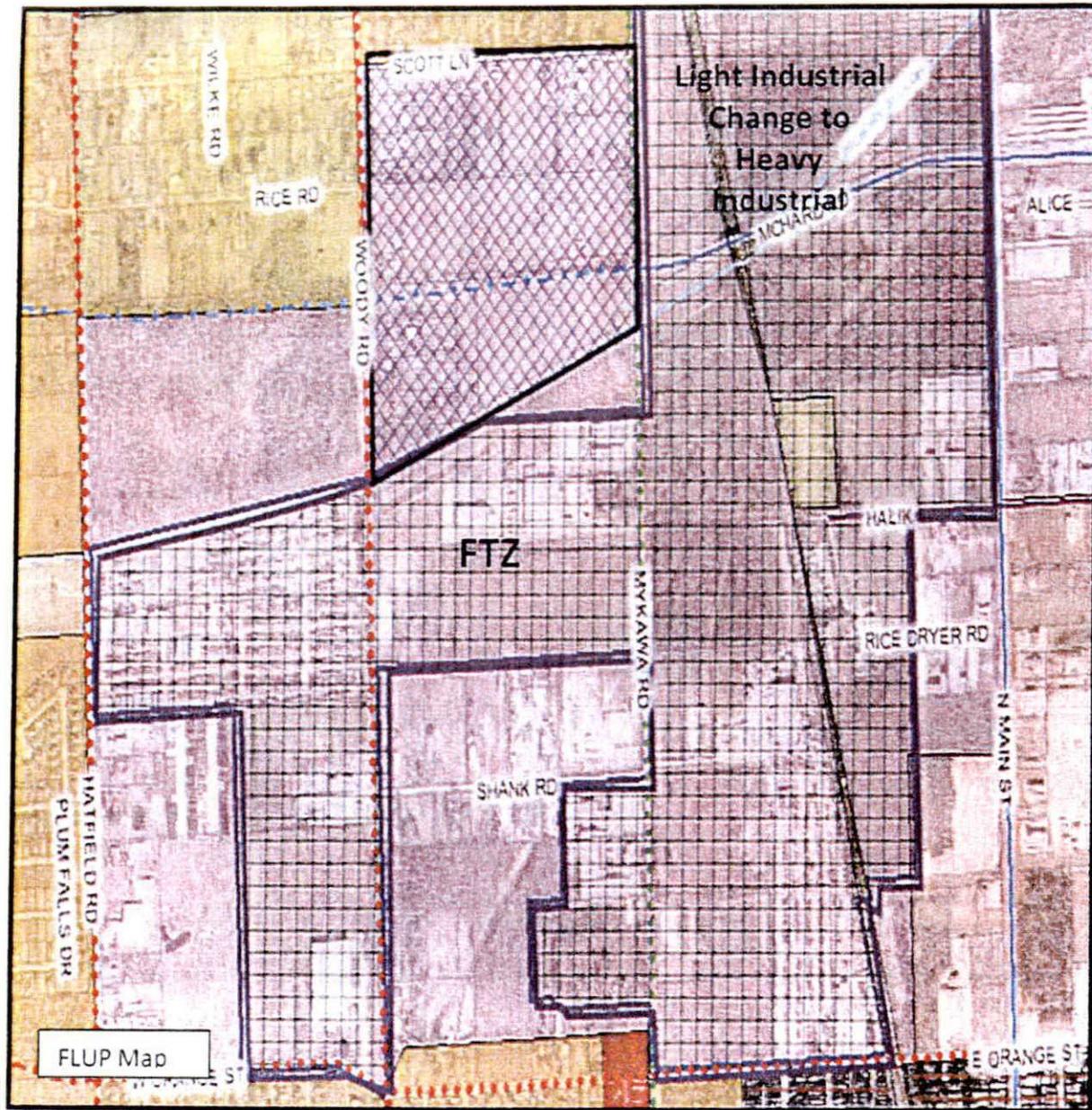
Comment #5 and #7:

Retain Industrial Along Mykawa and Main North of FM 518 and Along McHard,
Clean Up Conflicts in McHard M-1 and M-2 Zones, FTZ

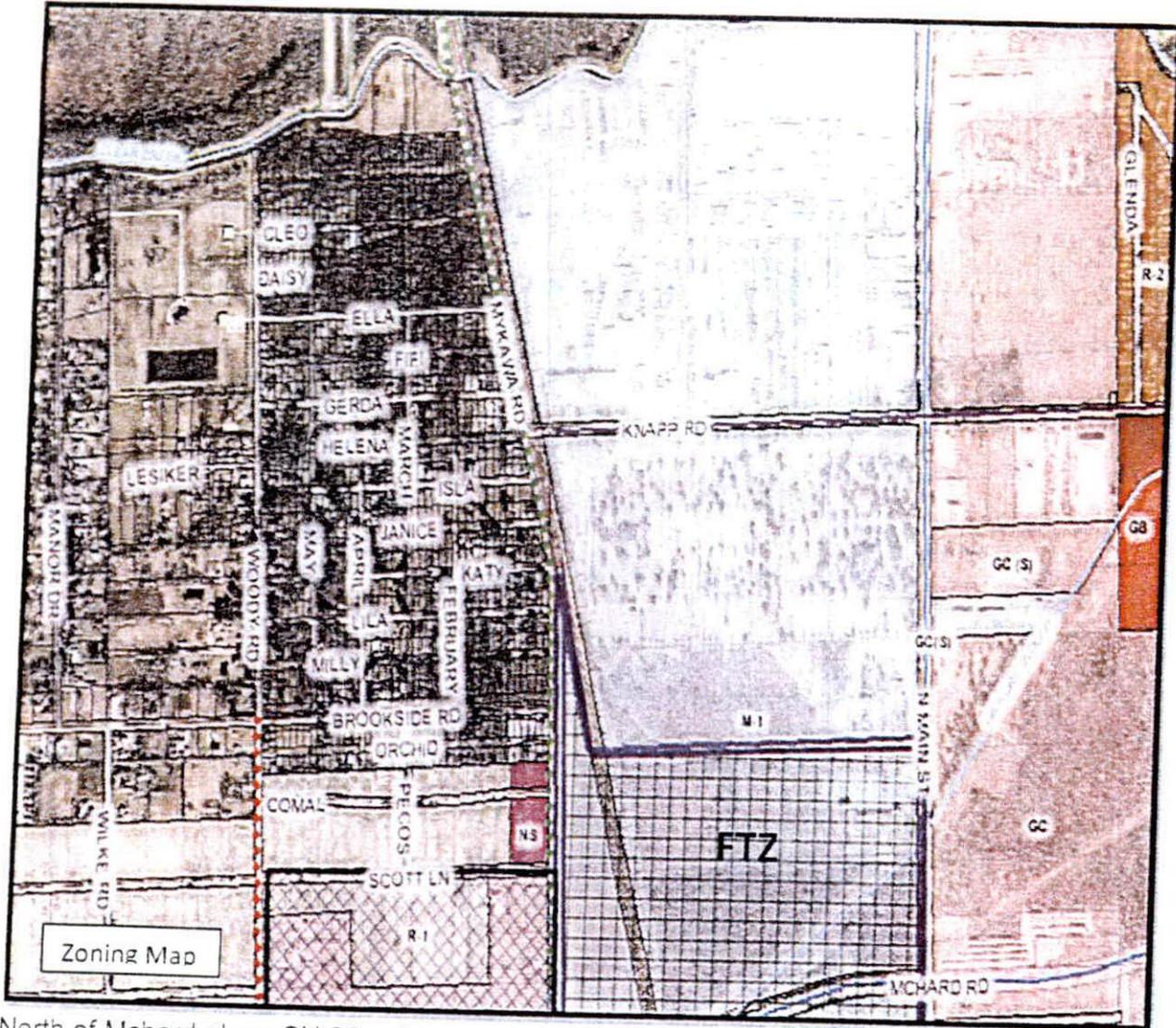
Explanation:

Staff examined the option in retaining industrial usage along Mykawa and Main, creating an Industrial Corridor along future McHard. We also examined rezoning all M-1 Industrial north of 518 within the Foreign Trade Zone to M-2 due to its proximity to Beltway 8.

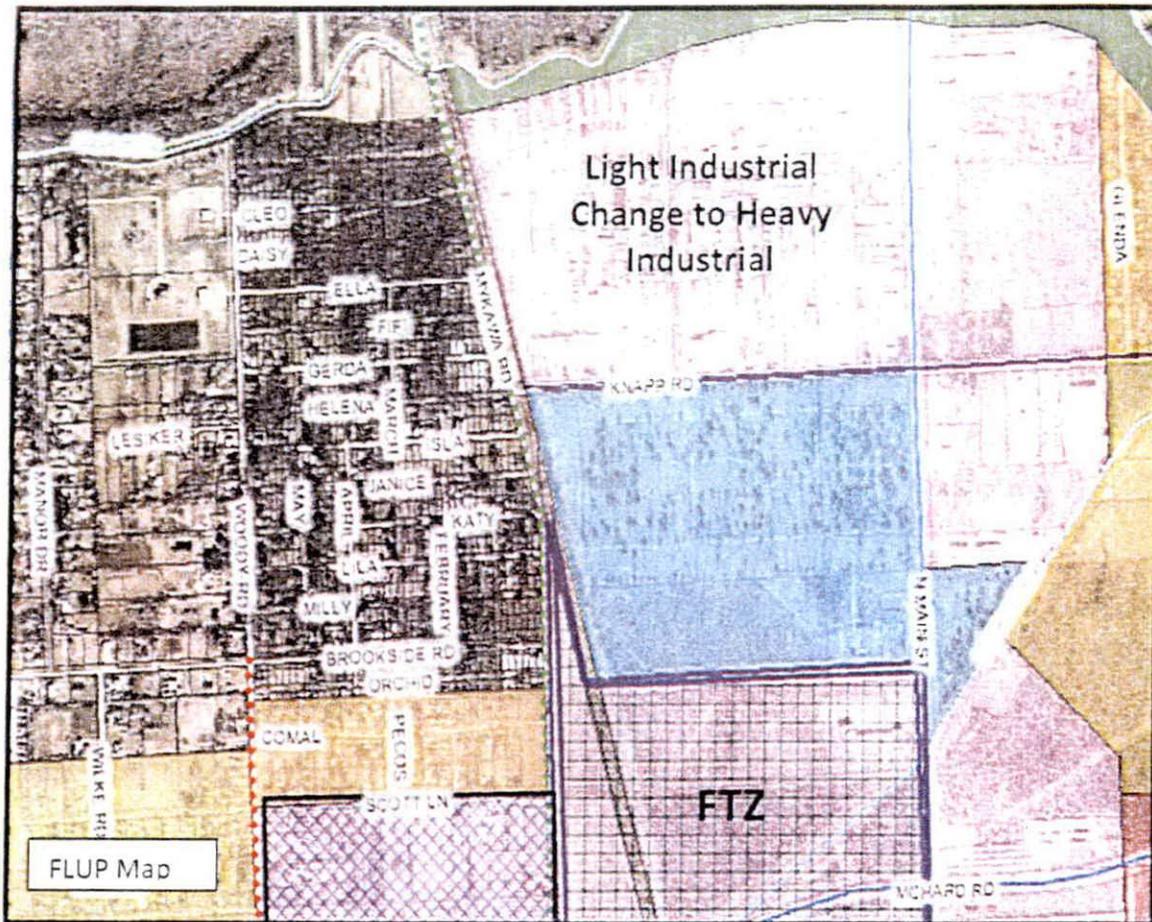
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518 to Mchard and Hatfield to SH 35 – General Area. Foreign Trade Zone outlined in Blue



North of Mchard along SH 35 – General Area



North of Mchard along SH 35 – General Area

Staff Analysis:

Staff examined the areas in question and felt that all industrial areas north and south of 518, not just those within the Foreign Trade Zone, could be rezoned to reflect the desires of council.

Recommendation:

1. Area designated as R-1 and GC, south of Scott, is partially developed as residential. The area is shown as light industrial in Future Land Use Plan (FLUP). Recommendation is to change the FLUP in the area M-2.
2. Council also suggested changing all zoning within the foreign trade zone (FTZ) to M-2. Staff recommends changing this on the FLUP to allow future rezoning of any properties within the FTZ to M-2.
3. Staff recommends rezoning all M-1, North of 518 up to city border, to M-2 due to its proximity to Beltway 8.
4. Expand the FTZ to encourage more industrial growth.

COMMENT

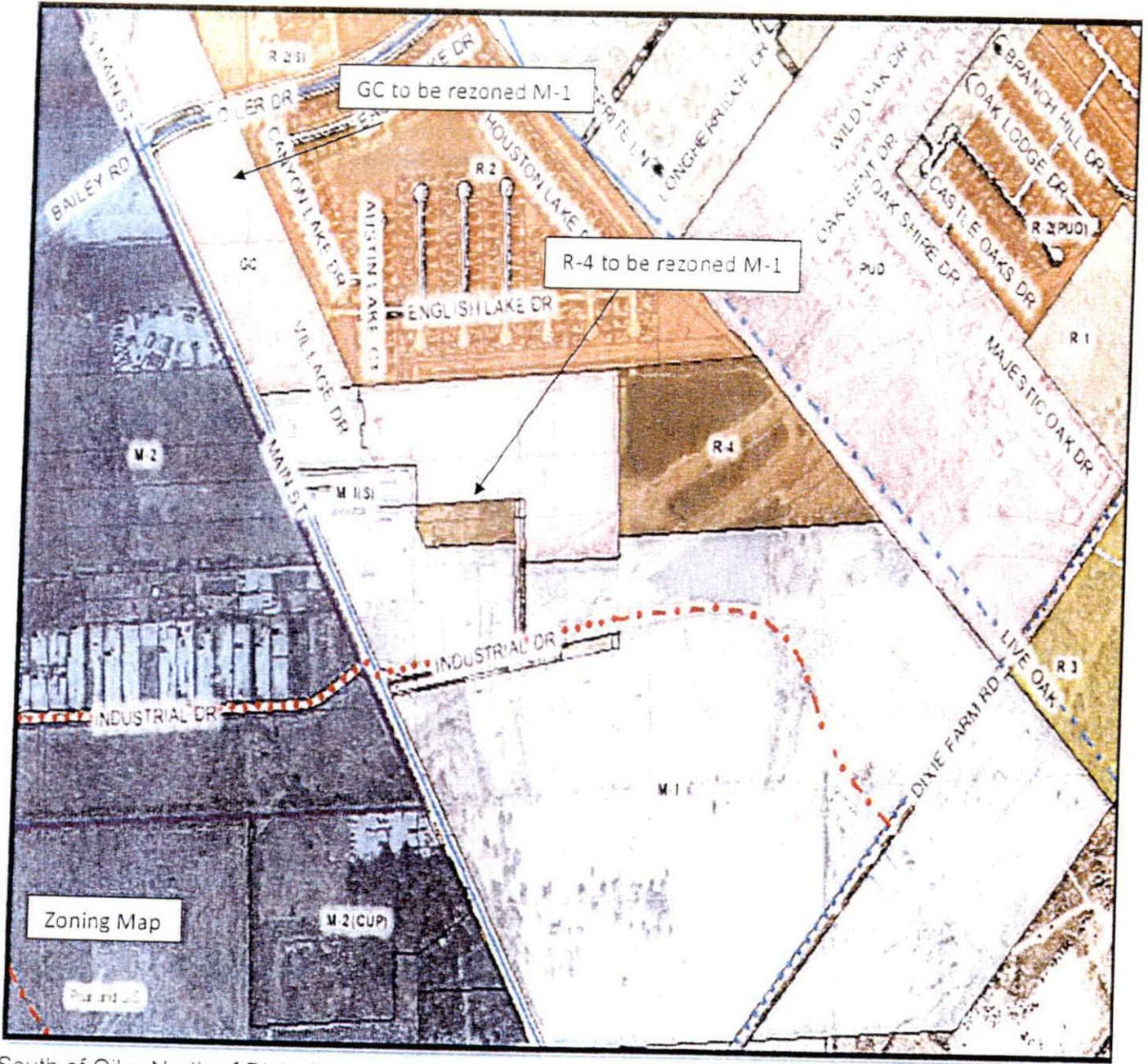
#6a

Council Comment #6a:

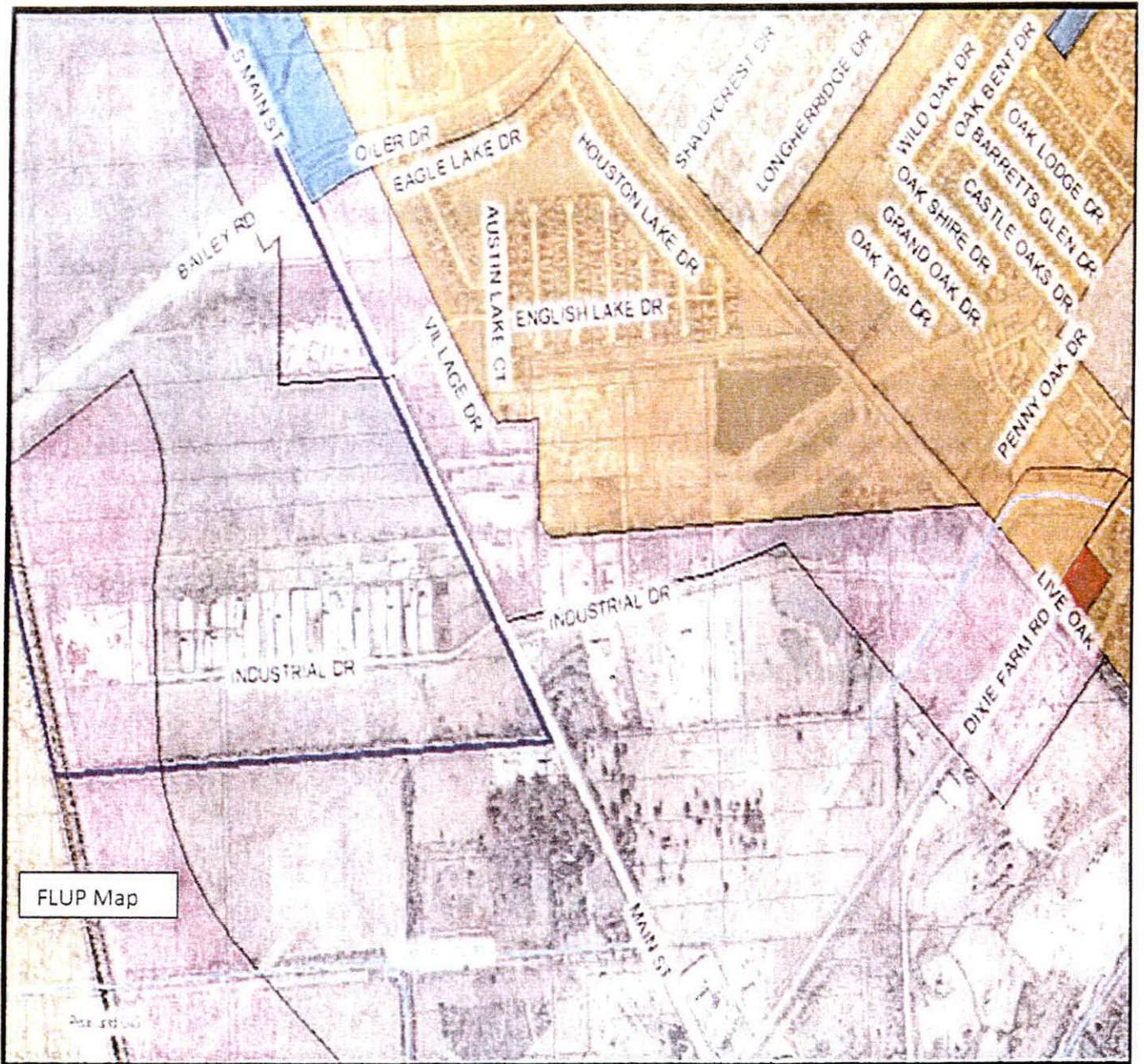
Stop Retail at Oiler, Add Minor Node at SH 35 and Dixie Farm.

Explanation: The goal is to keep all commercial uses from spreading south of Oiler Dr. in order to preserve land for industrial uses. At the same time, adding a minor retail node at SH 35 and Dixie Farm would help in servicing the needs of the industrial businesses.

This area left blank intentionally.



South of Oiler North of Dixie Farm – General Area



South of Oiler North of Dixie Farm – General Area

Staff Analysis: Two parcels of land south of Oiler are currently not zoned industrial. One along SH 35, just south of Pearland HS, is vacant and zoned GC. Further south, sharing a lot line with a residential PUD, there is a small, land locked parcel zoned R-4.

Recommendation: Staff recommends that both parcels be rezoned to M-1 to match the FLUP.

Comment #6b:

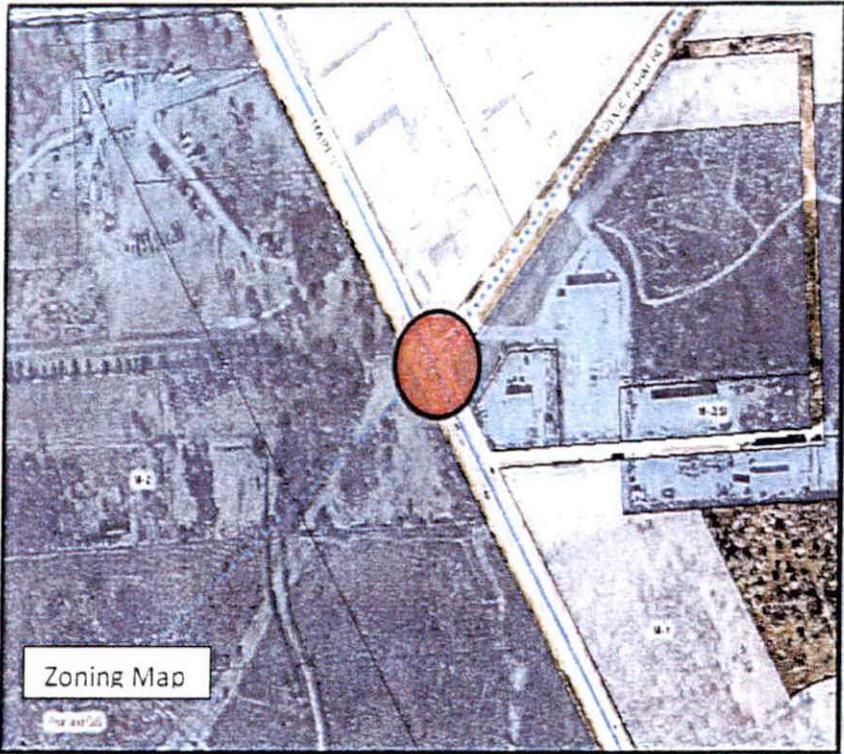
Stop Retail at Oiler, Add Minor Node at SH 35 and Dixie Farm

Explanation: It was council's opinion that a node would be appropriate at the intersection of Dixie Farm and SH 35.

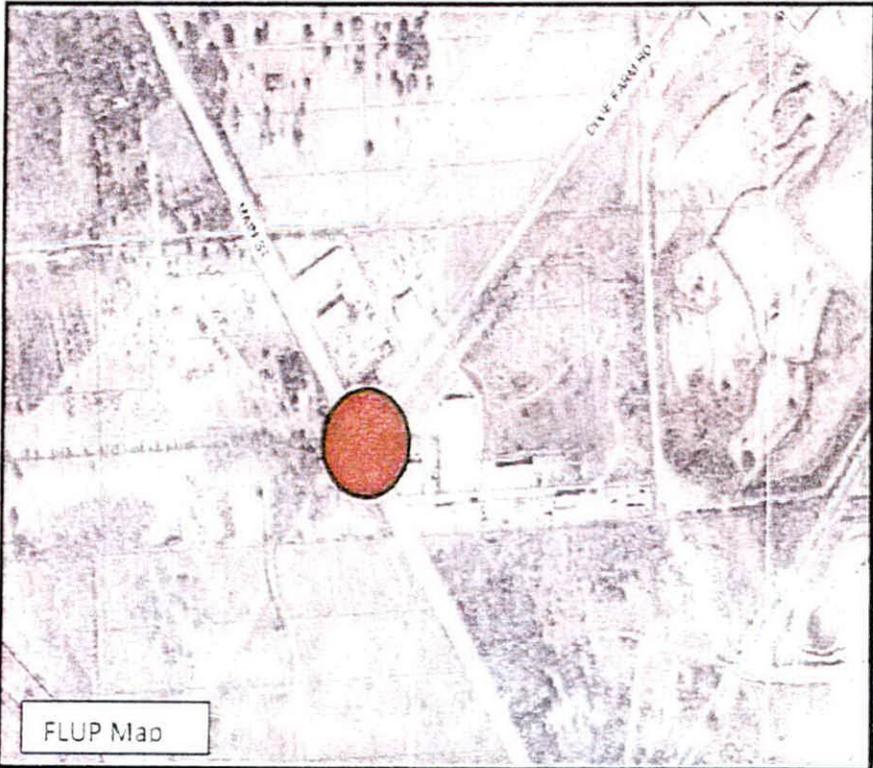
Staff Analysis: The intersection is partially developed as light industrial. Adding a retail node at the corner of Dixie Farm and SH 35 would help in servicing future needs of the industrial businesses around it and would effectively combine all commercial businesses south of Oiler into one specific area, preserving more land for industrial uses.

Recommendation: Staff recommends the placement of a minor retail node at the intersection of Dixie Farm and SH 35.

This area left blank intentionally



Intersection of Dixie Farm and SH 35 – General Area



COMMENT

#7

Comment #7:

See Comment #5

COMMENT

#8

Council Comment # 8:

Market Study Trends for Housing Choices – Affordable, Senior, Tax Credit, Patio, and MF Zoning.

Explanation: Consult PEDC's study. Explore the mechanisms that allow affordable housing, senior housing, tax credit programs, patio homes, and multi-family zoning.

Staff Analysis:

PEDC Market Study

Staff reviewed the PEDC's Market Study and the following is the summary of the market study regarding projected residential growth between 2007 and 2017 in Pearland, TX:

1. For the purposes of understanding the residential growth potential for the City of Pearland, this study used only active and planned developments located within the city limits of Pearland. This methodology results in conservative projections, as it does not attempt to account for any future new developments not currently announced.
2. Based on current and future planned developments, a steady growth in the number of households is forecast over the 2007-2017 period. At an estimated 28,416 households for 2007, the City of Pearland is projected to have an increase of over 21% by the end of 2017. Single-family closings are projected to maintain a strong growth between 2008 and 2010 and show slow but steady growth between 2011 and 2017. The decline depicted for 2011 through 2017 occurs as a result of many developments being built-out and the fact that information regarding potential future developments has not become fully available. Using recent trends, however, the addition of 18,000 to 20,000 new households would not be unreasonable – limited only by the availability of land and zoning for residential development.
3. Based on projected household growth, the population of the City of Pearland is set to increase by a significant amount in terms of total population. With an additional 5,981 households from 2007 through 2017, the total population is projected to increase 21% from the end of 2006. On the upside possibility, the additional 18,000 - 20,000 households that might be realized based upon the recent trends could add another 50,000 persons or more.
4. Due both to City of Pearland Annexations occurring in 2005 and 2006 and continued household growth, the 2007 estimate of population determined in this study (81,637) is higher than the 2007 population estimate supplied by PCensus for Map Info (61,946) included in Appendix B of this report.
5. Although not discussed in this report, the areas adjacent to the City of Pearland will also continue to see dramatic growth in both population and number of households through 2017. This will benefit businesses and other institutions within the City of Pearland.

Currently, approximately 22% of Pearland's housing represents a multi-family use. There was no stated direction or recommendation made regarding the type of housing needed in Pearland, only that the total population was projected to increase 21%.

Mechanisms Available for Pearland:

Currently, there are approximately 9,440 units in 21 apartment complexes. The most recent multi-family developments have been within the Shadow Creek Ranch PD.

There are 3 mechanisms that currently drive the City of Pearland's available affordable housing:

1. Low income housing tax credit programs- developer driven
2. Zoning – Existing Multi Family (MF) zone permits apartments. There is no specific zoning for elderly housing. Patio Homes are key in the R-4 Zone.
3. Comprehensive Plan - The Comprehensive Plan designates 2 areas as suitable for high density housing – Old Town Site and along SH 288. When considering future public transportation in land use design and senior housing, patio homes, duplexes, townhomes, and condominiums, it would be beneficial if this type of housing is constructed or located near central public transportation facilities.

Listed below are the mechanisms for affordable housing, senior housing, tax credit programs, patio homes, and multi-family zoning in other cities.

Houston TX, does not have any zoning, however they have a low-income tax credit incentive program administered through Harris County Housing Authority.

Low Income Housing Tax Credit Program

The Low Income Housing Tax credit was originated in conjunction with the Tax Reform Act of 1986 to direct private capital towards the creation of affordable rental housing. The credits provide a mechanism for funding a wide range of developments including new construction, substantial rehabilitation, moderate rehabilitation, acquisition and repair by existing owners. Tax credits allow developments to be leased to qualified families at or below market rents.

Program Design

The Harris County Housing Authority (HCHA) will contract with developers who use tax credits to offset a portion of federal tax liability in exchange for the production of affordable rental housing. To qualify for the tax credit, one of the following criteria must be met:

- 20 percent or more of the units must be rent-restricted and occupied by individuals whose income is 50 percent or less than the median family income; or
- 40 percent or more of the units must be rent-restricted and occupied by individuals whose income is 60 percent or less of the median family income.

HCHA's Low Income Housing Tax Credit initiatives will be aimed at increasing the availability of affordable housing in key markets for senior citizens of Harris County and attracting a new range of investment dollars to support the production of affordable housing options.

Goals: Partner with "for profit" developers to build:

Senior affordable housing.

The City of Fort Worth, TX

Staff spoke with the Planner for the City of Fort Worth, Stephen Murray, and according to him, their Ordinance only regulates the type of facility and the zoning districts the are allowed. Low income housing, Neighborhood Empowerment Zones (NEZ's) etc., are through various other departments

The City of Fort Worth TX, administers the same type of low income tax credit programs as Harris County through the Fort Worth Housing Authority. Fort Worth TX, does not have any specific tax credit programs aimed towards the elderly. Senior housing, patio homes, and multi-family zoning are all handled through the City of Fort Worth Zoning Ordinance .

Recommendations:

Based on the last few applications received, it appears that there is a trend towards construction of housing for seniors due to the tax credit incentives.

To encourage this kind of housing, with high design standards and greater levels of amenities, two options are available for the city.

1. Draft guidelines for these developments addressing specific amenities, open space and aesthetic guidelines with criteria for recommended locations, that could include permitted in OP/NS/GB and GC districts, on properties with access/frontage on Thoroughfares. If not permitted by right, could require a CUP.
2. Continue to approve them as PDs.
3. Conduct specific studies regarding future demand for multi-family and identify areas within the city, in the FLUP, suitable for these developments.

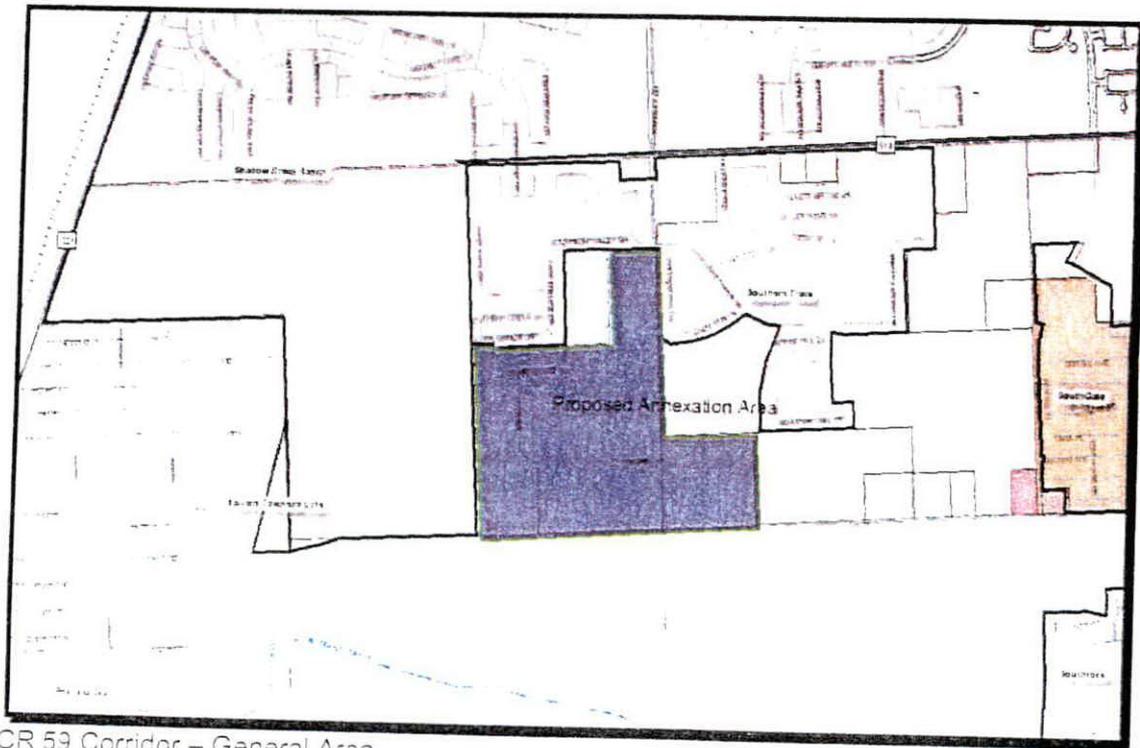
COMMENT

#9

Comment #9:
Annexation of 1000' south of Bailey Avenue and Land south of Southern Trails.



Bailey Corridor – General Area



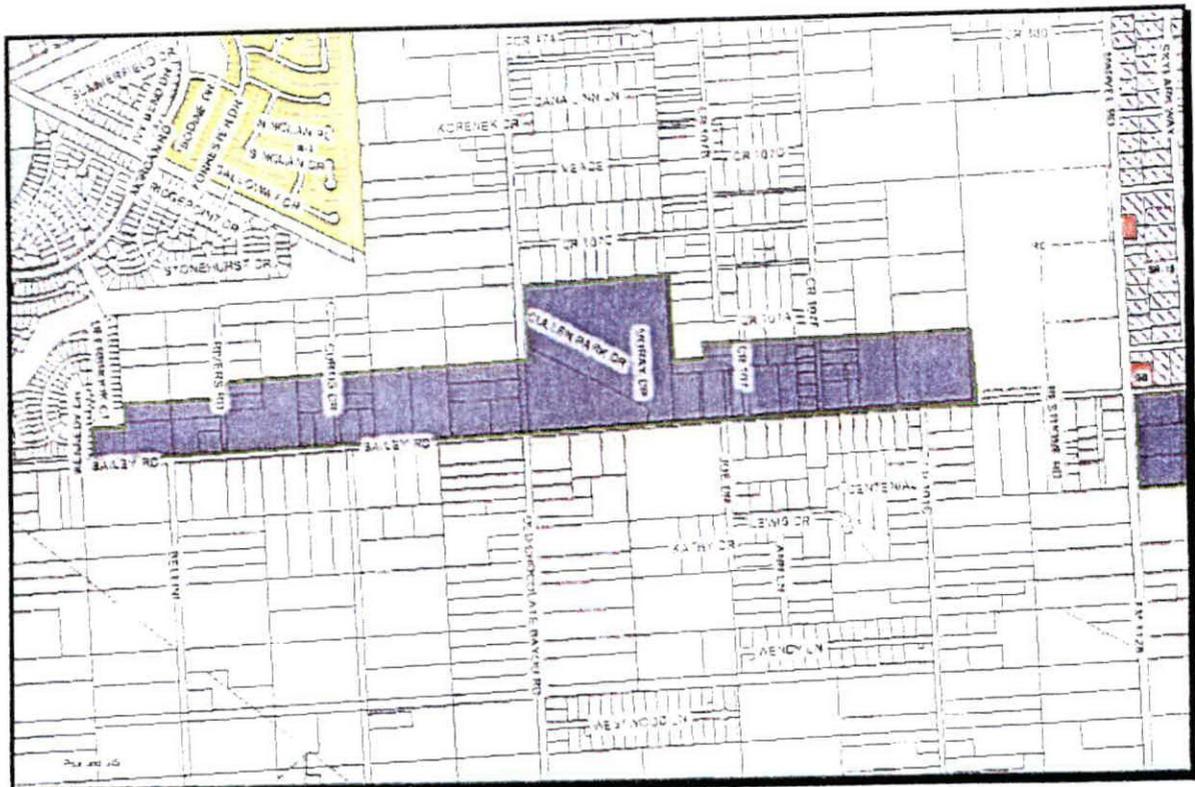
CR 59 Corridor – General Area

Explanation: The Council had identified two areas for annexation as shown in the above maps – Bailey Corridor and CR 59 Corridor. This would ensure that development along these corridors, upon development of Bailey and CR 59, would be in conformance to city's standards.

Staff Analysis: The annexation law stipulates that the City needs to formulate a 3-yr annexation plan for areas with more than 100 parcels with one or more dwelling units. The identified areas shown below (smaller in size than the general areas above) would contain fewer than 100 tracts with dwelling units and thus would not need a three year plan. These annexations would need approximately five months after council directs staff to prepare a service plan. A detailed survey would be conducted once the annexation proceedings commence.

North of Bailey, Between Manvel and CR 90

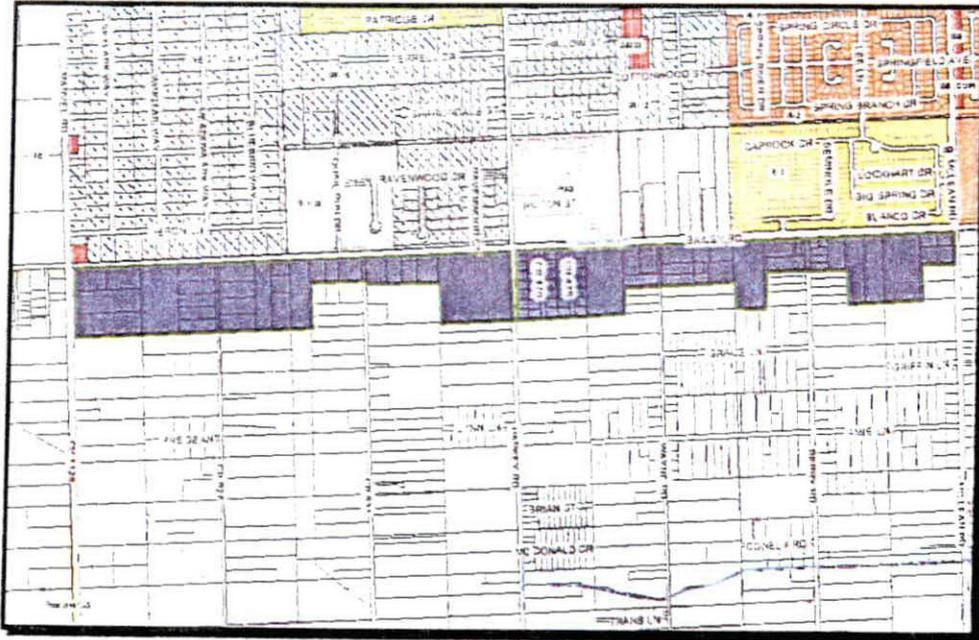
The depth of the area north of Bailey ranges from 280 - 1260 feet and would encompass 82 parcels with approximately 36 (32 lots within Cullen Park Estates at Bailey and Cullen) vacant parcels.



Zoning Map: Bailey Corridor - North of Bailey, Between Manvel and CR 90. Proposed Annexation Area in Blue.

South of Bailey, Between Manvel and McLean

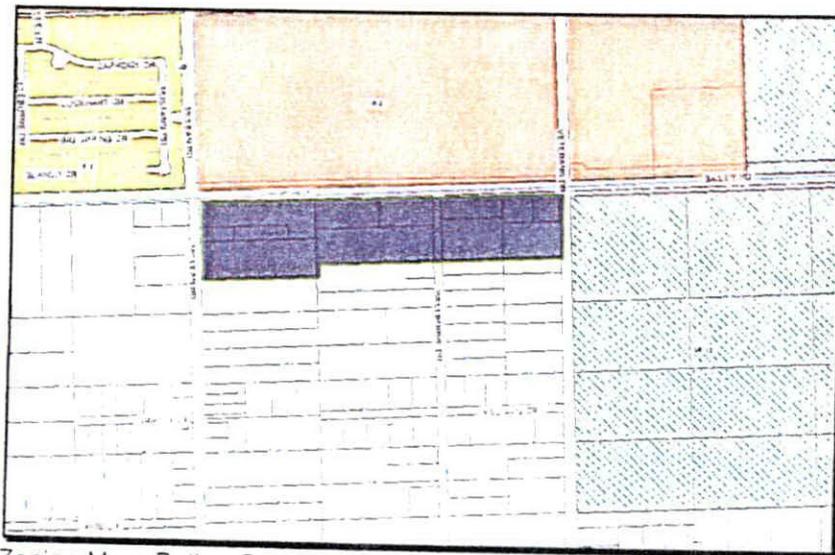
The depth of the area south of Bailey ranges from 730-230 feet and would encompass 93 parcels (based on parcel map) with approximately 10 vacant parcels.



Zoning Map: Bailey Corridor - South of Bailey Between Manvel and McLean – Proposed Annexation Area in Blue.

South of Bailey, Between Veterans and McLean

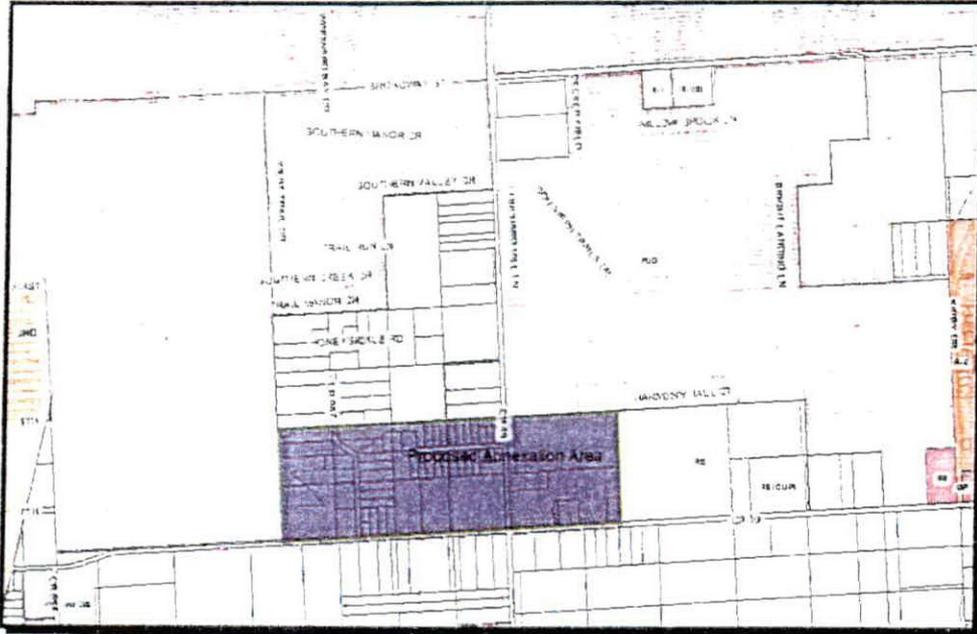
The depth of the area south of Bailey is approximately 500 feet and would encompass 12 parcels (based on parcel map) with approximately 4 vacant parcels.



Zoning Map: Bailey Corridor - South of Bailey Between Veterans and McLean. Proposed Annexation Area in Blue.

CR 59 Corridor

The depth of the area north of CR 59 is approximately 1300 feet and would encompass 68 parcels (based on parcel map) with approximately 4 vacant parcels.



CR 59 Corridor – North of CR 59 Between Kirby Drive and FM 521. Proposed Annexation Area in Blue.

Recommendation: Staff concurs with the council's recommendation that the city proceed with these annexations to ensure the future development meets the Corridor Overlay District requirements and conforms to the city's development guidelines, thereby resulting in higher quality development.

COMMENT

#10

Council Comment #10:
Pearland Parkway and Airport – Commercial Uses

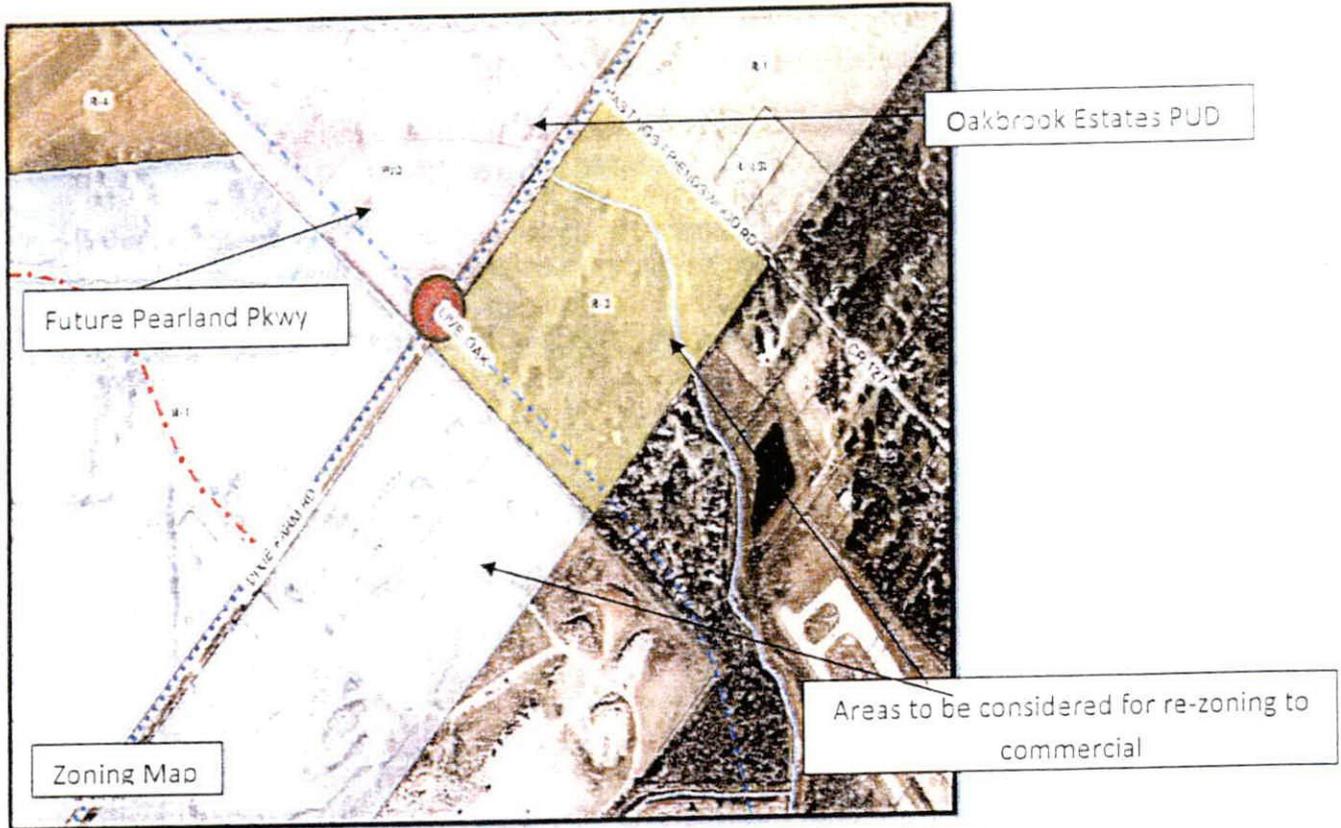
Explanation: With the growth of Dixie Farm Rd. and the future expansion of Pearland Parkway (Live Oak), more commercial areas may be needed around this intersection.

Staff Analysis: The area has a some amount of residentially zoned property and a small section in the FLUP is set aside as commercial near the intersection of Dixie Farm and Future Pearland Pkwy (Live Oak). More commercial areas may be needed and would be appropriate in order to service the future residential and traffic growth of the area.

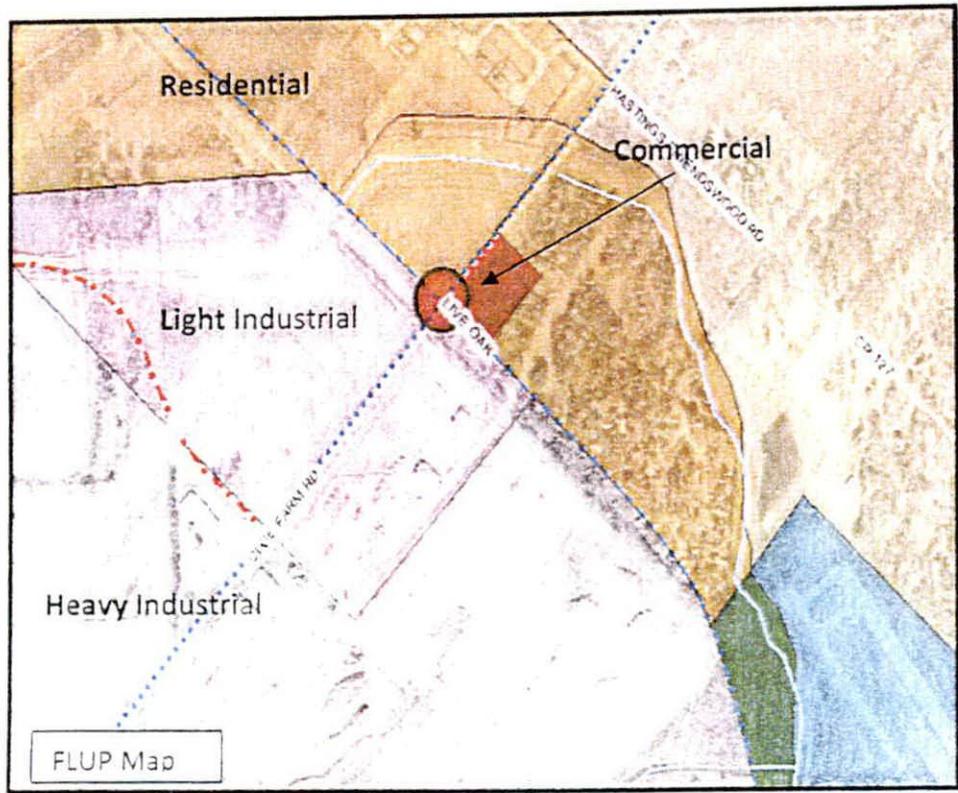
Recommendation:

1. Add a minor retail node at the intersection of Dixie Farm and Future Pearland Pkwy.
2. Rezone M-1 and R-3 south of Dixie Farm and fronting Future Pearland Pkwy to commercial and change FLUP.

This area left blank intentionally



Clover Field near Dixie Farm and future Pearland Parkway – General Area



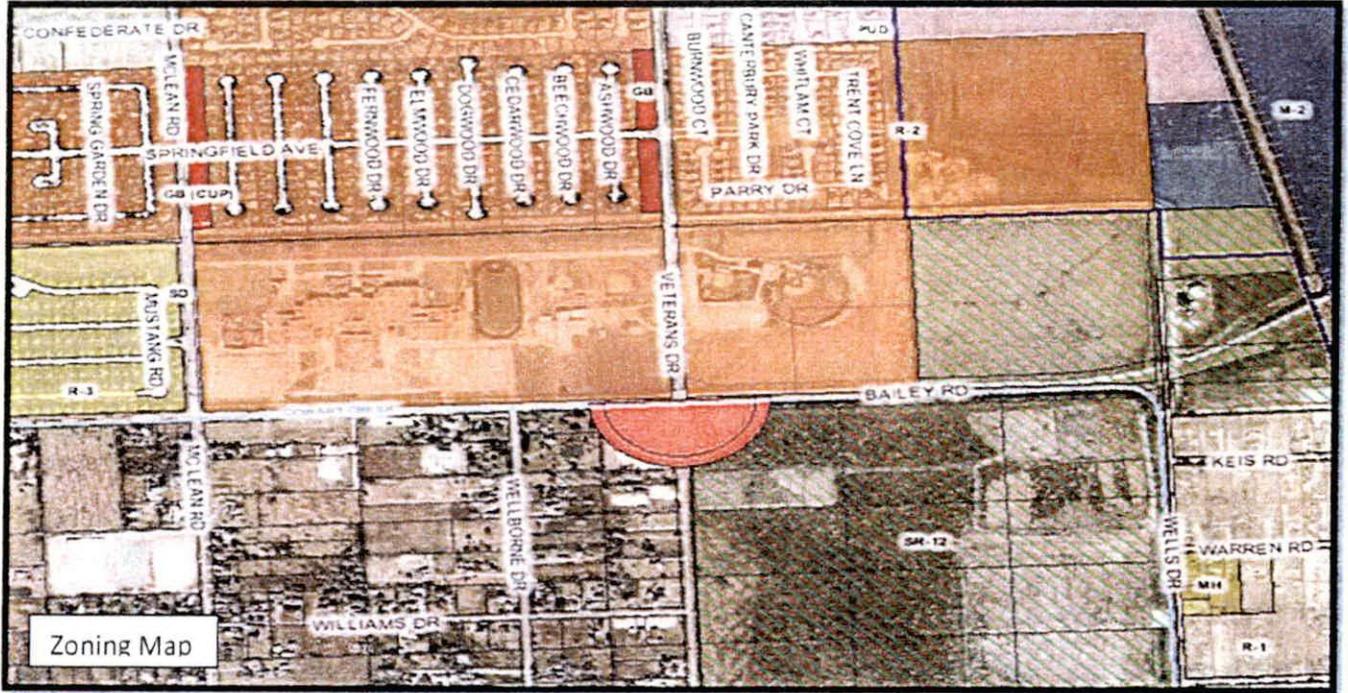
Clover Field near Dixie Farm and future Pearland Parkway – General Area

COMMENT

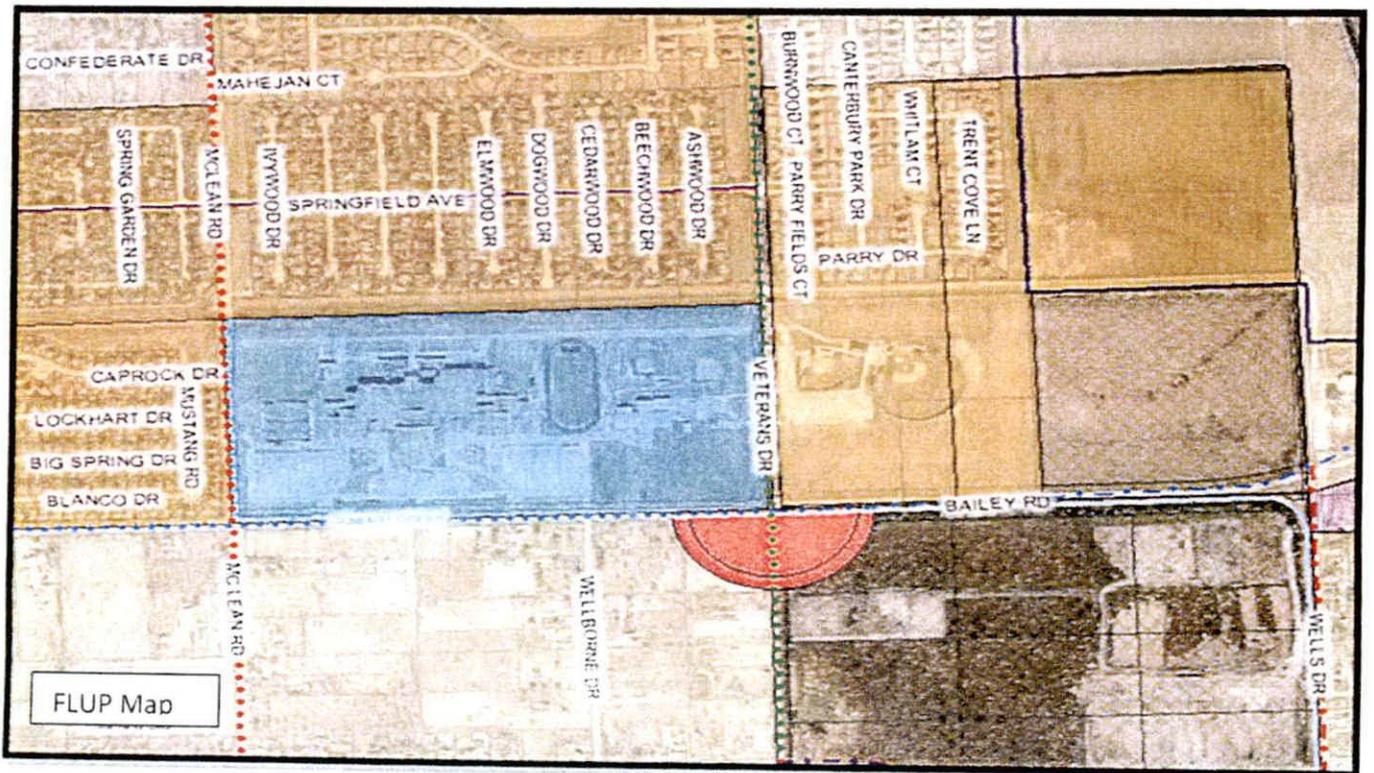
#11

**Council Comment #11:
Node at Veterans and Bailey**

A partial node already exists at this intersection. No changes needed.



Intersection of Bailey and Veterans – General Area



Intersection of Bailey and Veterans – General Area

COMMENT

#12

Comment # 12:
Add Retail as a Component Within Manufacturing.

Explanation: The Council and P & Z had directed staff to explore the possibility of permitting some retail/service uses within or in close proximity to manufacturing zones that would serve the manufacturing uses.

Staff Analysis: Planning and legal staff explored several options and these have been listed below.

Option 1:

Add uses permitted in GB and GC anywhere in M-1 and M-2 zones by CUP in the land use matrix. City Council and P & Z can evaluate each location and allow appropriate square footage for retail/commercial uses.

Due to lack of any guidelines or area limitation, unlimited addition of retail and commercial uses, may cause erosion of manufacturing zones.

Option 2:

Designate retail/commercial nodes in the area zoned manufacturing and limit these to a certain size (2-5 acres). Each time a retail/commercial use is proposed, a CUP would be required, thereby giving council and P & Z an opportunity to review the proposal and add conditions. While this would provide retail/service in proximity to manufacturing, this may not insure integration of retail/ commercial uses within the industrial development.

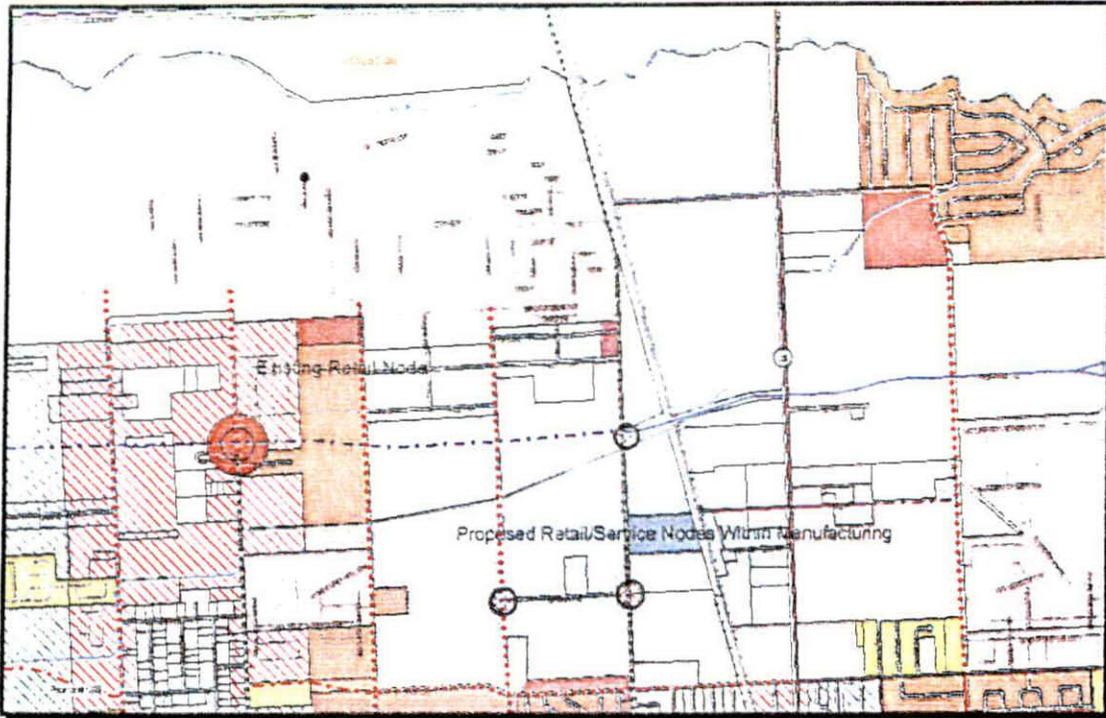
Option 3:

Add certain uses as accessory uses within M-1 and M-2 zones by right and limit the size. Designation as accessory use would require that the proposed use is part of the same parcel as the manufacturing and cannot be separated out into another parcel.

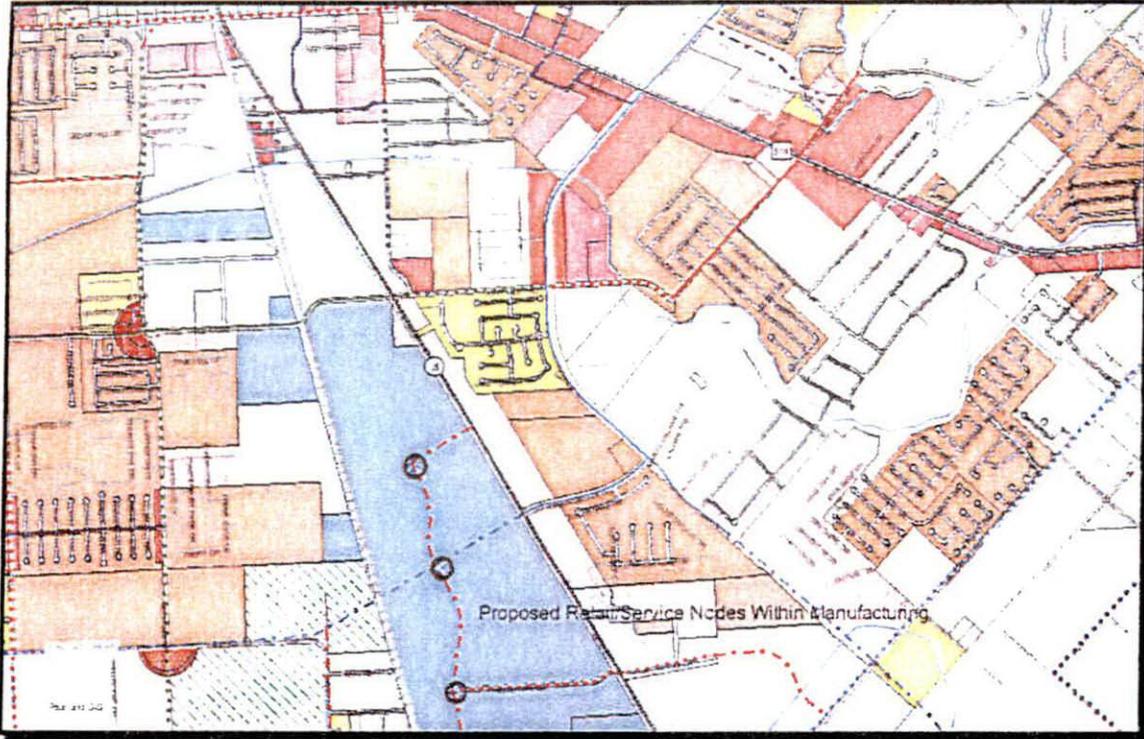
For residential accessory buildings the requirement is that the total floor area of all accessory structures shall not exceed 50% of the livable area of the residence on the premise, or 5% of the lot area, whichever is greater. Not more than two accessory buildings are permitted per lot. This requirement does not apply to lots 10 acres or greater in size.

Similarly, staff recommends that the total floor area of accessory uses be limited to 25% of the total gross floor area of the manufacturing facility.

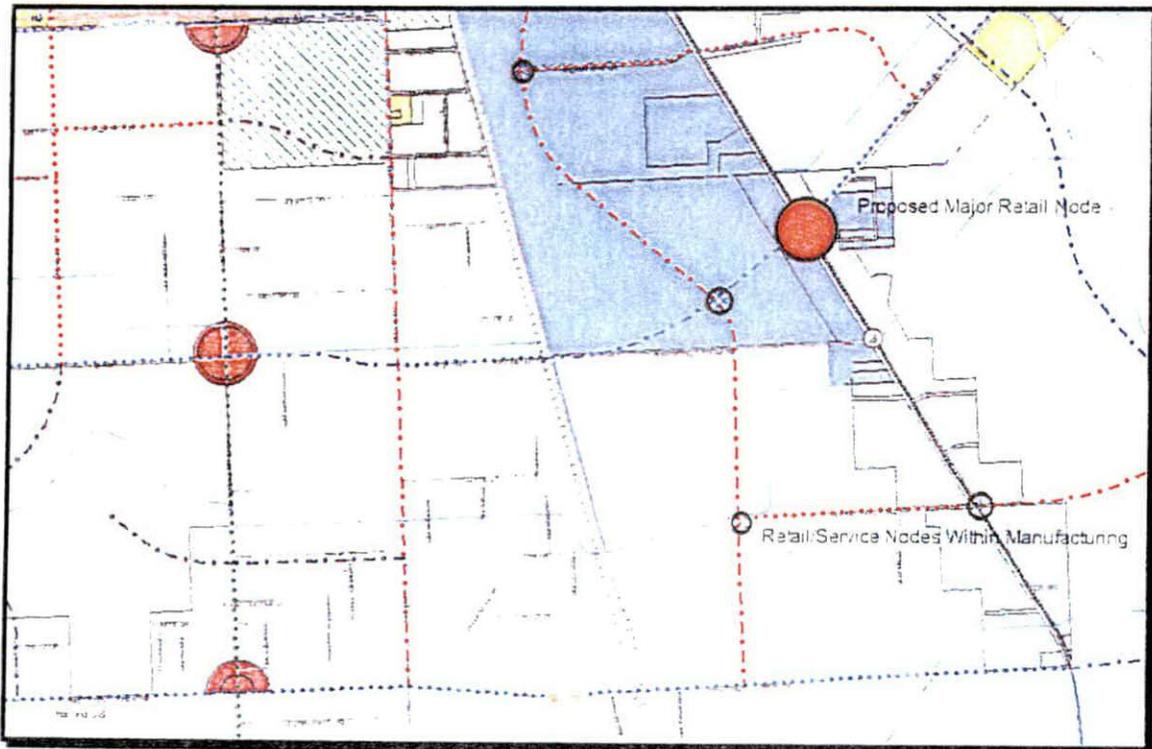
Recommendation: Staff has a preference for option 1 or 2, both of which would require a CUP. The zoning maps included below show the proposed location of these retail/service nodes. Since the city is in the process of hiring a consultant to examine the Spectrum area, staff did not make any recommendations for that area.



Zoning Map: M-1 and M-2 Zones Along Main Street and Mykawa, North of Broadway – Proposed Retail/Service Nodes.



Zoning Map: M-1 and M-2 Zones Along Main Street, South of Broadway - Proposed Retail/Service Nodes. If the plan is amended, the location of the nodes would move accordingly.



Zoning Map: M-1 and M-2 Zones Along Main Street, South of Broadway- Proposed Retail/Service Nodes

COMMENT

#13

Council Comment #13
Add Neighborhood Nodes Within Residential

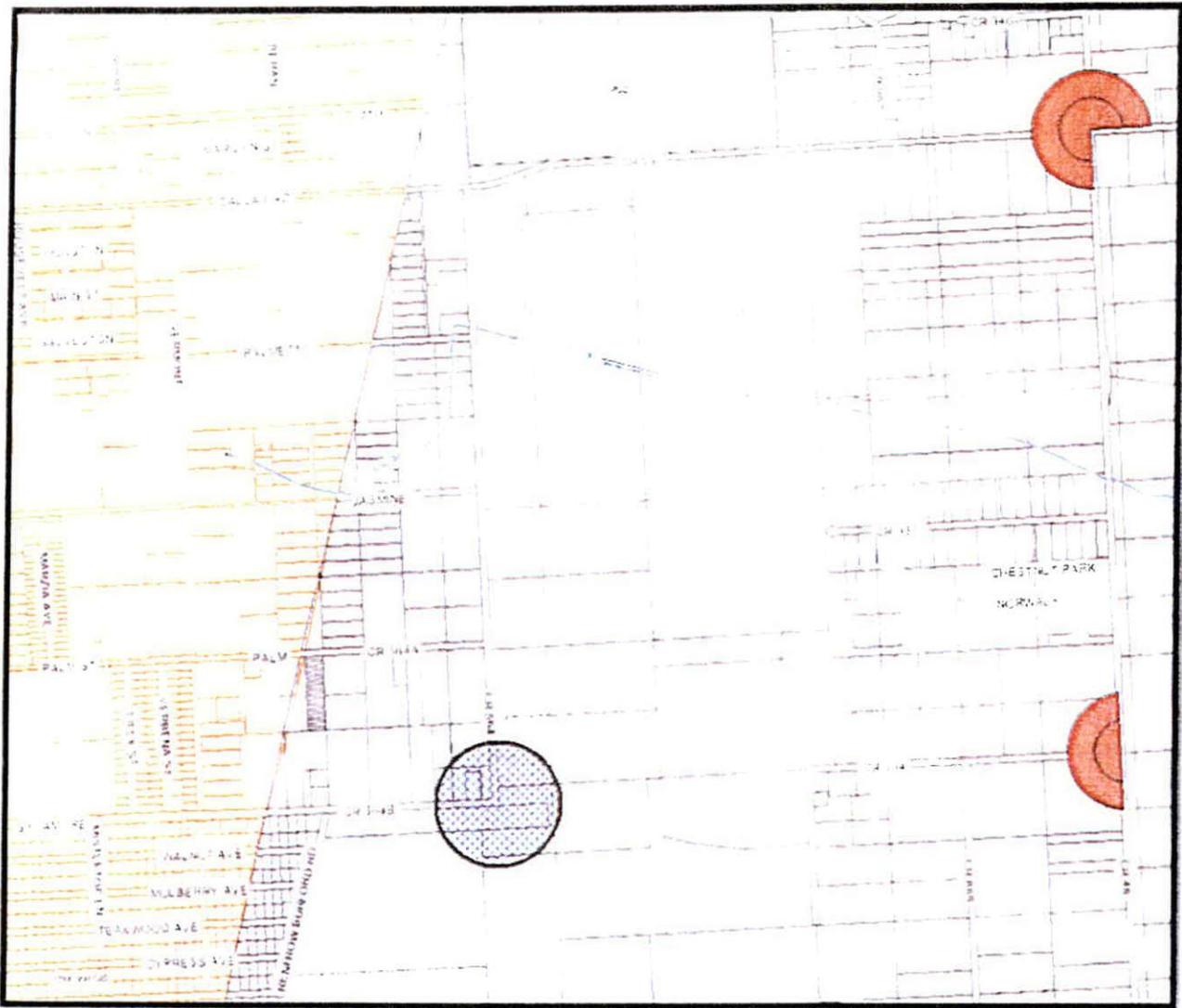
Explanation – 5 acres total for each node. The thoroughfare plan was reviewed and intersections where there were 2 collector streets or higher were considered.

Staff Analysis: Staff considered minor neighborhood retail nodes at the intersections of 2 collector streets or higher. Below are recommendations for each intersection. Staff recommends that these nodes be limited to 5 acres and be approved by a CUP. Proximity to existing commercial uses was a consideration in the recommendation.

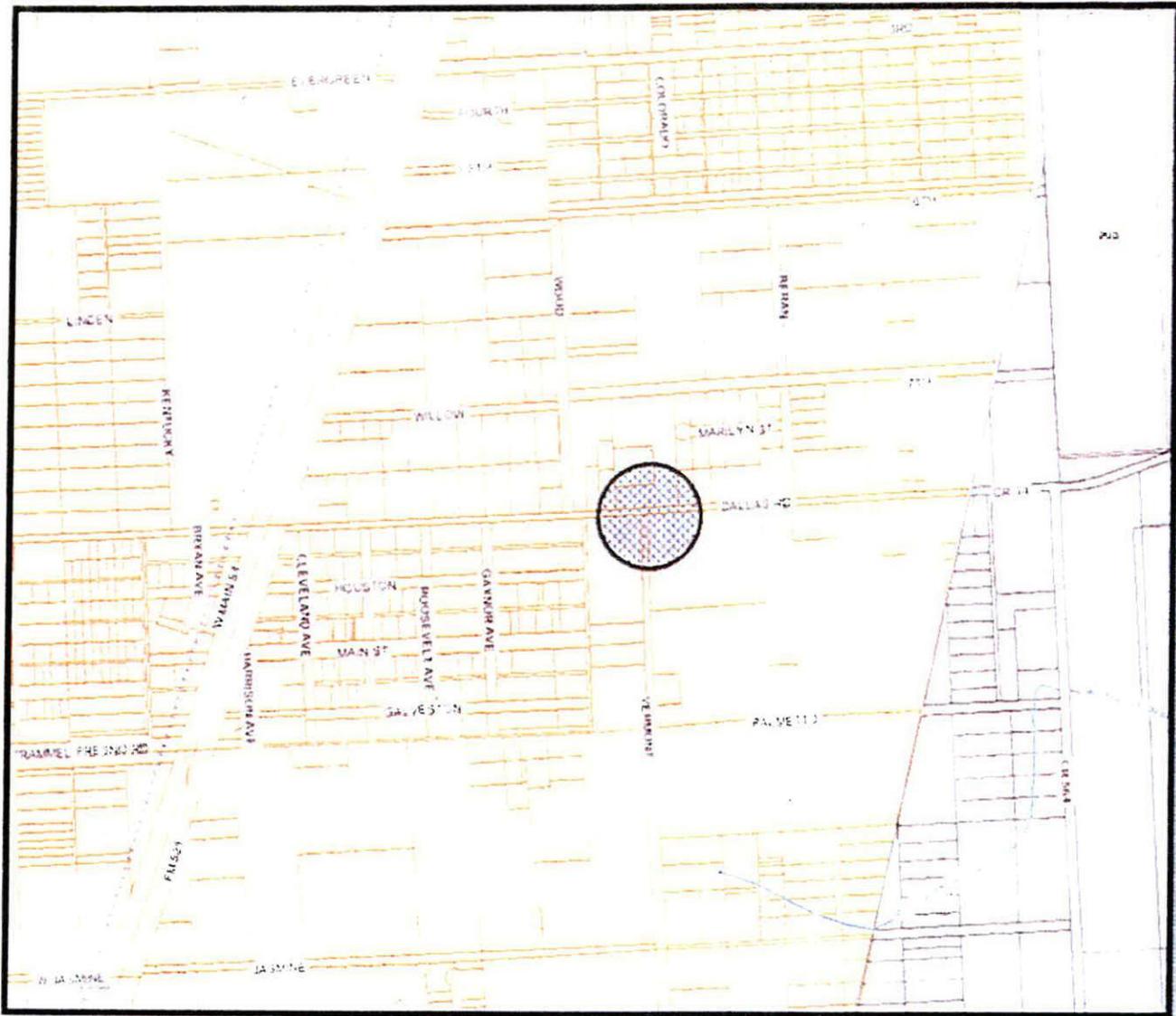
Recommendation: Intersection #1 at Croix and Savannah Parkway. Savannah Lakes Elementary is on the North East Corner (NEC) and on the South East Corner (SEC) there is a Water Tower. The North West Corner (NWC) and the South West Corner (SWC) are undeveloped at this time. This location fits the criteria for adding a minor neighborhood retail node due to being located on 2 collector streets and the future uses could be approved as a Conditional Use Permit. The existing land plan for Savannah does not show this node, however staff recommends keeping this node if future development deviates from land plan.



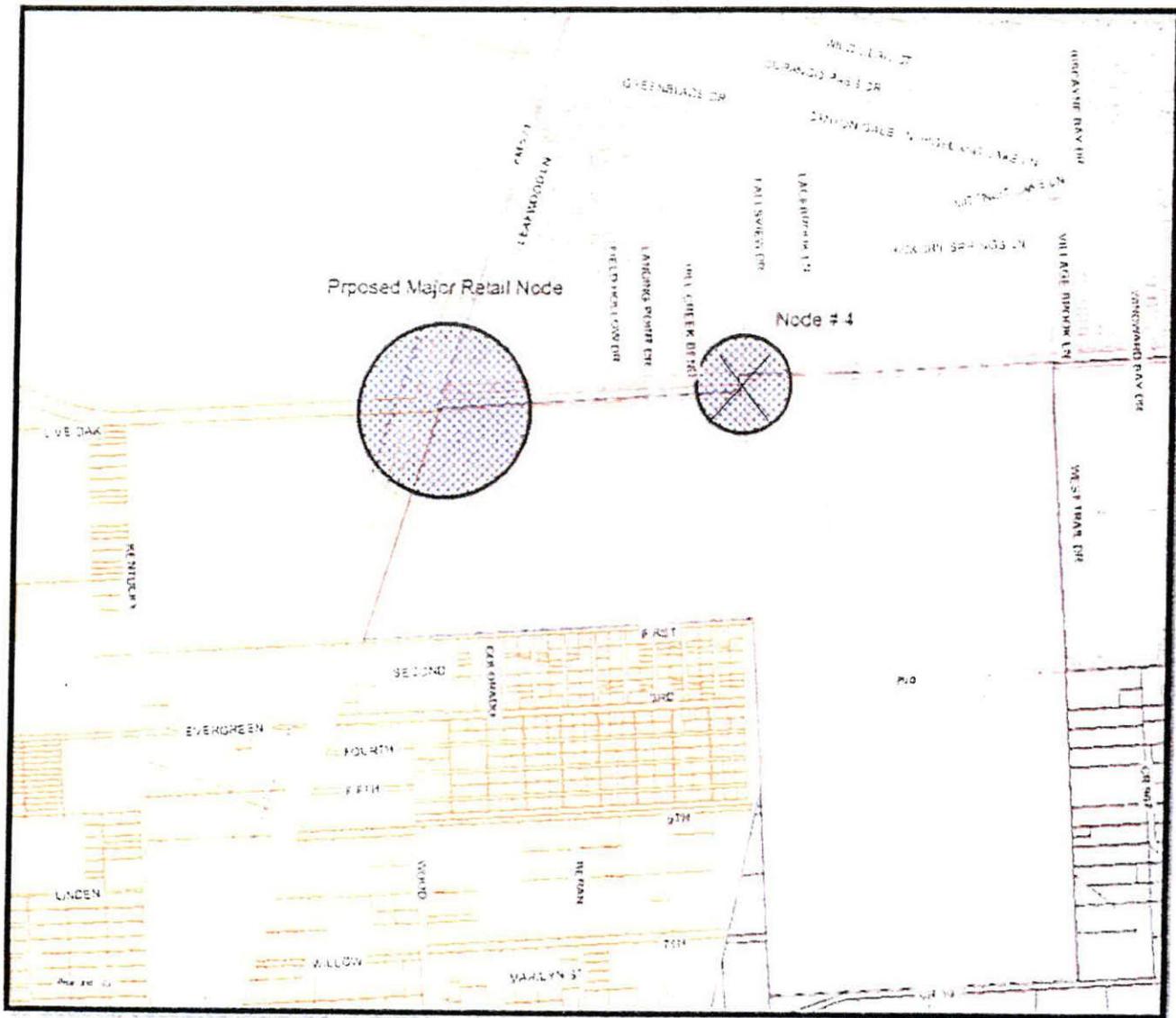
Recommendation: Intersection #2 at 545 and 546B (Woodfin and Sycamore). The NWC of the intersection has a Single Family Dwelling (SFD) on it, and the remainder of the intersection is undeveloped. This location fits the criteria for adding a minor neighborhood retail node due to being located on 2 collector streets and the future uses could be approved as a Conditional Use Permit.



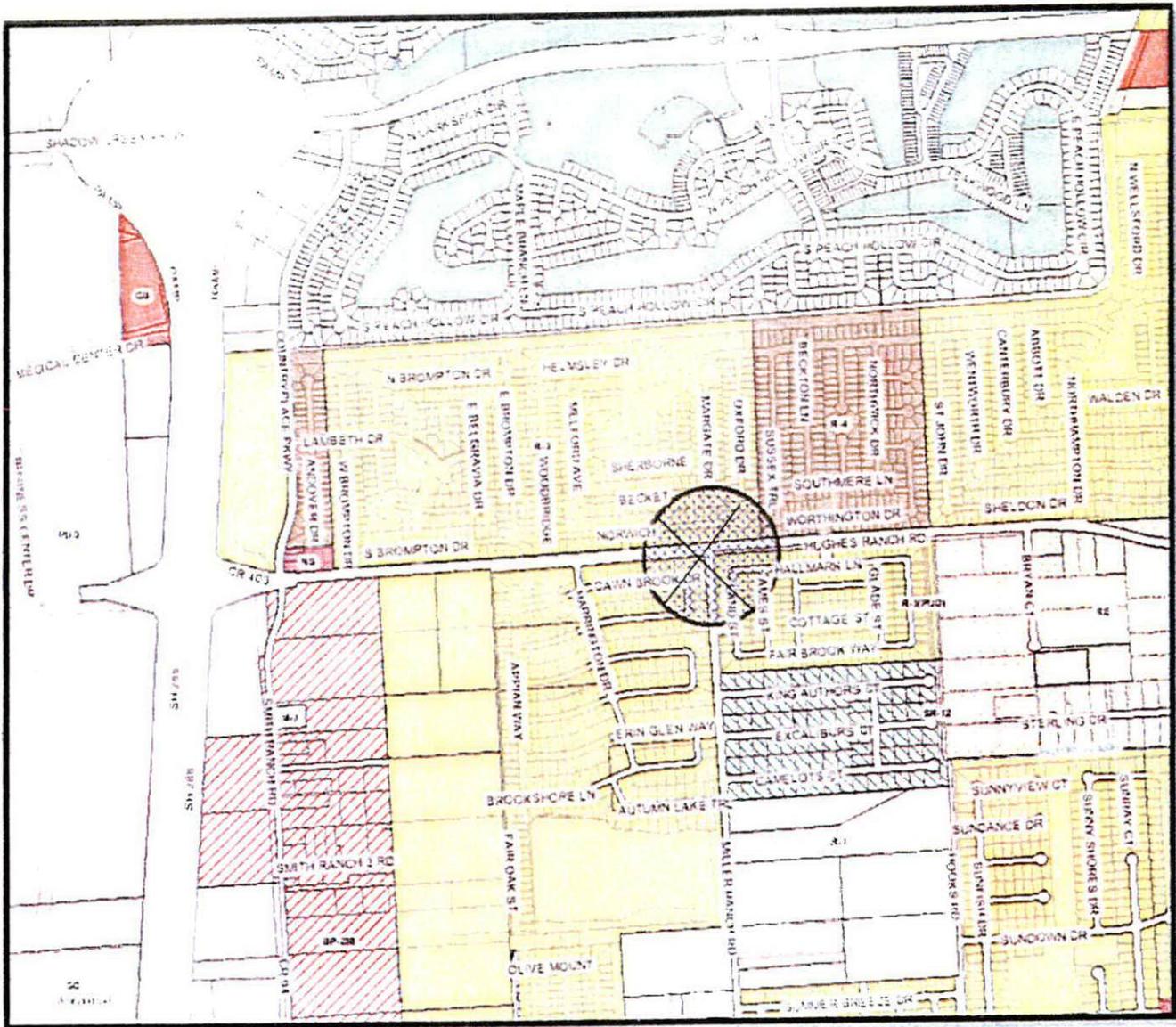
Recommendation: Intersection #3 at Dallas and Vermont, There is one SFD on the SWC. The remainder is of this intersections is undeveloped. This location fits the criteria for adding a minor neighborhood retail node due to being located on 2 collector streets and the future uses could be approved as a Conditional Use Permit.



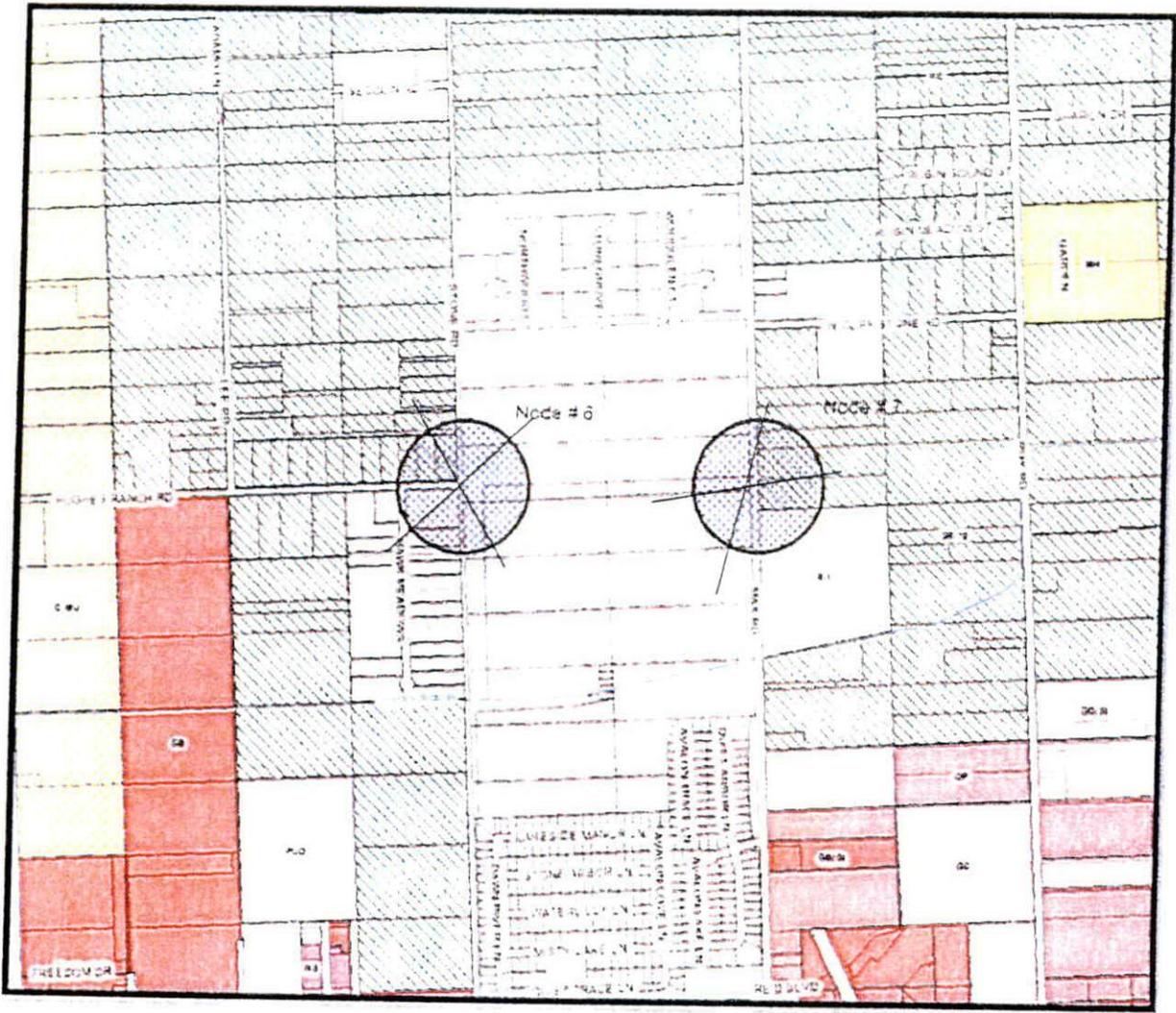
Recommendation: Intersection #4 at Broadway and Hill Creek Bend. This location did not meet the criteria due to the proximity of the proposed major commercial node at Broadway and 521. In Addition, it is part of Shadow Creek Planned Development.



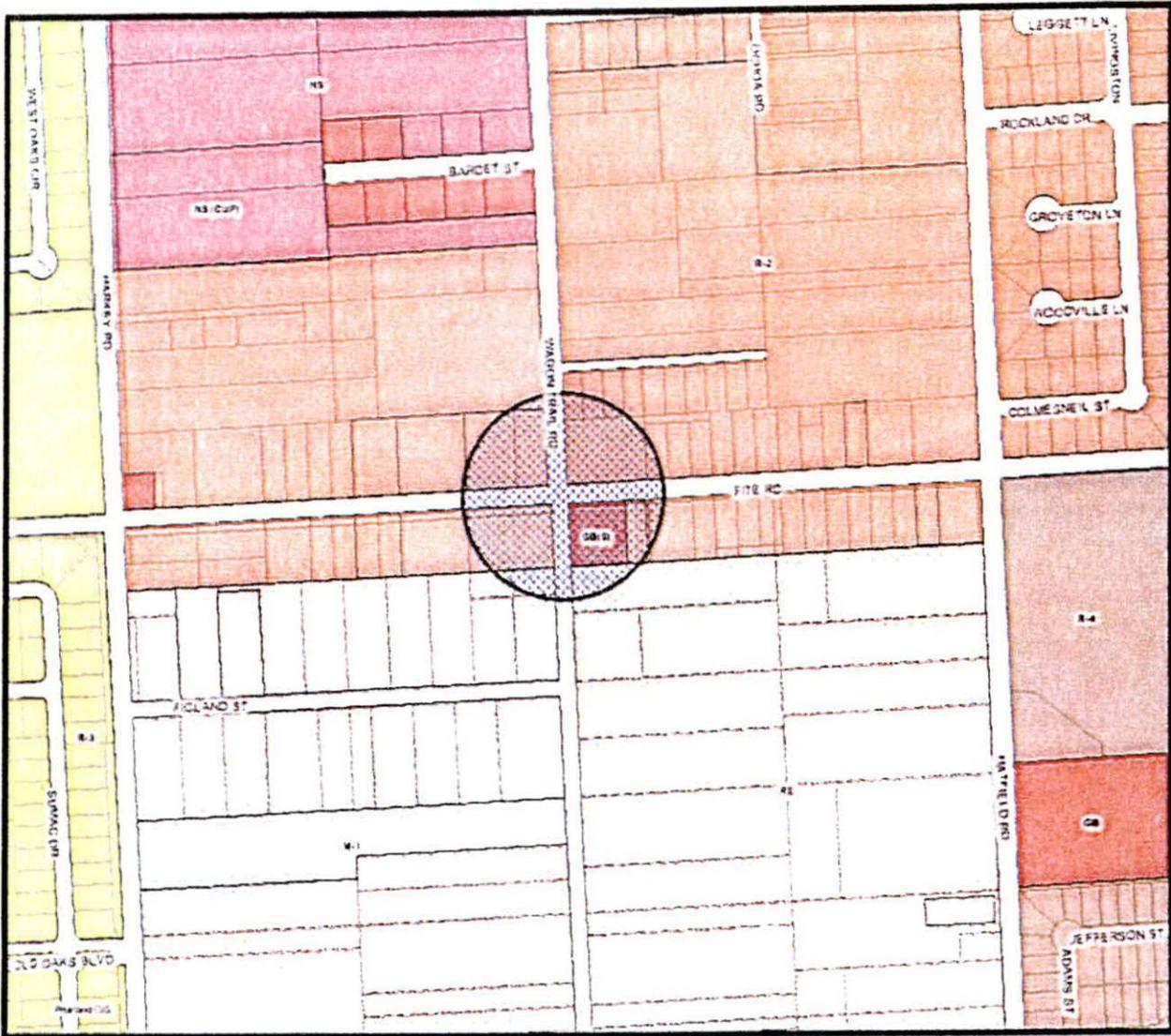
Recommendation: Intersection #5, Hughes Ranch and Miller Ranch. This location did not meet the criteria due to the development of SFD's on each corner of the intersection and it is too close to Highway 288.



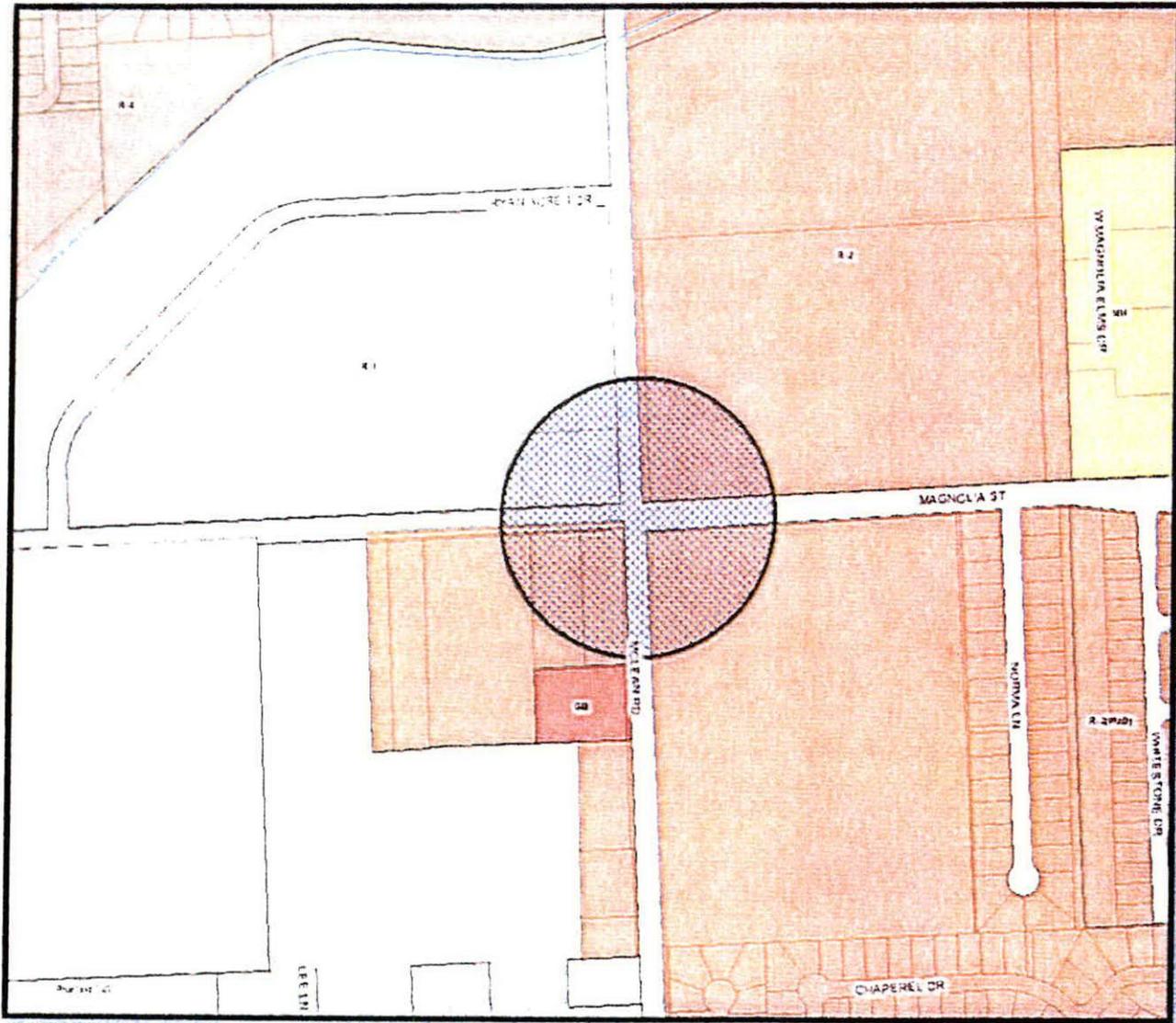
Recommendation: Intersection #6, Stone Rd and Hughes Ranch Road. Intersection #7, Hughes Ranch Rd. and Max Rd. Node #6 did not meet the criteria due to the development with SFD's and Nodes #6 and #7 are too close in proximity of the General Commercial and Mixed Use Zoning Districts located off of 518/Broadway.



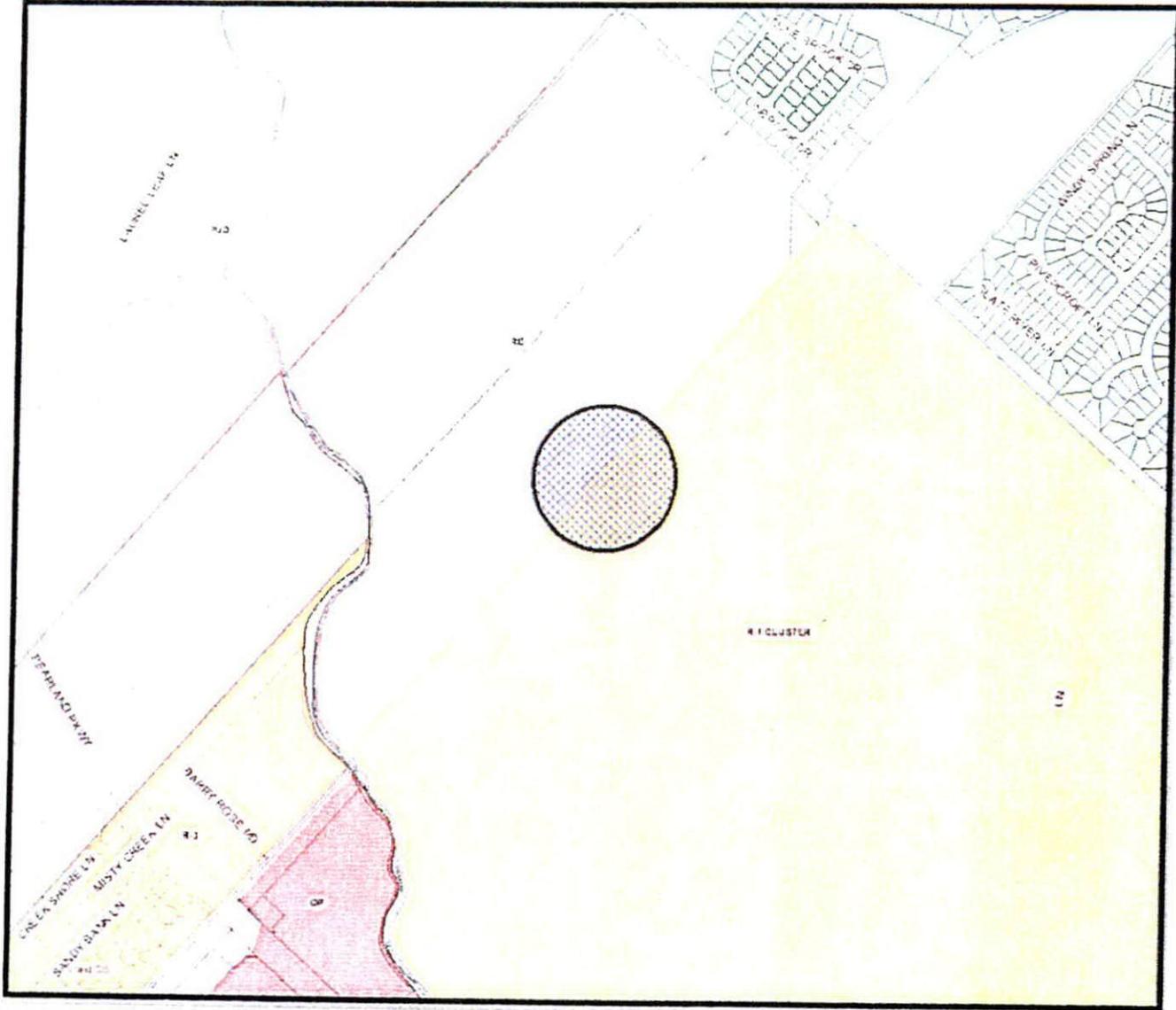
Recommendation: Intersection #3. Wagon Trail and Fite Rd. The SWC has GB zoning and Ellis Automotive is located there. The SWC corner has R-2 Zoning and CarTech is currently located there (a Legal Non-Conforming Use). The NWC and the NEC are Zoned R-2 and there are mobile homes on each parcel. This location fits the criteria for adding a minor neighborhood retail node due to being located on 2 collector streets and the future uses could be approved as a Conditional Use Permit. In addition, the SEC is currently zoned General Commercial.



Recommendation: Intersection #10, Mclean and Magnolia. This intersection is zoned R-1 and R-2 and there is a parcel close to the intersection that is zoned GB with a church located on that parcel. There is one SFD on the SEC, the NEC, NWC, and SWC are vacant land. This location fits the criteria for adding a minor neighborhood retail node due to being located on 2 collector streets and the future uses could be approved as a Conditional Use Permit.



Recommendation: Intersection #11- To be determined. The current Cluster Development Plan approved includes RE and R-1 Cluster and does not propose any roads in this area yet. There may be a potential for the addition of a minor neighborhood retail node if plans change for this area.



COMMENT

#16

Council Comment # 16:

Residential Zoned Parcels Along Broadway-Rezoned to Commercial/Retail.

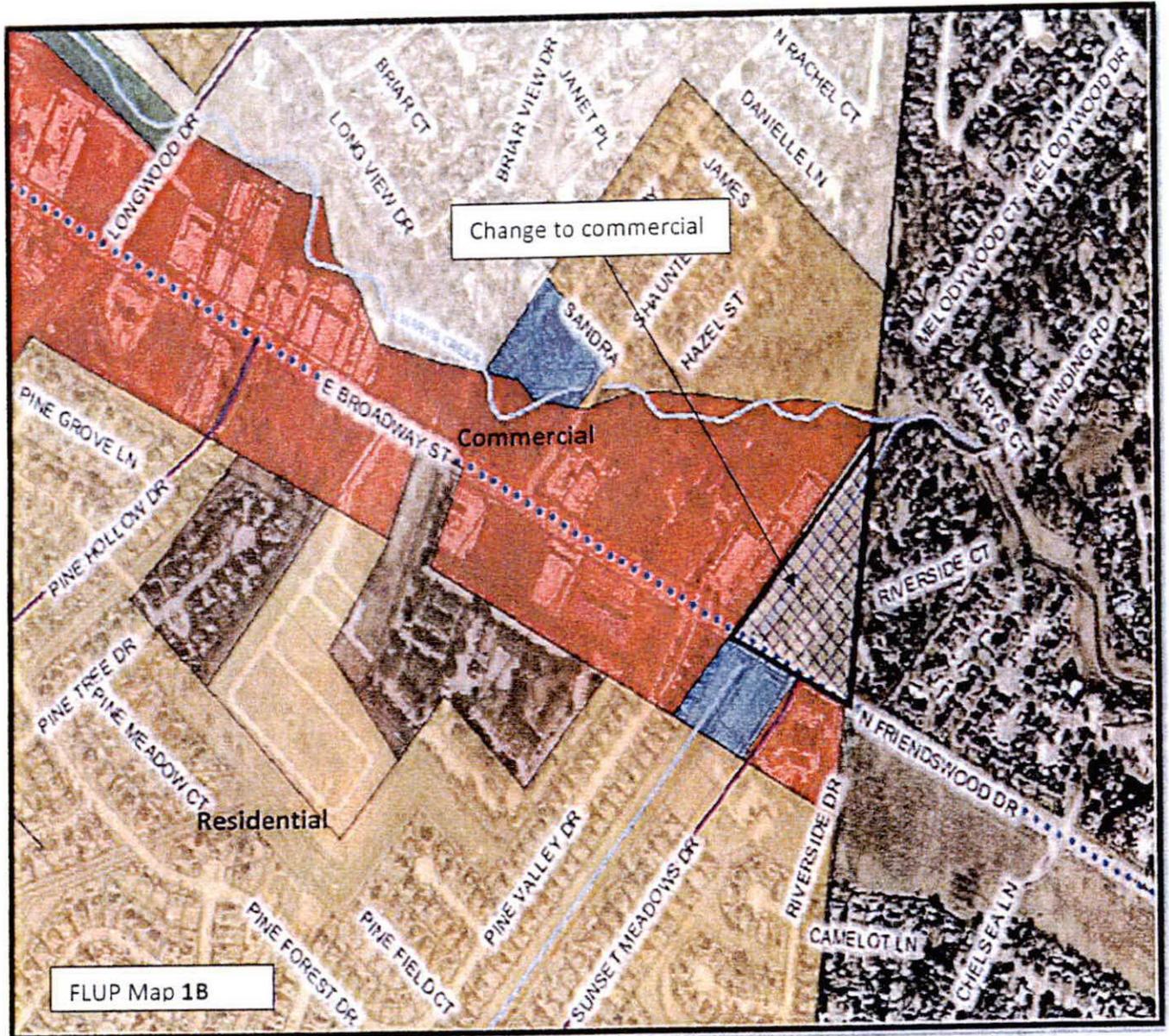
Explanation: There is only a small number of lots along Broadway that are still zoned residential. These exist on the East side of town between Country Club Dr. and Yost Blvd. Furthermore, there are four areas further to the West on Broadway that are zoned commercial but need to be changed in the FLUP to reflect their current zoning. At the western edge of the city, within the Shadow Creek PUD, a large amount of residential exists along 518. The stretch of Broadway-west of SH 288 is considered under comment #18.

Staff Analysis: Staff reviewed all of these areas and has suggested changes as seen below.

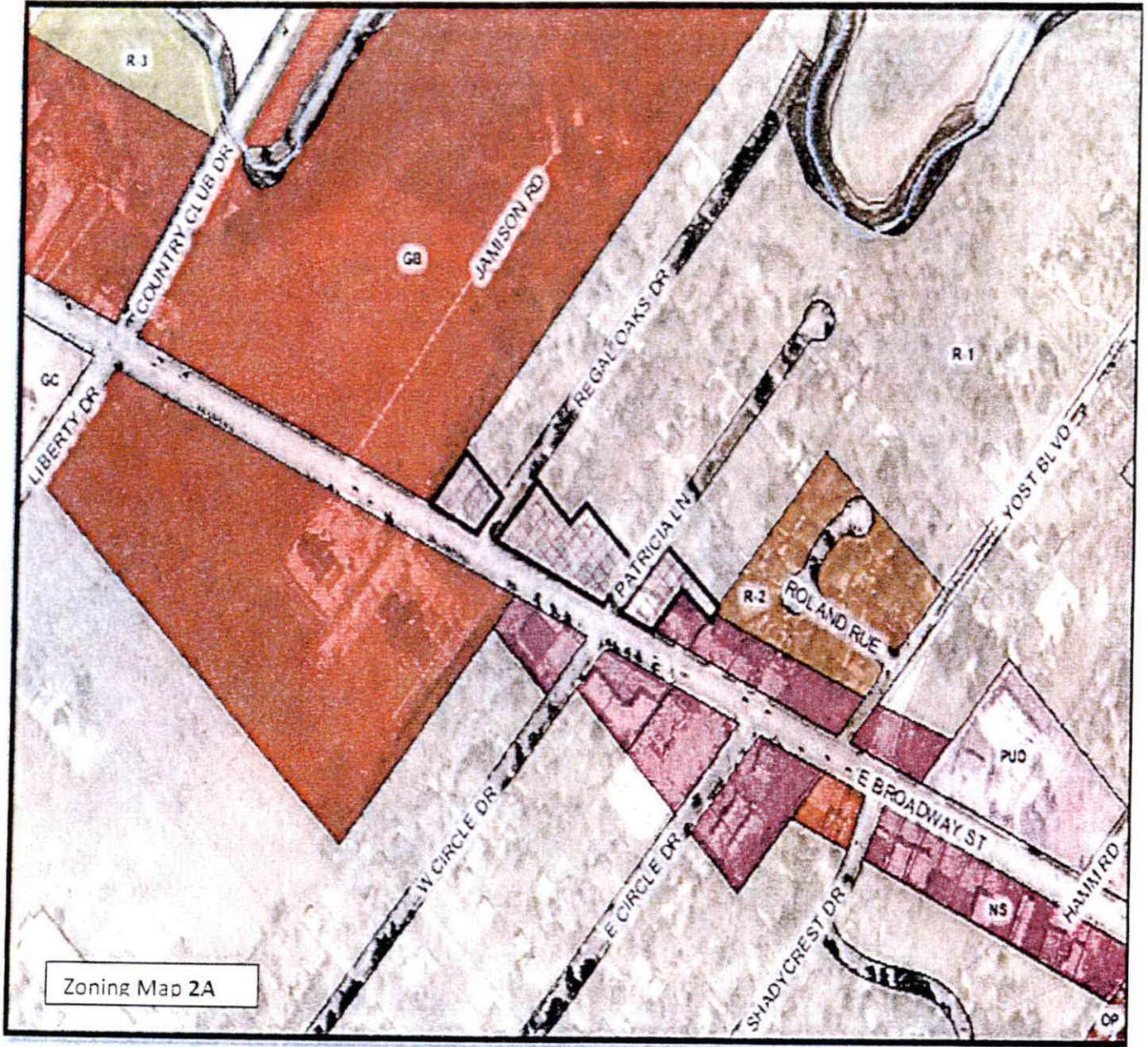
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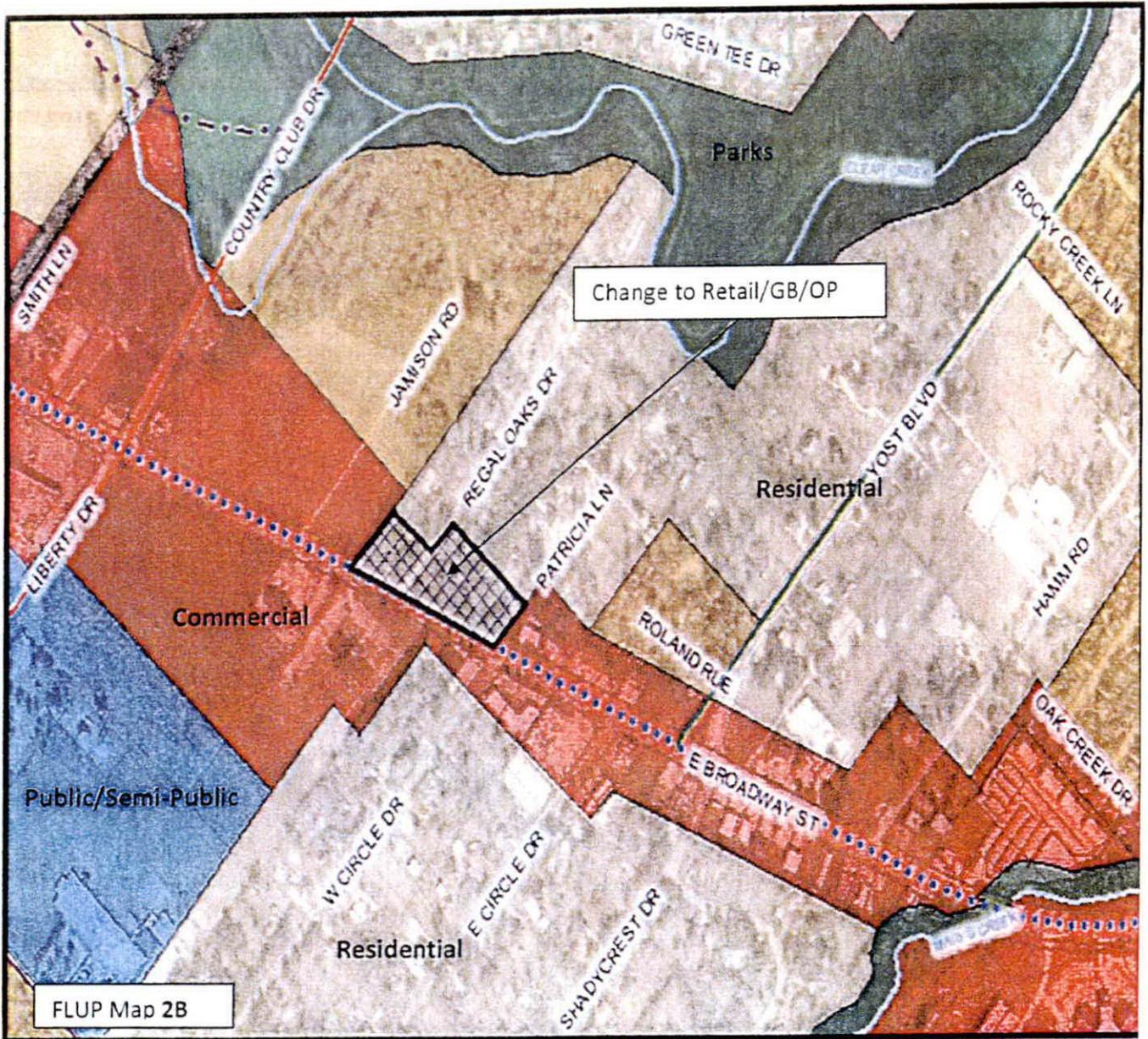
Broadway at Eastern Border – General Area



Broadway at Eastern Border – General Area



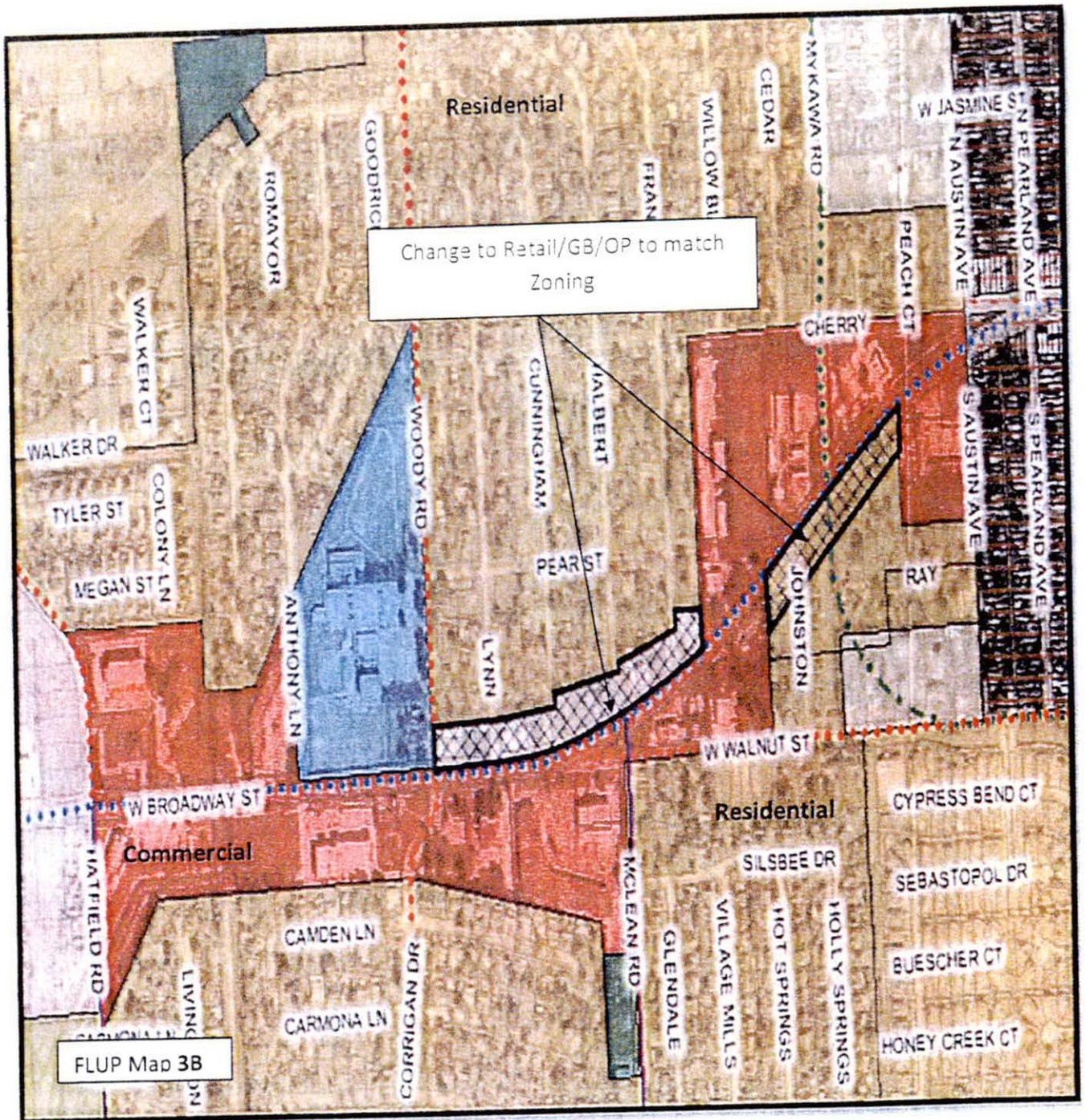
Broadway East of Liberty- General Area



Broadway East of Liberty– General Area

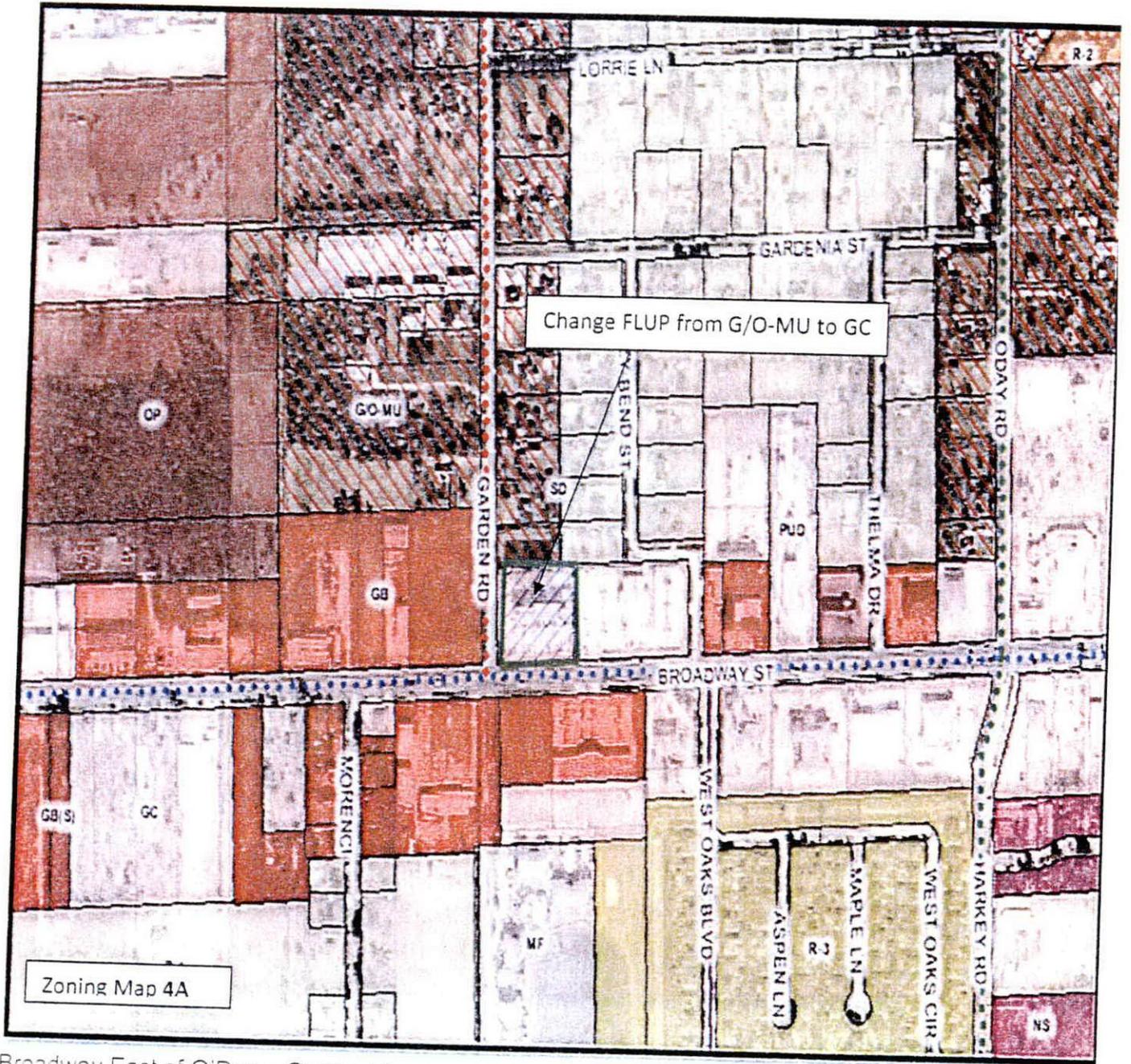
Recommendation:

1. Change FLUP to permit OP Zones. Encourage rezone to OP upon owners request.

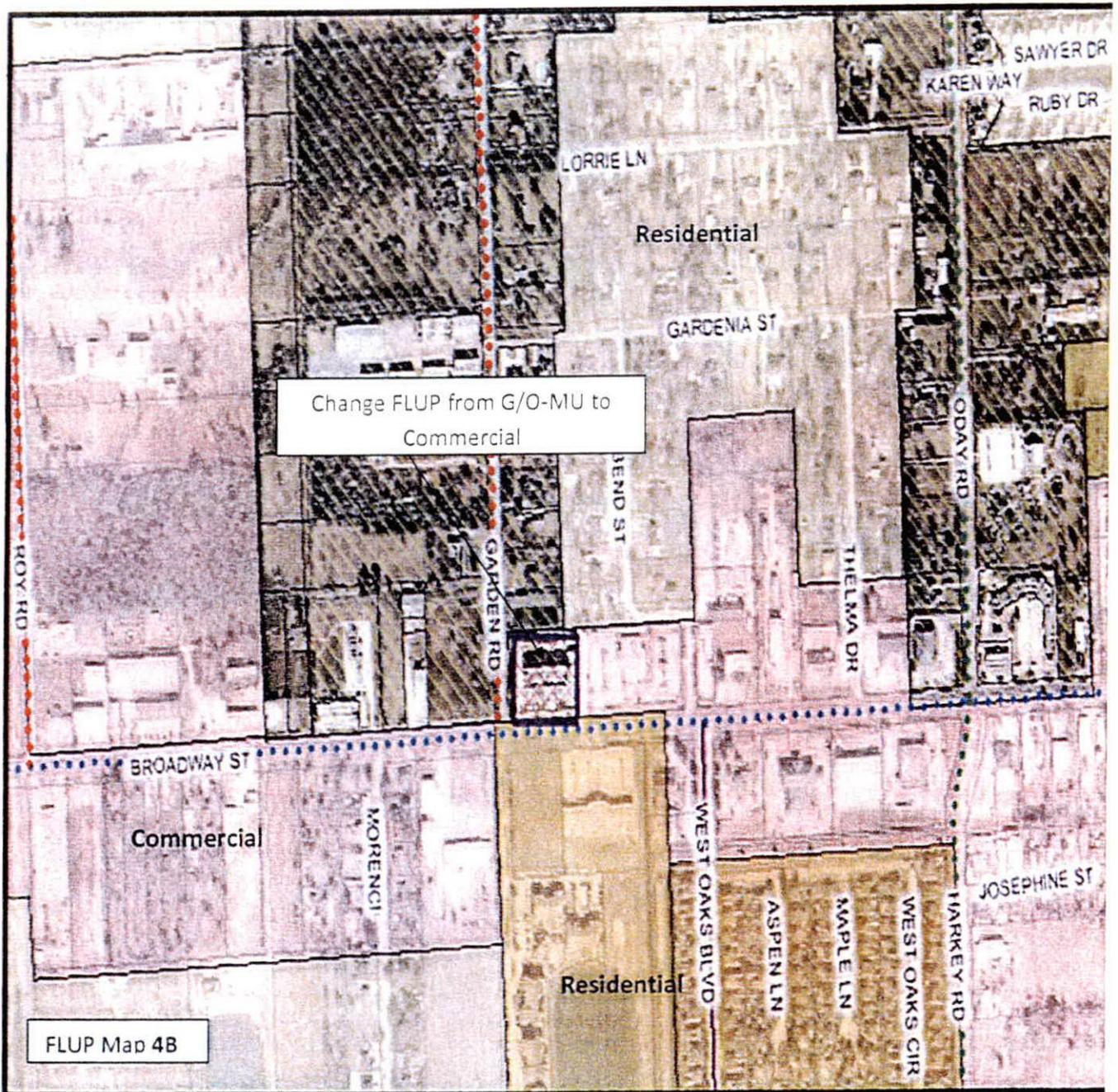


Broadway East of Hatfield – General Area

Recommendation: Change FLUP to reflect current zoning.



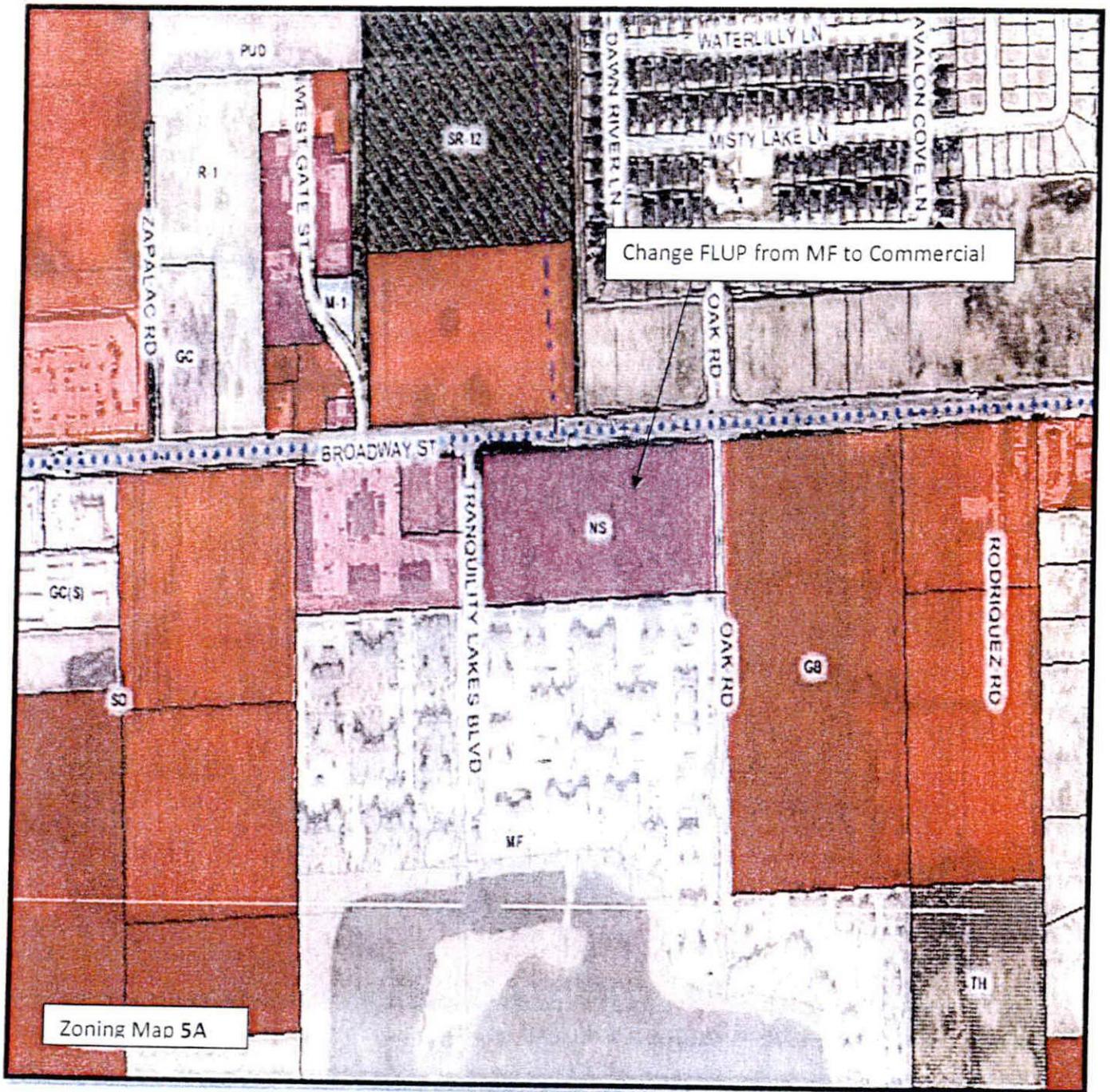
Broadway East of O'Day – General Area



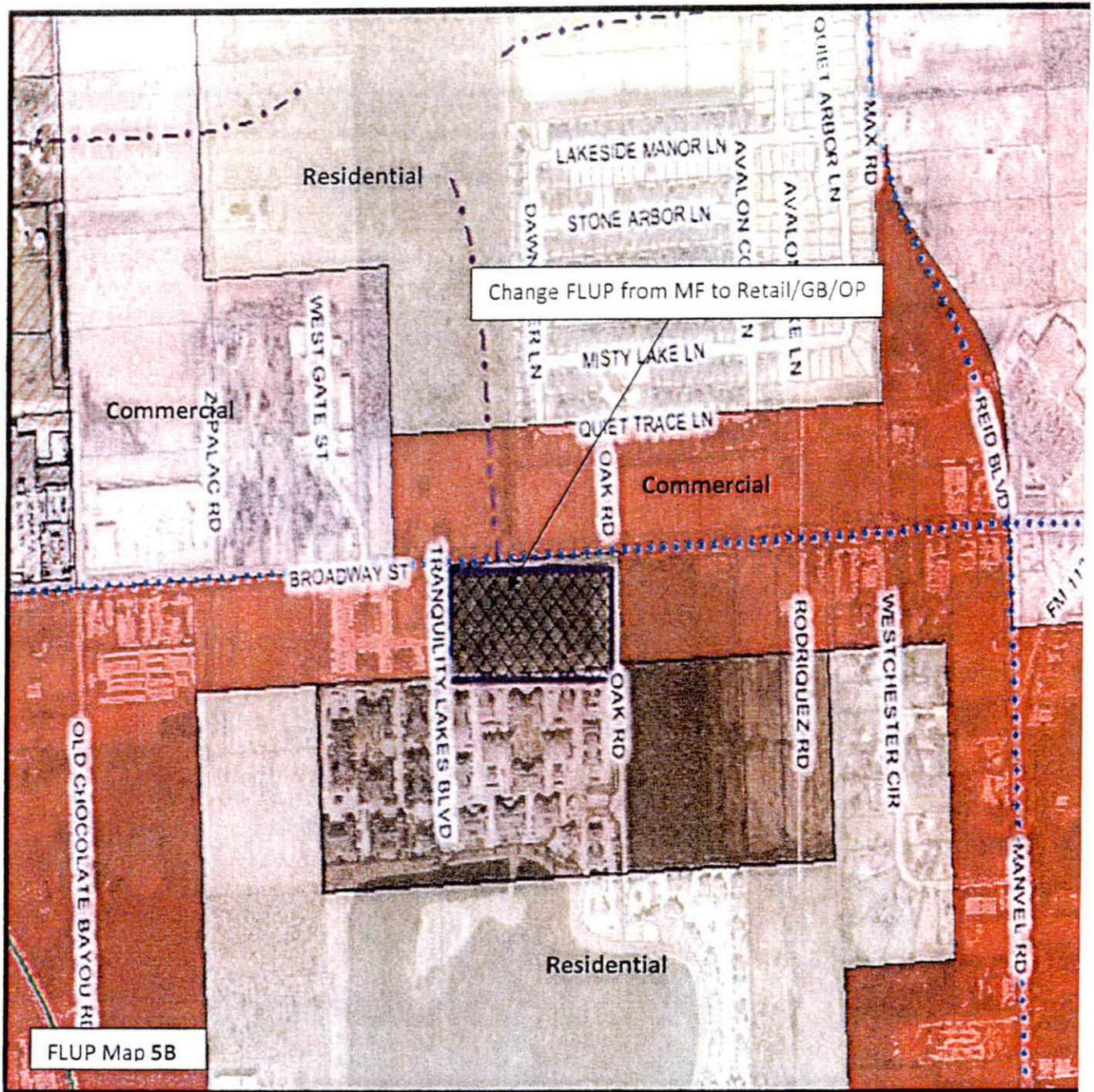
Broadway East of O'Day – General Area

Hampton Inn was built in the G/O-Mixed Use zoning category. They are now zoned GC.

Recommendation: Change FLUP to reflect current Zoning.



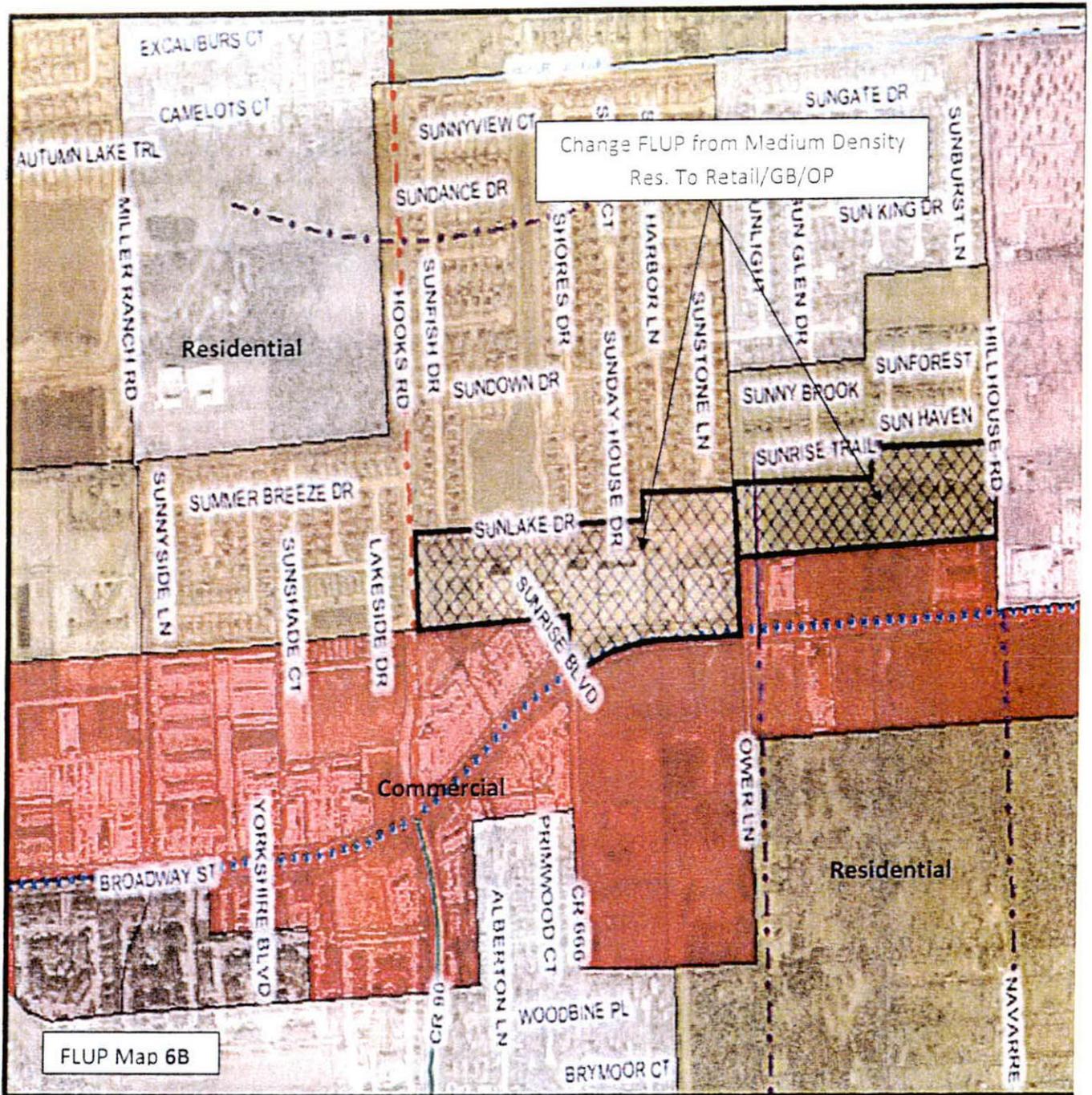
Broadway East of Old Chocolate – General Area



Broadway East of Old Chocolate – General Area

A large lot along Broadway north of Tranquility Lakes Apartments was originally set aside as MF to go along with the current apartment homes in FLUP. It is now zoned NS.

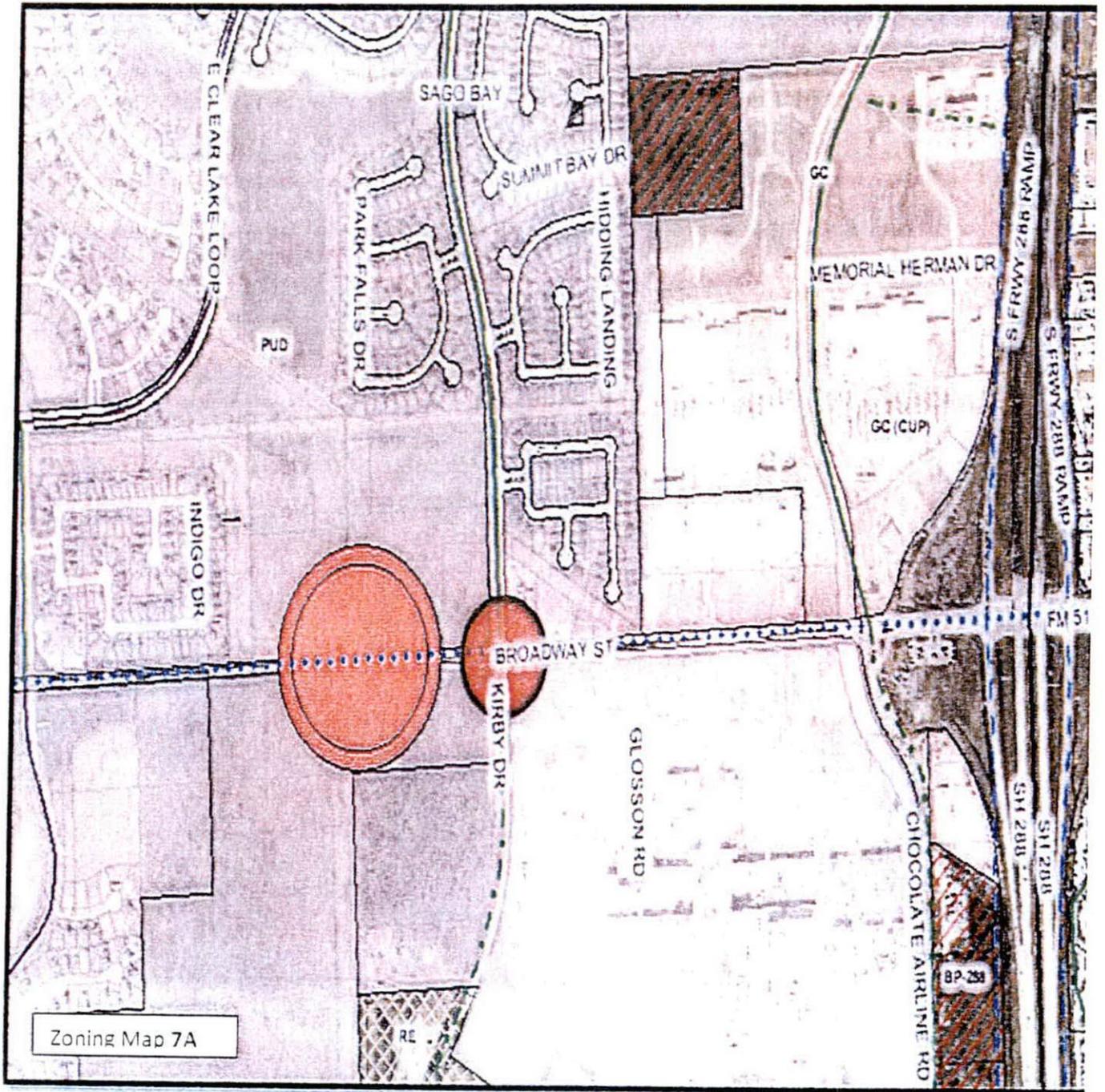
Recommendation: Change FLUP to reflect current Zoning.



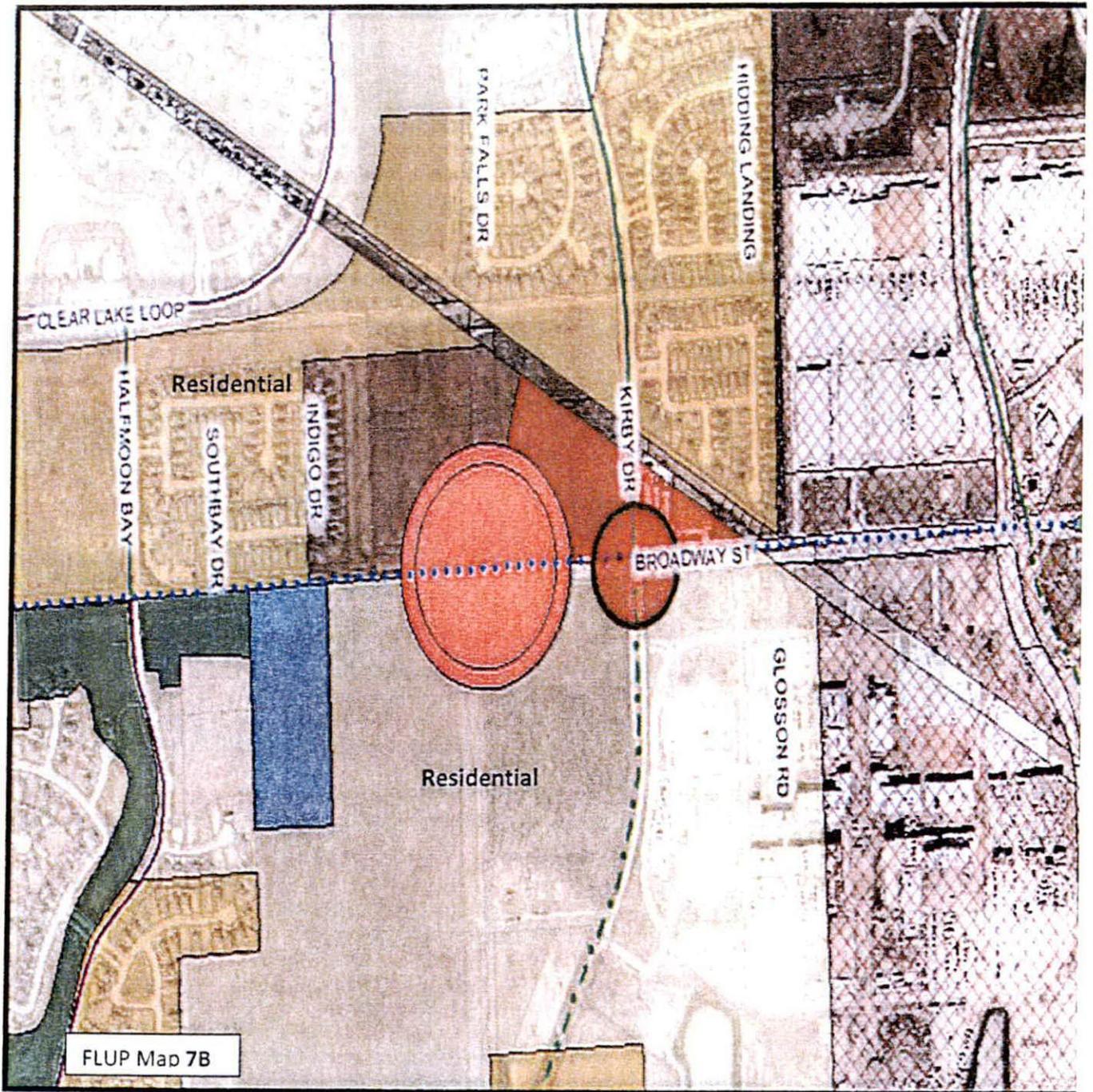
Broadway East of Miller Ranch – General Area

Three lots located along Broadway are zoned GB and built out as such.

Recommendation: Change FLUP to reflect current zoning.



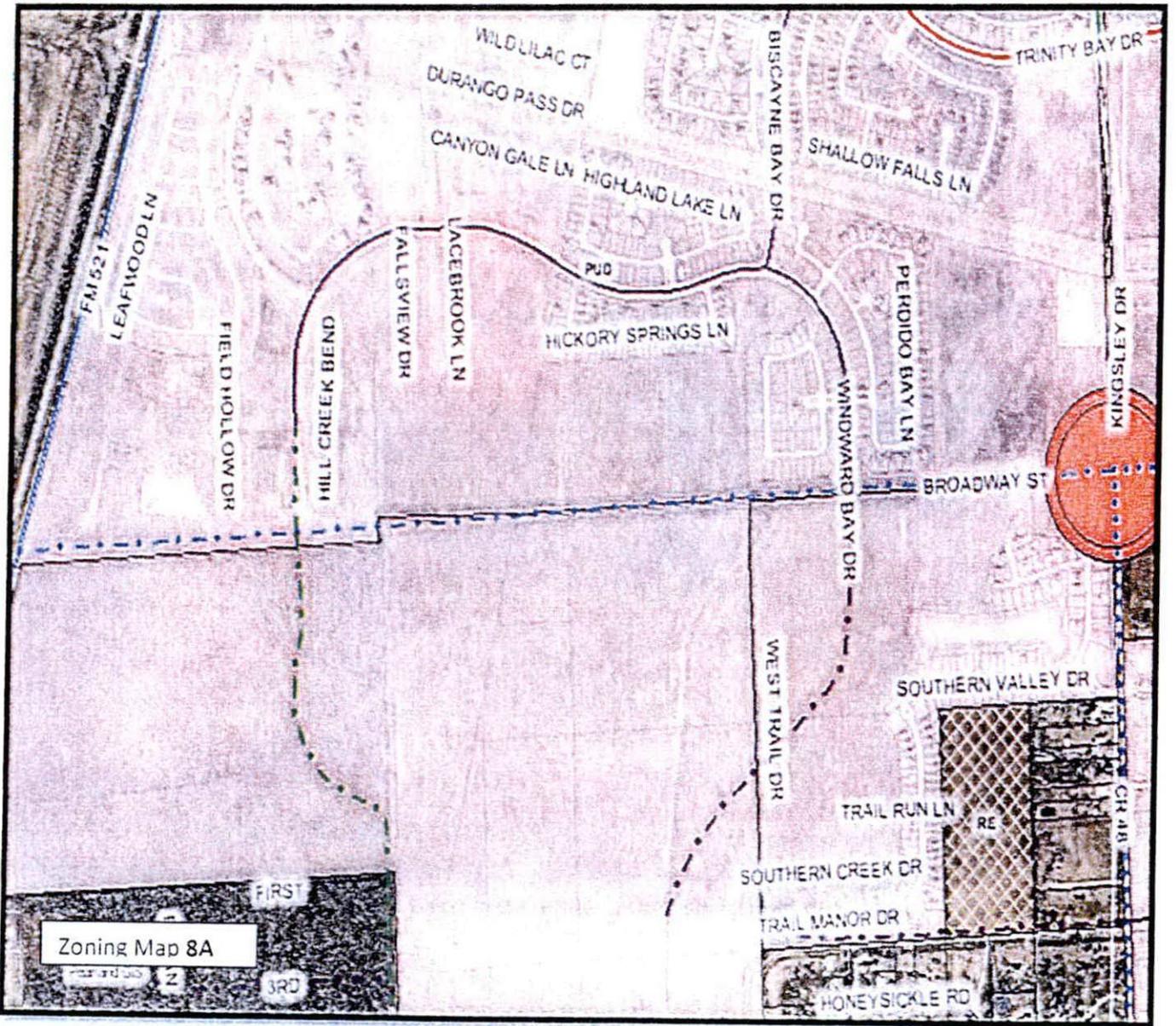
Intersection of Broadway and Kirby – General Area



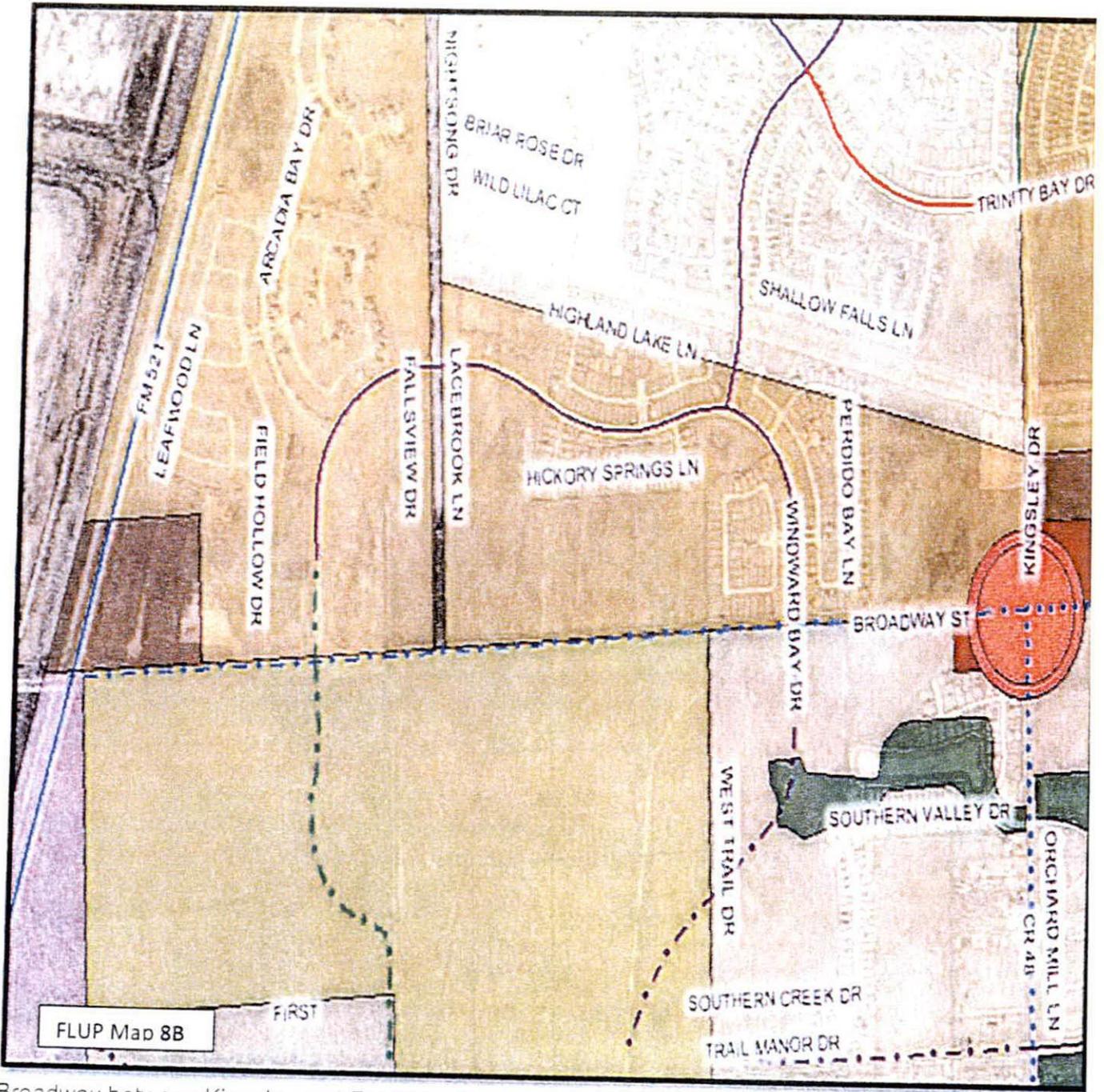
Intersection of Broadway and Kirby – General Area

Explanation: Retail node at intersection of Kirby and 518 was placed before Kirby was built.

Recommendation: Shift retail node to reflect intended location.



Broadway between Kingsley and FM 521 – General Area



Broadway between Kingsley and FM 521 – General Area

Explanation: Shadow Creek PUD fronts both sides of 518 and has a large amount of residential planned along 518 with some commercial.

Recommendation: Staff would consider adding more retail nodes possibly at the intersection of 518 and 521 but land is part of a PUD.

COMMENT

#17

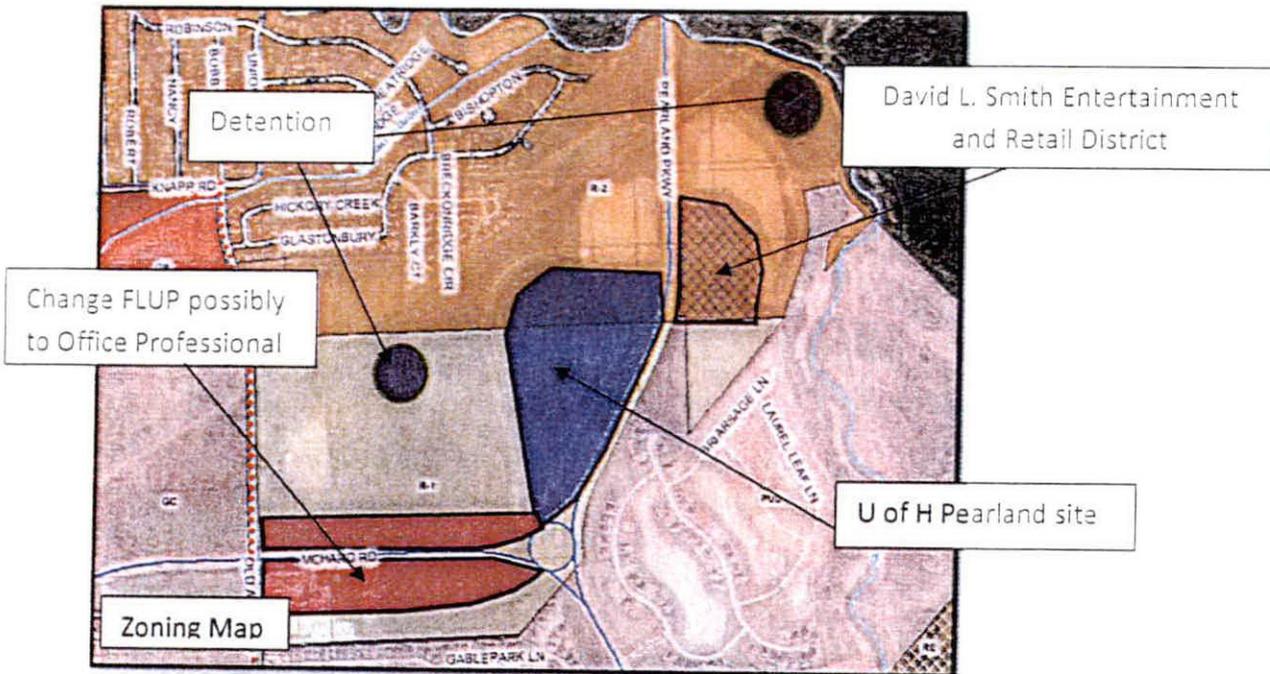
Council Comment #17:

David L. Smith Project – Review Land Use and Zoning.

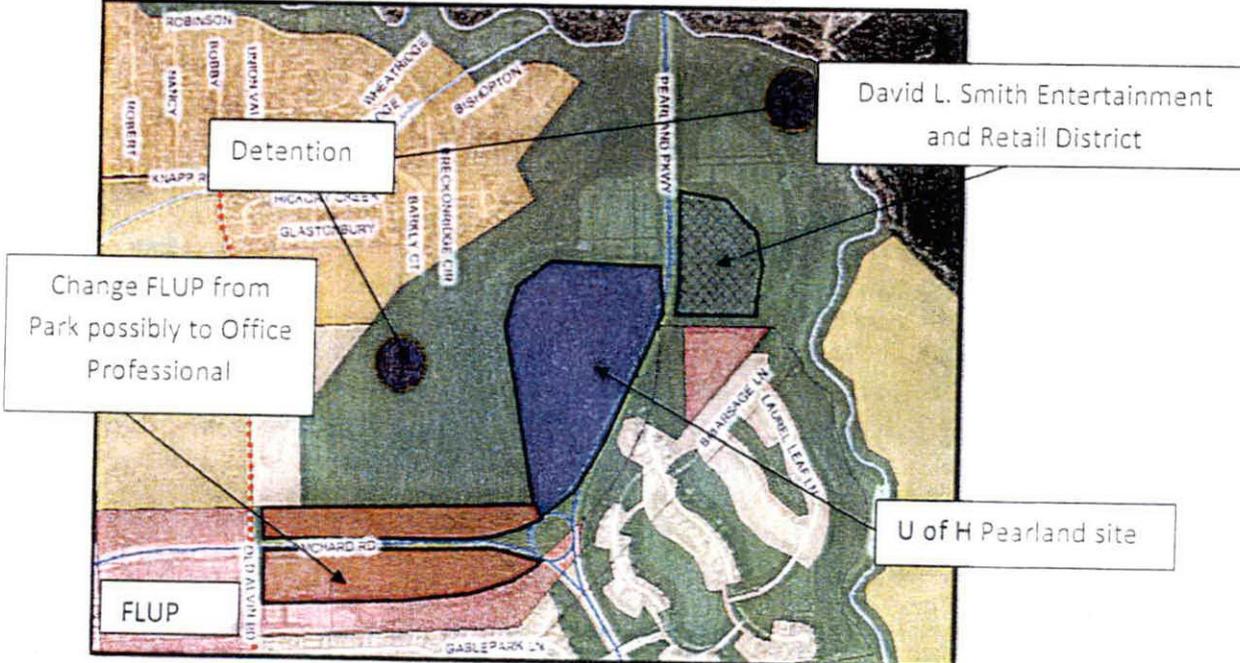
Explanation: Currently the comprehensive plan calls for an area along Pearland Parkway north of McHard to be designated as a retail and entertainment district, known as the David L. Smith Project.

Staff Analysis: Staff sees this as an ideal location for such a district, especially considering its proximity to Beltway 8 and the future University of Houston – Pearland Campus.

Recommendation: Add a dot to both the zoning map and FLUP designating this area as the site of David L. Smith Entertainment District to reflect the comprehensive plan.



Pearland Parkway North of McHard – General Area



Pearland Parkway North of McHard – General Area



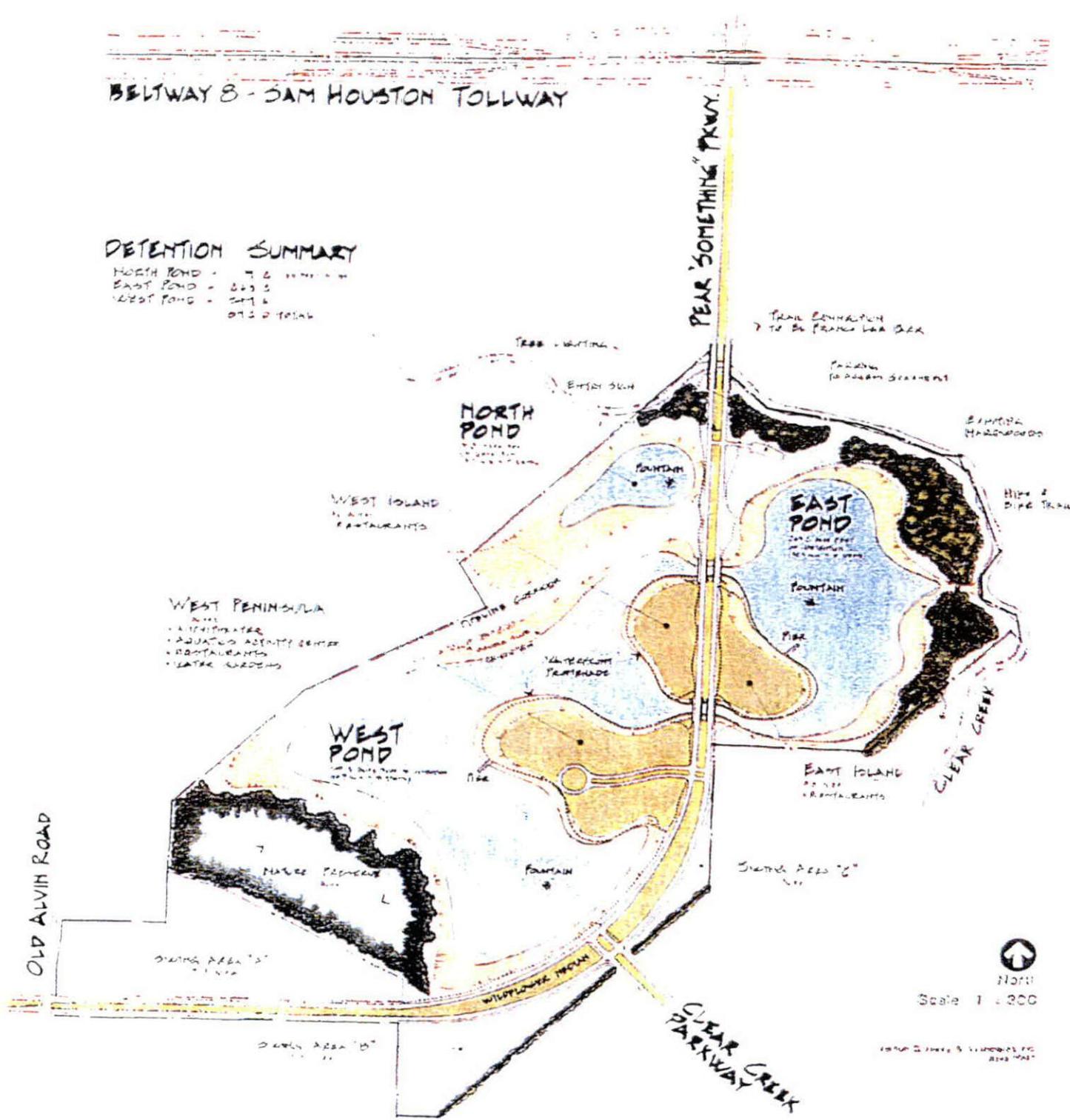
David L. Smith Project

PRELIMINARY MASTER PLAN

BELTWAY 8 - SAM HOUSTON TOLLWAY

DETENTION SUMMARY

NORTH POND - 7.6 ACRE
 EAST POND - 22.5 ACRE
 WEST POND - 34.4 ACRE
 64.5 ACRE TOTAL



Scale 1" = 300'

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COMMENT

#18

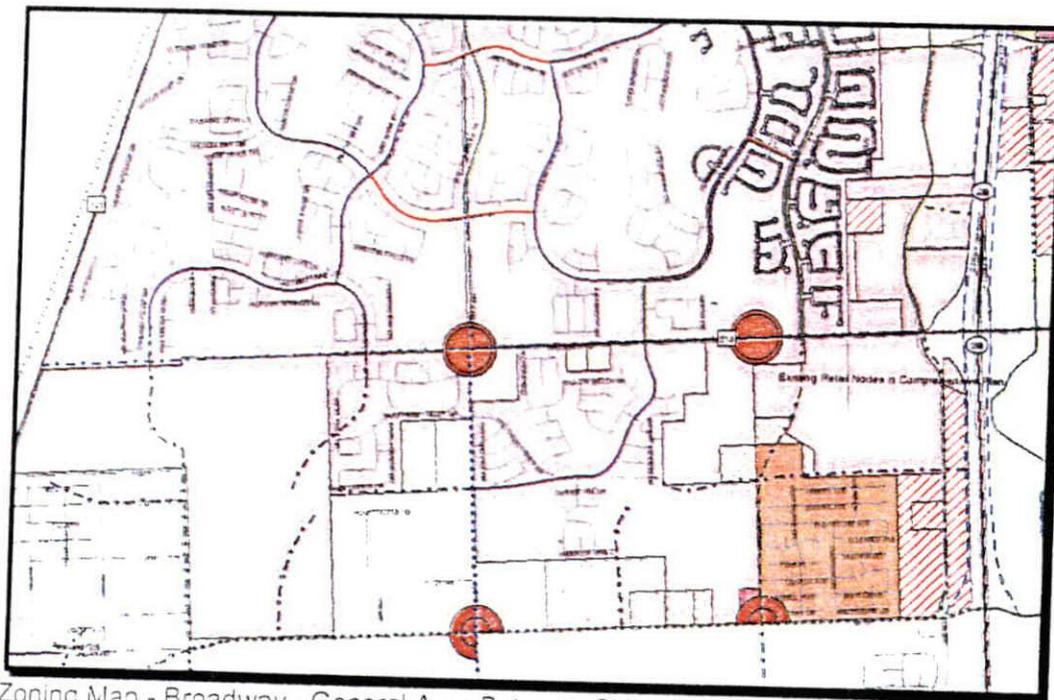
Comment # 13:

Commercial on Broadway Between 521 and 288.

Explanation: The Council and P & Z had directed staff to examine parcels with frontage on Broadway, to analyze the existing retail/commercial opportunities and examine the potential for retail/commercial uses.

Staff Analysis: The frontage along Broadway, west of SH 288 is predominantly zoned Planned Development and is within the Shadow Creek Ranch, Southern Trails, Ridgerock, and Pearland Town Center PDs. The areas zoned for retail/commercial within the PDs have been highlighted in the following maps by red outline hatch marks. Those designated for other non-residential uses have also been identified.

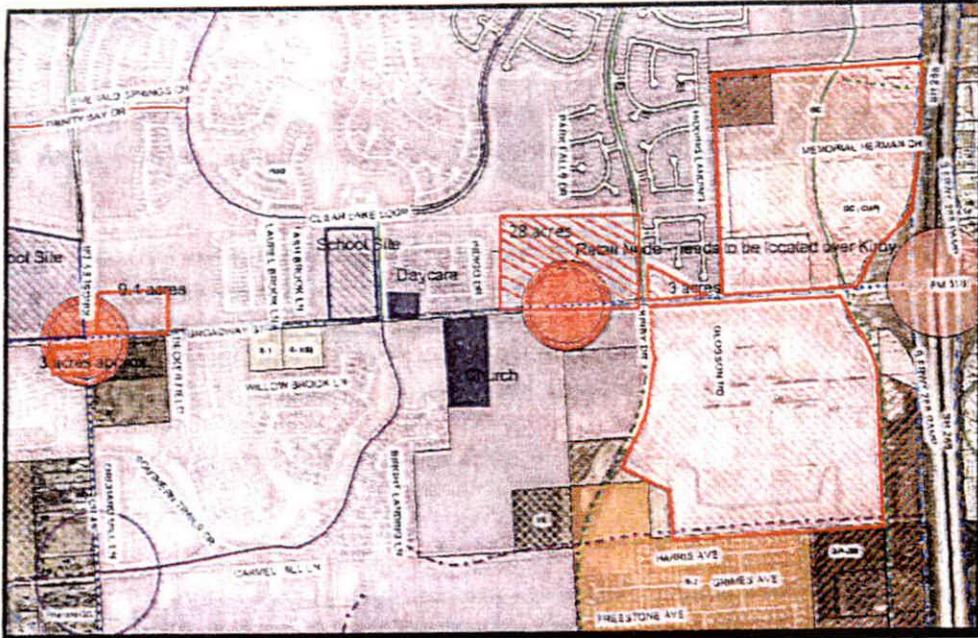
This stretch of Broadway contains two retail nodes (25-50 acres) at Kirby and Kingsley.



Zoning Map - Broadway - General Area Between SH 288 and FM 521

While the retail node designated for Broadway and Kirby has been developed, the one at the intersection of Broadway and Kingsley is still vacant land (refer to map below). Ten acres have been delineated by the SCR and Southern Trails PD at the corners as shown. A minor node can accommodate up to 25 acres of retail/commercial as per the Comprehensive Plan. Therefore, this node has additional potential for retail/commercial development.

The designation of the nodes is in conformance with the Comprehensive Plan recommendations, and prevents the entire strip of Broadway from being commercial. The adequacy of these nodes needs to be evaluated. An additional node at Broadway and FM 521 could be explored.



Areas Zoned for Commercial – Detailed Area: Broadway between SH 288 and Kingsley.

West of Kingsley, 17 acres of land has been demarcated for retail/commercial use along Broadway by SCR PD, as shown below. With an additional node at FM 521 and Broadway, this acreage can be increased, if required.



Areas Zoned for Commercial – Detailed Area: Broadway between Kingsley and SH 521.

Recommendation: Staff recommends that an additional major node (50 acres) be added at the intersection of FM521 and Broadway.

COMMENT

#20

Comment #20:

Explore More Commercial Zoned Land. (Not Strip Centers).

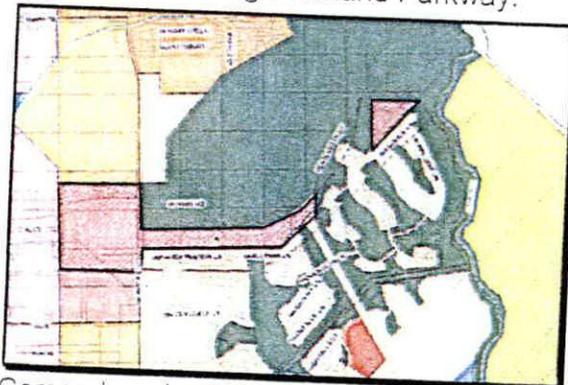
Explanation: Staff interprets this to include exploration of areas where office complexes could develop.

Staff Analysis: Currently, there is a specific land use category, Office, which pertains to only office development. Only one area of Pearland, along north of McHard, at Pearland Parkway is designated with that category. The Comprehensive Plan indicates that the zoning category corresponding to this designation needs to be developed.

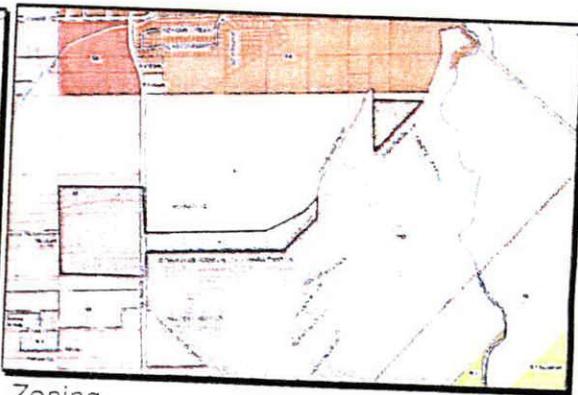
Recommendation: Explore other areas to be developed for office use. If the council desires to preserve the current land being used for offices, then the Future Land Use plan can be modified to show these parcels under office designation.

The current zoning categories that permit office uses are located are NS, OP, GB, and GC zones. These are shown as Retail, Offices, and Services, or Business Commercial in the Future Land Use Plan. Since these zones permit a wide variety of other uses, the current zoning or land use designation will not protect these uses from converting to other retail/commercial uses. Therefore, in addition to identifying these areas in the Future Land Use Plan, a separate zoning category could be created to allow only offices and similar uses.

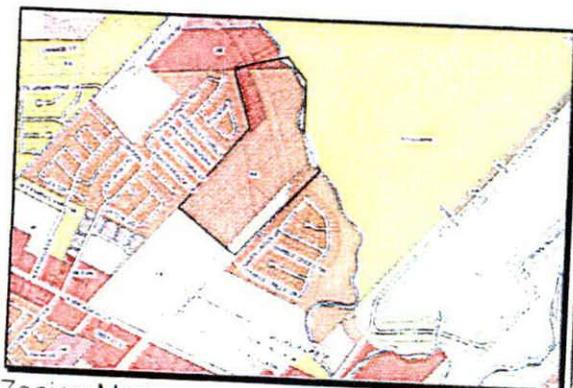
Staff feels that this category can be expanded along McHard Road, in proximity to the U of H site and along Pearland Parkway.



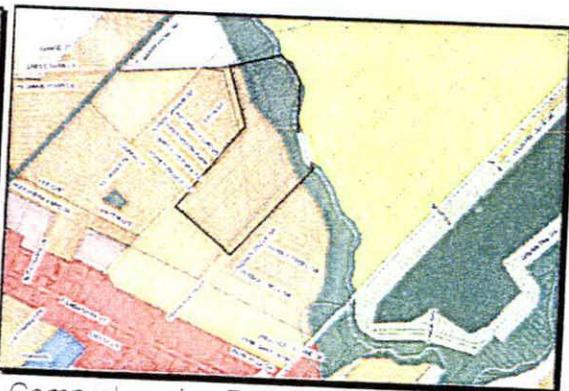
Comprehensive Plan



Zoning



Zoning Map



Comprehensive Plan

COMMENT

#21

Comment #21:
Trails Under Power Lines.

Explanation: The Council and P & Z had recommended the easements under power lines be considered for trails.

Staff Analysis and Recommendation: The Future Trail network map attached shows that this was considered and trails are shown along the power line easements.

Attachment: Figure 4.1 – Future Trail Network.

COMMENT

#23

Comment #23:

Platting For Commercial.

Explanation: This was not specifically discussed at the workshop. However, staff has been reviewing the platting process to propose changes to permit minor plats for non-residential developments where all public improvements are required to serve the particular project and to allow access from and frontage on easements instead of public or private streets.

Staff Analysis and Recommendation: Certain non-residential developments, such as Pearland Town Center and Shadow Creek Market Place, require extension of public utilities and public improvements just to serve their project. Delay in construction of these or their deferral does not affect the city or any other parcel. In those situations the developer would benefit if the public improvements are undertaken concurrently with on-site improvements. The Council did permit this a few years ago with the provision of a performance bond or surety.

However, a two step process is still required, where the preliminary plat is required to be approved, prior to public improvements being constructed and accepted. Once the public improvements are accepted, the final plat is approved and recorded. Both the preliminary and final plats need to be approved by the P & Z. In the above mentioned situations, it is staff's belief that a one-step minor plat process can be proposed, with administrative approval. Further, plat recordation would be required prior to issuance of a Certificate of Occupancy, instead of a building permit.

The second issue has been the requirement that all lots have frontage and access on a public or private street. In large commercial developments, this has proven to be a problem and has resulted in lots with irregular configurations. Staff has researched this and is proposing that access to non-residential lots be granted through an access easement with certain requirements to assure orderly development.

As part of this, staff has also recommend modifications to design requirements for parking lots to incorporate ends islands and separation distances of aisles from driveway and street intersections.

The attached memo details staff recommendations and case studies of surrounding communities.

Attachment: Staff memo and flow charts.



DATE: March 31, 2009

MEMO TO: Lata Krishnarao, Planning,
Narciso Lira, III, Engineering
Mike Hodge, Assistant City Manager

FROM: L. Richard Keller

SUBJECT: ACCESS EASEMENTS AND SUBDIVISION ACCEPTANCE PROCEDURES
IN OTHER NEARBY CITIES

I have discussed these issues with individuals representing several other cities in this area and Harris County. Use of access easements to access otherwise landlocked platted lots is not done on a routine basis. Such access easements are allowed in non-residential areas by granting of a variance by the Planning Commission or through the platting process. Each is treated as a unique situation and staff reviews the proposed access easement for location, adequate size, pavement thickness adequate to support a fire truck, etc. If the easement crosses adjoining unplatted or previously platted property, the easement needs to be recorded by separate instrument.

RECOMMENDATION: The procedure used in Sugar Land for access easements appears to be working in a satisfactory manner. I recommend that easements be allowed as access for non-residential platted lots. Access easements could also be used for multi-family projects if a Planned Development or Cluster Plan has been approved. The following procedure is proposed:

- 1.) Three documents are submitted for City approval at the same time:
 - a.) A Minor Plat for Non-Residential or Multi-Family property is submitted for approval with all necessary easements for fire lines, access, and utilities included. There would be no limit on the number of lots included in such plats.
 - b.) A site plan depicting driveways, utilities, paving, sidewalks, parking, landscaping, drainage, and buildings is submitted for approval. It shall also include details of paving, drainage, and utility improvements within any offsite access or other easements to be recorded by separate instrument.
 - c.) Any necessary offsite access easements across adjoining unplatted or previously platted property are submitted for approval. Such offsite easements will be recorded by separate instrument. All access easements, whether included within the plat or recorded by separate instrument, shall include dimensions and location of the easement and clearly assign responsibility for perpetual maintenance. Such easements could be included in platted reserve areas, possibly jointly owned.

2.) The three documents submitted under (1.) above are reviewed and approved administratively by City staff. Site plan is reviewed and approved in accordance with standards outlined in Chapter 4 of the Unified Development Code entitled "Site Development". Plat is reviewed and approved in accordance with standards outlined in Chapter 2 of the Unified Development Code entitled "Zoning Regulations" and Chapter 3 entitled "Subdivision Regulations".

3.) Offsite easements for access and utilities are recorded by separate instrument at the County Courthouse with the City being provided a copy of the recorded easement(s).

4.) Plat is approved and recorded at the County Courthouse

5.) Building permit(s) issued

6.) Infrastructure improvements necessary to serve the proposed platted lots are constructed and accepted for maintenance by the City Engineer or a letter of credit or performance bond for the cost of the necessary improvements is accepted by the City Attorney. Construction of these improvements could be performed concurrently with other site plan improvements and buildings. Amount of the letter of credit or performance bond could be reduced in stages as portions of the necessary infrastructure improvements are completed and accepted by the City Engineer.

7.) All infrastructure improvements are completed and accepted for maintenance by the City Engineer.

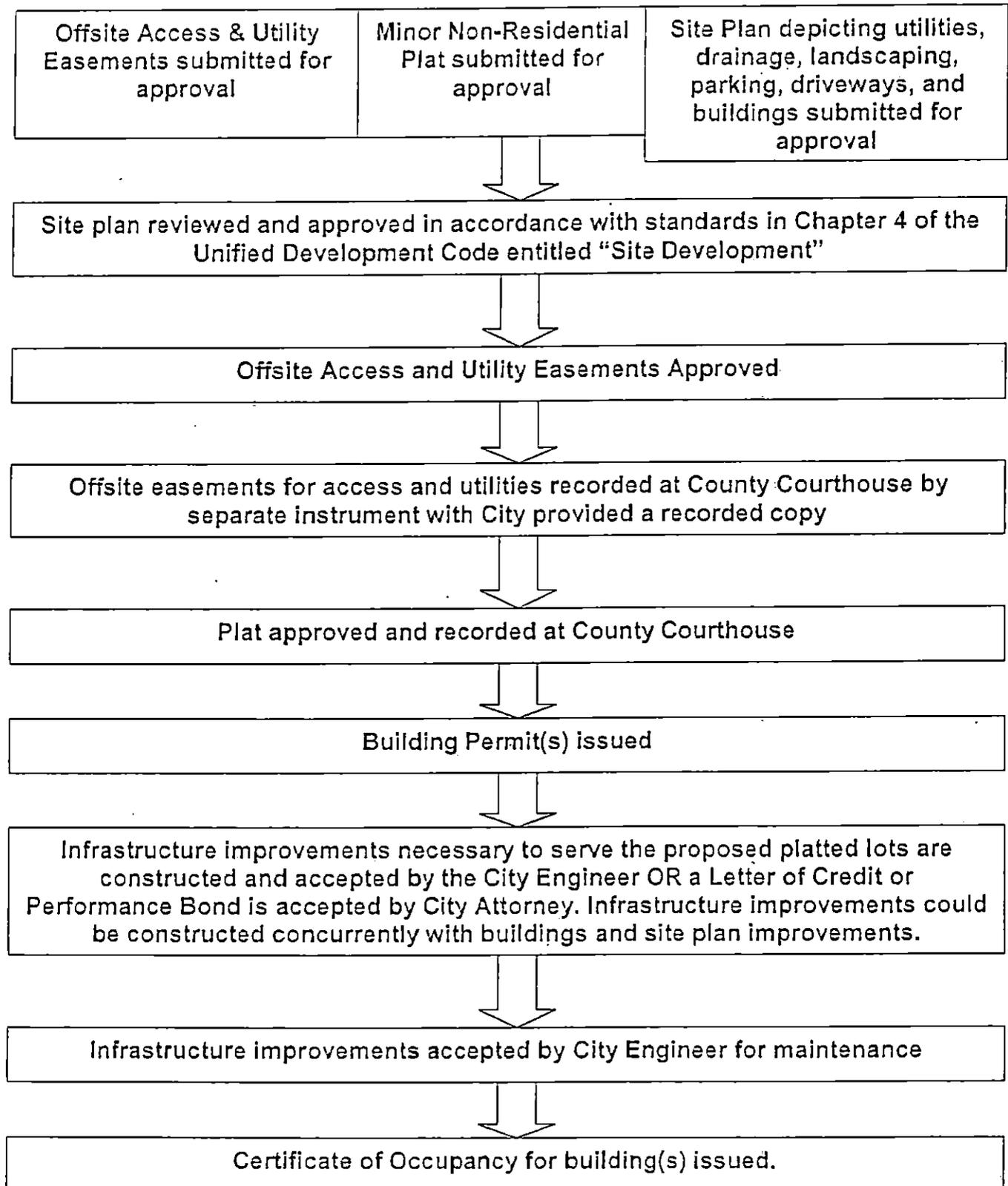
8.) Certificates of Occupancy are issued for the buildings served by the infrastructure improvements.

Chapter 4 of the Unified Development Code entitled "Site Development" should have the following design criteria added for site plans:

- Minimum access easement width of twenty-six feet (26')
- Fifty feet (50') of separation between the adjoining street curb line and the edge of the entrance to the first parking bay
- Twenty-four feet (24') of separation between adjoining parking bays or the edge of the parking lot
- Thirty-six foot (36') minimum width of parking bays containing two rows of parking
- Ten-foot (10') minimum width raised islands at each end of each parking bay and along the edges of each access easement.
- Four-foot wide sidewalks should be provided along both sides of all access easements and at other areas designated for pedestrian access

FLOW CHART

FOR MINOR NON-RESIDENTIAL PLATS



ACCESS EASEMENTS ALLOWED IN NEARBY CITIES IN THE HOUSTON AREA
FEBRUARY 2009

City of Baytown – Kelly Carpenter – 281-422-5397

City of Baytown has not previously allowed access easements to be platted in industrial and commercial areas. If such easements were to be allowed by a variance approved by the Planning Commission, their design (minimum width, maximum length, pavement thickness, etc.) would be determined by requirements of the fire code. Pavement would have to be sufficient to support a fire truck.

Use of access easements in residential areas is very rare (perhaps once per year) since most of their residential development is within platted subdivisions.

City of Missouri City – Travis Huff – 281-403-8542

Access for non-residential lots without street frontage could be obtained by access easements. Reserve areas dedicated for access could also be used. Such easements could be included on a plat of the lot or obtained by separate instrument. Dimensions of these easements and pavement design would be dictated by the fire code. These easements could also contain water and sewer lines if they were not contained in separate easements. Provisions need to be made to ensure that the roadway within these access easements is maintained properly so that they continue to serve as adequate access for a fire truck. This could be in the form of an agreement by the property owners who own the land underlying the easement. Other property owners who benefit from the easement could also be parties agreeing to be bound by the easement agreement.

Harris County – Reeves Gilmore – 713-315-3545

Since virtually all of the unincorporated portion of Harris County is in the City of Houston E.T.J., Harris County follows Chapter 42 of the City of Houston Code of Ordinances. Mr. Gilmore is unaware of any cases in which lots have been platted without frontage onto a public or private street. He thinks that this may have been done in the Pasadena Industrial District without platting. He would be happy to research specific instances in which lots were platted without access to a public or private street.

City of Houston – Ryan Albright – 713-837-7853

No residential lots are platted without access to a public or private street. However, access for residential lots may be obtained through Type I or Type II access easements as described in Chapter 42 of the Houston Code. I described our PUE/PAE designation for platting of private streets to Mr. Albright and he felt that it was very similar to procedures followed in other nearby cities. Our requirement of cross-access easements for platting of adjoining non-residential lots in order to minimize driveway openings is also widely followed in other surrounding cities.

The only way that City of Houston would allow a non-residential lot to be platted without street frontage would be through a variance approved by the Planning Commission. This

is only done 2-3 times per year. Staff would require certain items to be provided before such a variance was recommended for approval. These would include a site plan showing the location of the easement and the proposed lots, a dedicated and recorded easement, construction of pavement adequate to support a fire truck in accordance with City standards, and a maintenance agreement ensuring adequate maintenance of the pavement within the easement in the future (I would think that any necessary drainage maintenance necessary for the pavement to maintain its integrity should also be included.)

City of Pasadena – Armon Irones – 713-475-5543

Access easements not allowed for residential development. Access easements for commercial and industrial development are allowed through a variance application to the Planning Commission. A hardship must be demonstrated showing that the easement is the only available solution. Access easements must be paved and at least 20' wide. Such easement proposals are subject to staff review including the Fire Marshall. Fire Marshall would review the proposed layout for its adequacy to serve a fire truck including provisions for turnaround at the end.

A recent example of this is a hotel located behind an IHOP restaurant. Hotels are required to front onto a major thoroughfare (Beltway 8 or S.H. 225) but the site did not have enough frontage for both uses and the hotel was not allowed to have frontage onto an adjoining street.

City of League City – Mark Linenschmidt – 281-554-1078

Subdivision and Development Ordinance allows access using access easements. Such easements are subject to staff review for adequate pavement, dimensions, maintenance, etc. Blanket easements across adjoining property are sometimes used. All platted lots and reserve areas must be provided with access.

Section 102-3 of Chapter 102 of the League City Code entitled "Definitions", defines Access Easement as follows:

"Easement, access, means an easement that provided access to platted lots or reserves. The easement shall meet all of the requirements as set forth for its intended use, including, but not limited to, construction, width, building lines and function, but shall be privately maintained".

City of Sugar Land – Doug Schaumberg – 281-275-2738

Access to platted commercial or multi-family lots is allowed either through platted access reserves or access easements across adjoining property. Variance procedure is not used. Easements must be in place (recorded) before the plat is approved. Reserves may be owned by a property owners' association. The easements often straddle a lot line and usually have a total width of 30'. They are used, for example, to access a second tier of lots behind commercial lots with frontage on a public street.

SUBDIVISION ACCEPTANCE PROCEDURE IN NEARBY CITIES IN THE
HOUSTON AREA
MARCH 2009

City of Baytown – Harold Cheek – 281-420-5378

Preliminary plat approval required before construction of infrastructure improvements begins. Infrastructure improvements must be completed and accepted before final plat application. If 75% of this work is completed, the developer can submit a performance bond for the remaining 25% of the work. However, there is a time limit for completion of this work. Minor plats are allowed for four lots or less needing no water, sewer, or street extensions. Single-lot commercial plats are allowed to proceed if streets and utilities are already available. Any driveway and drainage improvements necessary can be accomplished through the site plan process.

City of Missouri City – Travis Huff (Planning) – 281-403-8542 and Damon Williams (Public Works) – 281-403-8539

The only plats not submitted to the Planning Commission are administrative replats used infrequently to accomplish minor changes on a plat. Engineer-sealed construction plans for infrastructure improvements should be submitted before final plat application. Approved Final Plats have a note on the face of the plat stating that no building permits will be issued for lots within the subdivision until infrastructure improvements, including fire lines, have been designed, constructed, and accepted for maintenance by the City Public Works Dept. performs this acceptance.

City of Pasadena – Armon Irones – 713-475-5543

City of Pasadena processes administrative and minor plats without Planning Commission approval. Such plats do not require any extensions of city services or facilities. Other plats requiring such improvements first receive preliminary and final plat approval by the Planning Commission. The necessary improvements are then constructed to City standards and eventually accepted by the City. After acceptance for maintenance by the City, the Public Works Director signs the plat and it is presented to City Council for approval. After second reading by City Council, the plat receives City Council approval and is then recorded. Applications for building permits and site plans for development of the platted lots can then be accepted.

City of League City – Mark Linenschmidt – 281-554-1078

Applicant can submit infrastructure plans anytime prior, during or after the preliminary plat. City requires that infrastructure construction plans be approved by City Engineering prior to consideration of the final plat. In some cases, the infrastructure is approved prior to the preliminary plat in which case a preliminary/final plat would be done. Any type of final plat must always have approved infrastructure plans.

Once the final plat is approved, the applicant would need to either construct the infrastructure or provide a letter of credit to the City Engineer for the entire cost of construction in order to record the plat. The City Engineer must also approve the letter of credit from the applicant's financial institution. There is no time limit for completion. However, there is a time limit for the approved final plat. Approved final plats expire two years from the date of submittal if not recorded with the appropriate county unless one of the following occurs: 1.) a good faith attempt is made to file with a regulatory agency an application for a permit necessary to begin or continue towards completion of the project, 2.) costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or part, the project (but exclusive of land acquisition) in the aggregate amount of five percent of the most recent appraised market value of the real property on which the project is located, 3.) fiscal security is posted to ensure performance of an obligation required by the regulatory agency.

If the applicant chooses to construct the infrastructure, City's engineering inspectors notify planning dept. when they have received a letter of completion of the Engineer of Record for the project and the inspectors are in the process of inspecting the proposed public infrastructure. Once the infrastructure is complete, the bacterial tests have come back O.K., and the portion of infrastructure is ready for acceptance, the plat is recorded prior to the City Council meeting requesting the acceptance.

Minor plats are allowable and are approved administratively as long as the plat is subdividing into four or less lots, fronts an existing street, and no public infrastructure is being extended. If public infrastructure is being extended, then it is not a minor plat. The plat, in this case, would be either a preliminary/final, preliminary plat, or replat and follow the same procedures indicated above. Amending plats are also approved administratively.

City of Sugar Land – Harold Ellis – 281-275-2220

Mr. Ellis referred me to Section 5.12 of the Sugar Land Code dealing with short form final plats. Review of this section shows that these plats require no creation or extension of public rights-of-way. However, they do allow the preliminary plat process to be avoided on subdivisions of four lots or fewer. Such plats must meet all of the requirements of a final plat.

COMMENT

#24

Comment #24:

Analysis of Detention for Vacant Industrial and Commercial Zoned Properties and their Use as Parks/Trails.

Explanation: The council had directed staff to identify areas for future regional detention, in areas zoned for future industrial and commercial growth. This would assist in maximizing development on smaller industrial and commercial parcels.

Staff Analysis & Recommendation: See attached memo and map. Five areas for regional detention have been identified with explanation for each.

Memorandum



To: Lata Krishnao

CC:

From: Narciso Lira

Date: 3/20/2009

Re: Land Use Map: Potential Regional Detention Ponds

As part of the Land Use Map update, a request was made to review the City's undeveloped areas for potential regional detention ponds. The main objective is to facilitate the location of a regional detention pond that would allow a potential developer/landowner to maximize their developable space. The attached exhibit identifies 5 potential locations for regional ponds.

The City's current regional detention program consists of four existing regional ponds and a fifth that is currently under design. The primary use for those detention ponds are for overall watershed improvement, mitigation of City projects, and some capacity allocated for developers to purchase. These ponds are located adjacent to Mary's Creek, Hickory Slough, and Clear Creek. Due to the City's current infrastructure, purchasing regional detention to mitigate development needs is difficult for properties not located immediately adjacent to the particular streams. Also, the further the site is located upstream or downstream of the pond the less benefit you see from the regional detention.

The five potential regional ponds proposed as part of this Land Use update will follow a similar model as what was being proposed for the Spectrum regional detention pond. The land use map will only illustrate potential locations for these ponds. The 2009 update to the Master Drainage Plan will take a more detailed look at the location, cost, and potential infrastructure needs for the ponds to service their respective areas. Below is a brief description of the potential regional detention pond locations.

Pond 1:

This pond would be located on the upstream end of Hickory slough east of Smith Ranch Road, just north of the Wal-Mart located at FM 518 and Smith Ranch Road. The pond could potentially be sized to service an area bound by Smith Ranch Road on the west, CR 403 on the north, Autumn Lakes on the east and FM 518 on the

south, potentially servicing over 100 acres of currently undeveloped land. The pond could be designed on either the north or south side of Hickory Slough with the outfall structure designed to mitigate the impacts of runoff associated with ultimate development of that area.

Pond 2:

Pond 2 could potentially be located between Fite Road and FM 518, adjacent to an existing Brazoria Drainage District No. 4 drainage ditch that drains north into the Cullen drainage system and ultimately to Hickory Slough. The pond could potentially service approximately 80 acres of currently undeveloped land that has frontage along FM 518 allowing future development to maximize their developable area. Future analysis would have to be performed to determine the size of the pond and storm sewer system that would convey the runoff from the developments to the detention pond.

Pond 3:

Pond 3 is the existing Tranquility Lakes detention pond located east of Old Chocolate Bayou and south of FM 518. Previous discussions seem to indicate that there may be some extra capacity within that pond that could service approximately 80 acres of currently undeveloped land that is bound on the west by Cullen Parkway, north by FM 518 and on the south by Fite Road. An analysis would have to be performed to determine the amount of extra capacity within the pond to establish an area it could serve. Future analysis would also be required to determine infrastructure needs to convey the runoff to the detention pond.

Pond 4:

Pond 4 is proposed to be located within property that the City currently owns and utilizes as detention for McHard Road. Location of this pond could be along Hickory Slough just downstream of Mykawa. The regional pond could potentially mitigate future expansion of industrial developments along Mykawa and also development of approximately 30 acres located at the southwest corner of the McHard SH 35 intersection. Conveyance of the developed runoff along Mykawa could be incorporated into future expansion of Mykawa, with the undeveloped land at the southeast corner of McHard SH 35 discharging directly into the City's detention Pond. Analysis would have to be done to determine the impact on the Mykawa expansion project and whether the pond could be built to mitigate the impacts of the area it would service.

Pond 5:

Pond 5 is proposed to be located along Cowart Creek between SH 35 and the existing railroad tracks. Brazoria Drainage District No. 4 may be purchasing property along Cowart Creek for regional detention to improve existing watershed conditions. It would be ideal if additional capacity could be allocated towards regional detention to mitigate future development within this industrial zoned area of

March 27, 2009

the City. Total undeveloped land bound by SH 35 on the east, the railroad tracks on the west, Industrial Drive on the north, and future Dixie Fama Road Extension on the south is over 300 acres. Having a single detention pond and storm sewer conveyance system for that amount of land may not be feasible, but a series of ponds phased out over time as development occurs may be a feasible option to pursue.

Out of these five pond locations, 3 of them would potentially be adjacent to a future trail as shown on the City's Master Trail Plan allowing it to be incorporated into the plan if desired. At this time, a thorough analysis of the pond locations or any conveyance system has not been performed. The 2009 update to the Master Drainage Plan will incorporate looking at these ponds from a rough cost perspective to possibly program cost to perform future analysis as we do our CIP planning. We suspect that these regional ponds would potentially be analyzed more thoroughly as part of a master plan for these respective areas or as directed by Council and programmed into the City's CIP Plan.

COMMENT

#25

Council Comment # 25:

Modify Cullen-Mixed Use (C-MU) District to Reinstate Previous Zoning.

Explanation: Please refer to the attached memo and documents.

Analysis: The subject property, located on 1855 Cullen Parkway, was rezoned from Commercial "C" (renamed as General Commercial zone or GB) to Cullen Mixed Use District upon adoption of the new zoning map in 2006. (See attached maps) The property is called Cullen Business Park and it appears that offices are located within the existing building.

The UDC states:

Purpose. The Cullen Mixed Use District (C-MU) is intended to provide a district that allows for the continuation and limited growth of specific nonresidential land uses that have been in existence along Cullen Boulevard for a long period of time, while also respecting the residential uses that have developed and now co-exist with the nonresidential uses.

Prior to the adoption of the UDC, a survey was conducted of existing uses along Cullen Parkway, and those existing uses were added as permitted uses within the C-MU District. While the previous Commercial zoning of the subject property permitted uses such as auto painting, auto body shop, auto sales, auto repair inside buildings, seat cover or muffler installation shops, tire retreading and capping, it appears that the subject property was not being used for any of these uses or the proposed uses. If any of those uses did exist, they would be allowed to continue as non-conforming uses.

This situation is different from the Garden –Oday situation, where the manufacturing uses that were prohibited with the adoption of the new zone were ones that existed prior to the zone change.

A few years back, the City Council denied a General Commercial zone change on one of the properties, south of the subject parcel, to permit used car dealership inside the building.

Recommendation: With the classification of Cullen Boulevard as a COD, and with the recent and proposed developments of the Dawson High School, City's Public Safety Complex, future primary trail along Cullen, it is staff's opinion that inclusion of uses permitted in the GC district would be detrimental to the future of Cullen Boulevard.



MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Bill Eisen, City Manager *Bill Eisen*
DATE: March 25, 2009
SUBJECT: Cullen Mixed Use District

Today I received the attached letter from Gil Allison. Mr. Allison owns a building on Cullen Parkway. As he indicates in his letter, the property was zoned in 2007 to the then-newly formed Cullen Mixed Use District. This District allowed many, but not all of the uses that were permitted in previous zoning districts in the corridor.

Mr. Allison is requesting that the Council consider modifying the CMU District in a manner similar to changes you made in the Garden-O'Day District. You will recall that in that case, you modified the District so you did not make existing businesses nonconforming. The situation with Cullen is somewhat different. The building has been in place since before the area was annexed, but individual businesses in the building have changed over time.

I told Mr. Allison that I would forward the letter and its attachments to you. We will be holding a workshop on possible changes to the UDC on April 6. That would be a good time to discuss possible changes that would address Mr. Allison's request, if you wish to do so.

JOINT PUBLIC HEARING AGENDA ITEM
MEETING OF MARCH 17, 2008

AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE
(UDC)

A request by the City of Pearland for an amendment to the Unified Development Code, Ordinance No. 26007, Generally Regarding the G20 - M1, Garden/O'Day - Mixed Use District (Section 243.3)

APPROVAL PROCESS: After this Joint Public Hearing, the Unified Development Code amendments will be considered as follows:

Planning and Zoning Commission: March 17, 2008*
City Council for First Reading: April 14, 2008*
City Council for First Reading: April 28, 2008*

(*dates subject to change if item is tabled)

SUMMARY: These amendments to the Unified Development Code are being considered concurrently with a request for Conditional Use Permits for properties located along Garden Road and O'Day Road.

In February 2006, the Unified Development Code was adopted, along with a revised Zoning Map. One of the new zoning districts created in 2006 was the Garden/O'Day Mixed Use District. Therefore, many properties located along Garden Road or O'Day Road were rezoned to Garden/O'Day Mixed Use District (GOMU). Several of these rezoned tracts had previously been zoned for industrial uses, either M-1 or M-2. Industrial uses are not permitted in the GOMU district.

The owners of the properties to be rezoned filed a date 10/2/07 petition with the City asking why they were unable to have a "conditional use permit" on their property. It was to allow them to develop the rezoned industrial tract.

OPTIONAL USES (REGARDS OF DAY MIXED USE DISTRICT)

Background

Properties located along Garden Road are currently zoned as Garden of Day Mixed Use District (GDMU) when the LDC was adopted. However, with respect to properties previously zoned for industrial use, either M-1 or M-2, GDMU-zoned properties cannot currently engage in industrial use. The owners of the properties formerly zoned M-1 or M-2 are now requesting that the City order what they perceive to have been a "thin-waiver" of their property, so as to allow them to engage in industrial use of their land.

Option 1

The City can simply rezone those properties formerly zoned M-1 or M-2 to whatever that previous zoning designation was. The advantage to this approach is that it is exactly what the property owners are requesting. The downside is that such an action would create holes in the City's zoning map for Garden of Day area where the City had strived mightily to craft one uniform zoning category that would allow the different types of uses established in that area. An argument could be made that it would resemble spot zoning.

Option 2

The City can amend the regulations and uses applicable to the GDMU designation to add all the uses allowed in M-1 or M-2 districts. This would allow the affected property owners to utilize their properties for industrial uses without vitiating the continuity of the entire GDMU-zoned area. The disadvantage of this approach is that the City will be allowing ALL properties with GDMU zoning to engage in industrial uses, regardless of whether the property was previously zoned for industrial use. That would seem to be such a broad stroke, imprecise remedy that staff would be hard-pressed to support.

Option 3

The City can amend the regulations for the GDMU district to allow for a Conditional Use Permit (CUP) that would grant M-1 or M-2 uses (i.e. M-1/2) to GDMU uses. The properties obtaining this CUP could be in the same position as if the City chose Option 2. However, the City would be taking a lot of that option that Option 2 because the CUP process is an additional approval that could allow a candidate to obtain a permit to more properties that were formerly zoned M-1 or M-2. That approach could come with the benefit of "thin-waiver" without opening up ALL properties zoned as GDMU to industrial uses.

COMMENT

#26

Council Comment # 26:
Differentiate Between Minor and Major Nodes.

Explanation: The text in the Comprehensive Plan proposed two types of nodes, minor nodes with 25 acres and major nodes with 50 acres. This differentiation has been overlooked in the FLUP.

Analysis: Based on the street hierarchy, and existing and proposed land uses staff has designated these nodes in the FLUP.

Recommendation: Refer to the Proposed Land Use Map.

To be provided at the workshop.