

AGENDA – WORKSHOP OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, OCTOBER 5, 2009, AT 6:00 P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, 3523 LIBERTY DRIVE, PEARLAND, TEXAS

I CALL TO ORDER

II PURPOSE OF THE WORKSHOP:

1. COMMISSION INPUT AND DISCUSSION: REGARDING FUTURE LAND USE PLAN. *Mrs. Lata Krishnarao, Planning Director.*

a. Discussion and recommendations:

- Identify areas in the Land Use Plan that need to change.
- Address future use of vacant parcels.
- Highest and best use.

III ADJOURNMENT

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

I, Judy Krajca, Planning Office Coordinator of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 1st day of October 2009 A.D., at 5:30 p.m.

Judy Krajca, Planning Office Coordinator

Agenda removed _____ day of October 2009 A.D.

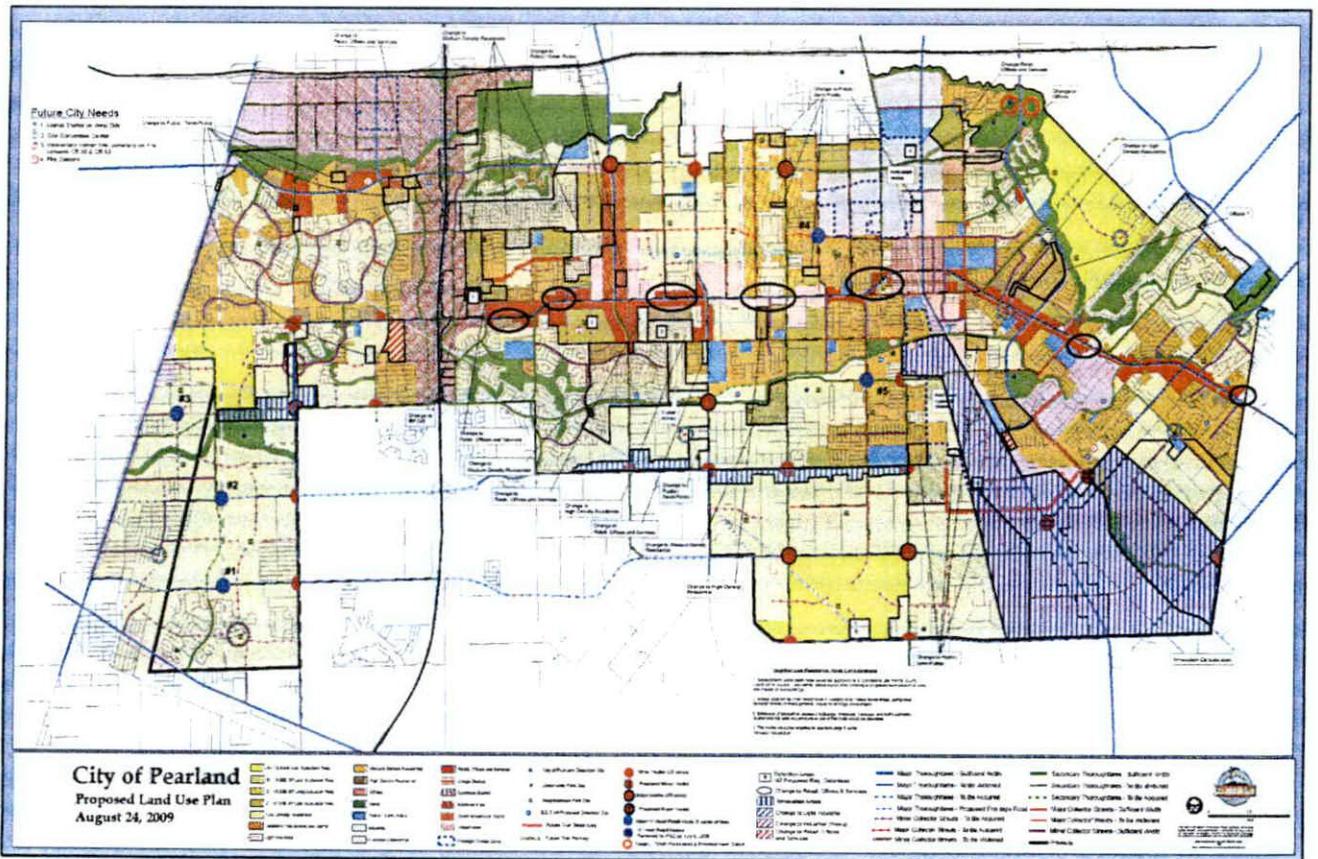
Comment #1:
Identify Areas in the Land Use Plan That Needs to Change.

P & Z Recommendation:

P & Z is in the process of completing their recommendations.

The attached plan shows that changes that have been identified so far.

Proposed Land Use Plan – October 5, 2009



Proposals show a compilation of recommendations from other comments.

Comment #2:

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

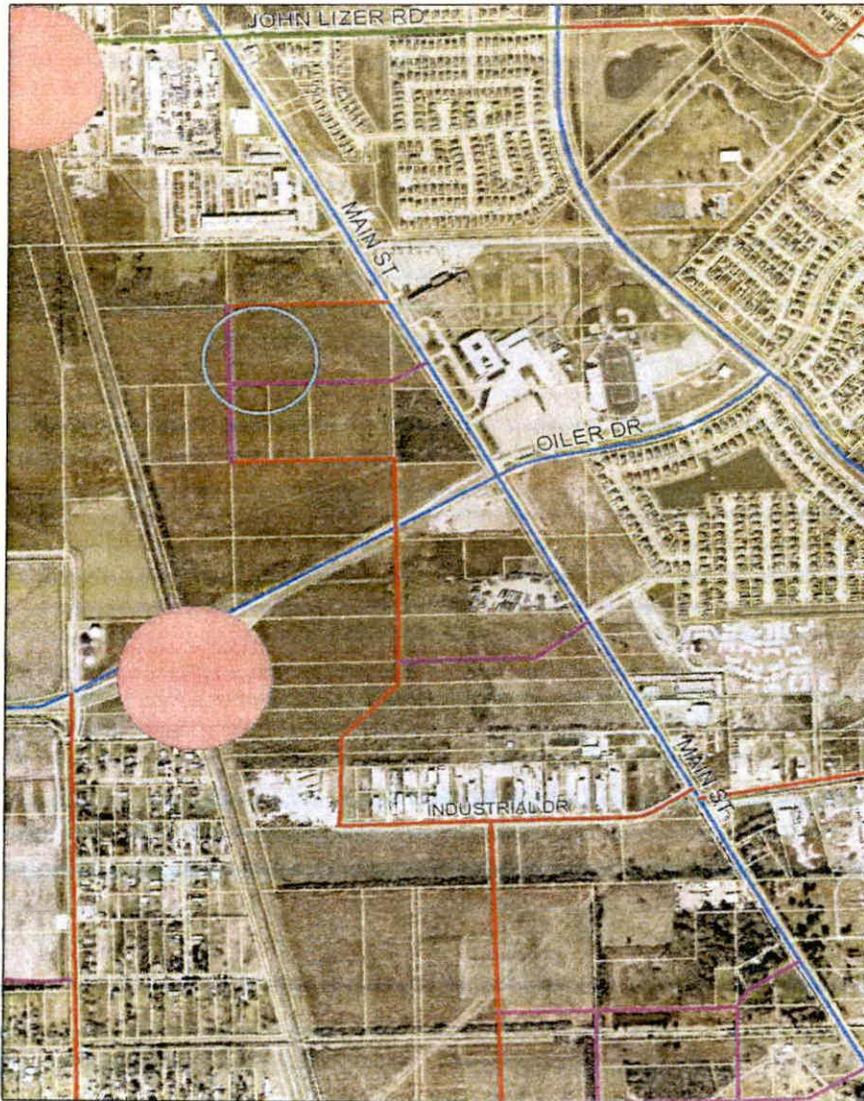
P & Z Recommendation:

Concur with staff recommendation that City continues to gain additional ROW for a 120' cross section through platting.

Council Comment #3:
Between SH 35 and RR. South of 518. Industrial Park with Internal Roads for Truck Routes.

P & Z Recommendation:

Recommend City Engineer's proposed layout as shown below. The recommendation considers property boundaries, alignment with existing driveways and streets, and traffic circulation.



CITY OF PEARLAND

120' Minimum ROW

Major Thoroughfare - Sufficient Right

100' Minimum ROW

Secondary Thoroughfare - Sufficient Right

80' Minimum ROW

Major Collector Street - Sufficient Right

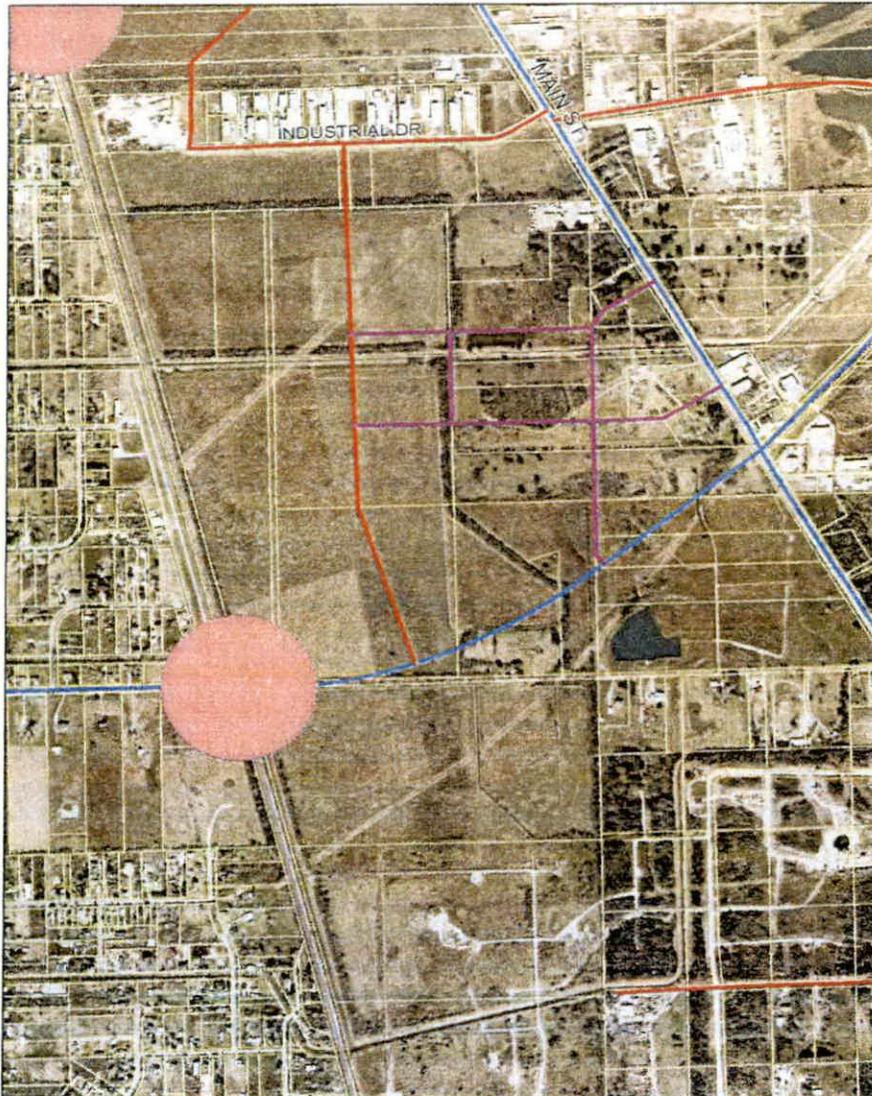
80' Minimum ROW

Local Collector Street - Sufficient Right

Parade
 17' to 24' (1:1.5) to 1:1
 16' to 20' (1:1.5) to 1:1
 15' to 18' (1:1.5) to 1:1
 14' to 16' (1:1.5) to 1:1
 13' to 14' (1:1.5) to 1:1
 12' to 13' (1:1.5) to 1:1
 11' to 12' (1:1.5) to 1:1
 10' to 11' (1:1.5) to 1:1
 9' to 10' (1:1.5) to 1:1
 8' to 9' (1:1.5) to 1:1
 7' to 8' (1:1.5) to 1:1
 6' to 7' (1:1.5) to 1:1
 5' to 6' (1:1.5) to 1:1
 4' to 5' (1:1.5) to 1:1
 3' to 4' (1:1.5) to 1:1
 2' to 3' (1:1.5) to 1:1
 1' to 2' (1:1.5) to 1:1



North of Industrial Drive – Proposed Thoroughfare Layout



South of Industrial Drive –Proposed Thoroughfare Layout

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

P & Z Recommendations:

1. The CUP relaxation option should be offered to any non-residential use, not just M-1 and M-2.
2. Only the specific requirements discussed and listed should be eligible for a relaxation under the CUP.
3. Only additions and expansions to existing uses should be eligible for CUP relaxation. Vacant parcels should be required to develop in accordance with the UDC requirements.

It was P & Z's opinion that a CUP process was a simpler process (as compared to a PD) that would provide flexibility to the applicant, while allowing city to review some of the issues. It would also allow the P & Z and Council to review projects on a case by case basis.

The following table summarizes the changes proposed. Attached text highlights the proposed changes to the text of the UDC.

	Requirement	New Development on Vacant Parcels	Existing Non conforming Expansion -less than 500 s.f.	Existing Non conforming Expansion - 500 s.f. or greater
1	<p><u>Façade:</u> (Based on frontage on Thoroughfares)</p> <p>Reduce requirements.</p> <p>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' masonry (height of the fence) and visible from</p>	Applies to entire structure	Existing facades exempt. New facades to comply.	Existing facades need to be brought into compliance unless a Special Exception (SE) is granted. Recommend CUP. Can be phased over a period of time.

	adjoining residential areas.			
2	<u>Articulation:</u> (Only in COD) No change in requirements.	Applies to entire structure	Existing facades exempt. New façade to comply.	Existing facades exempt. New façade to comply.
3	<u>Transparency:</u> (Only in COP) Reduce transparency requirement from 25% to 15%. Exempt buildings located farther than 250' from this requirement.	New buildings to comply	Existing facades exempt. New façade to comply.	Existing facades exempt. New façade to comply.
4	<u>Color Palette:</u> (Only in COD) Retain this requirement.	New buildings to comply	Existing facades exempt, but required to comply if exterior façade painting is proposed. New façade to comply.	Existing facades exempt but required to comply if exterior façade painting is proposed. New façade to comply.
5	<u>Landscaping:</u> <u>COD</u>			
a	30' buffer along street. No changes	New development needs to comply.	Preserve non conforming buffer. Expansion of parking lot needs to comply with the buffer requirement unless a SE is approved. Recommend CUP instead.	Preserve non conforming buffer. Expansion of parking lot needs to comply with the buffer requirement unless a SE is approved. Recommend CUP instead.

b	<p>Street trees, ornamental trees and shrubs to screen parking lots.</p> <p>No changes</p>	New development needs to comply.	Exempt.	<p>Needs to comply with total number.</p> <p>Locational requirements waived by SE.</p> <p>Recommend CUP instead.</p> <p>New parking lot expansion needs to comply.</p>
c	<p>Parking lot trees: Currently required within 50' of parking space, only for passenger car parking.</p> <p>Exempt locational requirement, as long as total number is provided.</p> <p>Similar provisions were included for educational facilities</p>	New development needs to comply.	Exempt – all landscaping requirements.	Needs to comply with the total amount only and not with locational requirements (currently waived by SE).
d	<p>Total Landscaped area = 15% of gross site</p> <p>No changes. Since grass and native vegetation is included in this 15%, typically this is not a problem.</p>	New development needs to comply.	Exempt.	<p>Need to comply unless a Special Exception (SE) is granted.</p> <p>Recommend CUP.</p>
e	<p>Treatment of detention as amenity if located along the corridor</p> <p>No changes.</p>	New development needs to comply.	Exempt	<p>Need to comply unless a Special Exception (SE) is granted.</p> <p>Recommend CUP.</p>
<u>Non COD areas</u>				
f	<p>Street trees, and shrubs to screen parking lots from streets in a min. 6 foot strip along the street.</p>	New development needs to comply.	Exempt.	<p>Need to comply with total number.</p> <p>Locational requirements waived by SE.</p> <p>Recommend CUP.</p>

g	<p>Parking lot trees: Currently required within 100' of parking space-only for passenger car parking.</p> <p>Exempt locational requirement, as long as total number is provided.</p> <p>Similar provisions were included for educational facilities.</p>	New development needs to comply.	Exempt.	Needs to comply with the total amount only and not with locational requirements (currently waived by SE).
h	<p>Total Landscaped area = 10% of gross site area.</p> <p>No changes.</p> <p>Since grass and native vegetation is included in this 10%, typically this is not a problem.</p>	New development needs to comply.	Exempt.	<p>Need to comply unless a Special Exception (SE) is granted.</p> <p>Recommend CUP.</p>
6	Sidewalks	Required or Payment in lieu of if applicable.	Exempt	Required or Payment in lieu of if applicable.
7	<p>Screening and fencing along residential zone or use</p> <p>30' landscaped buffer with vegetative screening or 25' buffer with 6' tall masonry fence.</p>	New development needs to comply.	<p>Need to comply unless a Special Exception (SE) is granted.</p> <p>May require a CUP instead.</p>	<p>Need to comply unless a Special Exception (SE) is granted.</p> <p>Recommend CUP.</p>
8	<p>Landscaping on adjacent lot</p> <p>Permit landscaping requirements to be met on adjacent lot if under same ownership (individual or LLC). Total landscaping quantity for all lots within the agreement needs to be met.</p>	Permit with recorded agreement.	NA	Permit with recorded agreement.
9	Screening for dumpsters, equipment etc.	New development needs to comply.	Need to comply.	<p>Need to comply unless a Special Exception (SE) is granted.</p> <p>Recommend CUP.</p>

10	Building Setbacks Remove the current requirement of a SE for additions to structures with non conforming setbacks.	New development needs to comply.	Addition needs to comply. Existing structures exempt.	Addition needs to comply. Existing structures exempt.
11	Parking Requirements	New development needs to comply.	Existing and expansion needs to comply unless a Special Exception (SE) is granted. May require a CUP instead.	Existing and expansion needs to comply unless a Special Exception (SE) is granted. Recommend CUP.
12	Screening of outdoor storage and display areas in COD Currently masonry fencing is required. Permit wrought iron or chain link fence with vegetative screening, similar to that permitted for detentions along COD.	New development needs to comply.	Exempt	Existing and expansion needs to comply unless a Special Exception (SE) is granted. Recommend CUP.

Proposed UDC Changes Regarding M-1 and M-2.

Proposed additions underlined and italicized.

Article 7 – Nonconforming Uses & Structures

Division 1 – Intent of Provisions

Section 2.7.3.7 Special Exceptions for Nonconformities

- (a) ~~7) To allow construction of a new structure or expansion of the floor area of an existing structure upon property that is nonconforming in any way, unless the use on the property is inconsistent with the property's zoning classification. This may be done without bringing the entire property and all structures located on it into full compliance with this code, subject to the following conditions, and any others that the ZBA may deem necessary and reasonable to impose:~~

~~a. landscaping~~

- ~~1. quantity or type—full compliance for entire property~~
- ~~2. location or buffers—compliance for new construction and/or, entire property as may be required by the ZBA as a condition of the special exception~~
- ~~3. lot percentage—compliance for new construction and/or entire property as may be required by the ZBA as a condition of the special exception~~

~~b. screening/fencing~~

- ~~1. screening (of dumpsters, loading areas, equipment, etc.)—full compliance for entire property~~

~~Chapter 2: Zoning Regulations~~

~~Page 2-164~~

- ~~2. fencing or screening of property/use—compliance for new construction and/or entire property as may be required by the ZBA as a condition of the special exception~~

- ~~3. buffers—same as landscaping buffers, above~~

~~e. façade (including building articulation, transparency of building materials, and building color palette)—compliance for new construction and/or entire property as may be required by the ZBA as a condition of the special exception~~

~~d. setback/lot coverage—full compliance for new construction, except that the ZBA may allow as a condition of the special exception for expansion of an existing building where said expansion would encroach into a required setback (other than the front setback) in which the existing building already encroaches, so long as the resulting setback is not less than the existing building's setback or ten feet (10'), whichever is greater~~

~~e. sidewalks—full compliance for entire property~~

~~f. parking—full compliance for new construction, additional compliance for entire property as may be required by the ZBA as a condition of the special exception~~

(8) To allow for the reasonable reduction, to the minimal amount possible, of requirements related to the following improvements to allow for compliance with the City's adopted requirements for development (and their spirit and intent), but also to allow for the use and enjoyment of property within Pearland (also see Article 1, Division 3 of Chapter 4 for triggers related to these improvements):

- a. Landscaping - As required within the applicable zoning district (Chapter 2) and/or in Chapter 4, Article 2, and Division 2;
- b. Screening/fencing - As required within the applicable zoning district (Chapter 2) and/or in Chapter 4, Article 3, Division 4;
- c. Façade requirements - As required within the applicable zoning district (Chapter 2) and/or in Chapter 2, Article 6, Division 2.

(9) To allow for a reasonable amount of time for a nonconforming use to be brought to a lesser-nonconforming status or to a conforming status by allowing an applicant to make improvements to an existing, developed property or building over a period of time,

instead of requiring such improvements to be made immediately, or prior to a Certificate of Occupancy.

Section 2.7.3.8 Expansion of Existing Nonconforming Developments

On a property with an established use, construction of a new structure or expansion of the floor area of an existing structure on the property, that is nonconforming in any way, shall be permitted, without bringing the entire property and all structures located on it into full compliance with this code, subject to the following conditions, and any others that the City Council may deem necessary and reasonable to impose:

1. Where all (cumulative) expansion of the existing structure and additional new structures on site is less than 500 sq. ft:

a. landscaping

1. quantity or type – no additional compliance required
2. location or buffers – no additional compliance required
3. lot percentage – full compliance for entire property

b. screening/fencing

1. screening (of dumpsters, loading areas, equipment, etc.) – full compliance for entire property
2. fencing or screening of property/use – no additional compliance required
3. buffers – no additional compliance required

c. façade (including building articulation, transparency of building materials, and building color palette) – compliance for new construction, no compliance required for existing

d. setback/lot coverage – full compliance for new construction, except that the City Council may allow as a condition of the CUP for expansion of an existing building where said expansion would encroach into a required setback (other than the front setback) in which the existing building already encroaches, so long as the resulting setback is not less than the existing building's setback or ten feet (10'), whichever is greater

e. sidewalks – no compliance required

f. parking – compliance for new construction of parking lot. No compliance required for existing parking lot. Parking spaces need to be provided for the entire building (existing and new).

2. Where all (cumulative) expansion of the existing structure and additional new structures on site is greater than 500 sq. ft, all new additions and expansions shall

comply with all requirements set forth in this UDC, and the entire site shall be brought into compliance with the UDC, unless a CUP is granted in accordance with the following:

a. landscaping

1. quantity or type – full compliance for entire property
2. location or buffers – compliance for new construction and/or, entire property as may be required by the City Council as a condition of the CUP
3. lot percentage – full compliance for entire property

b. screening/fencing

1. screening (of dumpsters, loading areas, equipment, etc.) – full compliance for entire property
2. fencing or screening of property/use – compliance for new construction and/or entire property as may be required by the City Council as a condition of the CUP
3. buffers – same as landscaping buffers, above

c. façade (including building articulation, transparency of building materials, and building color palette) – compliance for new construction and/or entire property as may be required by the City Council as a condition of the CUP

d. setback/lot coverage – full compliance for new construction, except that the City Council may allow as a condition of the CUP for expansion of an existing building where said expansion would encroach into a required setback (other than the front setback) in which the existing building already encroaches, so long as the resulting setback is not less than the existing building's setback or ten feet (10'), whichever is greater

e. sidewalks – full compliance for entire property, unless varied by the City Council as a condition of CUP

f. parking – compliance for new construction and/or, entire property as may be required by the City Council as a condition of the CUP

Changes already implemented in July 2009 with the T-11 amendments.

T-11 modified general requirements regarding transparency, landscaping, outdoor storage, in M-1 and M-2 regulations as shown in yellow:

Section 2.4.5.1 (d)(2)c

A minimum twenty-five percent (25%) of an exterior wall facing the specified major thoroughfare shall be transparent, except for Public Educational Facilities and all structures located at least two hundred and fifty (250) feet from the specified thoroughfares, which are exempt from this requirement. Structures located in the M-1 or M-2 zoning districts and

within two hundred and fifty (250) feet of the specified thoroughfare shall comply with a minimum transparency percentage of fifteen percent (15%)

Section 2.4.5.1 (g)(4)b

No parking space designed and intended for the parking of passenger vehicles driven by customers, patrons, or employees shall be greater than fifty feet (50') from a tree. Each island shall contain at least one (1) tree. Public Educational Facilities and industrial uses located in M-1 and M-2 zoning districts shall be exempt from this requirement so long as the overall landscaping requirement is met onsite.

Section 2.4.5.1 (k)(5)

Outdoor storage and display in M-1 and M-2 zones shall be permitted within fenced areas. Fences around display and storage areas, visible from a public or private street, shall be constructed of decorative wrought iron or chain link material that complies with the standards set forth in subsection (i) (3) c. 2. above.

Section 4.2.2.4 (k)

Location Exception for Public Educational Facilities. Developments located in M-1 and M-2 zoning districts and Public Educational Facilities shall comply with all requirements herein regarding quantity of landscaping, but are exempt from the requirement of locating landscaping within landscape islands in the interior of parking areas.

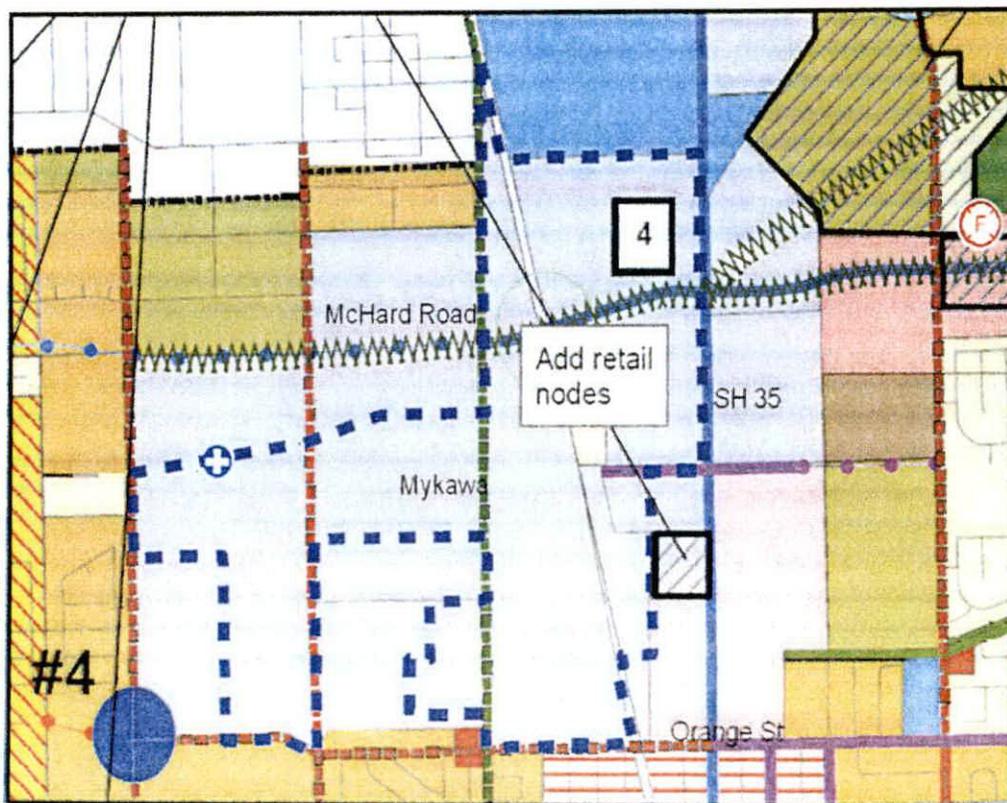
Comment #5 and #7:
Retain Industrial Along Mykawa and Main North of FM 518 and Along McHard.
Clean Up Conflicts in McHard M-1 and M-2 Zones, FTZ

P & Z 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 the Future Land Use Plan (FLUP). Recommendation is to change the FLUP in the area to M-2.

Also change the parcel north of future McHard & west of Woody to M-2.

2. Council also suggested changing all zoning within the Foreign Trade Zone (FTZ) to M-2. P & Z recommended changing this on the FLUP to allow future rezoning of any properties within the FTZ to M-2.
3. Rezoning all M-1, north of 518 and up to the City border to M-2 due to its proximity to Beltway 8.
4. Expand the FTZ to encourage more industrial growth. P & Z recommended checking with the Port of Freeport as they are the administrators for the FTZ and they have the authority to expand the FTZ. In addition have the Chamber of commerce take steps to advertize more about the FTZ.

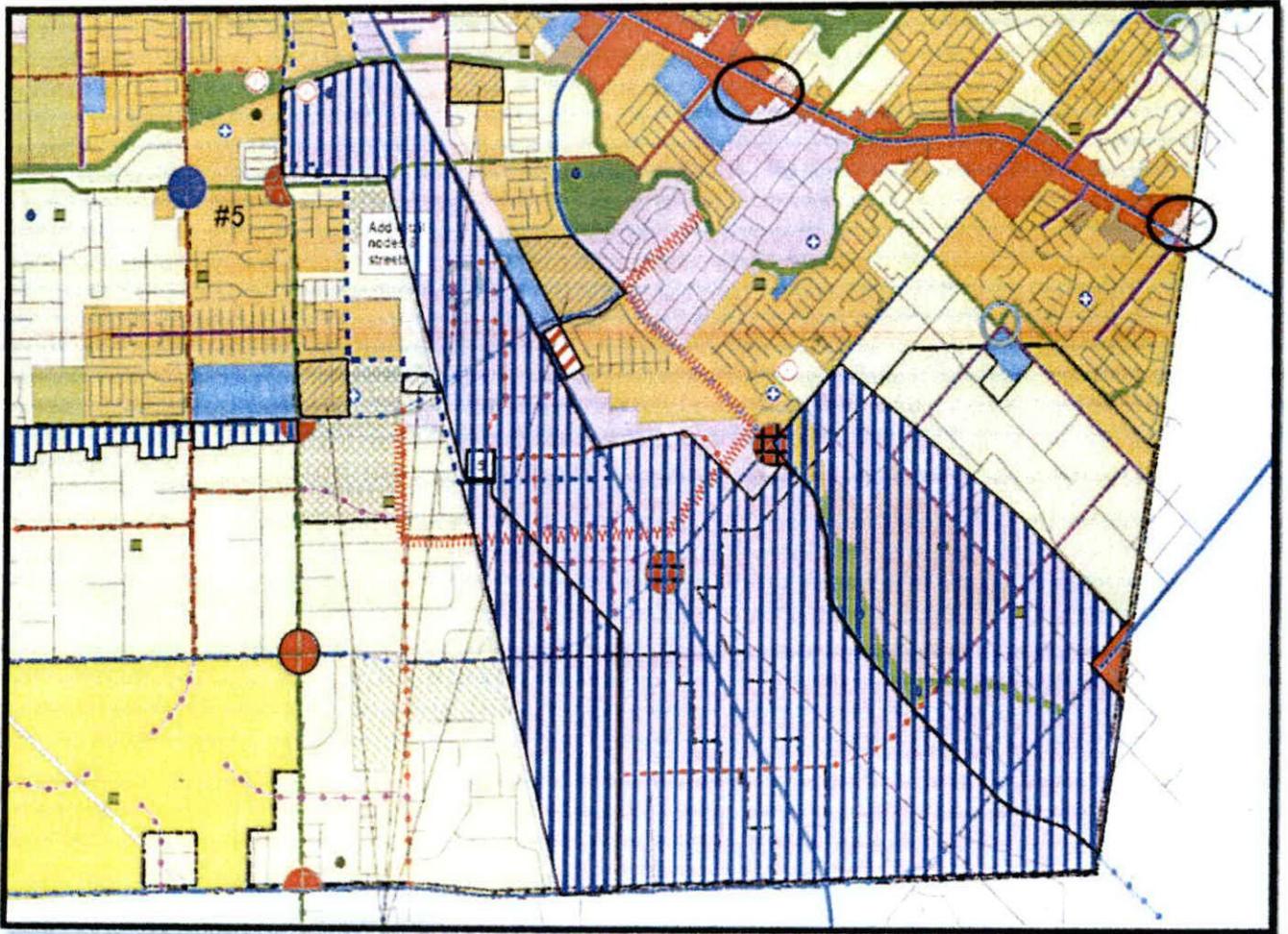


Council Comment #6a & 6b:
Stop Retail at Oiler.
Add minor node at SH 35 and Dixie Farm.

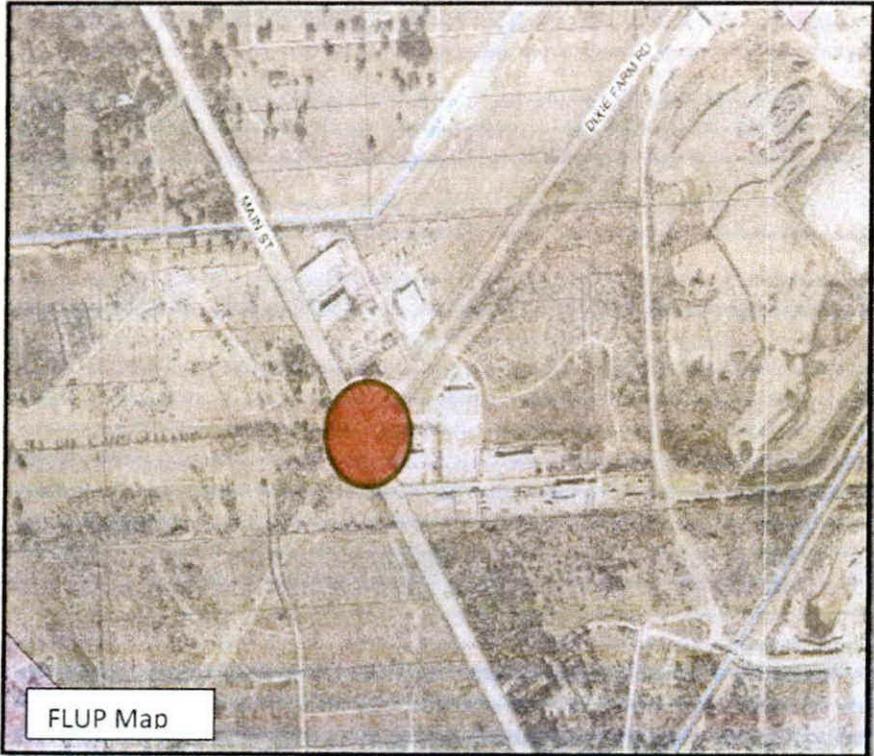
P & Z Recommendation:

1. Change the FLUP to commercial and leave zoning as GC for the parcel south of PHS.
2. Placement of a minor retail node of approximately target for 5 acres at the intersection of Dixie Farm and SH 35.

P & Z was concerned that changing the FLUP to M-1 would cause some non-conforming issues. Wanted to know how changing the M-2 in the FLUP south of 518 from M-1 to M-2 would affect existing uses. Since the change was in the FLUP and not zoning, no non-conforming uses will be created.



Intersection of Dixie Farm and SH 35 – General Area



Council Comment # 8:

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

No recommendation required.

Comment #9:

Annexation of 1000' south of Bailey Avenue and Land south of Southern Trails.

P & Z discussed islands within the City of Pearland specially the L-shaped one that area not annexed. Staff stated that that particular area has mobile homes and trailer parks and is difficult to annex.

1. Do these islands along Bailey have City Services? Generally no.
2. What is the waiting period for annexing the remainder of the contiguous parcels, and the island that would be left over, could it be annexed all at once. Need 3 year annexation plan.

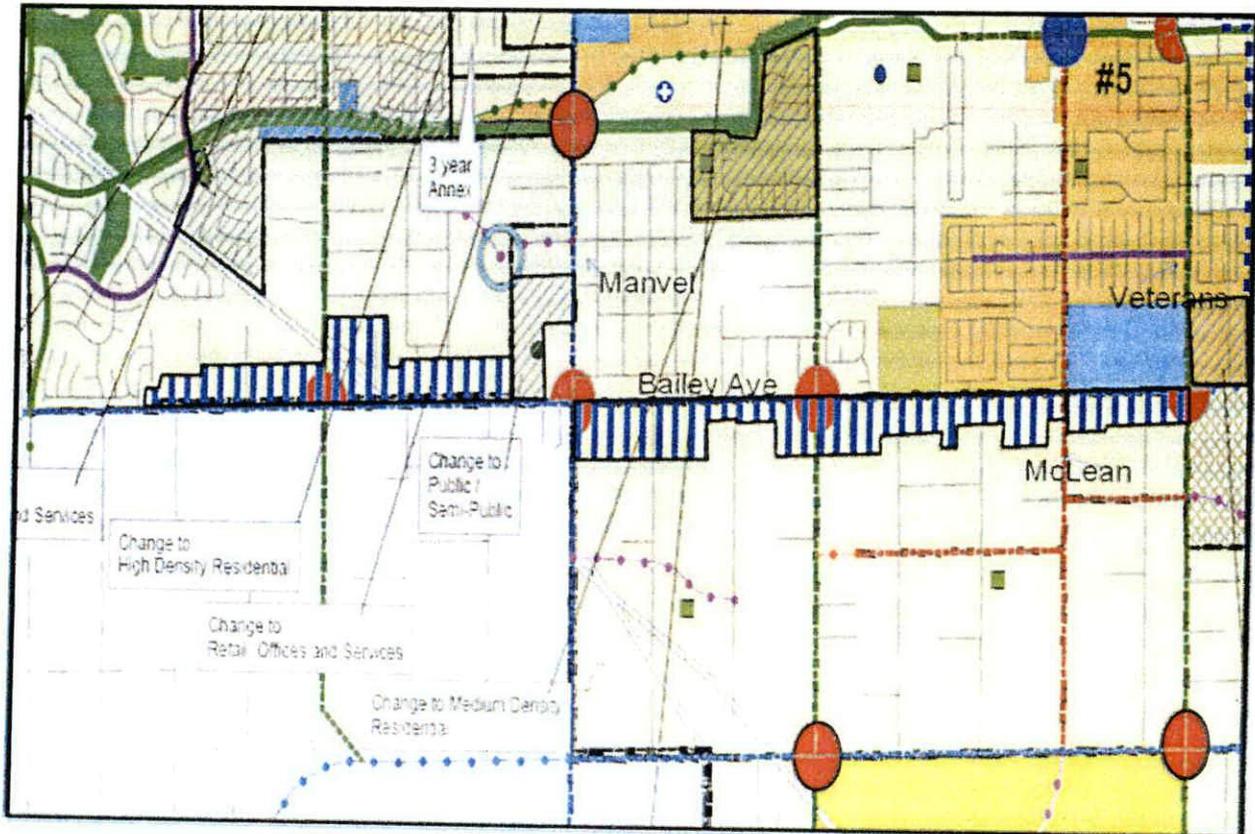
P & Z recommended the following:

- a. Add M-1 and M-2 along SH 35 to the proposed annexation map.
- b. Modify the area along CR 59 to include land along CR 48.

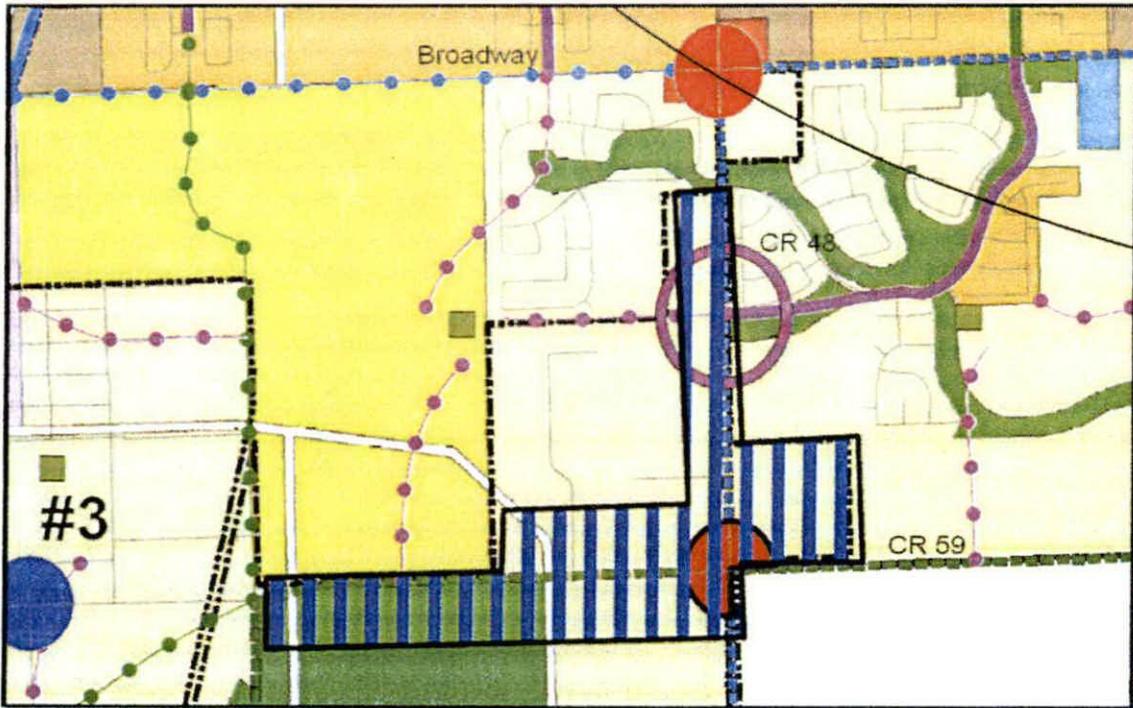
P & Z also recommended that Bailey be added to the COD and wanted to know if we will have to amend the UDC to do that. The entire length of Bailey within city limits is designated as a COD in the UDC. Once annexed, land along Bailey will assume the COD designation, without any further action.

Annexation areas are shown in blue vertical hatched lines.

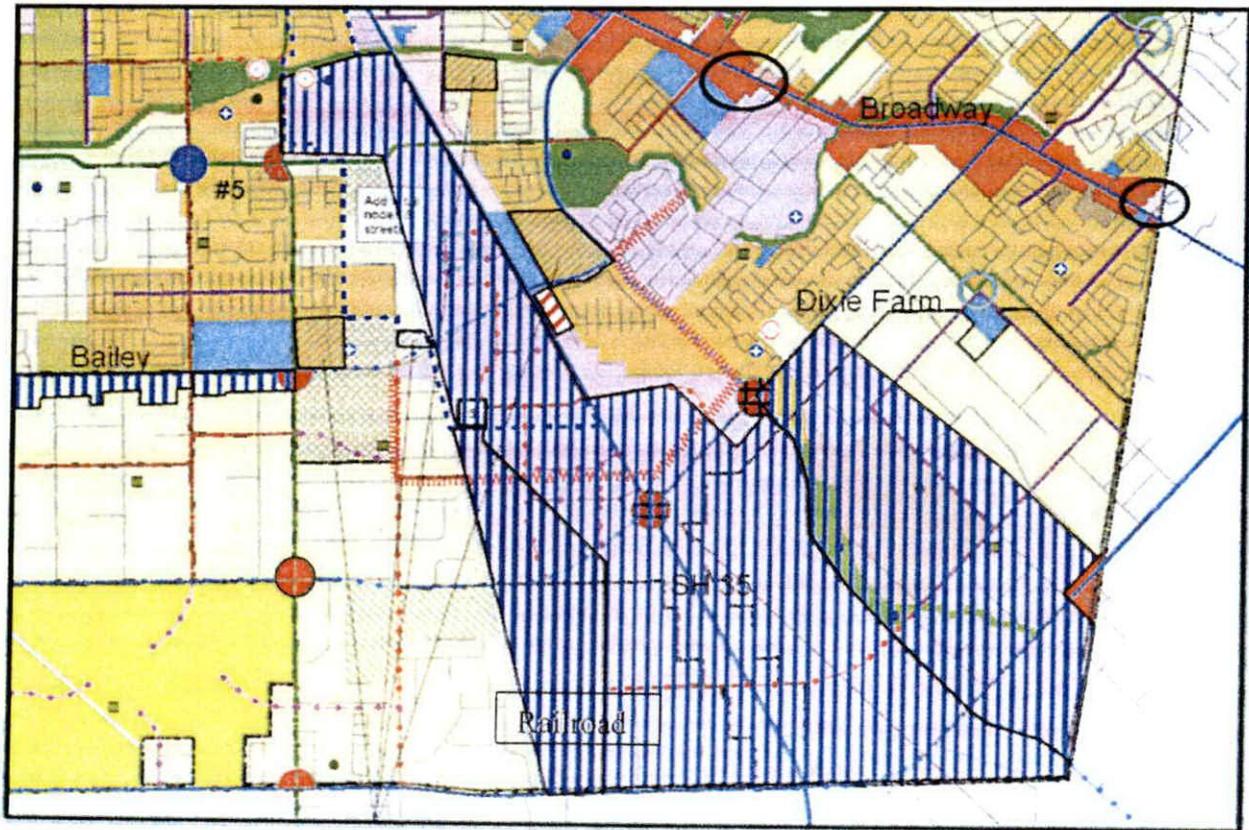
Bailey Corridor



CR 59 and CR 48



SH 35 corridor including airport



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

Discussion on Pearland Parkway and Airport- commercial uses

P & Z was hesitant to rezone to commercial. Mr. Hodge explained the reason for this recommendation to consider adding commercial and industrial uses and discussed:

- a. Expansion of Pearland Parkway South and potential land uses if that happened.
- b. As they continue to develop the airport access, Pearland Parkway would serve as the main entrance to the airport, thereby making the roadway project more viable.
- c. Locating a fire station there.
- d. Enlarging the runway to 7,000 feet and add a bigger helicopter hub.

P& Z stated that they would like to hear from Andy Riviera before making a recommendation.

Andy Riviera discussed the following with P & Z.

The Airport was foreclosed on in 1997. There were 4 runways before. There is currently one runway which is a safer option and has helped reduce aircraft incidents. The runway length is 4,313 feet and they would like to expand the runway to 7,000 feet and to 75 feet in width. The Airport currently provides approximately 216 jobs and generates approximately 21 million dollars and hopes to expand to 80% in operations for general aviation and the rest in jet ports for commuters. The areas of concern are the brownfield parcels, storm water detention, and allowing residential development to continue near the airport.

The following examples and research for compatible airport uses were provided to P & Z after Mr. Rivera's visit:

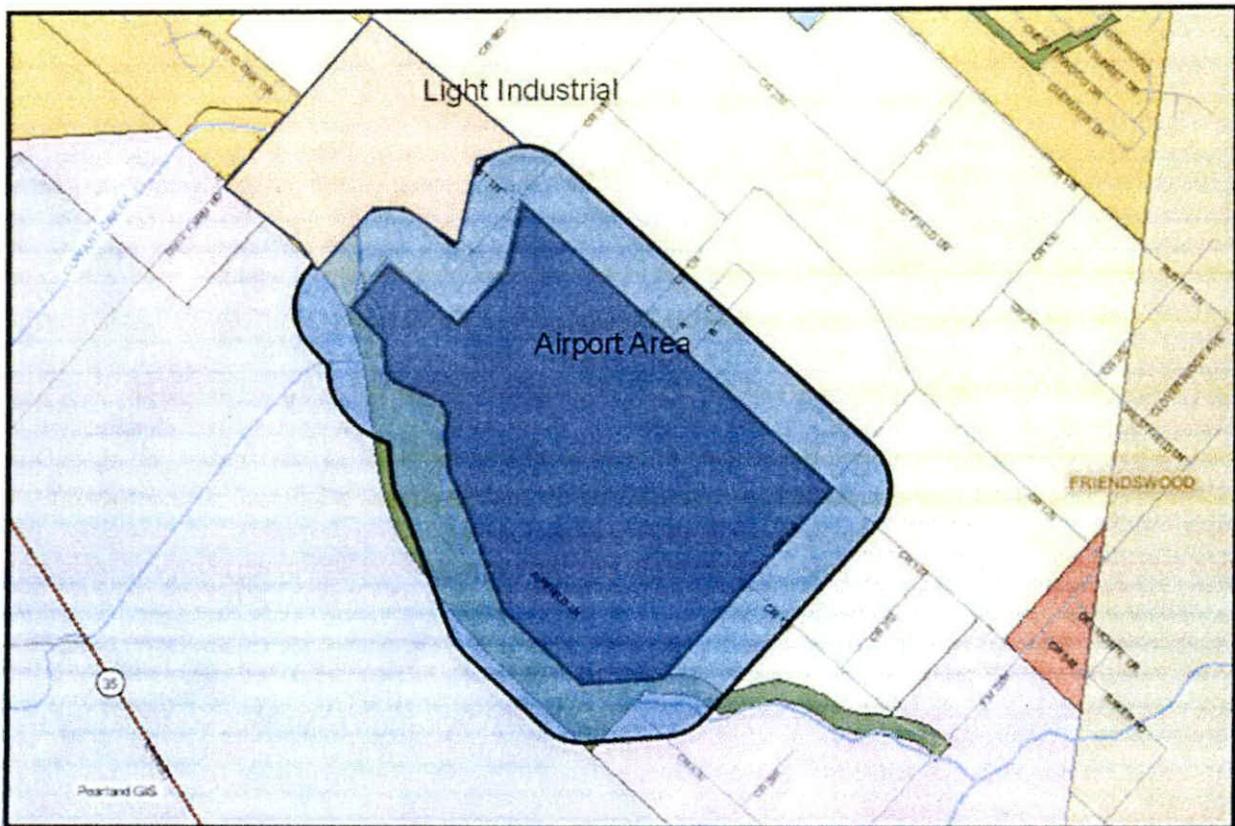
- a. Virginia Department of Transportation Compatible Airport Use Guideline
- b. Pensacola, Florida Airport Land Use Ordinance 02-09
- c. Iowa Department of Transportation Example Map
- d. Sugarland's Airport Code

Planning and Zoning recommendations:

1. Demarcate the airport area and surroundings as "Airport Area" in the FLUP. Zoning categories and regulations would be discussed at the time of annexation when, the area would be zoned. A consultant's services would be

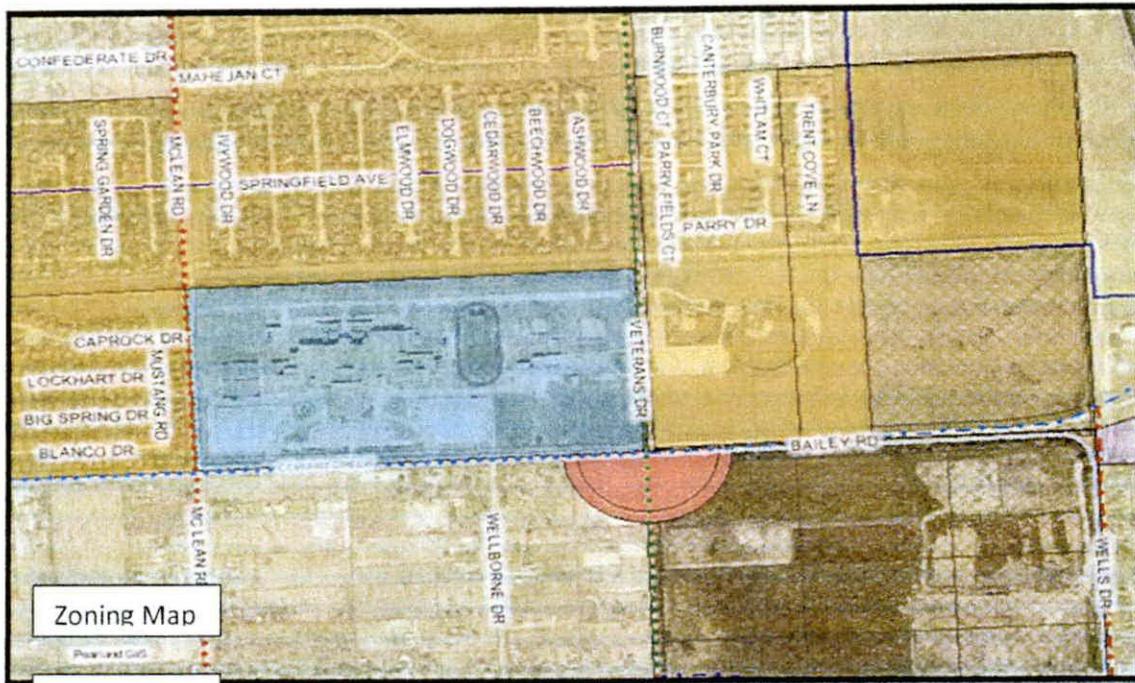
required to analyze the area, review FAA guidelines, assess future potential, and formulate zoning map and regulations.

2. Add a minor retail node at the intersection of Dixie Farm and Future Pearland Pkwy.
3. Designate area between airport and Dixie Farm as light industrial to encourage airport related uses.



Council Comment #11:
Node at Veterans and Bailey

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



Inte **FLUP Map** and Veterans – General Area

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

P & Z Recommendation: Do not need nodes within manufacturing. No changes to the FLUP.

At the workshop, P & Z discussed and concluded that there was no need to add these retail nodes to the FLUP due to the following reasons:

1. Lack of market or need for these nodes, due to lack of sufficient roof tops.
2. Will cause reduction and erosion of manufacturing zoned land with very minimal or no benefits.
3. The locations of some of the nodes are not certain since the roads have not been built yet.
4. Existence of retail and commercial areas, generally within 1.5 miles of the proposed nodes.
5. Need to address nodes on a case by case basis, with the PD option.
6. Need for nodes along certain north/south roadways at intersections with Bailey Road and McHard Road may be addressed already by minor and major nodes. Will discuss this when major and minor roads are reviewed.
7. Will increase the pressure to open our established subdivisions to commercial interests. Nodes will take over some neighborhoods.
8. Nodes have to be zoned. The areas with prior zoning and new added nodes will have a dual zone causing conflict.
9. Nodes should contain only full or complete tracts with the same prior zoning.

Council Comment #13
Add Neighborhood Nodes Within Residential

Comment # 13 - Neighborhood Residential Nodes

The P & Z commission decided to add five (5) Neighborhood Residential Nodes on the Future Land Use Plan (FLUP) for the following reasons:

1. The addition of nodes on the FLUP would provide a guide/goal for the developer as to the preferred location of these nodes.
2. These nodes, at the recommended locations and targeted to approximately 5 acres for each intersection, would not adversely affect the neighborhood character.
3. The nodes would provide desired services close to the residential neighborhoods. The Conditional Use Permit (CUP) would help the Council and P & Z decide if the proposed use was appropriate.

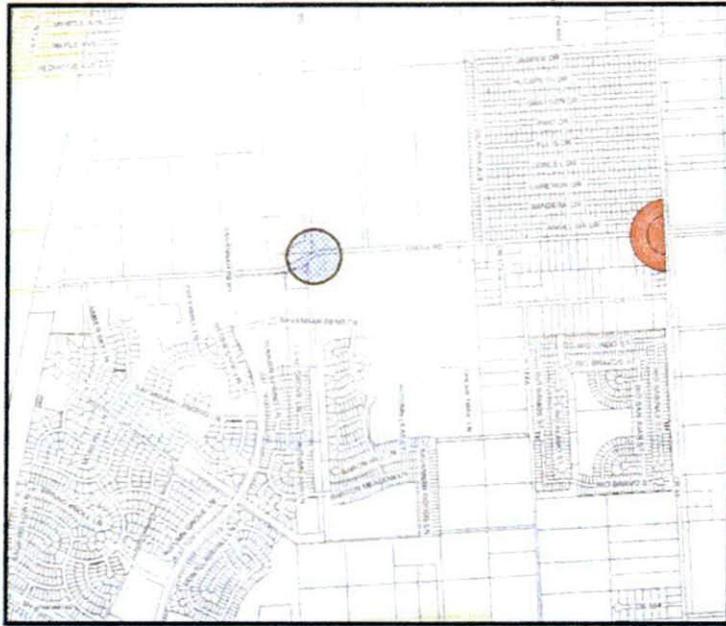
P & Z recommended that the preferred locations for these nodes would be the following:

1. Intersection #1 at Croix and Savannah Parkway.
2. Intersection #2 at 564 and 564B (Woodfin and Sycamore)
3. Intersection #3 at Dallas and Vermont.
4. Intersection #9 at Hatfield and W. Orange.
5. Intersection #10 at McLean and Magnolia.

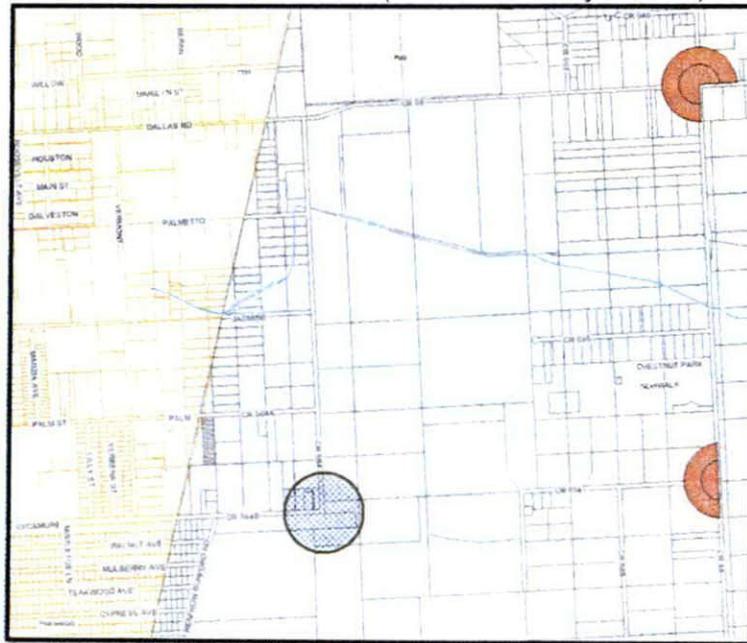
The P & Z stated that the approval of uses on these nodes would be subject to the following considerations that would be added to the Comprehensive Plan as guidelines for approval of these nodes:

1. Development within each node would be approved by a Conditional Use Permit (CUP), based on its location, desirability, adjacency to other existing or proposed non-residential uses, and impact on surroundings.
2. Nodes adjacent to other designated or existing retail nodes/ zones/areas, along local, collector streets or thoroughfares, would be strongly discouraged.
3. Existence of pedestrian access (walkways, bikeways, trailways, and traffic controls) to promote the safe and productive use of the node would be desirable.
4. The nodes would be targeted to approximately 5 acres for each intersection.

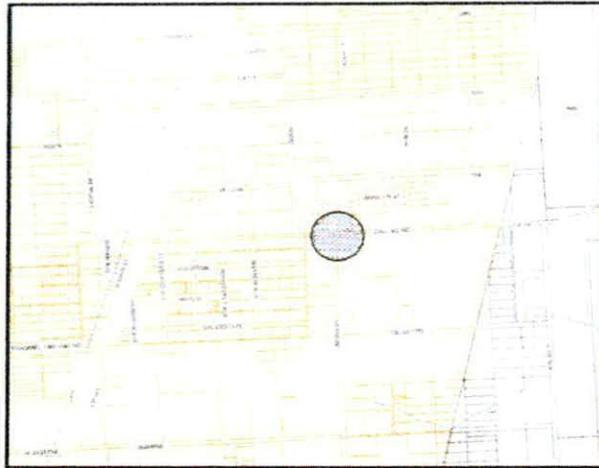
Intersection #1 at Croix and Savannah Parkway



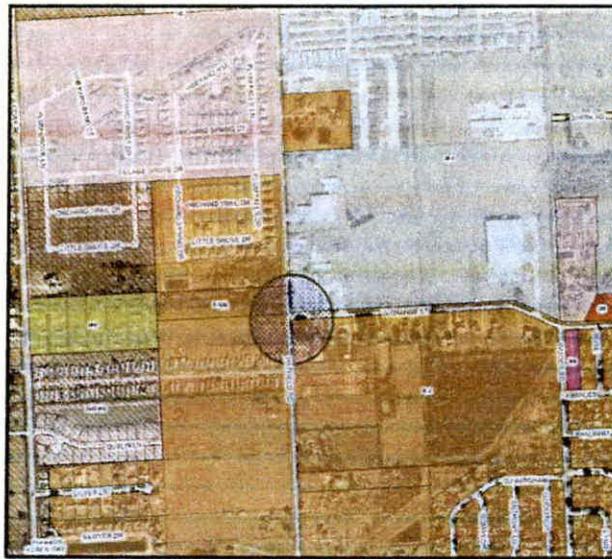
Intersection #2 at 564 and 564B (Woodfin and Sycamore)



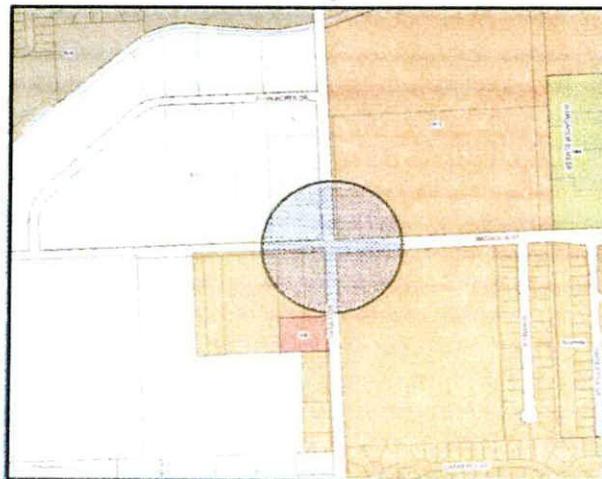
Intersection #3 at Dallas and Vermont.



Intersection #9 at Hatfield and W. Orange.



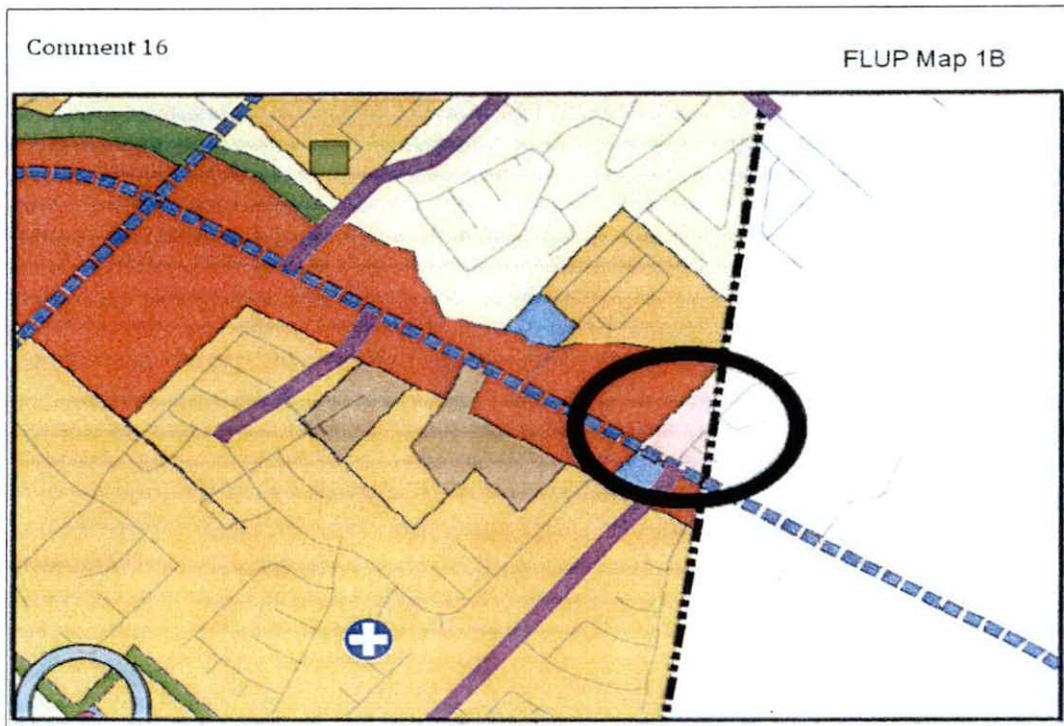
Intersection #10 at McLean and Magnolia



Council Comment # 16:
Residential Zoned Parcels Along Broadway-Rezoned to Commercial/Retail.

P & Z Recommendations:

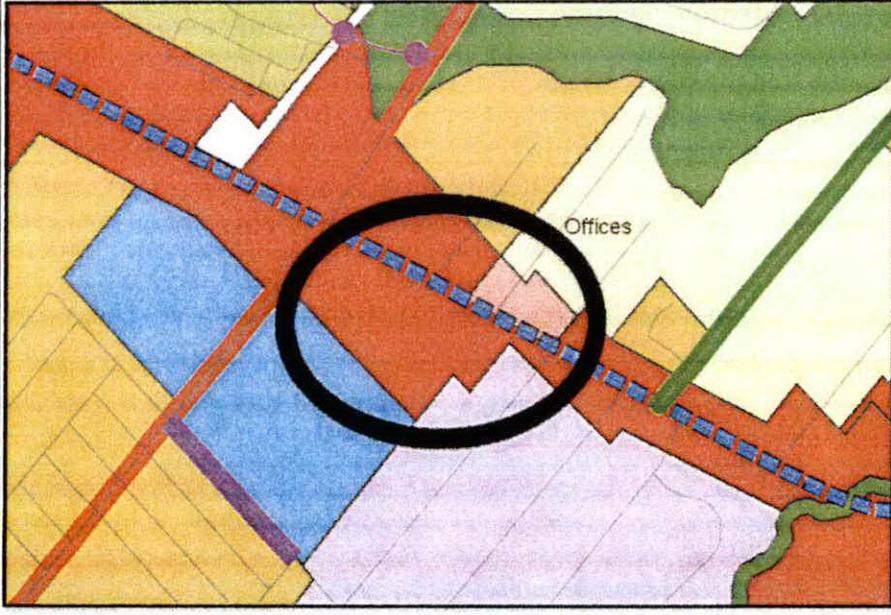
1. Zoning Map 1A –Leave as is
2. FLUP Map 1B-change to commercial
3. Zoning Map 2A-Leave as is
4. FLUP Map 2B-Change to OP
5. Zoning Map 3A- Leave as is
6. FLUP Map 3B-change to commercial
7. Zoning Map 4A-leave as is
8. FLUP Map 4B -change to commercial-+ 2 parcels
9. Zoning Map 5A-leave as is
10. FLUP Map 5B- change FLUP to reflect current zoning-align with property line
11. Zoning Map 6A-leave as is
12. FLUP Map 6B-change FLUP to reflect current zoning- align with property line
13. Zoning Map 7A-shift retail node-remove this node from the map
14. FLUP Map 7B-shift retail node -remove this node from the map
15. Zoning Map 8A
16. FLUP Map 8B-Leave as is



Broadway at Eastern Border – General Area

Comment 16

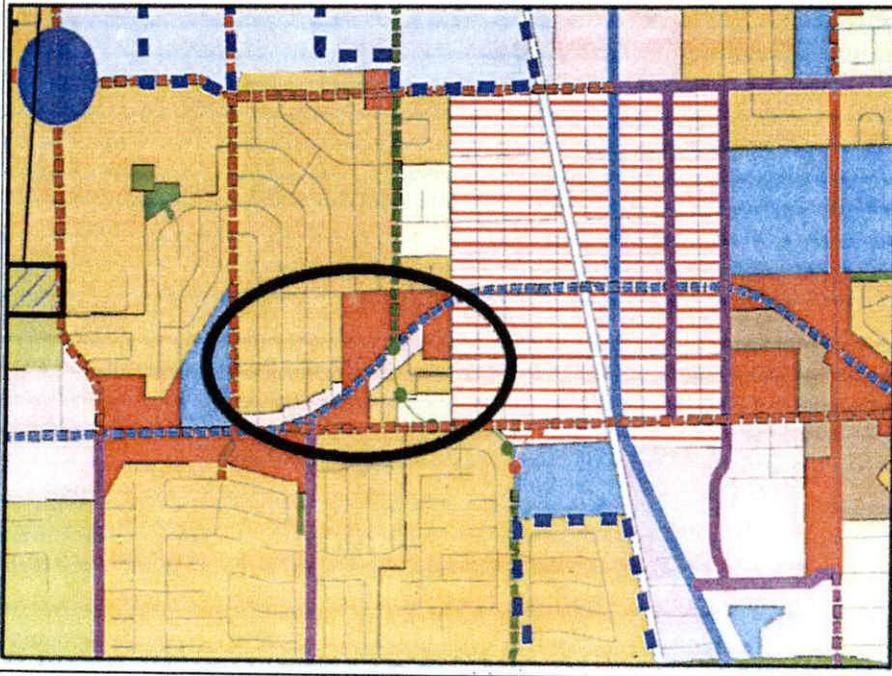
FLUP Map 2B
Change to Offices



Broadway East of Liberty- General Area

Comment 16

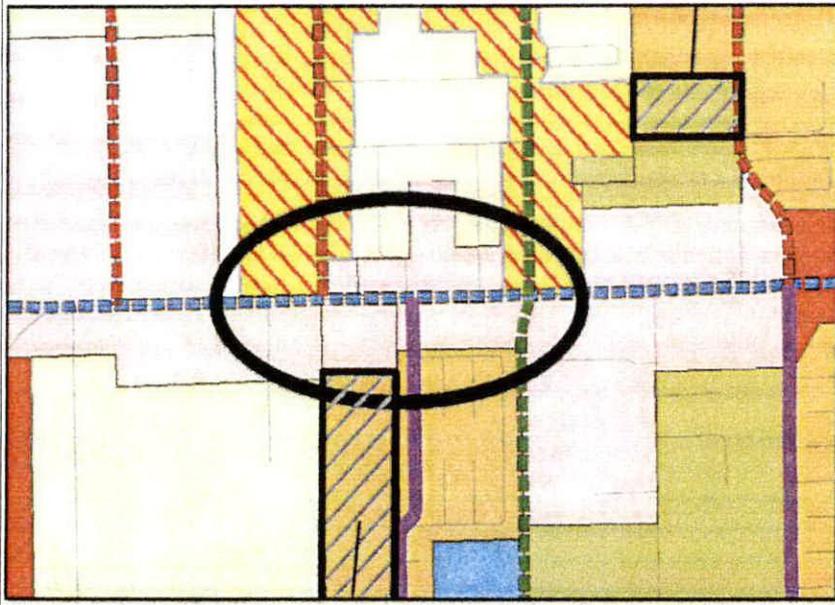
FLUP Map 3B
Change to Commercial



Broadway East of Hatfield - General Area

Comment 16

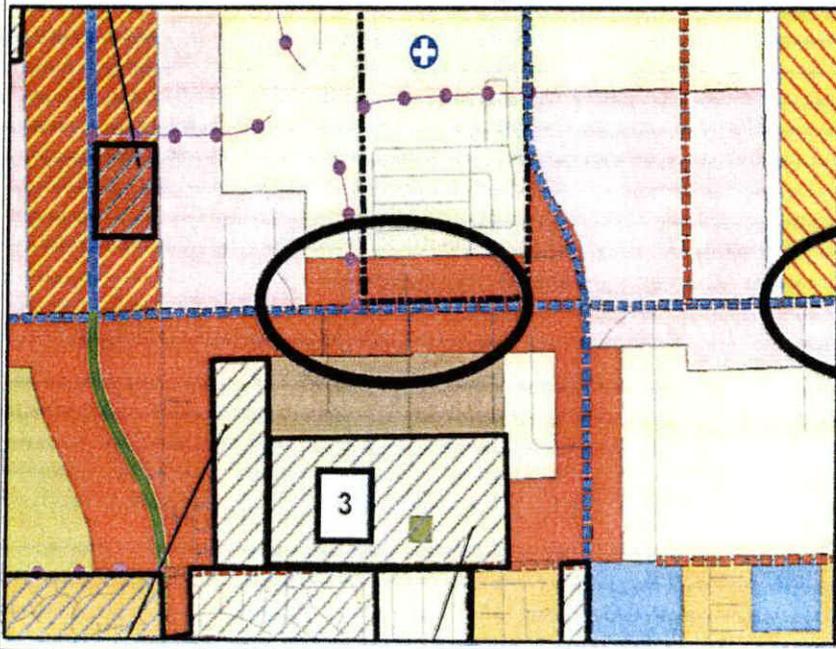
FLUP Map 4B
Change to Commercial - Add 2 parcels



Broadway East of O'Day – General Area

Comment 16

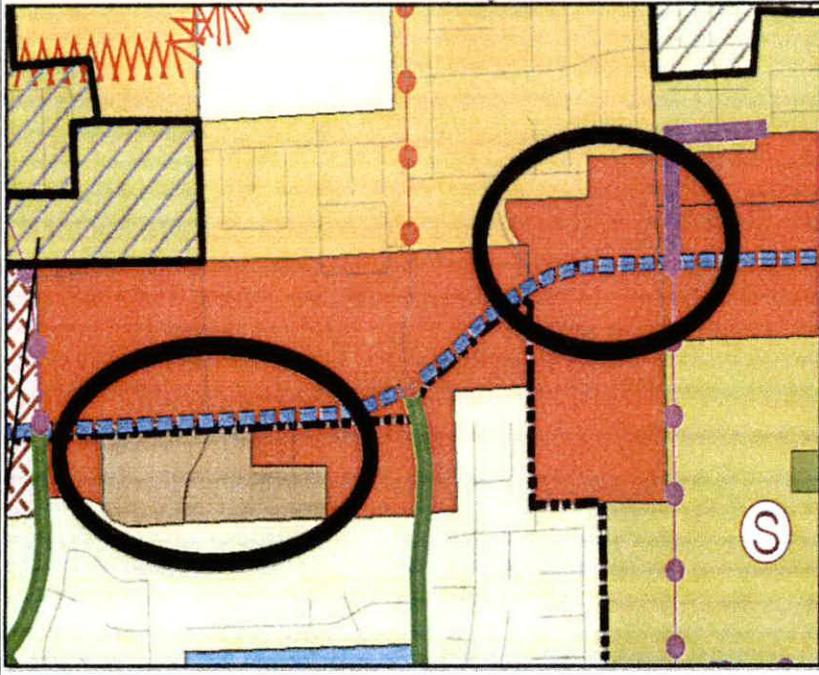
FLUP Map 5B
Change to Retail, Offices & Services



Broadway East of Old Chocolate – General Area

Comment 16

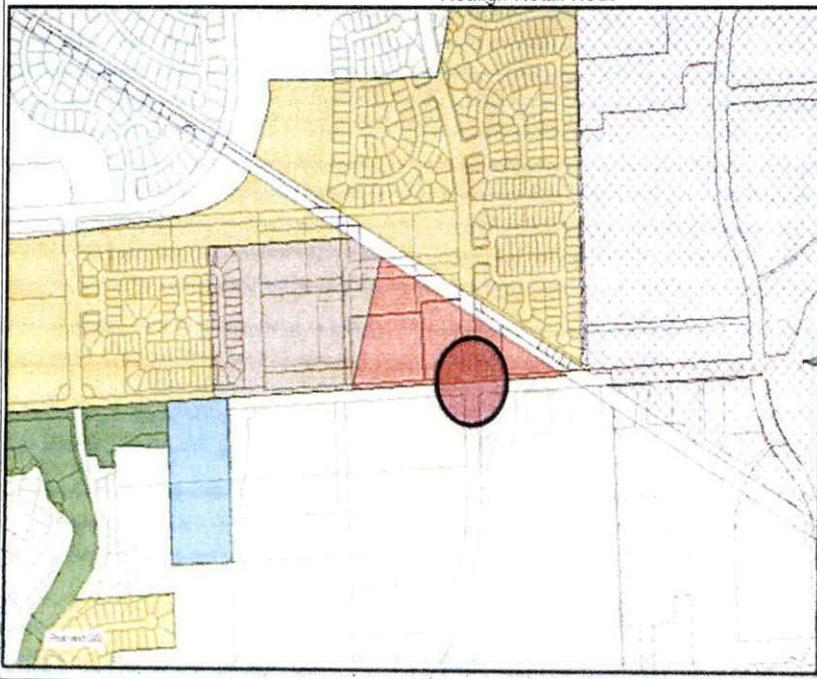
FLUP Map 6B
Change to Retail, Offices & Services



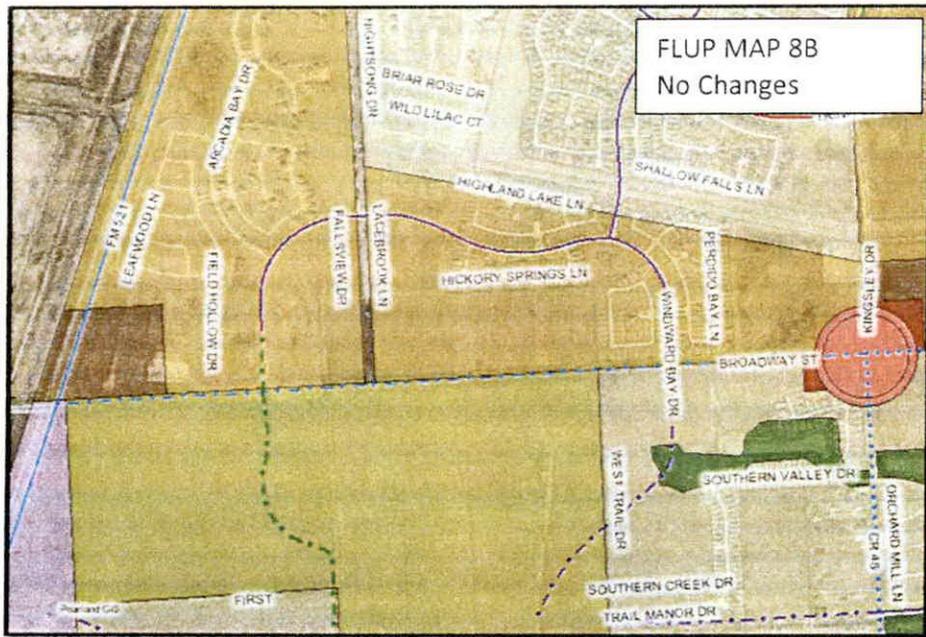
Broadway East of Miller Ranch – General Area

Comment 16

FLUP Map 7B
Realign Retail Node



Intersection of Broadway and Kirby – General Area



Broadway between Kingsley and FM 521 – General Area

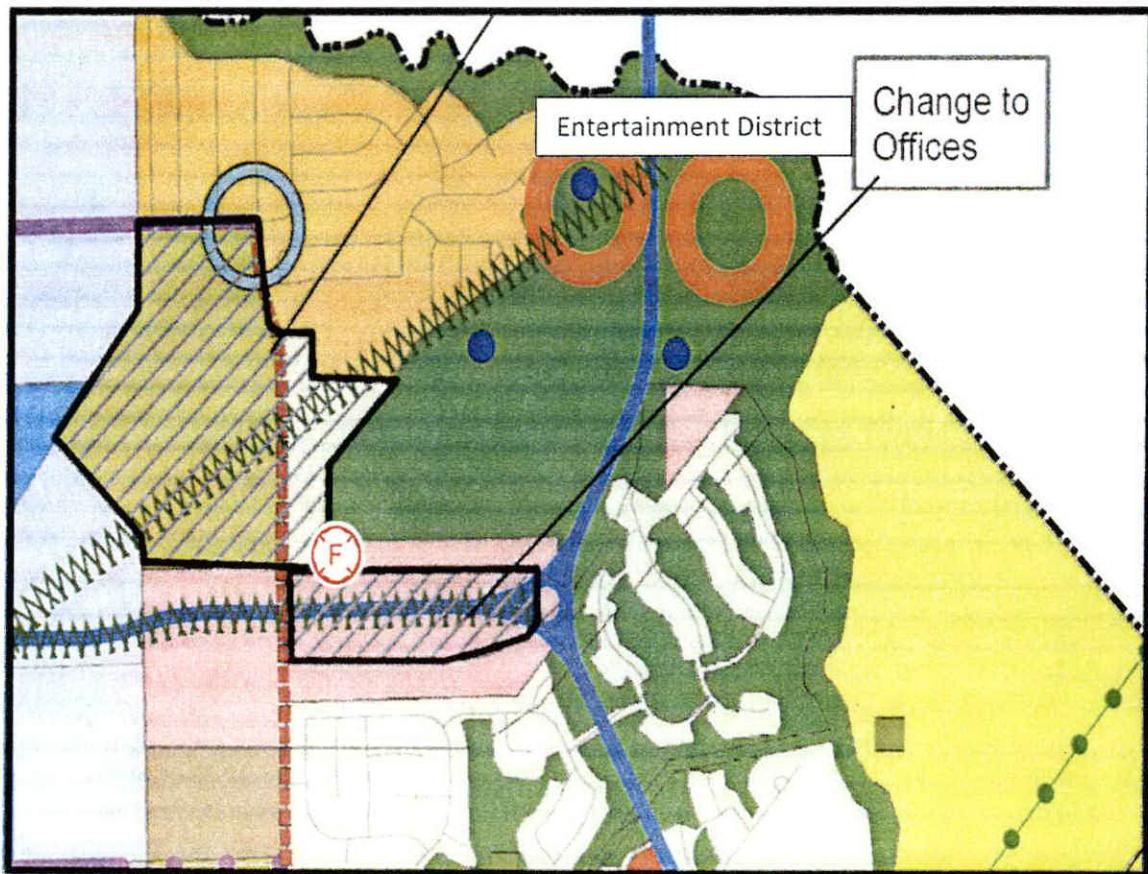
Council Comment #17:

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

The Planning and Zoning Commission originally stated that the David L. Smith overlay should be added to the FLUP. After staff explained that overlays are not typically added to the FLUP, they agreed that the overlay should not be added, but that the David L. Smith area should be updated to more accurately reflect what is currently planned for that area. Staff would also like to reiterate that Land Use Plan should not focus on property boundaries, since property boundaries are subject to change. The appropriate size and configuration of the area, for the proposed land use category, needs to be considered, irrespective of current property configuration.

P & Z Recommendation:

1. Agreed w/retail entertainment district as shown on page 1 of comment #17 in the Land Use Study Book.
2. North of McHard should be changed to OP and follow the property lines.
3. South of McHard should be changed to OP and follow the property lines.



Proposed Updated Layout for Comprehensive Plan



Comment # 18:
Commercial on Broadway Between 521 and 288.

P & Z Recommendation:

P & Z does not recommend a node here at all. It is in an area that is under a PUD

Comment #20:
Explore More Commercial Zoned Land. (Not Strip Centers).

See Comment 17.

Additional areas being reviewed by P & Z.

Comment #21:
Trails Under Power Lines.

No changes. Refer to Future Trails Map.

Comment #23:
Platting For Commercial/Industrial.

UDC amendment T-11 has incorporated a revised Development Plat process.

Comment #24:

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

To be discussed on October 5, 2009.

Council Comment # 25:
Modify Cullen-Mixed Use (C-MU) District to Reinstate Previous Zoning.

P & Z Recommendation:

Development Guidelines: P & Z concluded that it was not necessary to modify the development guidelines for Cullen Mixed Use District at this time. Due to the Corridor Overlay District (COD) and other UDC standards, any future development on Cullen would be required to meet the higher aesthetic, design and landscaping standards required by the COD.

Guidelines for Garden/Oday do not appear to be an issue at this time.

Land Uses:

FLUP:

No changes, except to remove parcels at the intersection of Broadway and Cullen that are zoned GB.

Land Uses in UDC:

P & Z discussed in detail the proposed land use matrix for both Cullen Mixed Use and Garden/Oday Mixed Use Districts and made changes to the staff recommendations as shown below. Additionally P & Z recommended changes to the building footprint, height of building, definition of café, and orientation of building as discussed below.

P & Z considered the following while evaluating the land uses appropriate for the mixed use districts.

- a. Since the council has indicated that development of strip centers is not a preferred goal for the city of Pearland, the uses that traditionally tend to locate in strip centers have been excluded. The thought is that exclusion of these uses would deter construction of strip centers.
- b. Hours of operation – Uses that traditionally operate round the clock have been excluded, since these districts abut residential districts or contain residential uses.
- c. Uses that have potential for outdoor storage and display have been excluded.
- d. A majority of the additional uses added are proposed with a CUP to ensure that the Council and P & Z get an opportunity to review each development and assess its merits and appropriateness.

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Agricultural Field Crops</i>	<i>P</i>	<i>P</i>
<i>Agricultural Animal Husbandry</i> 	<i>C</i>	<i>C</i>
<i>Bulk Grain and/or Feed Storage</i>		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Farm (Ranch, Livestock) ☐ ☑</i>	<i>P</i>	<i>P</i>
<i>Feed & Grain Store/Farm Supply Store ☐ ☑</i>		
<i>Flour and Other Grain Mills</i>		
<i>Livestock – Wholesale</i>		
<i>Livestock Sales</i>		
<i>Crops or Orchard</i>	<i>P</i>	<i>P</i>
<i>Stable, Commercial</i>		
<i>Stable (Private, Principal or Accessory Use)</i>	C	C
<i>Boarding or Rooming House ☐ ☑</i>		
<i>Dwelling - Four-Family (Quadriplex) (Defined Under Dwelling - Multiple-Family) ☐ ☑</i>		
<i>Dwelling - HUD-Code Manufactured(Mobile) Home ☐ ☑</i>		
<i>Dwelling - Industrialized Home ☐ ☑</i>	P- change to C	P -change to C
<i>* Dwelling - Mobile Home ☐ ☑</i>		
<i>Dwelling - Multiple-Family ☐ ☑</i>		
<i>Dwelling - Patio Home ☐ ☑</i>		
<i>Dwelling - Single-Family Detached ☐ ☑</i>	<i>P</i>	<i>P</i>
<i>Dwelling - Town House</i>		
<i>Dwelling - Two-Family ☐ ☑</i>		
<i>Home Occupation ☐ ☑</i>	<i>P</i>	<i>P</i>
<i>Private Street Subdivision</i>	P	P
<i>Accessory Structure (Business or Industry) ☐ ☑</i>	<i>C</i>	<i>C</i>
<i>Accessory Structure (Residential) ☑ ☐</i>	<i>P</i>	<i>P</i>
<i>Accessory Dwelling ☐ ☑</i>	<i>C</i>	<i>C</i>

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Farm Accessory Building</i>	<i>C</i>	<i>C</i>
<i>Off-Street Parking Incidental to Residential Main Use</i>	<i>P</i>	<i>P</i>
<i>Off-Street Parking Incidental to Nonresidential Main Use</i>	<i>P</i>	<i>P</i>
<i>Servant, Guest, Caretakers or Security Quarters</i>	<i>C</i>	<i>C</i>
<i>Social & Recreational Building, including homeowners association neighborhood recreation centers</i>	<i>P</i>	<i>P</i>
<i>Onsite Detention Facility</i>	<i>P</i>	<i>P</i>
<i>Off-site Detention Facility</i>	<i>C</i>	<i>C</i>
<i>Billiard/Pool Facility (Three or More Tables)</i>	<i>C</i>	<i>C</i>
<i>Bingo Facility</i>	<i>C</i>	<i>C</i>
<i>Bowling Alley (Air-Conditioned and Sound Proofed)</i>	<i>C</i>	<i>C</i>
<i>Commercial Amusement, Indoor</i> ☐ ☑	<i>C</i>	<i>C</i>
<i>Commercial Amusement, Outdoor</i> ☐ ☑	<i>C</i>	<i>C</i>
<i>Country Club</i> ☐ ☑	<i>P</i>	<i>P</i>
<i>Dinner Theatre</i>	<i>C</i>	<i>C</i>
<i>Driving Range (Golf)</i>	<i>C</i>	<i>C</i>
<i>Drag Strip/Race Track</i> ☐ ☑		
<i>Fairgrounds</i>		
<i>Gaming Establishment</i> ☐ ☑	<i>C- remove C</i>	<i>C- remove C</i>
<i>Golf Course (Miniature)</i>	<i>C</i>	<i>C</i>
<i>Golf Course (Private)</i> ☐ ☑	<i>C</i>	<i>C</i>
<i>Golf Course (Public)</i> ☐ ☑	<i>C</i>	<i>C</i>
<i>Park and/or Playground (Private)</i>	<i>P</i>	<i>P</i>
<i>Park and/or Playground (Public; Municipal)</i>	<i>P</i>	<i>P</i>

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Private Club</i>		
<i>Recreation Center (Private, For Profit)</i>	<i>C</i>	<i>C</i>
<i>Rodeo Grounds</i>		
<i>Skating Rink</i>	<i>Add C</i>	<i>Add C</i>
<i>Swimming Pool, Commercial</i>	<i>C</i>	<i>C</i>
<i>Swimming Pool, Private (Use Only By Resident)</i>	<i>P</i>	<i>P</i>
<i>Temporary Outdoor Amusement/Activity*</i>		
<i>Tennis or Swim Club (Private, For Profit)</i>	<i>P</i>	<i>P</i>
<i>Tennis Court (Private/Not Lighted)</i>	<i>P</i>	<i>P</i>
<i>Tennis Court (Private/Lighted)</i>	<i>C</i>	<i>C</i>
<i>Travel Trailer/RV Park/Campground (Long-Term Stays) {Travel Trailer Defined}</i>		
<i>Travel Trailer/RV Park/Campground (Short-Term Stays) {Travel Trailer Defined}</i>		
<i>All Terrain Vehicle (Go-Carts & Motor Cycles) Dealer/Sales</i>		
<i>Auto Accessories and/or Parts (Only Retail Sales in building, no outside storage or display, no repair) ☐ ☑</i>	<i>C</i>	
<i>Auto Assembly</i>		
<i>Auto Body Repair</i>		
<i>Auto/Leasing</i>		
<i>Auto Glass Repair/Tinting</i>	<i>C</i>	
<i>Auto Interior Shop/Upholstery</i>	<i>C</i>	
<i>Auto Muffler Shop</i>		
<i>Auto Paint Shop</i>		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Auto Parts Manufacturing</i>		
<i>Auto Parts Sale (With Outside Storage or Display)</i>		
<i>Auto Parts Sales (Indoors Only; With Repair Bays)</i>	C	
<i>Auto Rental</i> ☐ ☑		
<i>Auto Repair (Major)</i> ☐ ☑		
<i>Auto Repair (Minor)</i> ☐ ☑	C	
<i>Auto Sales/Dealer</i> ☐ (New - In Building, Auto Servicing and Used Auto Sales as accessory uses only) ☑		
<i>Auto Wash (Full Service/Detail Shop)</i> ☐ ☑	C	
<i>Auto Wash (Self-Service)</i> ☐ ☑		
<i>Auto Wrecker Service</i>		
<i>Bicycle Sales (New/Repair)</i>	C	C
<i>Boat Sales (New/Repair)</i>		
<i>Bus or Truck Storage</i>		
<i>Gasoline Station</i> ☐ ☑	Add C	
<i>Limousine/Taxi Service</i>		
<i>Motor Freight Transportation, Storage, & Terminal</i>		
<i>Motorcycle Sales/Dealer (New/Repair)</i>	C	<p><i>What was the reasoning and would like some clarification for adding this as a C</i></p> <p><i>Staff reasoning - Similar to bicycle sales and less</i></p>

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
		<i>intense that auto sales.</i>
<i>Parking Lot or Garage for passenger cars and trucks of less than one (1) ton capacity</i>		
<i>Personal Watercraft Sales (New/Repair)</i>		
<i>Tire Retreading and Capping</i>		
<i>Tire Sales (Outdoors, With Open Storage)</i>		
<i>Transfer Station (Refuse/Pick-up)</i>		
<i>Transit Terminal</i>		
<i>Truck and Bus Rental</i>		
<i>Truck Sales (Heavy Trucks)</i>		
<i>Truck or Freight Terminal</i>		
<i>Clinic, Medical or Dental</i> ☐ ☒	<i>P</i>	<i>P</i>
<i>Credit Agency</i>		
<i>Emergency Care Clinic</i>	<i>C</i>	
<i>Financial Institution (No Motor Bank Services)</i> ☐ ☒	<i>P</i>	<i>P</i>
<i>Financial Institution (With Motor Bank Services)</i> ☐ ☒	<i>P</i>	<i>P</i>
<i>Financial Services (Advice/Invest)</i>	<i>P</i>	<i>P</i>
<i>Insurance Agency Offices</i>	<i>P</i>	<i>P</i>
<i>Office, Brokerage Service</i>	<i>P</i>	<i>P</i>
<i>Office, Legal Service</i>	<i>P</i>	<i>P</i>
<i>Office, Medical/Dental {Defined Under Medical Facilities}</i>	<i>P</i>	<i>P</i>
<i>Office, Parole-Probation</i>		
<i>Office, Professional and General Business (other than those listed)</i>	<i>C</i>	<i>C</i>
<i>Office, Real Estate</i>	<i>P</i>	<i>P</i>

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Office/Clinic, Veterinarian (No Animal Hospital or Outside Pens)</i>	<i>C</i>	<i>C</i>
<i>Office/Clinic, Veterinarian (No Animal Hospital, With Outside Pens)</i>	<i>C</i>	C What is the definition of Animal Hospital? <i>Will be added to the definitions. See below.</i>
<i>Security Monitoring Company (No Outside Storage)</i>	<i>P</i>	<i>P</i>
<i>Telemarketing Agency</i>	<i>C</i>	
<i>Travel Agency, Bureau or Consultant</i>	<i>P</i>	<i>P</i>
<i>Ambulance Service</i> ☐ ☑		
<i>Automatic Teller Machine (ATM)</i>	<i>P</i>	<i>P</i>
<i>Automobile Driving School (including Defensive Driving)</i>	<i>P</i>	
<i>Barber/Beauty Shop/Tanning Studios (No Related School/College)</i>	<i>P</i>	<i>P</i>
<i>Barber/Cosmetology School/College</i>	<i>C</i>	
<i>Bed & Breakfast Inn</i> ☐ ☑	<i>P</i>	<i>P</i>
<i>Check Cashing Service</i>		
<i>Dance/Drama/Music School (Performing Arts)</i>	<i>C</i>	<i>C</i>
<i>Extended Stay Hotel/Motel</i> ☐ ☑		
<i>Funeral Home</i> ☐ ☑		
<i>Health Club (Physical Fitness; Indoors Only)</i>	<i>C</i>	<i>C</i>
<i>Hotel/Motel</i> ☐ ☑		

Types of Uses	C-MU	G/O-MU
Laundromat (Self-Service Laundry)		
Laundry/Dry Cleaning (Retail Only - Drop Off/Pick Up)	P	P
Mailing Service (Private)	C	C
Martial Arts School/Studio/Tutorial/Clubs/ Learning centers	C	C
Pharmacy (Retail Only)	P	P
Rehabilitation Care Facility (Halfway House)		
Rehabilitation Care Institution (Commercial)		
Seamstress or Dressmaker (Retail Only)	P	P
Studio - Tattoo or Body Piercing		
Antique Shop ☐ (No outside storage) ☑	P	P
Antique Shop ☐ (With outside storage) ☑	<p>⊖ It is recommended to remove, but need to check if there is an existing Antique Shop there.</p> <p>Not existing, therefore remove.</p>	<p>⊕ It is recommended to remove, but need to check if there is an existing Antique Shop there.</p> <p>Existing use, therefore retain.</p>
Apparel Shop	C	C
Animal Hospital (No Outside Pens)	<p>Need a definition here</p> <p>Will add definition</p>	<p>Need a definition here</p>
Art Museum and/or Dealer	P	P

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Art Studio and/or Gallery ☐ ☑</i>	<i>P</i>	<i>P</i>
<i>Art Supply Store</i>	<i>C</i>	<i>C</i>
<i>Bakery or Confectionery Shop (Retail Sales, Inside Service Only) ☑</i>	<i>P</i>	<i>P</i>
<i>Bakery or Confectionery Shop (Retail Sales, With Drive-Thru Service) ☐ ☑</i>	<i>C</i>	<i>C</i>
<i>Bakery (Wholesale) ☐ ☑</i>		
<i>Book/Stationery Shop (Retail Only)</i>	<i>P</i>	<i>P</i>
<i>Business Service Retail (Provides wares and/or service in support of professional occupations)</i>	<i>C</i>	<i>C</i>
<i>Café ☐ ☑ (see below)</i>	<i>P</i>	<i>P</i>
<i>Cafeteria ☐ ☑</i>	<i>C</i>	<i>C</i>
<i>Camera Shop (Retail Only)</i>	<i>C</i>	<i>C</i>
<i>Cigars, Tobacco Shop (Retail Only)</i>		
<i>Carpenter Shop</i>	<i>P</i>	<i>P</i>
<i>Catering Service</i>	<i>P</i>	<i>P</i>
<i>Coffee, Donut and Similar Food Sales Shop (For On- or Off-Site Consumption)</i>	<i>P</i>	<i>P</i>
<i>Computer Sales</i>	<i>C</i>	<i>C</i>
<i>Consignment Shop</i>	<i>C</i>	<i>C</i>
<i>Convenience Store (With Gasoline Sales) ☐ ☑</i>	<i>C</i>	<i>C</i>
<i>Convenience Store (Without Gasoline Sales) ☐ ☑</i>	<i>C</i>	<i>C</i>
<i>Copy/Printing Shop ☐ ☑</i>	<i>C</i>	<i>C</i>
<i>Department Store ☐ (Retail Only, for Hardware, Sporting Goods, Toys, Paints, Wallpaper, and/or Clothing) ☑</i>		

Types of Uses	C-MU	G/O-MU
<i>Draperies/Blind Shop</i>	<i>P</i>	<i>P</i>
<i>Electronic Goods Store (Retail Only)</i>	<i>C</i>	<i>C</i>
<i>Florist Shop (Retail Only)</i>	<i>P</i>	<i>P</i>
<i>Food Store/Supermarket ☐ ☑</i>		
<i>Furniture and/or Appliance Store (Retail or Rental Only, Indoor Only)</i>	<i>C</i>	<i>C</i>
<i>Furniture Repair and Upholstering (No Outside Storage)</i>	C	
<i>Garage and/or Yard Sales</i>	<i>P</i>	<i>P</i>
<i>Garden Shop & Outside Plant Sales (i.e., Plant Nursery)</i>	C	C
<i>Gift or Card Shop (Retail Only)</i>	<i>P</i>	<i>P</i>
<i>Handicraft & Art Object Sales Shop</i>	<i>P</i>	<i>P</i>
<i>Hardware Store ☐ ☑</i>	<i>C</i>	<i>C</i>
<i>Hobby Shop (Retail Only)</i>	P	P
<i>Home Improvement Center</i>		
<i>Ice Cream/Yogurt Shop (For On- or Off-Site Consumption)</i>	<i>P</i>	<i>P</i>
<i>Itinerant Vendor/Seasonal Vending</i>	<i>C</i>	<i>C</i>
<i>Jewelry Store</i>	<i>C</i>	<i>C</i>
<i>Key Shop</i>	C	C
<i>Market - Open Air (i.e., Flea Market)</i>		
<i>Meat and Fish Market (Retail Only)</i>		
<i>Medical Appliances & Sales</i>	C	
<i>Motion Picture Theater (Indoors)</i>		
<i>Optical Shop</i>	C	C

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Outside Display {See related regulations in applicable zoning districts}</i>		
<i>Paint, Wallpaper Shop (Retail Only)</i>	<i>P</i>	<i>P</i>
<i>Pet Shop-Small Animals, Birds or Fish</i>		
<i>Personal Custom Services, Tailor, Millinery, Etc.</i>	C	C
<i>Pharmacy/Drug Store (Retail Only)</i>	<i>P</i>	<i>P</i>
<i>Piano and Musical Instruments (Retail Only)</i>	C	
<i>Restaurant (With Drive-In and/or Drive-Thru Service)</i>	C	<i>C</i>
<i>Restaurant (With No Drive-In or Drive-Thru Service)</i>	<i>C</i>	<i>C</i>
<i>Retail Shops, Apparel, Accessories, Gifts & Similar Goods (Other than those listed; No Outside Storage)</i>	<i>C</i>	<i>C</i>
<i>Shoe Store (Retail Only)</i>	<i>C</i>	<i>C</i>
<i>Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)</i>	<i>C</i>	<i>C</i>
<i>Stone Monuments - Retail Sales Only (indoors)</i>	<i>C</i>	<p>€ <i>Recommending removal but need to check to see if there is an existing business there.</i></p> <p>Not existing, therefore remove.</p>
<i>Stone Monuments – Fabrication and Outdoor Storage</i>	<i>C</i>	<p>€ <i>Recommending</i></p>

Types of Uses	C-MU	G/O-MU
		<p>removal but need to check to see if there is an existing business there.</p> <p>Not existing, therefore remove.</p>
Studio, Decorator & Display of Art Objects	C	C
Studio, Photographer, Artist, Music, Drama, Dance	C	C
Studio, Health Reducing or Similar Service	C	C
Tavern		
Variety Store		
Video Rental and/or Sales	C	C
Adult Day Care Center(Business) 	C	C
Antenna (Commercial)		
Antenna (Non-Commercial)		
Assisted Living Facility  	C	C
Auction House		
Child Day Care Center (Business)  	C	C
Child Day Nursery  	P	P
Church/Temple/Place of Worship  	P	P
Civic Center (Municipal)  		
Civic Club		
Community /Group Home  	C	C
Community or Social Buildings  	C	C
Convent or Monastery  	P	P

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Day Camp (For Children) ☐ ☑</i>		
<i>Day Care</i>	C	
<i>Day Nursery</i>		
<i>Exhibition Hall</i>		
<i>Fraternal Organization ☐ ☑</i>	C	C
<i>Fraternity or Sorority House ☐ ☑</i>	C	C
<i>Governmental Building or Use (County, State or Federal)</i>	C	C
<i>Home for Alcoholic, Narcotic or Psychiatric Patients</i>		
<i>Hospice (Defined Under Household Care Facility)</i>	P - change to C	P - change to C
<i>Hospital (Non-Profit) ☐ ☑</i>		
<i>Hospital (For Profit) ☐ ☑</i>		
<i>Institution of Religious, Educational or Philanthropic Nature</i>	C	C
<i>Library, Public</i>		
<i>Mortuary/Cemetery (Including Mausoleum/Crematorium)</i>	C	
<i>Municipal Public Administration Offices</i>	P	P
<i>Museum (Indoors Only)</i>	Add C	
<i>Nursing/Convalescent Home (Defined Under Skilled Nursing Facility)</i>		
<i>Penal or Correctional Institutions</i>		
<i>Public Assembly (Auditorium, Gymnasium, Stadiums etc.)</i>		
<i>Rectory/Parsonage</i>	C	C
<i>Retirement Housing for the Elderly</i>		
<i>School - College or University</i>		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>School - Elementary (Public or Parochial)</i>	C	C
<i>School - High School (Public or Parochial)</i>	C	C
<i>School - Junior High (Public or Parochial)</i>	C	C
<i>School - Other Than Public or Parochial</i>	C	C
<i>School - Trade or Commercial {Defined Under School, Commercial Trade}</i>		
<i>Sheltered Care Facility</i>		
<i>Studio for Radio and/or Television (No Tower[s])</i>		
<i>Cellular Communications Tower/PCS {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}</i>	C	C
<i>Electric Power Generating Plant</i>		
<i>Electrical Substation</i>	C	C
<i>Franchised Private Utility <input type="checkbox"/> (Other than those listed) <input checked="" type="checkbox"/></i>	C	C
<i>Gas Transmission & Metering Station</i>	C	C
<i>Public Utilities (Other than those listed)</i>	C	C
<i>Radio or Television or Microwave Towers (Commercial) {See Telecommunications Regulations, Chap.2, Art. 5, Div. 5 of the UDC}</i>	C	C
<i>Radio or Television Transmitting Station (Commercial) {See Telecommunications Regulations, Chap. 2, Art. 5, Div. 5 of the UDC}</i>	C	C
<i>Sanitary Landfill (Private)</i>		
<i>Sanitary Landfill (Public)</i>		
<i>Railroad Team Track or Freight Depot</i>		
<i>Satellite Dish (Private, less than 4' in diameter) {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}</i>	P	P

Types of Uses	C-MU	G/O-MU
Satellite Dish (greater than 4' in diameter)(See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC)		
Telephone Business Office		
Telephone Exchange Switching Relay & Transmitting Equipment	C	C
Utility Shops or Storage, Yards and Building		
Pet Care Facility/Animal Kennel (With Outdoor Pens) ☐		
Pet Care Facility/Animal Kennel (With Indoor Pens) ☐	C	C
Appliance Repair ☐ ☐	<p style="text-align: center;">C</p> <p style="text-align: center;">recommending removal need to check to see if there is an existing business here</p> <p style="text-align: center;">Not existing, therefore remove.</p>	<p style="text-align: center;">C</p> <p style="text-align: center;">recommending removal need to check to see if there is an existing business here.</p> <p style="text-align: center;">Not existing, therefore remove.</p>
Book Binding	C	C
Building Material Sales		C
Cabinet Business		C
Cannery Wholesale		
Cattle Feedlot (CAFO)		
Chemical Packing or Blending		
Cleaning, Dyeing or Laundry Plant, Commercial ☐ ☐		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Communication Equipment Sales/Service (Installation and/or Repair – No outdoor sales or storage or towers/antennae)</i>	C	C
<i>Construction Contractor with Storage Yard</i>		
<i>Contractor's Office/Sales, No Outside Storage including Vehicles</i>		
<i>Contractor's Temporary On-Site Construction Office (only with permit from B.O.)</i>	P	P
<i>Dance Hall or Night Club ☐ ☑</i>		
<i>Drive-In Theater</i>		
<i>Electronic Assembly</i>	C	C
<i>Exterminator Service/Company (No outdoor sales or storage)</i>	C	C
<i>Fur/Hide Tanning and Finishing</i>		
<i>Furniture/Appliances - Open Storage & Retail Sale</i>	Add C	
<i>Gravestone/Tombstone Sales</i>		
<i>Heavy Machinery Sales, Storage & Repair ☐ ☑</i>		
<i>Heating & Air-Conditioning Sales/Services</i>		C
<i>Home Sales office-temp(for new subdivision)</i>		
<i>Laboratory, Scientific or Research (Defined Under Scientific and Industrial Research Laboratories)</i>	C	C
<i>Laboratory, Medical or Dental</i>	C	C
<i>Lawnmower Sales and/or Repair</i>		
<i>Liquefied Petroleum Storage & Sales</i>		
<i>Loading or Storage Tanks</i>		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Locksmith</i>	<i>Add C</i>	<i>Add C</i>
<i>Lumber Mill/Yard</i>		
<i>Machine Shop</i>		
<i>Manufactured Home Display, Sales and/or Rental (New or Used)</i>		
<i>Mattress Making and/or Renovating</i>		
<i>Milk Depot - Wholesale</i>		
<i>Mini-Warehouse/Self Storage</i>		
<i>Moving and Storage Company</i>		
<i>News Printing</i>		
<i>Office Warehouse Storage or Sales(Defined Under Storage or Wholesale Warehouse)</i>		
<i>Outside Storage</i>		
<i>Pawn Shop</i>		
<i>Pet and Animal Grooming Shop</i>	<i>C</i>	<i>C</i>
<i>Petroleum Products Bulk Storage (Wholesale)</i>		
<i>Pipe Processing</i>		
<i>Pipe Storage Yard</i>		
<i>Plumbing Shop (No Outside Storage)</i>	<i>C</i>	<i>C</i>
<i>Printing Equipment, Supplies and Repairs</i>	<i>C</i>	<i>C</i>
<i>Propane Sales (Retail)</i>		
<i>Quick Lube/Oil Change/Minor Inspection</i>	<i>C</i>	
<i>Railroad, Bus, Light Rail Passenger Station (Public)</i>	<i>P</i>	
<i>Railroad Team Tracks, Freight, Depot or Docks</i>		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Railroad Tracks & Right-of-Way</i>	C	C
<i>Reproduction of Blueprints</i>		
<i>Sheet Metal Shop</i>		C
<i>Storage of Used Lumber and Building Materials</i>		C
<i>Taxidermist</i>		
<i>Tool and Machinery Rental (Indoor Storage only)</i>		C
<i>Tool and Machinery Rental (with Outdoor Storage)</i>		
<i>Trailer Home Sales or Rental Only</i>		
<i>Transfer Storage & Baggage Terminal</i>		
<i>Upholstery Business</i>	Add C	C
<i>Vacuum Cleaner Sales and Repair</i>		
<i>Welding Shop</i>		
<i>Wholesale Trade - Nondurable Goods</i>	C	C
<i>Wood Working Shops</i>	C	C
<i>Acid Manufacturer</i>		
<i>Airport , Heliport/Helipad  or Landing Field</i>	C	C
<i>Animal Slaughtering or Poultry Processes</i>		
<i>Ammonia Manufacturer</i>		
<i>Asphalt Batching Plant </i>		
<i>Bio-Tech, High-Tech Manufacturing</i>	C	C
<i>Carbon Black Manufacturer</i>		
<i>Cement, Lime, Gypsum or Plaster of Paris Manufacturer</i>		
<i>Chemical Packing and/or Blending</i>		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Clothing Manufacturing</i>	<i>C</i>	<i>C</i>
<i>Commercial Extraction of Soil, Sand, and Gravel</i>		
<i>Concrete Batching Plant ☐ ☑</i>		
<i>Dumps and Landfills</i>		
<i>Hazardous Emissions (as Determined by Enforcing Officer & Other Objectionable)</i>		
<i>Explosives Manufacturer and/or Storage</i>		
<i>Glue or Fertilizer Manufacturer</i>		
<i>Heavy Manufacturing Process</i>		
<i>Light Manufacturing Process</i>	<i>C</i>	<i>C</i>
<i>Manufacturer of Chlorine or Other Toxic Gasses</i>		
<i>Manufacturing, Industrial Storage or Assembly Process Not Prohibited by Law but excluding those listed in Section 2.4.4.6 and Section 2.4.4.7 of this UDC</i>		
<i>Minor Concrete Batching Operation & Storage of Associated Processing Material (Restricted to 1.5 Yards or Less Per Batch)</i>		
<i>Petrochemical Plant</i>		
<i>Petroleum or Petroleum Product Extraction, Refining, Manufacturer, or Bulk Storage</i>		
<i>Rendering Plant</i>		
<i>Storage or Processing of Sand, Sulfur, Gravel, Cement or Similar Material</i>		

<i>Types of Uses</i>	<i>C-MU</i>	<i>G/O-MU</i>
<i>Tanning, Curing, Treating, or Storage of Skins or Hides</i>		
<i>Warehouse & Distribution Facility</i>		
<i>Wrecking or Salvage Yard (Auto, Steel)</i>		
<i>Wrecking or Salvage Yard (Building Materials)</i>		

Definition of Animal Hospital: an institution where the sick or injured animals are given medical or surgical care.

Staff is also recommending that the definition of café' be modified to differentiate it from a restaurant use. Based on the seating provided by different establishments listed below, the seating has been limited to a maximum of 50 seats. All these definitions and proposed modifications are included below:

Starbucks – 50 Seats (including approx. 20 seats outdoors)

Shipleys - 20 seats (including 2 outdoors)

Pear Tree - 62 seats (including 12 outdoors)

McDonalds – 92 seats (none outdoors)

Section 5.1.1.1 General Definitions

~~(a) (65) CAFÉ OR CAFETERIA: A commercial eating establishment where food, snacks or meals are vended for consumption primarily on the premises. This definition is intended to exclude establishments with delivery offered to automobiles away from the main building. This definition does not prohibit take-out or drive-through windows.~~

(a)(65) CAFÉ OR CAFETERIA (includes coffee shop, bistro and similar uses): An informal restaurant, not exceeding 50 seats (outdoor and indoor), offering a range of food, snacks, meals, coffee, and/or other hot and cold beverages. This definition is intended to exclude establishments with delivery offered to automobiles away from the main building. This definition does not prohibit take-out or drive-through windows.

Current Definitions in the UDC for Restaurants – No Changes Proposed:

(a)(328) RESTAURANT (WITH DRIVE-IN SERVICE OR DRIVE-THRU SERVICE): *An eating establishment where food or drinks are primarily served to customers in motor vehicles, or where facilities are provided on the premises which encourage the serving and consumption of food in automobiles on or near the restaurant premises. An area may also be provided for the consumption of food the premises.*

(a)(329) RESTAURANT (WITH NO DRIVE-IN OR DRIVE-THRU SERVICE): *An eating establishment where customers are primarily served at tables or are self-served, where food is consumed on the premises, and which do not have a drive-through window.*

Areas of Concern in the Existing Regulations for C-MU District:

Section 2.4.3.2 C-MU, Cullen-Mixed Use District

(a) 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.*

(b) Authorized Uses. *The following are authorized uses under the regulations established in this chapter:*

(1) Permitted and conditional uses as authorized in the Land Use Matrix in Article 5, Division 2 of this Chapter 2;

(2) Accessory uses as authorized in Article 5, Division 3 of this Chapter 2.

(c) Area Regulations for Residential Uses.

(1) Size of Lots:

a. Minimum Lot Area – Seven thousand (7,000) square feet

b. Minimum Lot Width – Seventy feet (70')

c. Minimum Lot Depth – One hundred feet (100')

d. Maximum Lot Coverage – Sixty percent (60%), but may be permitted seventy percent (70%) with a variance from the ZBA.

(2) Size of Yards:

a. *Minimum Front Yard – Twenty-five feet (25')*

b. *Minimum Side Yard*

1. *Interior Lot: Seven feet and six inches (7'-6");*

2. *Corner Lot: Twenty-five feet (25') when abutting a street right-of way.*

3. *Every part of a required side yard shall be open and unobstructed except for accessory buildings, as permitted herein, and the ordinary projections of window sills, belt courses, cornices and other architectural features projecting shall not exceed twelve inches (12") into the required side yard, and roof eaves projecting shall not exceed twenty-four inches (24") into the required side yard, except that no projections shall be permitted closer than twelve inches (12") to a common property line.*

c. *Minimum Rear Yard – Twenty feet (20')*

(d) Area Regulations for Non-Residential Uses.

(1) Size of Lots:

a. *Minimum Lot Size - Twenty-two thousand and five hundred (22,500) square feet in area.*

b. *Minimum Lot Width - One hundred and fifty feet (150').*

c. *Minimum Lot Depth - One hundred and twenty-five feet (125').*

(2) Size of Yards:

a. *Minimum Front Yard - Twenty-five feet (25')*

b. *Minimum Side Yard*

1. *Ten feet (10'), except as provided below.*

2. *Twenty-five feet (25') if side yard abuts a residential zoning district.*

c. *Minimum Rear Yard - Twenty-five feet (25')*

~~*(3) Maximum Non-Residential Building Footprint Size: Twenty thousand (20,000) square feet.*~~

(e) **Height Restrictions.** No building shall exceed thirty-five feet (35') in height.
Additional height by CUP.

(f) **Nonresidential Use Regulations.**

~~(1) Nonresidential uses shall be located on lots that have frontage on Cullen Boulevard. Nonresidential developments with internal streets may locate nonresidential uses along such streets.~~

(2) All on-site business conducted in association with a nonresidential use, including any permitted expansion thereof, shall be conducted within a fully enclosed building.

~~(3) Parking areas shall not be located directly adjacent to any adjoining residential use(s), regardless of the establishment of screening in conformance with (g)(1) below. If parking is located on the side of a lot that is adjoining a residential use(s), the parking area shall be set back from the screening mechanism by a minimum of fifteen feet (15').~~

(g) **Residential Adjacency Considerations:**

(1) **Screening Standards:** Adequate screening shall be provided between nonresidential and residential uses. It shall be the responsibility of the later established use to provide and maintain such screening (e.g., if a residential use is established adjacent to an existing nonresidential use, the residential use shall be responsible for providing and maintaining screening). Screening

elements shall consist of the following, including a combination thereof:

a. **Landscape Elements** – Landscape elements permitted shall consist of

shrubby having year-round foliage:

1. That is at least seventy-five percent (75%) opaque; and

2. That is a minimum of six feet (6') in height; and

~~3. That is a maximum of eight feet (8') in height; and~~ *Would like this removed and also need some clarification as to why this is here from the Director of Planning.*

Explanation - The height of fencing is limited in most cities to make sure that tall fences do not obscure light and

ventilation. This is the reason why building setbacks are required.

4. That is not located within any required visibility triangle.

b. Built Elements – Built elements permitted shall consist of a masonry wall:

1. That is at least seventy-five percent (75%) opaque; and

2. That is a minimum of six feet (6') in height; and

3. That is a maximum of eight feet in height; and

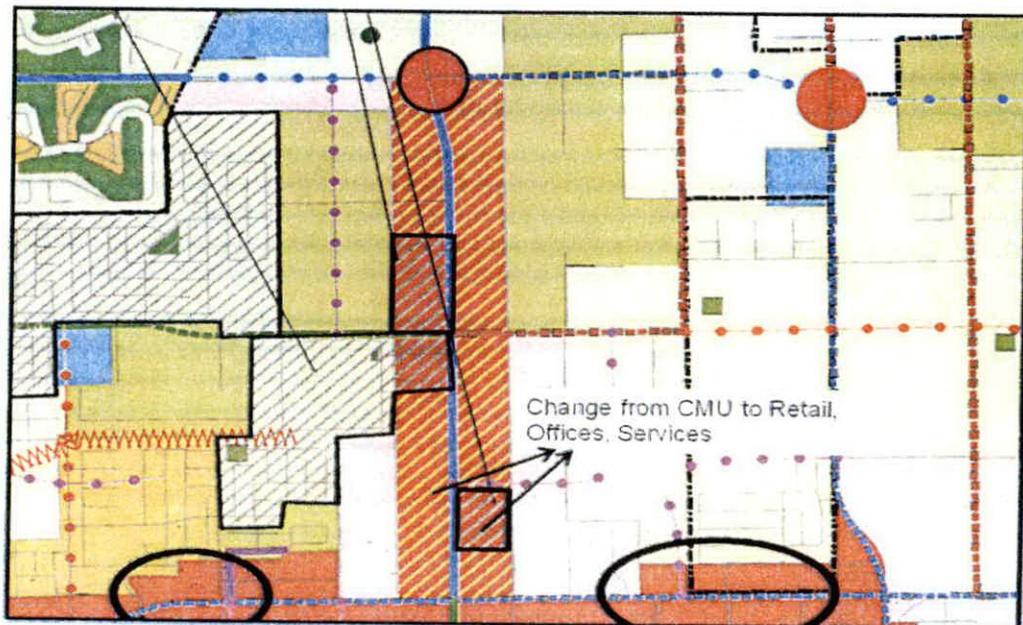
4. That is not located within any required visibility triangle; and

5. That is not constructed with any of the following materials: surface painted or coated concrete, chain link, concertina wire, barbed wire, corrugated metal, or fiberglass panels.

(2) Outside Storage: Outside storage (refer to Definitions, Chapter 5 of this UDC) shall be prohibited unless otherwise permitted by CUP.

(h) **Parking.** Parking and loading shall be provided in conformance with Chapter 4, Article 2, and Division 1 of this UDC.

Comment 25



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

P & Z Recommendation:

P & Z recommended having a workshop with PEDC to address the following:

- a. Do we need nodes at all?
- b. Should we go with the map like it is?
- c. Consider changing goal # 6 in the Comprehensive Plan
- d. What alternatives to nodes are there?

A workshop with Fred Welch and Kyler Cole from PEDC was conducted and following are the notes from that workshop:

The owner of Third Coast during the discussion wanted to state that he was not in favor of any type of retail node there or near industrial uses. It is too much of a liability for the companies with Heavy Industrial or Hazmat types of uses.

Fred Welch and Kyler Cole discussed reason why some retail nodes were a good idea. For example: even with undeveloped roads as a developer comes in to an area where there are "future roads" they can help pay for the planned roads that are located on their property but not yet built.

P & Z discussed it may be possible to have a node at McHard and Mykawa, within industrial, depending on the uses there.

P & Z stated that we have vacant land available, and we need to decide how we want to direct development when we have existing uses that are going to stay.

P & Z wanted to meet again with PEDC and Fred Welch suggested that we wait until after November for the new board.

Additionally, the following were discussed:

1. Commercial west of the area of Dixie Farm and SH 35 – P & Z concluded that node not required.
2. Annexation schedule for areas south and north along the Railroad. Staff reported that there are no current plans.
3. P & Z needs to review FLUP while making recommendations for on the CIP & road widening. FLUP will be made available to the P & Z.
4. Nodes are helpful as a planning tool so the public would know how and where city wanted commercial development.
5. Parcels boundaries should define node boundaries. Mike Hodge stated that this would not be a good idea as the City of Pearland would need to be more flexible.

As a result of this discussion, P & Z recommended removal of nodes proposed south of Magnolia, west of SH 35, and east of Railroad tracks, (see comment 12 – retail nodes within manufacturing), while retaining the others as recommended by staff.

