PEARLAND

OUR CITY, OUR FUTURE

LAND USE PLAN UPDATE – OCTOBER 2009

SUMMARY OF P & Z WORKSHOPS

June – October 2009

13 workshops

P & Z COMMISSION

Jerry Koza (Chair)

Charles Gooden
Neil West
Henry Fuertes
Susan Sherrouse
Ron Capeheart
Darrell Diggs

CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: June 25, 2009

TO: City Council and Planning & Zoning Commission

FROM: Lata Krishnarao, AICP, Planning Director

SUBJECT: Amendments to the Unified Development Code - Land Use Study – M-1 and M-2 zones

---

Historical Background:

M-1 and M-2 Regulations (Land Use Study)

Council and P & Z discussed modifications to the M-1 and M-2 districts to relax certain regulations at their workshop on April 6, 2009. Subsequently, at a meeting with the Chamber of Commerce's SWAT team, the members emphasized that most of the requirements were onerous for expansion of existing non-conforming businesses. New buildings on vacant sites would not have many issues with the current regulation.

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. Further, any requirement that can be met (specifically landscaping) , but is not desired by the owner would require a CUP.

Staff is recommending that the CUP option (as opposed to SE) be specifically explored for M-1 and M-2 zones to afford and an opportunity for the city to work with the property owners to improve the situation where possible, especially in terms of landscaping and buffers. Phasing of improvements may be discussed through a CUP. Chamber and SWAT has recommended that the "*owners be required to eventually bring their property into conformity depending on the severity of non compliance. Many may not be aware of requirements and may not have a problem correcting a non conformity considering a significant capital investment.*"

Further, staff recommends that in developments 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.

P & Z Workshop of June 22, 2009:

At this workshop, P & Z concluded the following:

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 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	Proposed changes to UDC	New Development on Vacant Parcels	Existing Non conforming Expansion -less than 500 s.f.	Existing Non conforming Expansion - 500 s.f. or greater
1 Façade: (Based on frontage on Thoroughfares)	Reduce requirements. Reduce the percentage of masonry for front façade to 50% and exempt side facades from the masonry	Applies to entire structure	Existing facades exempt. New facades to comply.	New facades to comply. Existing facades need to be brought into compliance unless a CUP is granted.

	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 adjoining residential areas. T-11			Can be phased over a period of time.
2 Articulation: (Only in COD)	No change in requirements.	Applies to entire structure	Existing facades exempt. New façade to comply.	New façade to comply. Existing facades exempt if no changes are proposed. If changes are proposed to existing façade, then exemption by CUP.
3 Transparency: (Only in COP)	Reduce transparency requirement from 25% to 15%. T-11 Exempt buildings located farther than 250' from this requirement. T-11	New buildings to comply	Existing facades exempt. New façade to comply.	New façade to comply. Existing facades exempt if no changes are proposed. If changes are proposed to existing façade, then exemption by CUP.
4 Color Palette: (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.	New façade to comply. Existing facades exempt if no changes are proposed. If changes are proposed to existing façade, then exemption by CUP.
5 Landscaping: COD A 30' buffer along street.	No changes to the requirement.	New development needs to comply.	Preserve non conforming buffer. Expansion of parking lot needs to	Preserve non conforming buffer. Expansion of

			comply with the buffer requirement unless a CUP is approved.	parking lot needs to comply with the buffer requirement unless a CUP is approved.
B **Street trees, ornamental trees and shrubs** to screen parking lots.	No changes	New development needs to comply.	Exempt.	Needs to comply with total number. Locational requirements waived by CUP. New parking lot expansion needs to comply.
C **Parking lot trees:** Currently required within 50' of parking space, only for passenger car parking.	Exempt locational requirement, as long as total number is provided. Similar provisions were included for educational facilities	New development needs to comply.	Exempt – all landscaping requirements.	Needs to comply with the total amount only and not with locational requirements.
D **Total Landscaped area** = 15% of gross site	No changes. Since grass and native vegetation is included in this 15%, typically this is not a problem.	New development needs to comply.	Exempt.	Need to comply
E **Treatment of detention as amenity** if located along the corridor	No changes.	New development needs to comply.	Exempt.	Need to comply unless a CUP is granted.
Non COD areas				
F **Street trees, and shrubs** to screen parking lots from streets in a min. 6 foot strip along the street.	No changes.	New development needs to comply.	Exempt.	Need to comply with total number. Locational requirements waived by CUP.
G **Parking lot trees:** Currently required within 100' of parking space only for	Exempt locational requirement, as long as total number is provided. Similar provisions were included for educational	New development needs to comply.	Exempt.	Needs to comply with the total amount only and not with locational requirements.

passenger car parking.	facilities.			
H **Total Landscaped area** = 10% of gross site area.	No changes. Since grass and native vegetation is included in this 10%, typically this is not a problem.	New development needs to comply.	Exempt.	No changes. Need to comply .
6 Sidewalks	No changes.	Required or Payment in lieu of if applicable.	Exempt.	No changes. Required or Payment in lieu of if applicable.
7 Screening and fencing along residential zone or use. 30' landscaped buffer with vegetative screening or 25' buffer with 6' tall masonry fence.	No changes	New development needs to comply.	Need to comply unless a CUP is granted.	Need to comply unless a CUP is granted.
8 Landscaping on adjacent lot 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.	No changes	Permit with recorded agreement.	NA	Permit with recorded agreement.
9 Screening for dumpsters, equipment etc.	No changes	New development needs to comply.	Need to comply.	Need to comply unless a CUP is granted.
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. Setback for addition reduced if existing is non conforming by CUP. Existing structures exempt.	Addition needs to comply. Setback for addition reduced if existing structure is non conforming, by CUP. Existing structures exempt.

11 Parking Requirements	No changes.	New development needs to comply.	Existing and expansion needs to comply unless a CUP is granted.	Existing and expansion needs to comply unless a CUP is granted.
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.	No changes	New development needs to comply.	Exempt	Existing and expansion needs to comply unless a CUP is granted.

CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: July 6, 2009

TO: Planning & Zoning Commission

FROM: Lata Krishnarao, AICP, Planning Director

SUBJECT: Future Land Use Study Update:
Comment # 4 - Add retail as a component within manufacturing

P & Z Workshop of June 29, 2009

At this workshop, P & Z discussed comment #4 - Add retail as a component within manufacturing and concluded that there was no need to add these 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.

Future P & Z Workshops

At the next workshop on July 6, 2009, the following topics need to be discussed:

i. Residential Retail Nodes
ii. Cullen Mixed Use District
iii. Garden/O-Day Mixed Use District
iv. David L Smith Project – review land use and zoning. "Office uses"
v. Explore more commercial zoned land – but not strip centers. "Office uses".

The schedule of future P & Z workshops with the topics has also been included in your package.

CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: July 13, 2009

TO: Planning & Zoning Commission

FROM: Lata Krishnarao, AICP, Planning Director

SUBJECT: Amendments to the Unified Development Code - Land Use Study – Neighborhood Residential Nodes and Cullen Mixed Use

---

Summary – July 6, 2009 Workshop

Neighborhood Residential Nodes – Comment # 13

Staff has summarized the comments received at the workshop and later by the P & Z members. Please let staff know if there are any misinterpretations.

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 limited to 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.
4. When located in areas accessible by sidewalks, these nodes would enhance pedestrian accessibility and connectivity.
5. These nodes would reduce the number of miles travelled and vehicle trips, thereby reducing congestion on heavily travelled roads.

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. 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. Additional interior nodal groups would be strongly discouraged.
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 limited to a total of 5 acres for each intersection.

Cullen Mixed Use District / Garden/O-Day Mixed Use District – Comment # 25

a. 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.

b. Land Uses: The specific land uses permitted currently, and those proposed to be added by staff was not discussed in detail. Staff recommends that P & Z discuss in detail the proposed land use matrix for both Cullen Mixed Use and Garden/Oday Mixed Use Districts.

   As indicated in the earlier memo, sent with the package for July 6, 2009 workshop, the proposed land use table is based on the following considerations. Staff would recommend that these be considered while evaluating the land uses appropriate for the mixed use districts. Additionally changes have been proposed to the building footprint, height of building, definition of café, and orientation of building as discussed in the last workshop.

   1. 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.
   2. Hours of operation – Uses that traditionally operate round the clock have been excluded, since these districts abut residential districts or contain residential uses.
   3. Uses that have potential for outdoor storage and display have been excluded.

4. 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.

Types of Uses	C-MU	G/O-MU
Agricultural Field Crops	P	P
Agricultural Animal Husbandry 🕮	C	C
Bulk Grain and/or Feed Storage		
Farm (Ranch, Livestock) 🕮	P	P
Feed & Grain Store/Farm Supply Store 🕮		
Flour and Other Grain Mills		
Livestock – Wholesale		
Livestock Sales		
Crops or Orchard	P	P
Stable, Commercial		
Stable (Private, Principal or Accessory Use)	C	C
Boarding or Rooming House 🕮		
Dwelling - Four-Family (Quadriplex) (Defined Under Dwelling - Multiple-Family) 🕮		
Dwelling - HUD-Code Manufactured(Mobile) Home 🕮		
Dwelling - Industrialized Home 🕮	P	P
* Dwelling - Mobile Home 🕮		
Dwelling - Multiple-Family 🕮		
Dwelling - Patio Home 🕮		
Dwelling - Single-Family Detached 🕮	P	P
Dwelling - Town House		
Dwelling - Two-Family 🕮		
Home Occupation 🕮	P	P
Private Street Subdivision	P	P
Accessory Structure (Business or Industry) 🕮	C	C
Accessory Structure (Residential) 🕮	P	P
Accessory Dwelling 🕮	C	C
Farm Accessory Building	C	C
Off-Street Parking Incidental to Residential Main Use	P	P

Types of Uses	C-MU	G/O-MU
Off-Street Parking Incidental to Nonresidential Main Use	P	P
Servant, Guest, Caretakers or Security Quarters	C	C
Social & Recreational Building, including homeowners association neighborhood recreation centers	P	P
Onsite Detention Facility	P	P
Off-site Detention Facility	C	C
Billiard/Pool Facility (Three or More Tables)	C	C
Bingo Facility	C	C
Bowling Alley (Air-Conditioned and Sound Proofed)	C	C
Commercial Amusement, Indoor 🕮	C	C
Commercial Amusement, Outdoor 🕮	C	C
Country Club 🕮	P	P
Dinner Theatre	C	C
Driving Range (Golf)	C	C
Drag Strip/Race Track 🕮		
Fairgrounds		
Gaming Establishment 🕮	C	C
Golf Course (Miniature)	C	C
Golf Course (Private) 🕮	C	C
Golf Course (Public) 🕮	C	C
Park and/or Playground (Private)	P	P
Park and/or Playground (Public; Municipal)	P	P
Private Club		
Recreation Center (Private, For Profit)	C	C
Rodeo Grounds		
Skating Rink		
Swimming Pool, Commercial	C	C
Swimming Pool, Private (Use Only By Resident)	P	P
Temporary Outdoor Amusement/Activity*		
Tennis or Swim Club (Private, For Profit)	P	P

Types of Uses	C-MU	G/O-MU
Tennis Court (Private/Not Lighted)	P	P
Tennis Court (Private/Lighted)	C	C
Travel Trailer/RV Park/Campground (Long-Term Stays) {Travel Trailer Defined}		
Travel Trailer/RV Park/Campground (Short-Term Stays) {Travel Trailer Defined}		
All Terrain Vehicle (Go-Carts & Motor Cycles) Dealer/Sales		
Auto Accessories and/or Parts (Only Retail Sales in building, no outside storage or display, no repair) 🕮	C	
Auto Assembly		
Auto Body Repair		
Auto/Leasing		
Auto Glass Repair/Tinting	C	
Auto Interior Shop/Upholstery	C	
Auto Muffler Shop		
Auto Paint Shop		
Auto Parts Manufacturing		
Auto Parts Sale (With Outside Storage or Display)		
Auto Parts Sales (Indoors Only; With Repair Bays)	C	
Auto Rental 🕮		
Auto Repair (Major) 🕮		
Auto Repair (Minor) 🕮	C	
Auto Sales/Dealer (New - In Building, Auto Servicing and Used Auto Sales as accessory uses only) 🕮		
Auto Wash (Full Service/Detail Shop) 🕮	C	
Auto Wash (Self-Service) 🕮		
Auto Wrecker Service		
Bicycle Sales (New/Repair)	C	C
Boat Sales (New/Repair)		
Bus or Truck Storage		
Gasoline Station 🕮		
Limousine/Taxi Service		

Types of Uses	C-MU	G/O-MU
Motor Freight Transportation, Storage, & Terminal		
Motorcycle Sales/Dealer (New/Repair)	C	
Parking Lot or Garage for passenger cars and trucks of less than one (1) ton capacity		
Personal Watercraft Sales (New/Repair)		
Tire Retreading and Capping		
Tire Sales (Outdoors, With Open Storage)		
Transfer Station (Refuse/Pick-up)		
Transit Terminal		
Truck and Bus Rental		
Truck Sales (Heavy Trucks)		
Truck or Freight Terminal		
Clinic, Medical or Dental 🕮	P	P
Credit Agency		
Emergency Care Clinic	C	
Financial Institution (No Motor Bank Services) 🕮	P	P
Financial Institution (With Motor Bank Services) 🕮	P	P
Financial Services (Advice/Invest)	P	P
Insurance Agency Offices	P	P
Office, Brokerage Service	P	P
Office, Legal Service	P	P
Office, Medical/Dental (Defined Under Medical Facilities)	P	P
Office, Parole-Probation		
Office, Professional and General Business (other than those listed)	C	C
Office, Real Estate	P	P
Office/Clinic, Veterinarian (No Animal Hospital or Outside Pens)	C	C
Office/Clinic, Veterinarian (No Animal Hospital, With Outside Pens)	C	C

Types of Uses	C-MU	G/O-MU
Security Monitoring Company (No Outside Storage)	P	P
Telemarketing Agency		
Travel Agency, Bureau or Consultant	P	P
Ambulance Service 🕮		
Automatic Teller Machine (ATM)	P	P
Automobile Driving School (including Defensive Driving)	P	
Barber/Beauty Shop/Tanning Studios (No Related School/College)	P	P
Barber/Cosmetology School/College		
Bed & Breakfast Inn 🕮	P	P
Check Cashing Service		
Dance/Drama/Music School (Performing Arts)	C	C
Extended Stay Hotel/Motel 🕮		
Funeral Home 🕮		
Health Club (Physical Fitness; Indoors Only)	C	C
Hotel/Motel 🕮		
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) 🕮	C	C

Types of Uses	C-MU	G/O-MU
Apparel Shop	C	C
Animal Hospital (No Outside Pens)		
Art Museum and/or Dealer	P	P
Art Studio and/or Gallery 🕮	P	P
Art Supply Store	C	C
Bakery or Confectionery Shop (Retail Sales, Inside Service Only) 🕮	P	P
Bakery or Confectionery Shop (Retail Sales, With Drive-Thru Service) 🕮	C	C
Bakery (Wholesale) 🕮		
Book/Stationery Shop (Retail Only)	P	P
Business Service Retail (Provides wares and/or service in support of professional occupations)	C	C
Café 🕮 (see below)	P	P
Cafeteria 🕮	C	C
Camera Shop (Retail Only)	C	C
Cigars, Tobacco Shop (Retail Only)		
Carpenter Shop	P	P
Catering Service	P	P
Coffee, Donut and Similar Food Sales Shop (For On- or Off-Site Consumption)	P	P
Computer Sales	C	C
Consignment Shop	C	C
Convenience Store (With Gasoline Sales) 🕮	C	C
Convenience Store (Without Gasoline Sales) 🕮	C	C
Copy/Printing Shop 🕮	C	C
Department Store (Retail Only, for Hardware, Sporting Goods, Toys, Paints, Wallpaper, and/or Clothing) 🕮		
Drapery/Blind Shop	P	P
Electronic Goods Store (Retail Only)	C	C
Florist Shop (Retail Only)	P	P
Food Store/Supermarket 🕮		

Types of Uses	C-MU	G/O-MU
Furniture and/or Appliance Store (Retail or Rental Only, Indoor Only)	C	C
Furniture Repair and Upholstering (No Outside Storage)		
Garage and/or Yard Sales	P	P
Garden Shop & Outside Plant Sales (i.e., Plant Nursery)	C	C
Gift or Card Shop (Retail Only)	P	P
Handicraft & Art Object Sales Shop	P	P
Hardware Store	C	C
Hobby Shop (Retail Only)	P	P
Home Improvement Center		
Ice Cream/Yogurt Shop (For On- or Off-Site Consumption)	P	P
Itinerant Vendor/Seasonal Vending	C	C
Jewelry Store	C	C
Key Shop	C	C
Market - Open Air (i.e., Flea Market)		
Meat and Fish Market (Retail Only)		
Medical Appliances & Sales	C	
Motion Picture Theater (Indoors)		
Optical Shop	C	C
Outside Display {See related regulations in applicable zoning districts}		
Paint, Wallpaper Shop (Retail Only)	P	P
Pet Shop-Small Animals, Birds or Fish		
Personal Custom Services, Tailor, Millinery, Etc.	C	C
Pharmacy/Drug Store (Retail Only)	P	P
Piano and Musical Instruments (Retail Only)	C	
Restaurant (With Drive-In and/or Drive-Thru Service)	C	C
Restaurant (With No Drive-In or Drive-Thru Service)	C	C

Types of Uses	C-MU	G/O-MU
Retail Shops, Apparel, Accessories, Gifts & Similar Goods (Other than those listed; No Outside Storage)	C	C
Shoe Store (Retail Only)	C	C
Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)	C	C
Stone Monuments - Retail Sales Only (indoors)	C	C
Stone Monuments – Fabrication and Outdoor Storage	C	C
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) 🕮		
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
Day Camp (For Children) 🕮		
Day Care	C	

Types of Uses	C-MU	G/O-MU
Day Nursery		
Exhibition Hall		
Fraternal Organization 🕮	C	C
Fraternity or Sorority House 🕮	C	C
Governmental Building or Use (County, State or Federal)	C	C
Home for Alcoholic, Narcotic or Psychiatric Patients		
Hospice (Defined Under Household Care Facility)	P	P
Hospital (Non-Profit) 🕮		
Hospital (For Profit) 🕮		
Institution of Religious, Educational or Philanthropic Nature	C	C
Library, Public		
Mortuary/Cemetery (Including Mausoleum/Crematorium)	C	
Municipal Public Administration Offices	P	P
Museum (Indoors Only)		
Nursing/Convalescent Home (Defined Under Skilled Nursing Facility)		
Penal or Correctional Institutions		
Public Assembly (Auditorium, Gymnasium, Stadiums etc.)		
Rectory/Parsonage	C	C
Retirement Housing for the Elderly		
School - College or University		
School - Elementary (Public or Parochial)	C	C
School - High School (Public or Parochial)	C	C
School - Junior High (Public or Parochial)	C	C
School - Other Than Public or Parochial	C	C
School - Trade or Commercial {Defined Under School, Commercial Trade}		
Sheltered Care Facility		
Studio for Radio and/or Television (No Tower[s])		

Types of Uses	C-MU	G/O-MU
Cellular Communications Tower/PCS {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}	C	C
Electric Power Generating Plant		
Electrical Substation	C	C
Franchised Private Utility (Other than those listed) 🕮	C	C
Gas Transmission & Metering Station	C	C
Public Utilities (Other than those listed)	C	C
Radio or Television or Microwave Towers (Commercial) {See Telecommunications Regulations, Chap.2, Art. 5, Div. 5 of the UDC}	C	C
Radio or Television Transmitting Station (Commercial) {See Telecommunications Regulations, Chap. 2, Art. 5, Div. 5 of the UDC}	C	C
Sanitary Landfill (Private)		
Sanitary Landfill (Public)		
Railroad Team Track or Freight Depot		
Satellite Dish (Private, less than 4' in diameter) {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}	P	P
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

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

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

Types of Uses	C-MU	G/O-MU
Storage of Used Lumber and Building Materials		C
Taxidermist		
Tool and Machinery Rental (Indoor Storage only)		C
Tool and Machinery Rental (with Outdoor Storage)		
Trailer Home Sales or Rental Only		
Transfer Storage & Baggage Terminal		
Upholstery Business		C
Vacuum Cleaner Sales and Repair		
Welding Shop		
Wholesale Trade - Nondurable Goods	C	C
Wood Working Shops	C	C
Acid Manufacturer		
Airport 🕮, Heliport/Helipad 🕮 or Landing Field	C	C
Animal Slaughtering or Poultry Processes		
Ammonia Manufacturer		
Asphalt Batching Plant 🕮		
Bio-Tech, High-Tech Manufacturing	C	C
Carbon Black Manufacturer		
Cement, Lime, Gypsum or Plaster of Paris Manufacturer		
Chemical Packing and/or Blending		
Clothing Manufacturing	C	C
Commercial Extraction of Soil, Sand, and Gravel		
Concrete Batching Plant 🕮		
Dumps and Landfills		
Hazardous Emissions (as Determined by Enforcing Officer & Other Objectionable)		

Types of Uses	C-MU	G/O-MU
Explosives Manufacturer and/or Storage		
Glue or Fertilizer Manufacturer		
Heavy Manufacturing Process		
Light Manufacturing Process	C	C
Manufacturer of Chlorine or Other Toxic Gasses		
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		
Minor Concrete Batching Operation & Storage of Associated Processing Material (Restricted to 1.5 Yards or Less Per Batch)		
Petrochemical Plant		
Petroleum or Petroleum Product Extraction, Refining, Manufacturer, or Bulk Storage		
Rendering Plant		
Storage or Processing of Sand, Sulfur, Gravel, Cement or Similar Material		
Tanning, Curing, Treating, or Storage of Skins or Hides		
Warehouse & Distribution Facility		
Wrecking or Salvage Yard (Auto, Steel)		
Wrecking or Salvage Yard (Building Materials)		

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, 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 shrubbery 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

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.*

David L Smith Project – review land use and zoning. "Office uses" – Comment # 17.

Refer to the Land Use Study

Explore more commercial zoned land – but not strip centers. "Office uses" – Comment # 20.

Refer to the Land Use Study

Differentiate between minor and major nodes in the FLUP – Comment # 26.

Refer to the Land Use Study

CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: August 3, 2009

TO: Planning & Zoning Commission

FROM: Angela Gantuah, Senior Planner

SUBJECT: Amendments to the Unified Development Code - Land Use Study – Neighborhood Residential Nodes and Cullen Mixed Use

---

Summary – July 13th and July 20th, 2009 Workshop

Neighborhood Residential Nodes – Comment # 13

Staff has summarized the comments received at the workshop and later by the P & Z members.

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 ~~limited~~ 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.
4. ~~When located in areas accessible by sidewalks, these nodes would enhance pedestrian accessibility and connectivity.~~
5. ~~These nodes would reduce the number of miles travelled and vehicle trips, thereby reducing congestion on heavily travelled roads.~~

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.

Cullen Mixed Use District / Garden/O-Day Mixed Use District – Comment # 25

a. 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.

b. Land Uses: The specific land uses permitted currently, and those proposed to be added by staff was not discussed in detail. Staff recommends that P & Z discuss in detail the proposed land use matrix for both Cullen Mixed Use and Garden/Oday Mixed Use Districts.

   As indicated in the earlier memo, sent with the package for July 6, 2009 workshop, the proposed land use table is based on the following considerations. Staff would recommend that these be considered while evaluating the land uses appropriate for the mixed use districts. Additionally changes have been proposed to the building footprint, height of building, definition of café, and orientation of building as discussed in the last workshop.

   1. 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.

2. Hours of operation – Uses that traditionally operate round the clock have been excluded, since these districts abut residential districts or contain residential uses.
3. Uses that have potential for outdoor storage and display have been excluded.
4. 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.

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

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

Types of Uses	C-MU	G/O-MU
Temporary Outdoor Amusement/Activity*		
Tennis or Swim Club (Private, For Profit)	P	P
Tennis Court (Private/Not Lighted)	P	P
Tennis Court (Private/Lighted)	C	C
Travel Trailer/RV Park/Campground (Long-Term Stays) {Travel Trailer Defined}		
Travel Trailer/RV Park/Campground (Short-Term Stays) {Travel Trailer Defined}		
All Terrain Vehicle (Go-Carts & Motor Cycles) Dealer/Sales		
Auto Accessories and/or Parts (Only Retail Sales in building, no outside storage or display, no repair) 🕮	C	
Auto Assembly		
Auto Body Repair		
Auto/Leasing		
Auto Glass Repair/Tinting	C	
Auto Interior Shop/Upholstery	C	
Auto Muffler Shop		
Auto Paint Shop		
Auto Parts Manufacturing		
Auto Parts Sale (With Outside Storage or Display)		
Auto Parts Sales (Indoors Only; With Repair Bays)	C	
Auto Rental 🕮		
Auto Repair (Major) 🕮		
Auto Repair (Minor) 🕮	C	
Auto Sales/Dealer (New - In Building, Auto Servicing and Used Auto Sales as accessory uses only) 🕮		
Auto Wash (Full Service/Detail Shop) 🕮	C	
Auto Wash (Self-Service) 🕮		
Auto Wrecker Service		
Bicycle Sales (New/Repair)	C	C
Boat Sales (New/Repair)		

Types of Uses	C-MU	G/O-MU
Bus or Truck Storage		
Gasoline Station 🕮	Add C	
Limousine/Taxi Service		
Motor Freight Transportation, Storage, & Terminal		
Motorcycle Sales/Dealer (New/Repair)	C	What was the reasoning and would like some clarification for adding this as a C
Parking Lot or Garage for passenger cars and trucks of less than one (1) ton capacity		
Personal Watercraft Sales (New/Repair)		
Tire Retreading and Capping		
Tire Sales (Outdoors, With Open Storage)		
Transfer Station (Refuse/Pick-up)		
Transit Terminal		
Truck and Bus Rental		
Truck Sales (Heavy Trucks)		
Truck or Freight Terminal		
Clinic, Medical or Dental 🕮	P	P
Credit Agency		
Emergency Care Clinic	C	
Financial Institution (No Motor Bank Services) 🕮	P	P
Financial Institution (With Motor Bank Services) 🕮	P	P
Financial Services (Advice/Invest)	P	P
Insurance Agency Offices	P	P
Office, Brokerage Service	P	P
Office, Legal Service	P	P
Office, Medical/Dental (Defined Under Medical Facilities)	P	P
Office, Parole-Probation		
Office, Professional and General Business (other than those listed)	C	C

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

Types of Uses	C-MU	G/O-MU
Seamstress or Dressmaker (Retail Only)	P	P
Studio - Tattoo or Body Piercing		
Antique Shop (No outside storage) 🕮	P	P
Antique Shop (With outside storage) 🕮	C It is recommended to remove, but need to check if there is an existing Antique Shop there	C It is recommended to remove, but need to check if there is an existing Antique Shop there
Apparel Shop	C	C
Animal Hospital (No Outside Pens)	Need a definition here	Need a definition here
Art Museum and/or Dealer	P	P
Art Studio and/or Gallery 🕮	P	P
Art Supply Store	C	C
Bakery or Confectionery Shop (Retail Sales, Inside Service Only) 🕮	P	P
Bakery or Confectionery Shop (Retail Sales, With Drive-Thru Service) 🕮	C	C
Bakery (Wholesale) 🕮		
Book/Stationery Shop (Retail Only)	P	P
Business Service Retail (Provides wares and/or service in support of professional occupations)	C	C
Café 🕮 (see below)	P	P
Cafeteria 🕮	C	C
Camera Shop (Retail Only)	C	C
Cigars, Tobacco Shop (Retail Only)		
Carpenter Shop	P	P
Catering Service	P	P
Coffee, Donut and Similar Food Sales Shop (For On- or Off-Site Consumption)	P	P
Computer Sales	C	C
Consignment Shop	C	C

Types of Uses	C-MU	G/O-MU
Convenience Store (With Gasoline Sales) 🕮	C	C
Convenience Store (Without Gasoline Sales) 🕮	C	C
Copy/Printing Shop 🕮	C	C
Department Store (Retail Only, for Hardware, Sporting Goods, Toys, Paints, Wallpaper, and/or Clothing) 🕮		
Drapery/Blind Shop	P	P
Electronic Goods Store (Retail Only)	C	C
Florist Shop (Retail Only)	P	P
Food Store/Supermarket 🕮		
Furniture and/or Appliance Store (Retail or Rental Only, Indoor Only)	C	C
Furniture Repair and Upholstering (No Outside Storage)	C	
Garage and/or Yard Sales	P	P
Garden Shop & Outside Plant Sales (i.e., Plant Nursery)	C	C
Gift or Card Shop (Retail Only)	P	P
Handicraft & Art Object Sales Shop	P	P
Hardware Store 🕮	C	C
Hobby Shop (Retail Only)	P	P
Home Improvement Center		
Ice Cream/Yogurt Shop (For On- or Off-Site Consumption)	P	P
Itinerant Vendor/Seasonal Vending	C	C
Jewelry Store	C	C
Key Shop	C	C
Market - Open Air (i.e., Flea Market)		
Meat and Fish Market (Retail Only)		
Medical Appliances & Sales	C	
Motion Picture Theater (Indoors)		
Optical Shop	C	C
Outside Display (See related regulations in applicable zoning districts)		

Types of Uses	C-MU	G/O-MU
Paint, Wallpaper Shop (Retail Only)	P	P
Pet Shop-Small Animals, Birds or Fish		
Personal Custom Services, Tailor, Millinery, Etc.	C	C
Pharmacy/Drug Store (Retail Only)	P	P
Piano and Musical Instruments (Retail Only)	C	
Restaurant (With Drive-In and/or Drive-Thru Service)	C	C
Restaurant (With No Drive-In or Drive-Thru Service)	C	C
Retail Shops, Apparel, Accessories, Gifts & Similar Goods (Other than those listed; No Outside Storage)	C	C
Shoe Store (Retail Only)	C	C
Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)	C	C
Stone Monuments - Retail Sales Only (indoors)	C	C Recommending removal but need to check to see if there is an existing business there.
Stone Monuments – Fabrication and Outdoor Storage	C	C Recommending removal but need to check to see if there is an existing business there
Studio, Decorator & Display of Art Objects	C	C
Studio, Photographer, Artist, Music, Drama, Dance	C	C
Studio, Health Reducing or Similar Service	C	C

Types of Uses	C-MU	G/O-MU
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
Day Camp (For Children) 🕮		
Day Care	C	
Day Nursery		
Exhibition Hall		
Fraternal Organization 🕮	C	C
Fraternity or Sorority House 🕮	C	C
Governmental Building or Use (County, State or Federal)	C	C
Home for Alcoholic, Narcotic or Psychiatric Patients		
Hospice (Defined Under Household Care Facility)	P change to C	P change to C
Hospital (Non-Profit) 🕮		
Hospital (For Profit) 🕮		
Institution of Religious, Educational or Philanthropic Nature	C	C
Library, Public		
Mortuary/Cemetery (Including Mausoleum/Crematorium)	C	
Municipal Public Administration Offices	P	P
Museum (Indoors Only)	Add C	

Types of Uses	C-MU	G/O-MU
Nursing/Convalescent Home (Defined Under Skilled Nursing Facility)		
Penal or Correctional Institutions		
Public Assembly (Auditorium, Gymnasium, Stadiums etc.)		
Rectory/Parsonage	C	C
Retirement Housing for the Elderly		
School - College or University		
School - Elementary (Public or Parochial)	C	C
School - High School (Public or Parochial)	C	C
School - Junior High (Public or Parochial)	C	C
School - Other Than Public or Parochial	C	C
School - Trade or Commercial {Defined Under School, Commercial Trade}		
Sheltered Care Facility		
Studio for Radio and/or Television (No Tower[s])		
Cellular Communications Tower/PCS {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}	C	C
Electric Power Generating Plant		
Electrical Substation	C	C
Franchised Private Utility (Other than those listed)	C	C
Gas Transmission & Metering Station	C	C
Public Utilities (Other than those listed)	C	C
Radio or Television or Microwave Towers (Commercial) {See Telecommunications Regulations, Chap.2, Art. 5, Div. 5 of the UDC}	C	C
Radio or Television Transmitting Station (Commercial) {See Telecommunications Regulations, Chap. 2, Art. 5, Div. 5 of the UDC}	C	C
Sanitary Landfill (Private)		
Sanitary Landfill (Public)		

Types of Uses	C-MU	G/O-MU
Railroad Team Track or Freight Depot		
Satellite Dish (Private, less than 4' in diameter) {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}	P	P
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 🕮	C recommending removal need to check to see if there is an existing business here	C recommending removal need to check to see if there is an existing business here
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 🕮		
Communication Equipment Sales/Service (Installation and/or Repair – No outdoor sales or storage or towers/antennae)	C	C
Construction Contractor with Storage Yard		

Types of Uses	C-MU	G/O-MU
Contractor's Office/Sales, No Outside Storage including Vehicles		
Contractor's Temporary On-Site Construction Office (only with permit from B.O.)	P	P
Dance Hall or Night Club 🕮		
Drive-In Theater		
Electronic Assembly	C	C
Exterminator Service/Company (No outdoor sales or storage)	C	C
Fur/Hide Tanning and Finishing		
Furniture/Appliances - Open Storage & Retail Sale	Add C	
Gravestone/Tombstone Sales		
Heavy Machinery Sales, Storage & Repair 🕮		
Heating & Air-Conditioning Sales/Services		C
Home Sales office-temp(for new subdivision)		
Laboratory, Scientific or Research (Defined Under Scientific and Industrial Research Laboratories)	C	C
Laboratory, Medical or Dental	C	C
Lawnmower Sales and/or Repair		
Liquefied Petroleum Storage & Sales		
Loading or Storage Tanks		
Locksmith	Add C	Add C
Lumber Mill/Yard		
Machine Shop		
Manufactured Home Display, Sales and/or Rental (New or Used)		
Mattress Making and/or Renovating		
Milk Depot - Wholesale		
Mini-Warehouse/Self Storage		
Moving and Storage Company		
News Printing		

Types of Uses	C-MU	G/O-MU
Office Warehouse Storage or Sales(Defined Under Storage or Wholesale Warehouse)		
Outside Storage		
Pawn Shop		
Pet and Animal Grooming Shop	C	C
Petroleum Products Bulk Storage (Wholesale)		
Pipe Processing		
Pipe Storage Yard		
Plumbing Shop (No Outside Storage)	C	C
Printing Equipment, Supplies and Repairs	C	C
Propane Sales (Retail)		
Quick Lube/Oil Change/Minor Inspection	C	
Railroad, Bus, Light Rail Passenger Station (Public)	P	
Railroad Team Tracks, Freight, Depot or Docks		
Railroad Tracks & Right-of-Way	C	C
Reproduction of Blueprints		
Sheet Metal Shop		C
Storage of Used Lumber and Building Materials		C
Taxidermist		
Tool and Machinery Rental (Indoor Storage only)		C
Tool and Machinery Rental (with Outdoor Storage)		
Trailer Home Sales or Rental Only		
Transfer Storage & Baggage Terminal		
Upholstery Business	Add C	C
Vacuum Cleaner Sales and Repair		
Welding Shop		
Wholesale Trade - Nondurable Goods	C	C
Wood Working Shops	C	C

Types of Uses	C-MU	G/O-MU
Acid Manufacturer		
Airport 🕮, Heliport/Helipad 🕮 or Landing Field	C	C
Animal Slaughtering or Poultry Processes		
Ammonia Manufacturer		
Asphalt Batching Plant 🕮		
Bio-Tech, High-Tech Manufacturing	C	C
Carbon Black Manufacturer		
Cement, Lime, Gypsum or Plaster of Paris Manufacturer		
Chemical Packing and/or Blending		
Clothing Manufacturing	C	C
Commercial Extraction of Soil, Sand, and Gravel		
Concrete Batching Plant 🕮		
Dumps and Landfills		
Hazardous Emissions (as Determined by Enforcing Officer & Other Objectionable)		
Explosives Manufacturer and/or Storage		
Glue or Fertilizer Manufacturer		
Heavy Manufacturing Process		
Light Manufacturing Process	C	C
Manufacturer of Chlorine or Other Toxic Gasses		
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		
Minor Concrete Batching Operation & Storage of Associated Processing Material (Restricted to 1.5 Yards or Less Per Batch)		

Types of Uses	*C-MU*	*G/O-MU*
Petrochemical Plant		
Petroleum or Petroleum Product Extraction, Refining, Manufacturer, or Bulk Storage		
Rendering Plant		
Storage or Processing of Sand, Sulfur, Gravel, Cement or Similar Material		
Tanning, Curing, Treating, or Storage of Skins or Hides		
Warehouse & Distribution Facility		
Wrecking or Salvage Yard (Auto, Steel)		
Wrecking or Salvage Yard (Building Materials)		

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 shrubbery 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.*~~

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.*

David L Smith Project – review land use and zoning. "Office uses" – Comment # 17.

Refer to the Land Use Study- recommended the following:

1. The David L. Smith overlay be added to the FLUP.
2. Agreed w/retail entertainment district as shown on page 1 of comment #17 in the Land Use Study Book.
3. ~~That the 1st 500 feet~~ North of McHard should be changed to OP and follow the property lines.
4. South side of McHard should be changed to OP and follow the property lines.

Commercial on Broadway Between 521 and 288- Comment # 18

Refer to the Land Use Study-recommended the following.

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

Explore more commercial zoned land – but not strip centers. "Office uses" – Comment # 20.

Refer to the Land Use Study-recommended the following:

1. No change.

Differentiate between minor and major nodes in the FLUP – Comment # 26.

Refer to the Land Use Study-recommended the following:

1. Voted to have a workshop with PEDC and would like 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?

Residential zoned parcels along Broadway-rezoned to commercial/retail- Comment #16

Refer to the Land Use Study-recommended the following:

1. Zoning Map 1A –Leave as is
2. FLUP Map 1A-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-change to commercial

9. Zoning Map 5A-leave as is
10. FLUP Map 5B- change FLUP to reflect current zoning
11. Zoning Map 6A-leave as is
12. FLUP Map 6B-change FLUP to reflect current zoning
13. Zoning Map 7A-shift retail node
14. FLUP Map 7B-shift retail node
15. Zoning Map 8A- leave as is
16. FLUP Map 8B-Leave as is

CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: August 20, 2009

TO: Planning & Zoning Commission

FROM: Angela Gantuah, Senior Planner; Lata Krishnarao, AICP, Planning Director

SUBJECT: Summary of Planning & Zoning Commission (P & Z) Recommendations from Workshops on Future Land Use Plan

---

This memo summarizes the P &Z discussions and recommendations on the Land Use issues. Changes proposed by staff are highlighted in yellow and subsequent P & Z recommendations are highlighted in blue, unless otherwise indicated.

Comment #12 - Add retail as a component within manufacturing.

At this 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.

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 ~~limited~~ 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.
4. ~~When located in areas accessible by sidewalks, these nodes would enhance pedestrian accessibility and connectivity.~~
5. ~~These nodes would reduce the number of miles travelled and vehicle trips, thereby reducing congestion on heavily travelled roads.~~

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.

Comment # 25 - Cullen Mixed Use District / Garden/O-Day Mixed Use District

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: 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.

Types of Uses	*C-MU*	*G/O-MU*
Agricultural Field Crops	*P*	*P*
Agricultural Animal Husbandry 🕮	*C*	*C*
Bulk Grain and/or Feed Storage		
Farm (Ranch, Livestock) 🕮	*P*	*P*
Feed & Grain Store/Farm Supply Store 🕮		
Flour and Other Grain Mills		
Livestock – Wholesale		
Livestock Sales		
Crops or Orchard	*P*	*P*
Stable, Commercial		
Stable (Private, Principal or Accessory Use)	*C*	*C*
Boarding or Rooming House 🕮		

Types of Uses	C-MU	G/O-MU
Dwelling - Four-Family (Quadriplex) (Defined Under Dwelling - Multiple-Family) 🕮		
Dwelling - HUD-Code Manufactured(Mobile) Home 🕮		
Dwelling - Industrialized Home 🕮	P- change to C	P -change to C
* Dwelling - Mobile Home 🕮		
Dwelling - Multiple-Family 🕮		
Dwelling - Patio Home 🕮		
Dwelling - Single-Family Detached 🕮	P	P
Dwelling - Town House		
Dwelling - Two-Family 🕮		
Home Occupation 🕮	P	P
Private Street Subdivision	P	P
Accessory Structure (Business or Industry) 🕮	C	C
Accessory Structure (Residential) 🕮	P	P
Accessory Dwelling 🕮	C	C
Farm Accessory Building	C	C
Off-Street Parking Incidental to Residential Main Use	P	P
Off-Street Parking Incidental to Nonresidential Main Use	P	P
Servant, Guest, Caretakers or Security Quarters	C	C
Social & Recreational Building, including homeowners association neighborhood recreation centers	P	P
Onsite Detention Facility	P	P
Off-site Detention Facility	C	C
Billiard/Pool Facility (Three or More Tables)	C	C
Bingo Facility	C	C
Bowling Alley (Air-Conditioned and Sound Proofed)	C	C
Commercial Amusement, Indoor 🕮	C	C
Commercial Amusement, Outdoor 🕮	C	C
Country Club 🕮	P	P
Dinner Theatre	C	C
Driving Range (Golf)	C	C

Types of Uses	C-MU	G/O-MU
Drag Strip/Race Track 🕮		
Fairgrounds		
Gaming Establishment 🕮	C- remove C	C- remove C
Golf Course (Miniature)	C	C
Golf Course (Private) 🕮	C	C
Golf Course (Public) 🕮	C	C
Park and/or Playground (Private)	P	P
Park and/or Playground (Public; Municipal)	P	P
Private Club		
Recreation Center (Private, For Profit)	C	C
Rodeo Grounds		
Skating Rink	Add C	Add C
Swimming Pool, Commercial	C	C
Swimming Pool, Private (Use Only By Resident)	P	P
Temporary Outdoor Amusement/Activity*		
Tennis or Swim Club (Private, For Profit)	P	P
Tennis Court (Private/Not Lighted)	P	P
Tennis Court (Private/Lighted)	C	C
Travel Trailer/RV Park/Campground (Long-Term Stays) {Travel Trailer Defined}		
Travel Trailer/RV Park/Campground (Short-Term Stays) {Travel Trailer Defined}		
All Terrain Vehicle (Go-Carts & Motor Cycles) Dealer/Sales		
Auto Accessories and/or Parts (Only Retail Sales in building, no outside storage or display, no repair) 🕮	C	
Auto Assembly		
Auto Body Repair		
Auto/Leasing		
Auto Glass Repair/Tinting	C	
Auto Interior Shop/Upholstery	C	
Auto Muffler Shop		

Types of Uses	C-MU	G/O-MU
Auto Paint Shop		
Auto Parts Manufacturing		
Auto Parts Sale (With Outside Storage or Display)		
Auto Parts Sales (Indoors Only; With Repair Bays)	C	
Auto Rental 🕮		
Auto Repair (Major) 🕮		
Auto Repair (Minor) 🕮	C	
Auto Sales/Dealer (New - In Building, Auto Servicing and Used Auto Sales as accessory uses only) 🕮		
Auto Wash (Full Service/Detail Shop) 🕮	C	
Auto Wash (Self-Service) 🕮		
Auto Wrecker Service		
Bicycle Sales (New/Repair)	C	C
Boat Sales (New/Repair)		
Bus or Truck Storage		
Gasoline Station 🕮	Add C	
Limousine/Taxi Service		
Motor Freight Transportation, Storage, & Terminal		
Motorcycle Sales/Dealer (New/Repair)	C	What was the reasoning and would like some clarification for adding this as a C Staff reasoning - Similar to bicycle sales and less intense that auto sales.
Parking Lot or Garage for passenger cars and trucks of less than one (1) ton capacity		
Personal Watercraft Sales (New/Repair)		
Tire Retreading and Capping		

Types of Uses	C-MU	G/O-MU
Tire Sales (Outdoors, With Open Storage)		
Transfer Station (Refuse/Pick-up)		
Transit Terminal		
Truck and Bus Rental		
Truck Sales (Heavy Trucks)		
Truck or Freight Terminal		
Clinic, Medical or Dental 🕮	P	P
Credit Agency		
Emergency Care Clinic	C	
Financial Institution (No Motor Bank Services) 🕮	P	P
Financial Institution (With Motor Bank Services) 🕮	P	P
Financial Services (Advice/Invest)	P	P
Insurance Agency Offices	P	P
Office, Brokerage Service	P	P
Office, Legal Service	P	P
Office, Medical/Dental {Defined Under Medical Facilities}	P	P
Office, Parole-Probation		
Office, Professional and General Business (other than those listed)	C	C
Office, Real Estate	P	P
Office/Clinic, Veterinarian (No Animal Hospital or Outside Pens)	C	C
Office/Clinic, Veterinarian (No Animal Hospital, With Outside Pens)	C	C What is the definition of Animal Hospital? Will be added to the definitions. See below.
Security Monitoring Company (No Outside Storage)	P	P
Telemarketing Agency	C	
Travel Agency, Bureau or Consultant	P	P
Ambulance Service 🕮		

Types of Uses	C-MU	G/O-MU
Automatic Teller Machine (ATM)	P	P
Automobile Driving School (including Defensive Driving)	P	
Barber/Beauty Shop/Tanning Studios (No Related School/College)	P	P
Barber/Cosmetology School/College	C	
Bed & Breakfast Inn 🕮	P	P
Check Cashing Service		
Dance/Drama/Music School (Performing Arts)	C	C
Extended Stay Hotel/Motel 🕮		
Funeral Home 🕮		
Health Club (Physical Fitness; Indoors Only)	C	C
Hotel/Motel 🕮		
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) 🕮	C It is recommended to remove, but need to check if there is an existing Antique Shop there. Not existing, therefore remove.	C It is recommended to remove, but need to check if there is an existing Antique Shop there. Existing use, therefore retain.

Types of Uses	C-MU	G/O-MU
Apparel Shop	C	C
Animal Hospital (No Outside Pens)	Need a definition here Will add definition	Need a definition here
Art Museum and/or Dealer	P	P
Art Studio and/or Gallery 🕮	P	P
Art Supply Store	C	C
Bakery or Confectionery Shop (Retail Sales, Inside Service Only) 🕮	P	P
Bakery or Confectionery Shop (Retail Sales, With Drive-Thru Service) 🕮	C	C
Bakery (Wholesale) 🕮		
Book/Stationery Shop (Retail Only)	P	P
Business Service Retail (Provides wares and/or service in support of professional occupations)	C	C
Café 🕮 (see below)	P	P
Cafeteria 🕮	C	C
Camera Shop (Retail Only)	C	C
Cigars, Tobacco Shop (Retail Only)		
Carpenter Shop	P	P
Catering Service	P	P
Coffee, Donut and Similar Food Sales Shop (For On- or Off-Site Consumption)	P	P
Computer Sales	C	C
Consignment Shop	C	C
Convenience Store (With Gasoline Sales) 🕮	C	C
Convenience Store (Without Gasoline Sales) 🕮	C	C
Copy/Printing Shop 🕮	C	C
Department Store (Retail Only, for Hardware, Sporting Goods, Toys, Paints, Wallpaper, and/or Clothing) 🕮		
Drapery/Blind Shop	P	P

Types of Uses	C-MU	G/O-MU
Electronic Goods Store (Retail Only)	C	C
Florist Shop (Retail Only)	P	P
Food Store/Supermarket 🕮		
Furniture and/or Appliance Store (Retail or Rental Only, Indoor Only)	C	C
Furniture Repair and Upholstering (No Outside Storage)	C	
Garage and/or Yard Sales	P	P
Garden Shop & Outside Plant Sales (i.e., Plant Nursery)	C	C
Gift or Card Shop (Retail Only)	P	P
Handicraft & Art Object Sales Shop	P	P
Hardware Store 🕮	C	C
Hobby Shop (Retail Only)	P	P
Home Improvement Center		
Ice Cream/Yogurt Shop (For On- or Off-Site Consumption)	P	P
Itinerant Vendor/Seasonal Vending	C	C
Jewelry Store	C	C
Key Shop	C	C
Market - Open Air (i.e., Flea Market)		
Meat and Fish Market (Retail Only)		
Medical Appliances & Sales	C	
Motion Picture Theater (Indoors)		
Optical Shop	C	C
Outside Display (See related regulations in applicable zoning districts)		
Paint, Wallpaper Shop (Retail Only)	P	P
Pet Shop-Small Animals, Birds or Fish		
Personal Custom Services, Tailor, Millinery, Etc.	C	C
Pharmacy/Drug Store (Retail Only)	P	P
Piano and Musical Instruments (Retail Only)	C	

Types of Uses	C-MU	G/O-MU
Restaurant (With Drive-In and/or Drive-Thru Service)	C	C
Restaurant (With No Drive-In or Drive-Thru Service)	C	C
Retail Shops, Apparel, Accessories, Gifts & Similar Goods (Other than those listed; No Outside Storage)	C	C
Shoe Store (Retail Only)	C	C
Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)	C	C
Stone Monuments - Retail Sales Only (indoors)	C	C Recommending removal but need to check to see if there is an existing business there. Not existing; therefore remove.
Stone Monuments – Fabrication and Outdoor Storage	C	C Recommending removal but need to check to see if there is an existing business there. Not existing; therefore remove.
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

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

Types of Uses	C-MU	G/O-MU
Rectory/Parsonage	C	C
Retirement Housing for the Elderly		
School - College or University		
School - Elementary (Public or Parochial)	C	C
School - High School (Public or Parochial)	C	C
School - Junior High (Public or Parochial)	C	C
School - Other Than Public or Parochial	C	C
School - Trade or Commercial {Defined Under School, Commercial Trade}		
Sheltered Care Facility		
Studio for Radio and/or Television (No Tower[s])		
Cellular Communications Tower/PCS {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}	C	C
Electric Power Generating Plant		
Electrical Substation	C	C
Franchised Private Utility (Other than those listed)	C	C
Gas Transmission & Metering Station	C	C
Public Utilities (Other than those listed)	C	C
Radio or Television or Microwave Towers (Commercial) {See Telecommunications Regulations, Chap.2, Art. 5, Div. 5 of the UDC}	C	C
Radio or Television Transmitting Station (Commercial) {See Telecommunications Regulations, Chap. 2, Art. 5, Div. 5 of the UDC}	C	C
Sanitary Landfill (Private)		
Sanitary Landfill (Public)		
Railroad Team Track or Freight Depot		
Satellite Dish (Private, less than 4' in diameter) {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}	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 🕮	C recommending removal need to check to see if there is an existing business here. Not existing, therefore remove.	C recommending removal need to check to see if there is an existing business here. Not existing, therefore remove.
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 🕮		
Communication Equipment Sales/Service (Installation and/or Repair – No outdoor sales or storage or towers/antennae)	C	C
Construction Contractor with Storage Yard		
Contractor's Office/Sales, No Outside Storage including Vehicles		

CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: September 10, 2009

TO: Planning & Zoning Commission

FROM: Lata Krishnarao, AICP, Planning Director

SUBJECT: Land Use Study – Update on Annexations and M-1 and M-2 zones

---

City Manager, Assistant City Manager and Staff discussed annexation plans and the following issues were raised that need to be discussed by Planning and Zoning Commission:

1. Future uses and zones along the annexation areas demarcated on the proposed future land use plan – specifically along
   a. Bailey Avenue – are the proposed nodes appropriate?
   b. Airport area – is M-1 appropriate for the airport and surrounding uses. Should a separate Airport Zone be considered?

2. Discuss the areas added by staff for 3 year annexation plan.

Proposed amendments regarding M-1 and M-2 zones are also included in the package and need to be discussed by P & Z.

Maps highlighted vacant areas will be handed at the workshop.

CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: September 14, 2009

TO: Planning & Zoning Commission

FROM: Lata Krishnarao, AICP, Planning Director

SUBJECT: Amendments to the Unified Development Code T-11– M-1 and M-2 –Exisitng Developments

---

M-1 and M-2 Regulations (Land Use Study)

Council and P & Z discussed modifications to the M-1 and M-2 districts to relax certain regulations at their workshop on April 6, 2009. Subsequently, at a meeting with the Chamber of Commerce's SWAT team, the members emphasized that most of the requirements were onerous for expansion of existing non-conforming businesses.

There were certain regulations that were a problem for new developepmt, and these regulations were modified to address new developments. The changes are hgilighted in blue in the table below.

For expansions of over 500 sq. ft. on existing developments, 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,

1. 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.
2. Further, any requirement that can be met (specifically landscaping) , but is not desired by the owner would require a SE or CUP.

Staff is recommending that the CUP option (as opposed to SE) be specifically explored for M-1 and M-2 zones to afford and an opportunity for the city to work with the property owners to improve the situation where possible, especially in terms of landscaping and buffers. Phasing of improvements may be discussed through a CUP. Chamber and SWAT has recommended that the *"owners be required to eventually bring their property into conformity depending on the severity of non compliance. Many may not be aware of requirements and may not have a problem correcting a non conformity considering a significant capital investment."*

Further, staff recommends that in developments 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.

Based on the workshop and meeting with SWAT (where PEDC was present) staff has the following recommendations. Each requirement has the recommendation listed with it, and how it is applicable to the three scenarios. The recommendations in blue have been addressed by the T-11 amendmet. Recommendations in red need to be discussed.

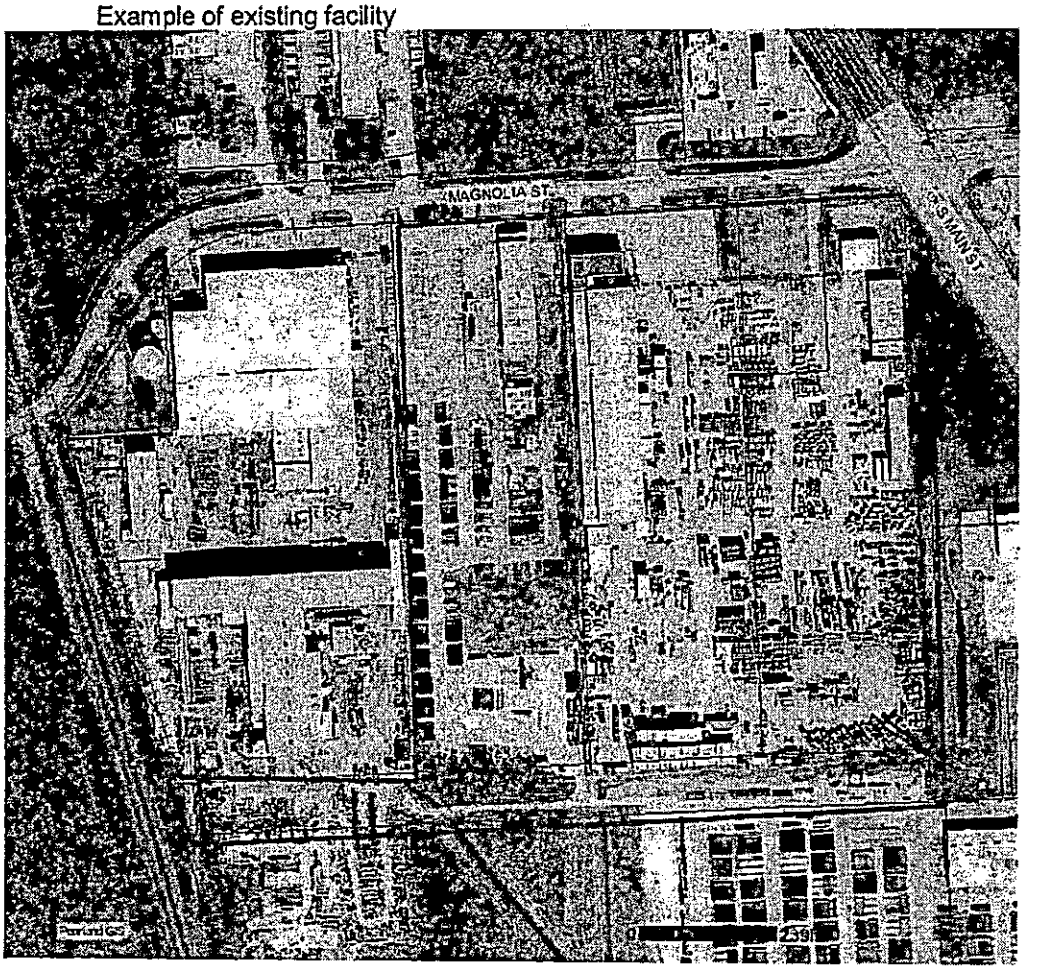
	Requirement	New Development on Vacant Parcels	Existing Non conforming Expansion -less than 500 s.f.	**Existing Non conforming Expansion - 500 s.f. or greater**
1	Façade: (Based on frontage on Thoroughfares) Reduce requirements. **Reduce the percentage of masonry for front façade to 50% and exempt side 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 adjoining residential areas.**	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.
2	Articulation: (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	Transparency:	New buildings to	Existing facades	Existing facades

	(Only in COP) **Reduce transparency requirement from 25% to 15%.** **Exempt buildings located farther than 250' from this requirement.**	comply	exempt. New façade to comply.	exempt. New façade to comply.
4	Color Palette: (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	Landscaping: COD			
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	**Street trees, ornamental trees and shrubs** to screen parking lots. No changes	New development needs to comply.	Exempt.	Needs to comply with total number. Locational requirements waived by SE. Recommend CUP instead. New parking lot expansion needs to comply.
c	**Parking lot trees:** Currently required within 50' of parking space, only for passenger car parking. **Exempt locational requirement, as long as total number is provided.** Similar provisions were included for educational facilities	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	**Total Landscaped area** = 15% of gross site No changes. Since grass and native vegetation is included in this 15%, typically this is not a problem.	New development needs to comply.	Exempt.	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.

e	**Treatment of detention as amenity** if located along the corridor No changes.	New development needs to comply.	Exempt	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
	Non COD areas			
f	**Street trees, and shrubs** to screen parking lots from streets in a min. 6 foot strip along the street.	New development needs to comply.	Exempt.	Need to comply with total number. Locational requirements waived by SE. Recommend CUP.
g	**Parking lot trees:** Currently required within 100' of parking space-only for passenger car parking. **Exempt locational requirement, as long as total number is provided.** Similar provisions were included for educational facilities.	New development needs to comply.	Exempt.	Needs to comply with the total amount only and not with locational requirements (currently waived by SE).
h	**Total Landscaped area** = 10% of gross site area. No changes. Since grass and native vegetation is included in this 10%, typically this is not a problem.	New development needs to comply.	Exempt.	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
6	Sidewalks	Required or Payment in lieu of if applicable.	Exempt	Required or Payment in lieu of if applicable.
7	Screening and fencing along residential zone or use 30' landscaped buffer with vegetative screening or 25' buffer with 6' tall masonry fence.	New development needs to comply.	Need to comply unless a Special Exception (SE) is granted. May require a CUP instead.	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
8	Landscaping on adjacent lot **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.**	Permit with recorded agreement.	NA	Permit with recorded agreement.
9	Screening for dumpsters, equipment etc.	New development needs to comply.	Need to comply.	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
10	Building Setbacks Remove the current requirement of a	New development needs to comply.	Addition needs to comply. Existing structures exempt.	Addition needs to comply. Existing structures exempt.

	SE for additions to structures with non conforming setbacks.			
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.

Example of existing facility



CITY OF PEARLAND
PLANNING & ZONING

MEMO

DATE: September 18, 2009

TO: Planning & Zoning Commission

FROM: Lata Krishnarao, AICP, Planning Director

SUBJECT: Future Land Use Study (FLUP) - Update of 9/14/09 workshop

---

P & Z discussed the following:

1. Future uses and zones along the annexation areas demarcated on the proposed FLUP.
    a. Bailey Avenue: The P & Z reviewed the current uses and proposed FLUP for Bailey Avenue and concluded that the FLUP was appropriate and addressed the current uses.
    b. Airport area: P & Z agreed with staff's proposal to 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. Areas for 3 year annexation plan. P & Z concurred with staff recommendation for areas requiring a 3 year annexation plan.

3. Amendments regarding M-1 and M-2 zones for existing establishments and CUP requirement. P & Z concurred with staff's recommendation that CUP would be a better option for relaxing regulations for businesses in M-1 and M-2 zones and approved the recommendations in the table presented to P & Z.

At the next workshop on September 21, 2009, P & Z will be reviewing the vacant land and appropriate land uses. Maps highlighting vacant areas are included in this packet.