

PLANNING AND ZONING COMMISSION

AGENDA OF A REGULAR MEETING FOR THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MAY 3, 2004 IMMEDIATELY FOLLOWING THE JOINT WORKSHOP, IN THE SECOND FLOOR CONFERENCE ROOM OF CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. NEW BUSINESS

*5-0
tabled*
A. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Avalon Terrace Section 1, a subdivision of 32.3882 acres of land out of the H.T. & B.R.R. Co. Survey, Abstract-505, Brazoria County, Texas

B. CONSIDERATION & POSSIBLE ACTION – Consideration and Action Adopting the 2000 International Building Code, Fire Code and Safety Code.

C. DISCUSSION ITEM – Regarding a Proposed Planned Unit Development (PUD), generally located on the North Side of Future Reflection Bay Drive, North of Shadow Creek Parkway, and South of Clear Creek (Bockel Tract)

D. DISCUSSION ITEM – Regarding a Proposed Planned Unit Development (PUD), generally located on the North Side of FM 518 (Broadway Street), West of Hooks Road, and South of Sunrise Lakes Residential Subdivision (Parkside at Pearland).

NEXT MEETING DATES: **May 17, 2004 – JPH & Regular P & Z**
 June 7, 2004 – Regular P & Z Meeting

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

AGENDA – WORKSHOP OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MAY 3, 2004, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

- I. CALL TO ORDER**
- II. PURPOSE OF THE WORKSHOP:**
 - 1. COMMISSION INPUT AND DISCUSSION: REGARDING THE 2004 COMPREHENSIVE PLAN UPDATE. Mr. Bill Eisen, City Manager**
- III. ADJOURNMENT**

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

*Sheryl
Called to
order @ 6:43 pm.*

*Don + Jada absent
Adjourned @
8:01 pm*



CITY OF PEARLAND PLANNING & ZONING

DISCUSSION ITEM

DATE: April 29, 2004

TO: Planning and Zoning Commission

FROM: Theresa Grahmann, Planner I
Lata Krishnarao, Planning Manager

SUBJECT: Discussion Item Regarding a Proposed Planned Unit Development (PUD), Generally Located on the North Side of Future Reflection Bay Drive, North of Shadow Creek Parkway, and South of Clear Creek.

The attached document is a proposed Planned Unit Development (PUD) that is scheduled for discussion and preliminary review by the Planning and Zoning Commission. The PUD regulations in the Land Use and Urban Development Ordinance requires that the PUD document be submitted to the Planning and Zoning Commission for discussion prior to the actual scheduling of the item for a joint public hearing.

The applicant has indicated that they will be present at the Commission meeting. The applicant will be available to make a brief presentation to the Commission, and the Commission may present comments and ask questions of the applicant. The applicant will then be able to revise the PUD document based on any comments generated at this meeting.

This proposed PUD will be scheduled for a Joint Public Hearing at a later date.

SUMMARY: The subject property is approximately 5.303 acres in size. The applicant is proposing a PUD with Office Professional District uses for this tract.

The subject property may look familiar, as it was discussed during the October 20, 2003, Joint Public Hearing and subsequent Planning and Zoning Commission meeting.

The original request was for an Office and Professional District (OP). The zone change was tabled by the Commission in order for the applicant to explore submitting a Planned Unit Development (PUD) for the subject property, in order to incorporate additional development standards. One of the issues brought up during the Joint Public Hearing on October 20, 2003, was that the subject property would be surrounded by Shadow Creek Ranch, and it would be desirable to have the subject property comply with the Shadow Creek Ranch design guidelines and architectural standards. The proposed PUD indicates that this would occur; the Shadow Creek Ranch Commercial Guidelines are attached to the PUD document.

The applicant is proposing that 2.7 acres of the subject property be developed with a private school and an office building. The remaining 2.5 acres to the north along Clear Creek would be reserved for city park and greenbelt area.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	City of Houston (across Clear Creek)	Undeveloped land
South	Planned Unit Development (PUD) for Shadow Creek Ranch	Undeveloped land
East	Planned Unit Development (PUD) for Shadow Creek Ranch	Undeveloped land
West	Planned Unit Development (PUD) for Shadow Creek Ranch	Undeveloped land

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Comprehensive Plan recommends Parks Uses for the subject property, as well for several properties along Clear Creek. Therefore, the proposed zone change would not conform to the Comprehensive Plan.

However, it appears that the Parks designation was given to the area in order to accommodate a linear park system along Clear Creek. The Parks designation may also overlap with the floodplain areas along Clear Creek. The applicant is proposing to dedicate approximately 220 feet wide strip of land along the creek for park and detention area. This would be consistent with the 100-foot wide Clear Creek buffer proposed by Shadow Creek Ranch PUD on the south side of Clear Creek. Further the additional 120 feet dedication will provide linkage between the proposed nature park on the east and west of the subject parcel.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property currently does not have any roadway access. The subject property is also surrounded by Shadow Creek Ranch, but is owned by a separate party. The master plan for Shadow Creek Ranch indicates that Reflection Bay Drive (80 foot right-of-way) is proposed to extend northward from Shadow Creek Parkway, and provide access to the subject property. However, this northern section of Reflection Bay Drive has not yet been platted nor constructed. The only portion of Reflection Bay Drive that is under construction is the southern extension that extends from Shadow Creek Parkway south to North Clear Lake Loop (see attached plan for Shadow Creek Ranch).

Prior to development of the site, the applicant will be required to plat the subject property. During the platting process, the applicant will have to show how the subject property will be provided with access. A traffic impact analysis may also be required. A building permit will not be issued for the subject property until a plat is approved and recorded, and adequate access is provided to the development.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed zone change is consistent with the surrounding land uses that are planned for Shadow Creek Ranch. The Shadow Creek Ranch PUD indicates a fire and police substation, medical offices, a library, and multi-family zoning along Reflection Bay Drive, between Shadow Creek Parkway and Clear Creek. The Shadow Creek Ranch PUD also indicates that a park is proposed on both the east and west sides of the subject property. The proposed PUD will provide linkage and continuity to the Clear Creek buffer and proposed parks on either side.

STAFF REVIEW COMMENTS:

Staff is in the process of reviewing the PUD. Comments will be compiled after discussion and preliminary review by the Planning and Zoning Commission.

STAFF ANALYSIS:

Staff is in favor of the proposed use. The proposed uses are in conformance with the uses proposed in that area by the Shadow Creek Ranch PUD. Further, since the applicant has stated that the development would conform to the Shadow Creek Ranch design guidelines and architectural standards the proposed development

will be aesthetically compatible with the future development.

The dedication of park area along the creek will allow continuity in the open space along the creek.

The applicant has indicated that the park area at the rear of the site would be used for detention also. This issue needs to be reviewed by the City and an on-site detention might be required.

SUPPORTING DOCUMENTS:

- Zoning Map
- Future Land Use Plan
- Proposed Planned Unit Development (PUD)



CITY OF PEARLAND PLANNING & ZONING

DISCUSSION ITEM

DATE: April 29, 2004

TO: Planning and Zoning Commission

FROM: Theresa Grahmann, Planner I
Lata Krishnarao, Planning Manager

SUBJECT: Discussion Item Regarding a Proposed Planned Unit Development (PUD), Generally Located on the North Side of FM 518 (Broadway Street), West of Hooks Road, and South of the Sunrise Lakes Residential Subdivision.

The attached document is a proposed Planned Unit Development (PUD) that is scheduled for discussion and preliminary review by the Planning and Zoning Commission. The PUD regulations in the Land Use and Urban Development Ordinance requires that the PUD document be submitted to the Planning and Zoning Commission for discussion prior to the actual scheduling of the item for a joint public hearing.

The applicant has indicated that they will be present at the Commission meeting. The applicant will be available to make a brief presentation to the Commission, and the Commission may present comments and ask questions of the applicant. The applicant will then be able to revise the PUD document based on any comments generated at this meeting.

This proposed PUD will be scheduled for a Joint Public Hearing at a later date.

SUMMARY: The subject property is approximately **10 acres** in size. The applicant is proposing a PUD with **43** single-family residences generally conforming to the R-4 standards of the Land Use Ordinance.

The applicant is proposing lots of 4,000 square feet in size and 40 feet in width. The PUD proposes a density of 4.3 units per acre. It is not clear if the density calculations excluded detention areas, pipeline and utility easements that are not maintained as public recreation areas, and street rights-of-way as required by the Ordinance.

The proposed PUD shows a comparison between what is proposed and what is required in the R-4 district.

It is not clear from the PUD if the homes are proposed to be detached, semi-detached or attached.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>			<u>Land Use</u>
North	Single Family Dwelling District (R-3)			Single Family Residences within the Sunrise Lakes residential subdivision
South	Suburban Development District (SD)			Undeveloped land
East	General Business District (GB)			Undeveloped land
West	Single Family Dwelling District (R-3); General Business District (GB)			Single Family Residences within the Sunrise Lakes residential subdivision; various retail and office uses

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Comprehensive Plan recommends Medium Density Residential Uses for the subject property. The Comprehensive Plan further indicates that the appropriate zoning districts for medium density residential uses are the Single Family Dwelling Districts R-3 and R-4. Therefore, the proposed PUD conforms to the Comprehensive Plan.

CONFORMANCE TO THE THOROUGHFARE PLAN: The Thoroughfare Plan indicates a major collector street with an ultimate right-of-way of 80 feet adjacent to the subject property on the east side (Hooks Road, which aligns with CR 90 to the south).

STAFF REVIEW COMMENTS:

1. Please provide an explanation regarding density calculations. The density calculations should be made using net acreage exclusive of storm water detention areas, pipeline or other utility easements that are not maintained as public recreation areas and streets rights of way. Please clearly indicate the acreage dedicated for each of the above-mentioned areas.
2. Section 9.5 of the Land Use and Urban Design Ordinance (Ordinance) states that R-4 PUD shall be subject to R-3 general conditions except for lot size, lot width and lot coverage. In this regard please conform to R-3 general conditions pertaining to yard setback requirements, height restrictions, accessory buildings and management of common areas. Please address these issues specifically in the PUD document. It appears that the proposed front yard is 16 feet, rear yard is 10 feet and side yard of zero feet. These would not conform to the R-3 general conditions that require front yard of 25'(for lots 100' or more), rear yard of 20', and side yard of at least 5' with an aggregate dwelling separation of 15'.
3. Provide scale and overall dimensions on all drawings and label Hook's Road on Site Plan. All sections should show overall dimensions for review.
4. Please number / label the figures to correspond to the text.
5. Cross Section @ Alley shows fence at the lot line. Traditionally, fences in the front yard have not been permitted. Please provide details of this fence and other fences at property boundary in terms of height, material etc. for review. Please show the location of these fences on site plan.
6. Staff recommends that fence along Hooks Road be masonry, due to visibility from public right of way.
7. The cross section @ alley does not show sidewalks. Please clarify. Staff would recommend sidewalks along the loop road to encourage pedestrian safety.
8. The introduction mentions guidelines for signage. These need to be addressed in the PUD.
9. A general landscape plan should be provided that shows all proposed landscaping including trees along the loop road and landscaped buffers along the boundaries, if any are proposed. This should also show size in acres or square feet of all areas to be reserves as common open spaces, parks, recreational areas etc.
10. Sidewalks should be provided along Hooks Road.
11. The 30' Houston Pipeline Easement should be shown on the site plan. Are there any restrictions associated with these easements?
12. Other proposed utility systems, including sanitary sewers, storm sewers and water, electric; gas and telephone lines should be shown in a schematic form. Some easements may have restrictions that might affect the layout of landscaping as proposed and might restrict use of rear yards and common open spaces.
13. Provide all quantitative data required in Section 19.4 II. C.(1) (e),

14. Please provide a schematic diagram showing building footprints to enable review of usable spaces, off-site parking spaces, side yard setbacks etc.
15. Provide the following supporting documents as required by the ordinance:
 - a. Existing site conditions map.
 - b. Preliminary architectural renderings of typical structures and improvements.
16. If the applicant does not desire to dedicate any open space to the City a parkland dedication fee of \$350.00 per dwelling unit will be required. Please address this in the PUD document.

Additional comments will be forthcoming after discussion and review by the Planning and Zoning Commission.

STAFF ANALYSIS:

The proposed use is in conformance with the recommendations of the Comprehensive Plan that recommends Medium Density Residential Uses for the subject property. The Comprehensive Plan indicates that the appropriate zoning districts for Medium Density Residential Uses are the Single Family Dwelling Districts R-3 and R-4.

In terms of existing uses, the proposed use would serve as a buffer between the commercial uses on Broadway located on the south of the subject parcel and the single family residential uses located on the north.

However, the PUD document as submitted is incomplete and needs to incorporate the details that have been requested for further review and to ensure compliance with the Ordinance.

SUPPORTING DOCUMENTS:

- Zoning Map
- Future Land Use Plan
- Proposed Planned Unit Development (PUD)

AGENDA – WORKSHOP OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MAY 3, 2004, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

- 1. COMMISSION INPUT AND DISCUSSION: REGARDING THE 2004 COMPREHENSIVE PLAN UPDATE. Mr. Bill Eisen, City Manager**

III. ADJOURNMENT

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PUBLIC COMMENT FORM

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1742
281-652-1702 fax

ZONE CHANGE APPLICATION NO. 1171

Joint Public Hearing to be held Monday, May 17, 2004, at 6:30 PM in the Council Chambers of City Hall, 3519 Liberty Drive, Pearland, Texas.

If you are unable to attend the Joint Public Hearing, but wish to have your opinions made a part of the public record, please complete this form and return to the above noted address (by mail, by fax, or in person) prior to the Joint Public Hearing.

I am **FOR** the requested zoning as explained on the attached public notice.
(Checking "FOR" means that you support the zone change request and feel that the zoning should be approved accordingly.)

I am **AGAINST** the requested zoning as explained on the attached public notice.
(Checking "AGAINST" means that you are in opposition to the zone change request and feel that the request should be denied.)

Name: Elvia S. Jimenez

Address: 5310 Colonial Dr

Pearland Tax Account No. (If shown on enclosed map): _____

Application # 1171

Signature: Elvia S Jimenez Date: 5-15-04

COMMENTS: _____

**AGENDA REQUEST
BUSINESS OF THE PLANNING & ZONING COMMISSION
CITY OF PEARLAND, TEXAS**

AGENDA OF: 5-3-04

ITEM NO. _____

DATE SUBMITTED: 4-23-04

DEPARTMENT OF ORIGIN : Com. Development

PREPARED BY: Tobin E. Maples

PRESENTOR: Steve Chapman & Kola Olayiwola

SUBJECT: Consideration and Action Adopting the 2000 International Building Code, Fire Code, and Life Safety Code.

EXHIBITS: See attachments

EXPENDITURE REQUIRED: None

AMOUNT BUDGETED: N/A

ACCOUNT NO. N/A

ADDITIONAL APPROPRIATION REQUIRED: N/A

ACCOUNT NO. N/A

FUNDS AVAILABLE _____ (Finance Department Approval)

EXECUTIVE SUMMARY

Currently, commercial (nonresidential) structures are permitted under the 1997 SBCCI (Southern Building Code Congress International) and the 1997 Standard Fire Prevention Code. At tonight's meeting, staff will be detailing the International Family of Codes, which includes Building (IBC), Fire/Life Safety (IFC), Plumbing (IPC), Gas (IGC), and Mechanical (IMC) codes. The International Family of Codes are the most widely utilized codes within the municipal building industry and are stand-alone codes that address the design and construction of structures that fall beyond the scope of the International Residential Code adopted by the City last year. The International Fire Code serves as the prescriptive guide towards assuring life safety within the built space.

As stated within the City Charter, the Planning and Zoning Commission is charged with recommending to the City Council the amendment, extension and revision of the building code.

International Building Codes

In addition to adopting the International Building Code, 2000 Edition, staff is proposing a few local amendments to the overall family of codes. In order to clearly delineate proposed local amendments we have attached a copy of the proposed local amendments and an outline (See attached Outline on Proposed Amendments To International Codes) summarizing said local amendments.

International Fire and Life Safety Codes

In addition to adopting the 2000 International Fire Code and 2000 Life Safety Code, staff is proposing a few local amendments to the overall family of codes. In order to clearly delineate proposed local amendments we have attached a copy of the proposed local amendments and an explanation (See attached Explanation of Fire Code Adoption & Amendments) summarizing said local amendments.

RECOMMENDED ACTION

Approve the attached ordinance adopting the International Family of Codes

OUTLINE ON PROPOSED AMENDMENTS TO INTERNATIONAL CODES

The overall objective is to adopt the International Family of Codes for Building, Fire Safety, Plumbing, Gas and Mechanical Systems- along with specific amendments that will make such codes more suited for the City of Pearland.

As enumerated in the Power Point Presentation, the approach depicts the existing codes on left column and the proposed amendments on right column of each power slides. Note that the column on left include sections of the City Code of Ordinances that have become obsolete and slated for replacement by the proposed amendments.

Moreover, the packet containing the ordinance for proposed amendments to the International Codes is more inclusive, and should be referenced as a resource in this endeavor.

Below are highlights of proposed amendments to the International Codes:

INTERNATIONAL BUILDING CODE (IBC'2000)

- 1) **Section 101.1 Title:** "This Code" shall mean the Building Code for Pearland.
- 2) **Section 101.2.1 Appendices:** Makes appendices (A – J) part of this code.
- 3) **Section 101.4.1 Electrical:** Referenced NEC'99 as the Electrical Code.
- 4) **Section 101.4.5 Property Maintenance:** Referenced Life Safety Code'2000 as the standard guide for repairs and renovations of existing buildings.
- 5) **Section 105.2 Permits:** Not required for work with valuation less than \$300 dollars, unless inspection is necessary.
- 6) **Section 106.3.4 Design Professionals:** Allows only engineers and architects that are legally registered in Texas to design commercial projects.
- 7) **Section 108.2 Plan-Checking Fees:** Shall equal to one-half (50%) of the building permit fee.
- 8) **Section 108.4 Violations:** Punishment shall be equivalent to class "C" misdemeanor as prescribed in section 1-11 of the City Code of Ordinances.
- 9) **Section 110.1 Use/Occupancy:** Prohibits use of buildings without certificate of occupancy. Also cautioned that moving in of furniture is considered as occupying a building.

- 10) **Section 112.3 Board of Appeals:** Shall consist of seven members, in the denominations of 5-regular and 2-alternate members, appointed by council.
- 11) **Section 903.2.7 -8 "R-1 & R-2" Occupancy:** Calls for all apartments, motels, hotels and multi-family dwellings to be fully sprinklered.
- 12) **Section 903.2.10 Group "S":** All storage facilities over 5,000sq.ft shall be fully sprinklered.
- 13) **Section 907.2.11 Assembly Occupancies:** Require Emergency Voice Alarm Evacuation (Evac) System in all assembly with occupant load over 300 people.
- 14) **Section 907.2.11.1 Alarm System:** Where required, shall be installed per NFPA-72 standard and constantly monitored.
- 15) **1004.2 Exit Doorway Required:** Calls for two (door) means of egress in mercantile occupancy with more than 50ft travel distance to exit doorway.
- 16) **Section 1505.6 Wood Shingles/Shakes:** Use is prohibited in construction of any structure in Pearland.
- 17) **Section 1612.3 Flood Hazard Areas:** FIRM-maps and local flood prevention programs shall be part of this section.
- 18) **Section 1805.1 Footing/Foundation:** Calls for all structural support for commercial projects to be designed by engineers/architects (P.E./AIA).
- 19) **Section 2308.9.1 Spacing of Studs:** Limits 2"x4" studs to 16" on center (O.C) spacing, and 2"x6" to no more than 24" on center.
- 20) **Section 3409.2 Applicability:** Only new structures and substantial improvement to existing buildings shall be required to comply with the requirements of the new technical code.

INTERNATIONAL PLUMBING CODE (IPC'2000)

- 1) **Section 106.6.2 Fees:** Permit fees for all plumbing work shall be based on fee schedule- established by resolution of city council.
- 2) **Section 106.6.3 Refunds:** The Building Official is authorized to grant legitimate refund of fees on permits issued in error.

- 3) **Section 108.4 Violations:** Punishment shall be equivalent to class "C" misdemeanor as prescribed in section 1-11 of the City Code of Ordinances.
- 4) **Section 109.2 Plumbing Board of Appeal:** Shall be the same as the Building Construction Board of Adjustment.
- 5) **Section 305.6.1 Building Sewer:** Shall be buried in 12"x12" trench.
- 6) **Section 702.2 Drain Pipes:** Building sewer pipe shall be 4"(PVC) min, but if 6" or more in diameter, it could be SDR-35 or better.
- 7) **Section 903.1 Stack Required:** Every building shall have a 3" main vent.
- 8) **Section 904.1 Roof Extension:** All open vents shall terminate 6' above roof, if roof is utilized for other purpose, extension shall be 7ft above roof.
- 9) **Section 907.1 Individual Vent:** No vent shall be less than 1-1/2" in diameter.
- 10) **Section 1003.3 Grease Trap/Interceptors:** When required, each business shall have it's own individual grease trap and sample well.

INTERNATIONAL FUEL GAS CODE (IFGC'2000)

- 1) **Section 106.5.2 Fees:** Permit fees for all gas-plumbing work shall be based on fee schedule- established by resolution of city council.
- 2) **Section 106.6.3 Refunds:** The Building Official is authorized to grant legitimate refund of fees on permits issued in error.
- 3) **Section 108.4 Violations:** Punishment shall be equivalent to class "C" misdemeanor as prescribed in section 1-11 of the City Code of Ordinances.
- 4) **Section 109.2 Gas-Plumbing Board of Appeal:** Shall be the same as the Building Construction Board of Adjustment.

INTERNATIONAL MECHANICAL CODE (IMC'2000)

- 1) **Section 106.5.2 Fees:** Permit fees for all mechanical work shall be based on fee schedule- established by resolution of city council.

- 2) **Section 106.5.3 Refunds:** The Building Official is authorized to grant legitimate refund of fees on permits issued in error.
- 3) **Section 108.4 Violations:** Punishment shall be equivalent to class "C" misdemeanor as prescribed in section 1-11 of the City Code of Ordinances.
- 4) **Section 109.2 Mechanical Board of Appeal:** Shall be the same as the Building Construction Board of Adjustment.
- 5) **Section 202 Definitions:** Will include "local governing body", "chief appointing authority", "administrative authority", "appropriate authority of the jurisdiction", "department of law" and "mechanical official".
- 6) **Section 606.1 Controls Required:** All mechanical systems over 2000cfm shall have smoke/duct detectors on the supply side only; if over 15,000cfm, the detectors shall be on both (supply & return) sides of the system.

ARTICLE II. BUILDING CODE

Deleting excerpt from Article II of Chapter 7 hereby amends the Code of Ordinances of the City of Pearland, Texas, thereof all of Section 7-13 having the following provision:

Sec. 7-13. Deleted.

There is hereby adopted and incorporated herein by reference as the building code of the city that certain building code known as the Standard Building Code, 1997 Edition, with revision, recommended and published by the Southern Building Code Congress International, Inc., which code is published in book form and incorporated herein and made a part of this chapter. A copy is on file at the city secretary's office.

Substituting therefore a new Section 7-13 to provide as follows:

Sec. 7-13. International Building Code (IBC) Adopted.

The International Building Code, 2000 Edition, as published by the International Code Council, Inc., is hereby adopted by reference and made part of this chapter. A true and correct copy of which code is filed in the office of the city secretary.

Sec. 7-13.1. Amendments; modifications; additions; deletions.

The building code adopted in section 7-13 is modified in the following respects:

Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the *Building Code Of the city of Pearland, Texas*, hereinafter sometimes referred to as "this code."

Section 101.2.1 is hereby amended to read as follows:

101.2.1 **Appendices.** The provisions contained in the appendices referenced and listed below are hereby made part of the adopting ordinance:

- Appendix-A "Employee Qualification"
- Appendix-B "Board of Appeals"
- Appendix-C "Agricultural Buildings" Group "U"
- Appendix-D "Fire District"
- Appendix-E "Supplementary Accessibility"
- Appendix-F "Rodent Proofing"
- Appendix-G "Flood Resistant Construction"
- Appendix-H "Signs"
- Appendix-I "Patio Covers"
- Appendix-J "ADA for Historic Buildings"

Section 101.4.1 is hereby amended to read as follows:

101.4.1 **Electrical.** The provisions of the NFPA 70, National Electric Code (NEC'99) as published by the National Fire Protection Association, hereto adopted by the City, as amended, shall apply to the installation of electrical systems, including alterations, repairs and replacement of fixtures.

Section 101.4.5 is hereby amended to read as follows:

101.4.5 **Property maintenance.** The provisions of the International Property Maintenance Code along with current edition of Life Safety Code 2000 shall apply as the standard guide for repairs, alterations, renovations and maintenance of all commercial oriented buildings and appurtenances.

Deleting items 1 through 10 and adding the following statement hereby amends section 105.2:

105.2 **Work exempt from permit.** Permit shall not be required for work classified as maintenance type, whose valuation is less than three hundred dollars (\$300); unless inspection is required. The following shall be exempt from permit fees and inspections, except as noted:

- U.S. Government
- Federal agencies
- Federal independent contractors

State of Texas
Brazoria County
School Districts (fees only)
City of Pearland (fees only)
City of Pearland EDC (fees only)

Section 106.3.4 (Design Professional) is hereby amended to include the followings:

106.3.4.1 General. All privately funded and public projects that are classified as Commercial, Educational, Institutional or Assembly type occupancy and three or more stories in height or exceed five thousand (5,000) square feet in area, except one and two family dwelling- the Designer shall be an Architect or Engineer legally registered under the law of this state.

Section 108.2 is hereby amended to include the followings:

108.2 Plan-checking fees. When the valuation of the proposed construction exceeds \$1,000 and a plan is required to be submitted, a plan-checking fee shall be paid to the Permit Office when plans and specifications are submitted for review. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in City Permit Fee Schedule.

Section 108.4 is hereby amended and rewritten to include

108.4 Violations. Any person, firm or corporation who shall violate or fail to comply with the requirements or provisions of the building code herein adopted shall be deemed guilty of a misdemeanor and shall, upon conviction by a court of competent jurisdiction, be punished as provided in section 1-11 of the Code of Ordinances of the city of Pearland.

Adding a new last sentence as follows hereby amends section 110.1:

110.1. Use and Occupancy. For the purpose of this section, the moving of furniture or other personal property items into a property prior to issuance of a certificate of occupancy shall constitute the occupancy or use of the property. Such act is hereby prohibited, unless authorized by the Building Official.

Section 112.3 is hereby amended to read as follows:

112.3 Qualifications for Board of Appeals. The Board of Adjustment and Appeals shall consist of seven members. Such board members, 5-regular and 2-alternate, shall be composed of individuals with knowledge and experience in the technical codes, such as design professionals, contractors, building industry representatives and licensed electrical/mechanical/plumbing trades men. In addition to its regular members, the Board shall also consist of two alternate members, one at large from the building industry and another one at large from the public. All board members shall be appointed by the city council. A board member shall not act on a case in which he or she has a personal or financial interest.

Section 903.2.8 is hereby amended to read as follows:

903.2.8 Group R. All "R-1 to R-4" occupancy type (*apartments, etc.*) regardless of number of units or story height shall be fully sprinklered, including balcony, patios and porches. Only Single Family Residencies are exempt from this requirement.

Section 903.2.10 is hereby amended and revised to read:

903.2.10 Group S. All storage facilities (S-1/S-2) that are 5,000sq.ft or more shall be fully sprinklered- regardless of the fire area and aggregate floor area.

Section 907.2.11 is hereby amended and exception deleted.

907.2.11 Special Amusement Buildings. Amend to read that all Assembly Buildings with 300 or more occupants shall be required to install an Emergency Voice Alarm Evacuation (Evac) System. Installations shall be in accordance with NFPA-72.

Section 907.2.11.1 is hereby amended to read as follows:

907.2.11.1 Alarm System. Where required, shall be installed per NFPA-72 standards and monitored by off premise central station. System shall also have occupant notification throughout the building.

Section 1004.2.1 is hereby revised to read as follows:

1004.2.1 Exit Access Doorways Required.

All Business/Mercantile occupant type with more than 50ft travel distance to exit doorway shall be equipped with two means of egress that are remotely separated (not on same plane)- with the door swinging in the direction of egress.

Sections 1505.6, 1507.8, 1507.9 are hereby amended and rewritten to read:

Wood Shingles and Shakes: No wood shingles or shakes shall be used in the construction of any structure. All plans shall indicate the roofing materials to be used. Additionally, composition shingles may not be secured with staples.

Sections 1612.3. is hereby amended to read as follows:

1612.3 Flood Hazard Areas:

The Flood Insurance Study for the City of Pearland, Texas, as amended or revised, with accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM), including related supporting data and revisions thereto, is hereby adopted by reference and declared to be a part of this section.

Sections 1805.1 is hereby amended to read as follows:

1805.1 Footing and Foundations:

All structural members (footing & foundations) for commercial structures shall be approved by a registered professional engineer. Plans shall be submitted with original wet seals applied and signed.

Sections 2308.9.1 is hereby amended to include:

2308.9.1 Spacing of Studs:

Two inches by four inches (2"x4") studs shall be spaced a maximum of sixteen inches (16") on center, and two inch by six-inch (2"x6") studs shall be spaced at a distance no greater than twenty-four inch (24") on center O.C.

Sections 3409.2 is hereby amended to read as follows:

3409.2 Applicability:

Structures existing prior to the effective date hereof, in which there is work involved additions, alterations (50% of size or market value), or

changes of occupancy (after 6-month vacancy), such building shall be made to conform to the requirements of this section or the provisions of Sections 3402 through 3406 for Additions, Alterations or Repairs.

ARTICLE I. PLUMBING CODE

Deleting excerpt from Article I of Chapter 23 hereby amends the Code of Ordinances of the City of Pearland, Texas, thereof all of Sect 23-1 having provision for SBCCI'97 Plumbing Code is deleted:

Substituting therefore a new Section 23-1 to provide as follows:

Sec. 23-1. International Plumbing Code (IPC) Adopted.

The International Plumbing Code, 2000 Edition, as published by the International Code Council, Inc., is hereby adopted by reference and made part of this chapter. Provided, however, in the event of conflict between the International Plumbing Code and the Examination Plumbing Code (state rules) and Study Guide, the state rules shall govern. A true and correct copy of which code is filed in the office of the city secretary.

The Code of Ordinances of the City of Pearland, Texas, is hereby further amended by deleting from Article I of Chapter 23, thereof all of Section 23-1.1 which provides as follows:

Sec. 23-1.1. Amendments; modifications; additions; deletions.

The plumbing code adopted in section 23-1 is modified in the following respects:

Section 106.6.2 is hereby amended to read as follows:

106.6.2 Fees. The fees for all plumbing work shall from time to time be established by resolution of city council; and a fee schedule shall be kept in the office of the city secretary.

Section 106.6.3 is hereby adopted to read as follows:

106.6.3 Refunds. The Building Official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 108.4 is hereby deleted in its entirety and rewritten to read:

108.4 Violations. Any person, firm or corporation who shall violate or fail to comply with the requirements or provisions of the plumbing code herein adopted shall be deemed guilty of a misdemeanor and shall, upon conviction by a court of competent jurisdiction, be punished as provided in section 1-11 of the Code of Ordinances of the city.

Section 109.2 is hereby deleted and replaced with the following:

109.2 Board of Appeal. The construction board of adjustment and appeals as set forth in Sec. 112.3 of the Building Code (amended) shall also serve as the plumbing board of appeals.

Section 305.6.1 is hereby adopted to read as follows:

305.6.1 Building sewers. All sewer pipes including ones connected to private sewage disposal systems shall be buried in trenches that is 12" wide by 12" deep (minimum) at all points below finished grade.

Section 702.2 is hereby adopted to read as follows:

702.2 Drain Pipes. Building sewer piping shall be a minimum of 4" inches and conform to one of the standards listed in Table 702.1 – 702.4. Six (6") inches and larger sewer pipes may be SDR 35 or better.

Section 903.1 is hereby adopted to read as follows:

903.1 Stack Required. Every building shall have a minimum of a three (3") inch main vent that is either a vent stack or stack vent. Such vent shall run undiminished in size and directly as possible from the building drain through to the open air, extending at least six (6") inches above the roof lowest elevation.

Section 904.1 is hereby adopted to read as follows:

904.1 Roof Extension. All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7ft (2134 mm) above the roof.

Section 907.1 is hereby adopted to read as follows:

907.1 Individual Vent. The minimum required size of vent pipes shall be at least 65% of the required diameter of the drain it serves. Vents shall not be less than 1-1/2" inches in diameter. Vents exceeding 40ft in developed length shall be increased by one pipe size for the entire length of vent pipe.

Section 1003.3 is hereby revised in its entirety and rewritten to read:

1003.3 Grease Traps and Interceptors. When waste pretreatment is required, an approved type grease trap and sample well shall be installed in the waste line leading from any drains, sinks, and other equipment or fixtures in establishment such as restaurants, cafes, lunch counters, cafeterias, clubs and bars, as well as hotel, hospital, sanitarium, school, childcare or adult-care facility, church, factory kitchens, permanently placed food vender trailers, laundry mats, dry cleaners, washeterias, auto washes or other establishments where grease may be introduced into the drainage or sewage system thus causing line stoppage or hinder treatment by authorized facility. Each business shall have it's own individual grease trap and sample well.

Multi-Family Properties: Town homes, Condominiums, Apartments, Lofts, Mobile Home/Trailer Parks, R.V. Parks and any properties where multiple families share a single line for sanitary sewer drainage shall have a City approved grease trap and sample well.

Where installed grease/lint trap (at minimum) shall be cleaned regularly within a ninety-day period, or as deemed necessary by the City of Pearland- Building/Utility Inspector. Owners shall keep complete records of all cleanings and shall be available upon request. The generator of grease is responsible for the waste until it is properly disposed of by a registered transporter.

Construction/Sizing of Grease Trap. Where required, interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, leak resistant, and equipped with easily removable covers, that shall be gas/water tight and of size no less than 500 gallons. Grease trap sizing shall be based on approved formula, i.e., EPA-2 Model.

ARTICLE VI. GAS CODE

Deleting excerpt from Article VI of Chapter 23 hereby amends the Code of Ordinances of the City of Pearland, Texas, thereof all of Section 23-161 having provision for SBCCI'97 Gas Code is deleted:

Substituting therefore a new Section 23-161 to provide as follows:

Sec. 23-161. International Fuel Gas Code (IFGC) Adopted.

The International Fuel Gas Code, 2000 Edition, as published by the International Code Council, Inc., is hereby adopted by reference and made part of this chapter. Provided, however, in the event of conflict between the International Fuel Gas Code and the Examination Plumbing Code (state rules) and Study Guide, the state rules shall govern. A true and correct copy of which code is filed in the office of the city secretary.

The Code of Ordinances of the City of Pearland, Texas, is hereby further amended by deleting from Article I of Chapter 23, thereof all of Section 23-161 which provides as follows:

Sec. 23-161. Amendments; modifications; additions; deletions.

The gas code adopted in section 23-161 is modified in the following respects:

Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Fuel Gas Code of the City of Pearland, Texas, hereinafter sometimes referred to as "this code."

Section 106.5.2 is hereby amended to read as follows:

106.5.2 Fees. The fees for all gas plumbing work shall from time to time be established by resolution of city council; and a fee schedule shall be kept in the office of the city secretary.

Section 106.5.3 is hereby adopted to read as follows:

106.6.3 Refunds. The Building Official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 108.4 is hereby deleted in its entirety and rewritten to read:

108.4 Violations. Any person, firm or corporation who shall violate or fail to comply with the requirements or provisions of the gas plumbing code herein adopted shall be deemed guilty of a misdemeanor and shall, upon conviction by a court of competent jurisdiction, be punished as provided in section 1-11 of the Code of Ordinances of the city.

Section 109.2 is hereby deleted and replaced with the following:

109.2. Board of Appeal. The construction board of adjustment and appeals as set forth in Sec. 112.3 of the Building Code (amended) shall also serve as the gas plumbing board of appeals.

ARTICLE III. MECHANICAL CODE

Deleting excerpt from Article III of Chapter 7 hereby amends the Code of Ordinances of the City of Pearland, Texas, thereof all of Section 7-51. having provision for SBCCI'97 Standard Mechanical Code is deleted:

Substituting therefore a new Section 7-51 to provide as follows:

Sec. 7-51. International Mechanical Code (IMC) Adopted.

The International Mechanical Code, 2000 Edition, as published by the International Code Council, Inc., is hereby adopted by reference and made part of this chapter. Provided, however, in the event of conflict between the International Mechanical Code and State Energy Conservation Code (state rules) the state rules shall govern. A true and correct copy of which code is filed in the office of the city secretary.

The Code of Ordinances of the City of Pearland, Texas, is hereby further amended by deleting from Article I of Chapter 23, thereof all of Section 23-161 which provides as follows:

Sec. 7-51.1. Amendments; modifications; additions; deletions.

The mechanical code adopted in section 7-51 is modified in the following respects:

Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Pearland, Texas, hereinafter sometimes referred to as "this code."

Section 106.5.2 is hereby amended to read as follows:

106.5.2 Fees. The fees for permits required hereunder shall from time to time be established by resolution of city council; and a fee schedule shall be kept in the office of the city secretary.

Section 106.5.3 is hereby adopted to read as follows:

106.5.3 Refunds. The Building Official shall authorize the refunding of fees where the full amount of any fee paid hereunder was erroneously paid or collected.

Section 108.4 is hereby deleted in its entirety and rewritten to read:

108.4 Violations. Any person, firm or corporation who shall violate or fail to comply with the requirements or provisions of any section or subdivision of the mechanical code adopted by this article shall be deemed guilty of a misdemeanor and shall, upon conviction by a court of competent jurisdiction, shall be fined not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense; and each and every day that such violation continues shall constitute a separate offense.

Section 109.2 is hereby deleted and replaced with the following:

109.2 Board of Appeal: The construction board of adjustment and appeals as set forth in Sec. 112.3 of the Building Code (amended) shall also serve as the Mechanical board of appeals.

Section 202 (**Definitions**) is hereby amended to include the following:

- (a) Whenever the terms “local governing body” or “chief appointing authority” or “administrative authority” or “appropriate authority of the jurisdiction” are used in the code adopted by this article, they shall be construed to mean the City council of the City of Pearland, Texas.
- (b) Whenever the term “department of law” is used in the code adopted by this article, it shall be construed to mean the city attorney of this city.
- (c) Whenever the term “mechanical official” is used in the code adopted by this article, it shall mean the city building inspector or his duly authorized deputy or assistants or any officer of the city designated by the city council having the duty to enforce the mechanical regulations of the city.

Section 606.1 is hereby amended to read as follows:

606.1 Controls Required. All mechanical systems over 2000 cfm capacity shall be equipped with smoke/duct detectors on the supply side of the system. Also, if the system capacity is over 15,000cfm, smoke/duct detectors shall be required on both (supply and return) sides of the system to eliminate smoke travel. If the required control is connected to building alarm system, activation shall create a general alarm.

EXPLANATION OF FIRE CODE ADOPTION & AMENDMENTS

1. NEW: [Fire Code] Removal of current adopted 1997 Standard Fire Prevention Code and 1997 Life Safety Code from City Ordinance, Fire Prevention, Article III and replace with 2000 International Fire Code and 2000 Life Safety Code as amended.
2. NEW: [Fire Lanes] Remove City Ordinance, Article VI, Fire Lanes in its entirety and replace with new Fire Lane Ordinance referencing 2000 International Fire Code. This ordinance gives detailed specifics on installing fire lanes.
3. CLARIFICATION: [Fire Apparatus Access Roads] Amendment 1 outlines the specifics for the marking of Fire Apparatus Access Roads congruent with the City Ordinance.
4. CLARIFICATION: [Key Boxes] Amendment 2 provides specifics regarding that section of the 2000 International Fire Code addressing when a key box is required, instead of being required when ever the code official thinks it is necessary.
5. NEW: [Permits] Amendment 3 addresses the permitting and inspecting of day cares, personal care homes and foster care homes. We currently inspect them for the State. Any new facilities under 12 clients are no longer required by the State to be inspected. This will not change anything we are doing now except for requiring an annual permit and establishing a fee for that permit.
6. NEW: [Residential Fire Alarms] Amendment 4 requires any new Automatic Fire Alarm System installed in an *existing* residential home to comply with that section of the current edition of NFPA 72-National Fire Alarm Code addressing Fire Alarm Systems in new residential construction. This will require hardwired smoke detectors inside the bedrooms, interconnected together, with battery backup. This will only apply when a fire alarm company installs a new fire alarm system in an existing residential home at the homeowners' request. Installation of systems in *new* homes is already addressed in the current edition of NFPA 72.
7. NEW: [Automatic Fire Sprinklers-Residential] Amendment 5 to the 2000 IFC & IBC will require all new hotels, motels, and multi-family dwellings to be fire sprinkled regardless of how many units or height of structure. This is of minimal cost when incorporated into new construction. Everyone benefits in the long run.
8. NEW: [Automatic Fire Sprinklers-Mini Storage] Amendment 6 to the 2000 IFC & IBC will require all mini-storage facilities over 5,000 sq. ft., regardless of fire separations to be fire sprinkled. Current requirement is over 12,000 sq. ft.

9. NEW: [Voice Evacuation Alarm-EVAC] Amendment 7 to the 2000 IFC & IBC will match the requirement in NFPA 101-Life Safety Code regarding when an EVAC fire alarm is required. Life Safety Code requires EVAC when over 300 occupants in an assembly. International Fire Code does not require an EVAC until over 1000 occupants.
10. NEW: [Commercial Fire Alarms] Amendment 8 to the 2000 IFC & IBC will require an addressable panel, manual pull stations, at least one type of automatic detection, and monitoring with occupant notification throughout building compliant with ADA standards.
11. CLARIFICATION: [Fire Department Connection-FDC] Amendment 9 to the 2000 IFC will provide more detailed specifics with respect to the location, installation, and marking of Fire Department Connections.
12. NEW: [Exit Access] Amendment 10 to the 2000 IFC & IBC will reduce the length of travel allowed in certain occupancies from "more than 75 feet" to "more than 50 feet" before a second remotely independent means of egress is required.
13. NEW: [Tires] Amendment 11 to the 2000 IFC provides specific requirements for the storage and handling of rubber tires regardless of being whole, split, shredded, or chopped. Over-accumulations would be deemed a public and common nuisance.
14. NEW: [Permits] Amendment 12 to the 2000 IFC & City Code of Ordinances provides for the issuance of certain permits with an associated fee schedule.
15. CLARIFICATION: [Open Flame Cooking Devices] Amendment 13 to the 2000 IFC details specifics regarding the allowable uses for charcoal burning equipment and certain distance requirements.
16. NEW: [Standpipes] Amendment 13 to the 2000 IFC removes the allowance for a Class II – Occupant Use Only.
17. NEW: [False Fire Alarms] Amendment 15 to the City Code of Ordinances mirrors the existing Ordinance for False Security Alarms.
18. NEW: [Fixed Fire Extinguishing System] Amendment 16 to 2000 IFC adds a local alarm to a commercial fire suppression system for occupant notification.

FIRE CODE

Adoption:

Amend Sec. 10-46, Article III, *Fire Code of City*: [Remove 1997 Standard Fire Prevention Code and replace with]:

Section 10-46 International Fire Code (IFC) Adopted.

The International Fire Code, 2000 Edition, including appendices as published by the International Code Council, Inc. is hereby adopted by reference and made part of this Ordinance, With the exception of Sec. 307 Open Burning. This wording shall be added at the end of each section of 307.1 to read: "No person shall kindle or maintain any type of open fire/burning, bonfires or recreational fires and including trench-burn fires as defined by TCEQ (Texas Commission on Environmental Quality) within the city and within the area immediately adjacent and contiguous to the city limits extending for a distance outside the city limits for a total of five thousand (5,000) feet. Only in the City of Pearland's city limits and the (ETJ) Extra Territorial Jurisdiction shall this be enforced. Such open fire(s) in these specified areas are hereby declared to be a common and public nuisance." Exceptions to the rule would apply to live firefighting training conducted by the Fire Department so long as compliant with TCEQ regulations, barbecue pits used for cooking, or an approved outdoor fireplace used for warmth that has three sides and a spark arrestor and complies with Sec. 307. The fire official may prohibit any or all fires, or order the immediate extinguishment of any and all fires when atmospheric conditions or local circumstances make such fires hazardous or the smoke or ash from such fire(s) becomes a common and public nuisance.

Remove 1997 Life Safety Code and adopt 2000 Life Safety Code. This standard shall apply for repairs, alterations, renovations and maintenance of all commercial buildings and appurtenances. When a conflict occurs with the International Codes or referenced NFPA standards, the provisions of the most restrictive shall apply. Amendments to the referenced standards become part of this code.

Amendment # 1

Fire Apparatus Access Roads

Sec. 503 - Markings, amend to add to the end of paragraph Sec. 503.3

FIRE LANES, Remove in its entirety Article VI of City Code of Ordinances and replace with the following Fire Lane ordinance:

Whenever any provision regarding the regulation of fire lanes contained in the most recent edition of the International Fire Code adopted by the City are in conflict with the provisions of this subsection, the provisions of this subsection shall govern.

(1) (a) The owner, manager, or person in charge of any new or existing building or property for which fire lanes have been approved or required by the Fire Marshal or his authorized representative shall mark and maintain said fire lanes as provided below.

(b) All curbs and curb ends shall be painted red with four inch (4") white lettering stating "NO PARKING - FIRE LANE". Wording may not be spaced more than twenty five feet (25') apart. Lettering shall be at least one half-inch (1/2") stroke. Fire lanes shall be marked on both sides with a minimum of 24' clear width in the middle regardless of road width. Fire lanes should not be right against the structure if possible but close enough to give sufficient access and should be placed to get to at least three sides of the structure. The radius on the turns shall be 25' on the inside and 50' on the outside.

(c) In areas where fire lanes are required but no continuous curb is available, one of the following methods shall be used, in conjunction with the curb markings, to indicate that the fire lane is continuous:

(i) Option #1: Signs twelve inches (12") wide and eighteen inches (18") in height with red lettering on a white background stating "NO PARKING - FIRE LANE" shall be mounted conspicuously along the edge of the fire lane. Signs may be spaced no more than twenty five feet (25') apart and the lettering shall be at least three-eighths inch (3/8") stroke (see Appendix D 103.6 Signs of 2000 International Fire Code)

(ii) Option #2: From the point the fire lane begins to the point the fire lane ends, including behind all parking spaces which adjoin a fire lane, shall be marked with one continuous red stripe having a minimum width of at least six inches (6") painted on the drive surface behind

Remove from Fire Code Appendix D103.6.2 Roads more than 26 feet in width. Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.

D103.6.1 Amend to read: Fire access roads that are required to be marked shall be a minimum width of 24' wide and shall be marked on both sides.

Amendment # 2

§F506.1 When required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the code official is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain Access to the structure or area as required by the code official.

506.1 Key Boxes. All new construction or substantial improvement (50% or more) to existing buildings with pre-existing monitored fire protection systems (alarm/sprinkler) shall be required to have a key box approved by the Fire Marshal.

Amendment # 3

§F903.2.5 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

EXCEPTION: An automatic sprinkler system installed in accordance with §F903.3.1.2 or §F903.3.1.3 shall be allowed in Group I-1 facilities.

It is hereby proposed that the Authority Having Jurisdiction (AHJ), (i.e., the Pearland Fire Marshal or his designee) shall inspect and approve all **registered** and **licensed** personal care facilities, all foster care, child-care, and group homes within the City of Pearland for compliance with the current adopted fire code. Furthermore, any facility or home that houses individuals that are incapable of self-preservation as defined by the Life Safety Code, N.F.P.A. 101 shall be protected throughout by an approved N.F.P.A. 72 fire alarm, and N.F.P.A. 13 automatic sprinkler system.

Exception 1: In the case of personal care facilities, child-care, group homes, and foster care with children under the age of 18, or in-home residential child care under the age of 18, and clients that number less than 6, or group home settings with children under the age of 18, and clients that number less than 6, and a person is incapable of self-preservation a 13 R, or 13 D automatic sprinkler system is approved for this application. Plans for installation shall be forwarded to the AHJ for review and permitting.

Exception 2: In the case of personal care facilities, child-care, group homes, with children under the age of 18, or in-home residential child care under the age of 18, and clients that number less than 6, or group home settings with children under the

age of 18, and clients that number less than 6, a residential automatic fire alarm system with smoke detection through out is approved for this application. Plans for installation shall be forwarded to the AHJ for review and permitting.

Initiation of the automatic residential fire alarm shall be by smoke detection and activation of the automatic sprinkler system interconnected with the alarm system, and shall have emergency force notification.

Special definition:

Self- preservation- the ability of a client, or occupant, due to physical or mental impairment to evacuate an occupancy without direct intervention by any other person, or the need of any equipment. This definition does not include equipment such as ladders or chutes used for evacuation from a second story.

Inspection of all facilities shall be required upon passage of this ordinance. Installation of the automatic sprinkler system and/or automatic fire alarm system with smoke detection shall be upon the permitting of all new construction, or the registering/licensing of a facility that houses persons incapable of self-preservation, or as required by the AHJ.

This amendment to the city code of ordinances is needed for facilities that are not covered by inspection. This leaves an unknown number of homes and facilities that house clients without the ability of self-preservation un-inspected or protected. These homes and facilities should be held to the same standards as any other facility. The state registers these facilities but does not require compliance with minimum fire safety standards.

Amendment # 4

All new installations of a residential automatic fire alarm system shall comply with the current addition of NFPA 72. This requires smoke detectors in all sleeping rooms, in the hallway outside the sleeping rooms and one per floor. The detectors shall be interconnected and electrically hard wired with battery backup in the alarm system.

Amendment # 5

Building Code Sec. 903.2.7 & 903.2.8 reference same as Fire Code

§F903.2.8 Group R-2. An automatic sprinkler system shall be provided throughout all buildings with a Group R-2 fire area where more than two stories in height, including basements, or where having more than 16 dwelling units.

Amend to read 903.2.8 Group R all "R-1 and R-2" occupancy (apartments, multi-family dwellings, hotels, motels) regardless of number of units or

story height shall be sprinklered throughout including balconies, patios and porches.

Sec. 903.2.7 an automatic sprinkler system shall be provided throughout buildings with a Group R-1 (hotels and motels) fire area.

Remove exception 903.2.7 R-1 1. Where guestrooms are not more than three stories above the lowest level of exit discharge and each guestroom has at least one door leading to an exterior exit access that leads directly to approved exits.

Amendment # 6

Building Code 903.2.10 same as Fire Code

§F903.2.10 Group S-1. An automatic sprinkler system shall be provided throughout all buildings where the fire area containing a Group S-1 occupancy exceeds 12,000 square feet (1115 m²), or where more than three stories in height, or where the combined fire area on all floors, including mezzanines, exceeds 24,000 square feet (2230 m²).

903.2.10 Group S. All storage facilities (S-1/S-2) moderate/low-hazard that are 5000 sq. ft. or more shall be fully sprinkled, regardless of the fire area and aggregate floor area. Installation of fire separations is not an exception to sprinklers on structures that have a fire area greater than 5000 sq. ft.

Amendment # 7

Building Code 907.2.1.1 same as Fire Code

907.2.1.1 System initiation in Group A (Assemblies) with an occupant load of 1,000 or more shall activate an Emergency Voice Alarm Communication (EVAC) System.

Amend to read that all new and existing Assembly Buildings with an occupant load of 300 or greater shall install Emergency Voice Evacuation (EVAC) systems in accordance with NFPA 72.

Building Code 907.14 same as Fire Code

§F907.15 Monitoring. Where required by this chapter, an approved supervising station in accordance with NFPA 72 shall monitor fire alarm systems.

907.15 Add to the end of the paragraph: All alarm activations monitored by

an approved supervising station shall not undergo pre-qualification. The area fire department will immediately be notified of all alarm activations.

Add a new section:

907.7.1 Evacuation- Upon activation of any automatic fire alarm system all occupants of the structure shall be evacuated and remain outside the structure until the fire department has determined that no fire or danger exists. Occupants of the structure shall not *reset* an alarm activation so as to enable fire department personnel to locate the area or zone activated. Any trained individual with the responsibility to respond to an emergency may *silence* alarm activations

Amendment # 8 Commercial Fire Alarms

Building Code 907.2 reference same as Fire Code

907.1.2 Add: All new fire alarm systems shall be addressable and communication devices shall be compatible for emergency force notification. The system shall have occupant notification throughout the building in compliance with ADA requirements, and manual pull stations shall be required by all exits regardless of any exceptions in the code to remove them.

§F907.2 Where required - new buildings and structures. An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with §F907.2.1 through §F907.2.23. Where automatic sprinkler protection installed in accordance with §F903.3.1.1 or §F903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

907.2 Add to the end of 907.2 amend to add “ When the installation of a new fire alarm system is required in any type of occupancy, at least one of the following means of automatic detection (smoke detection, heat detection, or fire sprinklers) is required in addition to manual operation of the fire system. All new installations shall be monitored for emergency force notification and for integrity by means of a dedicated first phone line. (this is to assure the Fire Dept. receives the call for emergency response)

Amendment # 9

§F912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire

apparatus and hose connected to supply the system will not obstruct access to the buildings by other fire apparatus. The location of fire department connections shall be approved by the AHJ.

Amend Section 912.2 and 903.3.7 to read: Location of Fire Department Connection (FDC): The FDC shall be located at a point no further than 20 feet from a fire apparatus access road, and remotely located at a horizontal distance that is greater than the height of the building on the main street side, and easily accessible to the Fire Department. The location of the FDC shall be so located as to provide hose connections that shall not block access to the building or obstruct other fire apparatus from accessing the building. There shall be an approved sign as specified by the Fire Marshal designating the address served by the FDC. A fire hydrant shall be located within 100' of the Fire Department Connection measured along a fire apparatus access road. FDC's shall have a 5" Storz connection and shall include an approved locking cap as specified by the Fire Marshal.

Amendment # 10

Building Code Sec. 1004.2 same as Fire Code

§F1004.2 Exit access design requirements. The exit access portion of the means of egress system shall comply with the applicable design requirements of §F1004.2.1 through §F1004.2.5.

Amend this section as follows:

1004.2.1 Exit Access Doorways Required. All assembly, business, mercantile, educational and hazardous occupancies with more than 50 foot of travel distance to an exit doorway from any portion of the building shall be provided with two means of egress that are remotely separated (not on the same plane). All egress doors must swing in the direction of the exit travel.

Amendment # 11

2505.1 Individual Tire Piles and Storage. All incoming tires by truck or trailer shall be off loaded within 24 hours and worked into stock on non-combustible racks as required for all tire storage. Tires are not to be left on the ground at the end of the workday and the truck or trailer transporting the incoming tires shall be removed from the site immediately following off-loading.

Outgoing tires intended for disposal, shall not be placed on the ground, but instead stored in no more than one (1) enclosed trailer, (8' x 8' x 20' ; 1280 Cu.ft.) on site. This includes any form of tires regardless of whole, split

shredded, or chopped.

Tires not designated for retail or wholesale consumption shall not be allowed to over-accumulate regardless of whole, split, shredded or chopped so as to constitute a fire or health hazard within the city or within 5000 feet of the city limits in Pearland's ETJ (Extra Territorial Jurisdiction). Such accumulations shall be deemed a public and common nuisance.

Amendment # 12

§F105.1.1 Permits required. Permits required by this code shall be obtained from the code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.

Section 105.1.1 Amend to read as follows, replacing second sentence: Certain permits and fees shall be required and are listed as attached. Permit fees shall be paid prior to the issuance of the permit.

Amend and add 105.1.1.1 Fee schedule- to City Ordinance Fire Prevention Sec.

Type I Permit (include review, inspection, testing, and permit) Fees shall be a Percentage of the Value as by current Building Permits

Fire Sprinkler system install (First 10,000 square feet.

Each additional 10,000 square feet

Over 20 heads

Underground fire mains

Smoke control systems

Fire pumps

Standpipe system installation

Fixed Fire Protective Systems

Fire Alarm Installation

Flammable/combustible liquid storage tank installation or removal

Single/multi family residential automatic fire sprinkler system

along reflector by AS.

Sidewalks may be required on the ~~North~~ side.
Onsite det. may be required. Driveway
separation 1160ft on a Minor
collector street. Stay in recommendation
of Planned Unit Development.

dedicated 2' space
of street
green

Steve Robinson - can comment on 1160ft.
on driveway, limit one drive
access as a common access.

(D) PUD - Parkside at Pearland.

10 acres Not Broadway, South of
Surprise Lakes Rd., 43 SF residences.
(R-4 PUD), conform to R-3 setbacks

Ruby Sanders - point out the ordinances
of a PUD.

adjourned @ 9:55 pm

- dead row
- Sidewalk
- emergency access gate
- Hooked completion
- pipeline 10ft easement
- garage -
- 25ft setback
- 15ft setback row
- vary elevation of homes

Regular P+Z 5/3/04

Called to order @ 8:11pm

Don & Todd were absent

(A) Avalon Terrace -

Richard recommend approval

Ruby made a motion
David seconded

all in favor 5-0

(B) ^{Ruby} motion to table
David seconded

~~until~~ until Todd is here.

motion table approved 5-0

(C) Discussion - PUD Bocket Tract

5.3 acres, w/ OP uses. compatible w/
SCR guidelines. will be designed
dev. compatible w/ "com" of SCR.
currently no access to land, may need TIA
at platting process. dedicate ROW,

Type II Permits (includes permit and site inspection)

Temporary storage tanks \$50.00

Fireworks- Amend Article IV Sec. 10-77 City Ordinance
\$50.00

Additional fees will apply for fire protection

Each required re-inspection for non-compliance
\$25.00

Amend City Ordinance Sec. 10-92 Through 10-101 in their entirety. When permit required and refer to adopted Fire Code for Hazardous Materials and permitting of quantities. Also refer to NFPA standards and DOT Regulations

Hazardous materials or explosive over 25 pounds or 25 gallons
\$50.00
or as stated in section 105.6 of this code inspected annually

Bulk storage or handling facilities of hazardous materials
\$150.00
inspected annually

Flammable/combustible liquids (other than dwelling in excess
\$50.00
Of 6 gallons of class I flammable liquid or in excess of 25
Gallons of any flammable/combustible liquid.

Compressed gas (other than dwelling that stores or handles
\$50.00
In excess of 2,000 cu. feet of flammable or 6,000 cu feet of

Nonflammable gas) Renewed annually

Inspections

Foster Care (inspected every 2 years)
\$25.00

Child or Adult care facility (inspected annually) \$50.00

Personal Care Facility (inspected annually)
1-6 clients \$25.00
7-16 clients \$50.00

over 16 clients
\$100.00

Health care Facilities (hospitals, nursing homes, health clinic

Dialysis clinics

1-100 beds

\$100.00

101-150 beds

\$150.00

Over 150 beds

\$200.00

Spray Painting, Dipping, Coating Facilities (inspected annually)

\$50.00

Amendment # 13

§F307.5 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

EXCEPTIONS:

1. One-and two-family dwellings.

307.5 Add to the end of the paragraph before the exceptions: Charcoal burners, solid fuel cookers, Bar-B-Que pits shall be listed for their intended use and shall not be used inside a structure unless specifically intended or listed for inside use.

Amendment # 14

Sec.905 Standpipe Systems

Remove entire Sec., 905.5, 905.5.2, 905.5.3, as referring to Class II Standpipes

And amend to read when a standpipe system is required only a Class I or Class III standpipe can be used with a 2 1/2" to 1 1/2" reducer added to it. Class II is occupant use only and Class III is occupant and Firefighter use. Class I is Firefighter use only.

Amendment # 15

Amend the Code of Ordinances, Chapter 10, Article VII, Sections 117 – 124 to read as below.

(To provide an ordinance addressing False Fire Alarms, similar to the Excessive Alarm ordinance utilized by the Police Department. Also requires permitting of Fire Alarm Systems, providing a database of their locations, insuring proper installation and maintenance, and thereby reducing the number of False Alarm activations.)

Article VII

Definitions:

Alarm, Fire System: Any device or combination of devices intended to detect the products of combustion, fire, flame, in any occupancy.

Alarm, dial: Any alarm or device which automatically selects a telephone line and reports a condition for a protected premises.

Alarm, false: The activation of an alarm system or device through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of a fire alarm system or device or his employees, agents or representatives. Specifically excepted are acts of God, such as false alarms caused by hurricanes, tornadoes, earthquakes and the like.

Alarm, home: Any alarm device or system which is connected to a residence

Alarm site: The specific property or area of the premises upon or within which a fire alarm system is or is to be installed.

Alarm system business: Any person employed by a fire alarm business whose duties include altering, installing, maintaining, moving, repairing, replacing, selling, servicing, responding to or monitoring an alarm system. It shall also mean any person employed or otherwise associated with an alarm business that has access to confidential information relating to a customer or subscriber of such alarm business which could be used to compromise or defeat an alarm system.

Alarm user: Any person on whose premises a fire alarm system is maintained except for alarm systems on motor vehicles and alarm systems maintained by state, county or municipal governments.

Central station: Any premise, equipped to receive and display signals from any type of alarms, and relays this information by live voice to the fire department dispatcher.

Fire Marshal: The Fire Marshal, Pearland Fire Marshal's Office, or his designated representative.

City: The City of Pearland, Texas.

Person: Any individual, corporation, business, school district or other organization.

Subscriber: A person or business which buys or otherwise obtains an alarm system and has a contract with an alarm business to monitor and/or service the alarm system.

Sec. 10-117. Registration permits

No person shall operate, cause to be operated or permit the operation of an alarm system unless a current registration permit has been issued by the Fire Marshal's Office for such system. This subsection shall not be applicable to an alarm business which monitors, services or monitors and services an alarm system installed and designed to protect property under the control of a person other than the alarm system business; but the person in control of the property which the alarm system is designed to protect shall be subject to prosecution if he permits the operation of such system without a valid registration permit.

(b) The person in control of the property may obtain a separate registration permit for each alarm system or may obtain a single registration permit for all alarm systems on so much of one (1) premises (single address) that it is under the control of the applicant for a registration permit, except that one (1) registration permit shall not allow the operation of both holdup and burglar alarms. If both holdup and burglar alarms are operated on one (1) premises, a single permit may be obtained for all holdup alarms on so much of the premises that is under the control of the applicant and a separate permit for all burglar alarms on the premises under the control of the applicant.

(c) For the purposes of the fee set out in the above section, an alarm system shall mean and include all alarms operated under one (1) registration permit. The fee for registration issued pursuant to this article shall be twenty dollars (\$20.00); Renewable annually. Each registration permit issued in accordance with this article shall be valid until such time that the control of the property is transferred from the permit holder. Upon such transfer of control of the property, a new permit shall be obtained. Registration permits are personally issued and are not transferable. The registration holder for an alarm system shall keep such permit at the alarm site and shall produce such permit for inspection upon the request of the Fire Marshal or any member of the police department.

Sec. 10-118. Registration application; issuance of registration permit

Application for a registration permit for the operation of an alarm system shall be made by a person having control over the property on which the alarm system is to be installed and operated. Such applications shall be made in writing to the

Fire Marshal's Office on a form designated by the city for that purpose. On such application, the applicant shall set forth:

(1) The name, address and telephone number of each person in control of the property.

(2) The street address of the property on which the alarm system is to be installed or operated.

(3) Any business name used for the premises on which the alarm is to be installed and operated.

(4) Whether the alarm system or systems are or are not local alarms, and whether the alarm system(s) are designed to give notice of burglary, holdup, fire, or other type of emergency.

(5) The name of the person or alarm system business who will install the alarm system.

(6) The names and telephone numbers of at least two (2) persons or of an alarm system business which is able and has agreed to:

a. Receive notification any time

b. Come to the alarm site within thirty (30) minutes after receiving a request from a member of the fire department to do so; and

Grant access to the alarm site, and deactivate the alarm system if such becomes necessary; or the name and telephone number of an alarm system business which is able and has agreed to receive calls at any time and give the fire department the names of persons listed with the company as set out in 1. and 2. and as stipulated in N.F.P.A. 72. below if:

1. The permit holder has given the alarm system business the name and telephone numbers of at least two (2) persons who are able and have agreed to receive notification at any time; to come to the alarm site within thirty (30) minutes after receiving a request from a member of the fire department or Fire Marshal, to do so; and to grant access to the alarm site and deactivate the alarm if necessary.

2. The applicant agrees that he will, whenever a person listed with the alarm company pursuant to 1. above is unwilling or unable to perform the duties set out, give the alarm business the name and telephone number of another person who is willing to perform the duties so that at least two (2) persons are able and

willing to perform such duties that are listed with the alarm system business at all times; and

3. The registration permit holder has authorized the alarm system business to provide the names listed with that business pursuant to 1. and 2. above to the fire department whenever the department has requested that information in order to obtain assistance after an alarm has been activated.

7) Any other information deemed by the Fire Marshal or his designee as necessary.

The person in control of the property on which an alarm system is installed shall

3) Ensure that any person listed with the fire department pursuant to the registration process is able to:

a. Receive notification at any time

b. Come to the alarm site within thirty (30) minutes after receiving a request from a member of the police department to do so; and

c. Grant access to the alarm site, and deactivate the alarm system if such becomes necessary.

4) Train all persons who may activate the alarm system in the proper operation of the alarm system.

c) The person in control of the property on which an alarm system is installed shall ensure that all information supplied on the original registration permit is current. Any changes or modifications (such as new employees or persons to notify in case of alarm activation) must be made in writing within seventy-two (72) hours of the change

Any fire alarm system which necessitates response by a Fire Department or is a public alarm shall be provided with standby power to automatically maintain the system in a normal condition as stipulated in N.F.P.A. 72

Sec. 10-119. Dial alarm receiving equipment

After the enactment of this article, no automatic protection devices, known as dial alarms or dialers, will be installed and keyed to any Fire Department emergency trunk line.

No person shall conduct any test or demonstration of a fire alarm device or

system in the city without first obtaining permission from the fire marshal or his authorized representative.

Sec. 10-120. Inspection

The city shall be entitled to inspect any alarm installation during regular business hours.

Sec. 10-121. Penalties

Violation of any subsection of this article shall be punishable by a fine not to exceed the fine established in section 1-11 of the City Code of Ordinances.

The knowing failure of an alarm user to inspect or repair an alarm where required herein is an offense hereunder. Each day during which such failure continues shall constitute a separate offense.

The intentional installation or maintenance of an alarm not in accordance with the requirements of this article is an offense hereunder.

It is an offense to knowingly or recklessly fail to attend upon the scene of a fire alarm activation within the time period set forth herein after actual notice has been given to the person designated to enter and control any premises.

Sec.10-122. Cost of response

A fee will be assessed to the registration permit holder for each response by the city to each false alarm in excess of five (5) false alarms in any one calendar year. The fee will be assessed for false alarms in the amount of \$200.00 per occurrence, after five. On October 1, of each year, the fire marshal will furnish to the city attorney a list of those permit holders who have failed to pay their assessed fees for false alarms. The city attorney will take appropriate action for collection.

Sec. 10-123. Exemption for charge for cost of response.

Any exemption from the above-delineated charges for responses to false alarms may be granted upon recommendation of the Fire Marshal if such extenuating circumstances are present that would merit such exemption.

Sec. 10-124. Effective date.

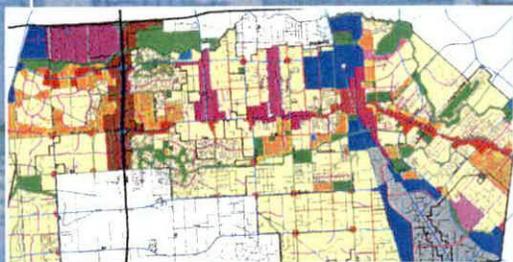
The requirement to register all alarm systems installed within the city and other provisions of this article shall become effective ten (10) days after the passage of this article. However, persons who already have alarm systems in operation shall have until October 1, 2004, to come into compliance.

Amendment # 16

Sec. 904 Alternative Automatic Fire-Extinguishing

Amend Sec. 904.3.5 at the end of paragraph to read "If the building has no fire alarm, a local electronic or mechanical alarm shall be required to indicate the system has activated."

2004 COMPREHENSIVE PLAN UPDATE



PREPARED BY:
Dunkin, Sefko & Associates, Inc.

IN ASSOCIATION WITH:
The Citizens Code Advisory Committee & City of Pearland Staff

REC'D APR 26 2004
3

PURPOSE OF THE 2004 UPDATE

The City of Pearland completed its most recent Comprehensive Plan in December of 1999¹. This 2004 Comprehensive Plan Update should be included within the current Comprehensive Plan as an addendum, and should be incorporated into any new Comprehensive Plan process, whenever that is undertaken. It has been almost four years since the adoption of the 1999 Plan, and the City has undergone changes that warrant updated policy guidance. This document is intended to provide that guidance, thereby providing a framework for various development-related decisions and for areas that are in need of special land use related policies.

It should be noted that the 2004 Comprehensive Plan Update does not directly affect existing zoning or development regulations on any property within Pearland, but could affect how future decisions will be made. The implementation mechanism for the recommended policies within this document will be Pearland's new Unified Development Code (UDC), which will include all zoning, subdivision, and related development ordinances. The UDC will be a state-of-the-art unified Code which will be user-friendly, yet comprehensive in nature. The new Code will be tailored specifically to implement policies that remain applicable from the 1999 Comprehensive Plan as well as those established herein in order to meet the unique needs of the City of Pearland.

The 2004
COMPREHENSIVE PLAN
UPDATE
is intended to
provide policy
guidance, thereby
providing a
framework for
various
development-related
decisions and for
areas that are in
need of special land
use related policies.

¹ Prepared by Vernon G. Henry & Associates, Inc., in association with Walsh Engineering, Inc. and CDS Research.



HOUSING GUIDANCE

THE MULTIPLE-FAMILY MARKET

Pearland's 1999 Comprehensive Plan did not specifically address the multiple-family component of housing. Within the *Housing Demand* portion of the *Population Section*, the high demand for multiple-family is discussed, supported by occupancy percentages of the existing apartment complexes in Pearland, which ranged from 91 to 100 percent. Another portion of the same section called *Multi-Family Absorption* suggests that high occupancy rates and high monthly rents would likely precipitate new multiple-family development. It is also stated "such growth would comprise about 13 percent of anticipated residential development activity".

The following sections are intended to provide an analysis of the multiple-family market in Pearland. This analysis includes a build-out comparison between multiple-family and single-family development. Recommendations are then made with regard to the future ideal percentage of multiple-family development in Pearland.

THE REGIONAL MULTIPLE-FAMILY MARKET

A discussion about the local multiple-family market in Pearland is not complete without looking at what is occurring regionally. According to the 2000 Census, the City had approximately 14 percent of its housing stock comprised of multiple-family units and 75 percent of single-family units. A comparison of five cities in close proximity to Pearland reveals that the City is in the middle in terms of multiple-family percentage. Houston has the largest with 45 percent multiple-family, which is almost equal to its percentage of single-family. League City and Friendswood both have 17 percent. Pearland has 14 percent, while Sugar Land has nine percent and Missouri City has three. Consequently, the housing market in the Pearland area appears to have a viable mix of multiple-family and single-family units. The conclusion that can be made from this analysis is that there are local and regional opportunities for multiple-family living.

THE ANTICIPATED ADDITIONAL MULTIPLE-FAMILY & SINGLE-FAMILY DEVELOPMENT

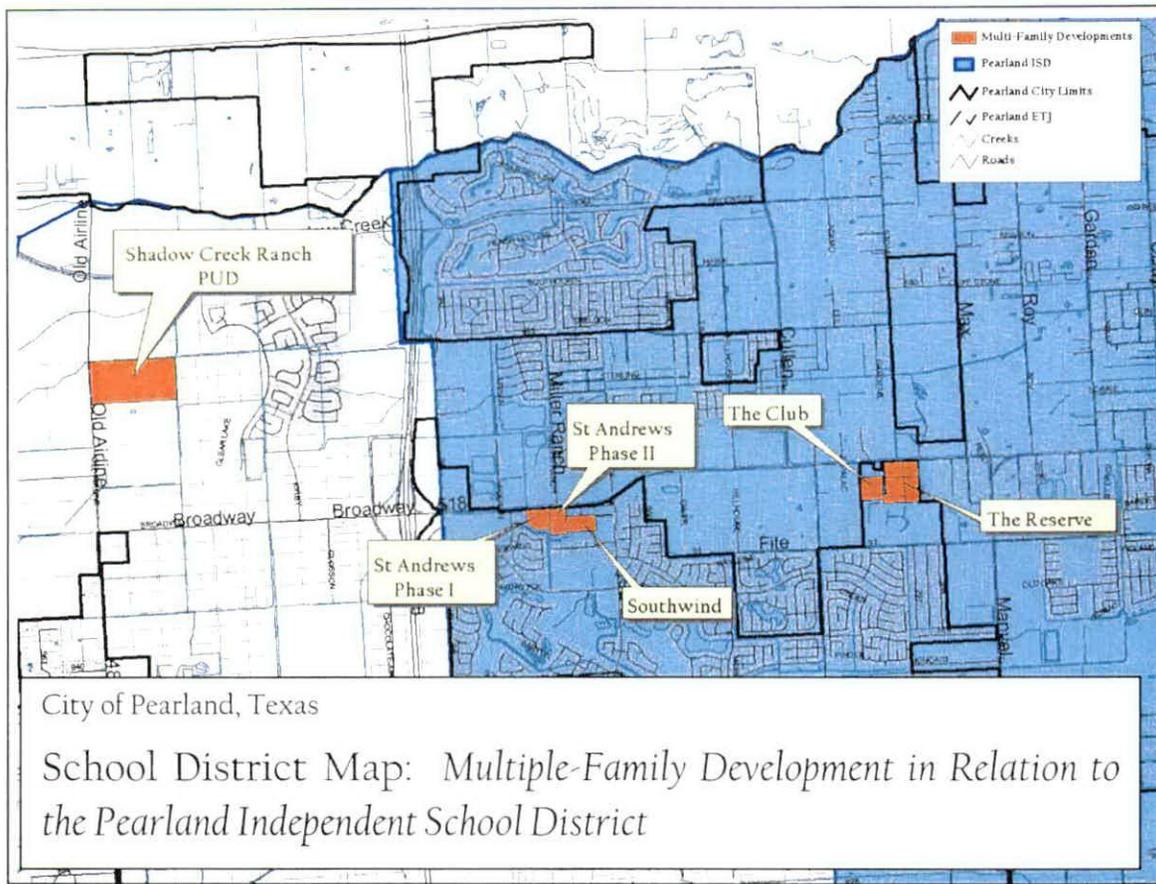
Another consideration in planning for future multiple-family development is what is occurring now - what has been platted, what is under construction, and what has been built recently (which would not be included in the 2000 U.S. Census information). The Shadow Creek Ranch Planned Unit Development area has already been platted with nine different areas totaling approximately 193 acres. Using 19.36 dwelling units per gross acre, which is the number of units allowed by the related ordinance, the Shadow Creek Ranch area could result in approximately 3,736 new multiple-family units.

Table 1 PLANNED, PLATTED, & RECENTLY COMPLETED MULTIPLE-FAMILY DEVELOPMENTS City of Pearland, Texas & The ETJ		
DEVELOPMENTS	Number of Units	Units x Average Household Size x Occupancy Rate = Potential Population
Shadow Creek Ranch PUD	3,736	10,058
Saint Andrews I & II	472	1,270
Southwind	312	840
The Club at Tranquility Lake I	212	570
The Club at Tranquility Lake II	314	845
LAND ZONED FOR MULTIPLE-FAMILY DEVELOPMENT	Number of Units	Units x Average Household Size x Occupancy Rate = Potential Population
132 acres	2,091	5,626
TOTAL POTENTIAL MULTIPLE-FAMILY UNITS & POPULATION	7,137 units	19,215 additional people
Sources: City of Pearland 2000 U.S. Census: 2.84, Average Household Size, 94.8% Occupancy		

In addition, there are several multiple-family developments that have recently been built or are under construction in the ETJ. These are detailed within *Table 1*. The second phase of The Club at Tranquility Lake is currently under construction. Using Pearland's average household size and occupancy rate from the 2000 U.S. Census, the potential population from Shadow Creek and these new developments can be calculated. Although some are currently in the extraterritorial jurisdiction, they will likely be within Pearland's City limits in the future. In addition, there are three areas within Pearland currently vacant and zoned for multiple-family development. The total acreage is 132 acres, which is also reflected in *Table 1*. There are approximately 7,137 units planned, platted, or zoned for multiple-family, and there were 1,912 multiple-family units in the City in 2000, according to the U.S. Census (*Table 2* on the following page). These two numbers can be added together to result in the total ultimate number of multiple-family units, assuming the densities in *Table 1*, of 9,049 total units. The calculations show that there is potential for thousands of new units and tremendous population growth from the recent, planned, or zoned multiple-family areas. In addition, as can be seen from the *School District Map* on the following page, of the five multiple-family developments listed in *Table 1*, four will have an impact of the Pearland Independent School District.



Illustration 1
 EXISTING MULTIPLE-FAMILY
 DEVELOPMENT IN PEARLAND



A comparative analysis of the existing and potential number of single-family units would be helpful in establishing an ultimate target percentage of multiple-family units within the City. The existing number of single-family units established by the 2000 U.S. Census was 10,354 units. Establishing the number of potential single-family units is done through analysis of the amount of vacant land within the City, the way in which that land is zoned, and the projected number of single-family units within the adopted Planned Unit Developments (PUD's).

Pearland City staff provided much of the data and analysis needed. First, the area of all vacant parcels that were zoned single-family residential and that were one acre or more in size were identified. The area of each of these vacant parcels

*Table 2
SINGLE-FAMILY & MULTIPLE-FAMILY UNITS
City of Pearland, Texas*

Type of Unit	Number	Percentage of Total
Single-Family Units	10,354	84.4%
Multiple-Family Units	1,912	15.6%
Total of Both Types ¹	12,266	100.0%

Source: 2000 Census
¹ Percentages of each based on the total number of units of each type

was then calculated, based on the assumption that these larger parcels have a higher probability of being developed into residential subdivisions in the future. Third, the number of single-family residential lots that could be developed in each area based on the current zoning district of the area was calculated. Fourth, potential development in the ETJ was reviewed – vacant lot

developments as well as PUD's were examined. The Savannah PUD will likely result in 2,560 new lots. Five other major PUD's, which were identified as Shadow Creek Ranch, Southern Trails, Highland Glen/Beazer Development, Canterbury Park, Lawrence Place, were also then examined to determine the total number of single-family lots that could be developed under the densities prescribed by the applicable PUD. The calculations and results of this analysis are shown in Table 3.

Table 3 POTENTIAL FUTURE SINGLE-FAMILY DEVELOPMENT City of Pearland, Texas				
Zoning District	Size of Lots In Square Feet	Area (In Acres) of Vacant Parcels One Acre or More in Size, Excluding PUD'S	Potential Number of Units (Lots) Permitted By Current Zoning ¹	Potential Units (Lots) Including the Major PUD's ²
R-E	1/2 acre or more	1,434.57	1,865	1,865
R-1	8,800 sq.ft. - 1/2 acre	539.76	1,000	1,577
R-2	7,000 sq.ft. - 8,799 sq.ft.	1,836.05	6,580	8,838
R-3	6,000 sq.ft. - 6,999 sq.ft.	207.89	906	2,499
R-4	5,000 sq.ft. - 5,999 sq.ft.	402.50	2,072	3,856
NA	3.6 dwelling units per acre ³	711.10	2,560	2,560
NA	15,000 sq. ft. ⁴	100.00	190	190
Total			12,423	21,385
Total Potential Number of Single-Family Lots in Vacant Areas & PUD's				

Source: City of Pearland. Data updated in July 2003

¹ The calculations excluded 20% for infrastructure and open space. (Southern trails had 19% for parks/open spaces and major thoroughfare ROW.) Additionally 15% was excluded for interior streets. Therefore 65% of total area was used for density calculations. Average lot size in each zone was used to calculate number of lots.

² Five major PUD's include Shadow Creek Ranch, Southern Trails, Highland Glen/Beazer Development, Canterbury Park, Lawrence Place.

³ Savannah PUD.

⁴ Recommended density as shown on the Housing Density Map (page 12 of this 2004 Comprehensive Plan Update).

There are approximately 21,385 potential single-family units in the City and ETJ assuming anticipated densities. There were 10,354 single-family units in the City in 2000, according to the U.S. Census (Table 2). These two numbers can be added together to result in the total ultimate number of single-family units of 31,739 total units (Table 4).

Table 4 COMPARISON OF POTENTIAL SINGLE-FAMILY & MULTIPLE-FAMILY UNITS City of Pearland, Texas			
Type of Unit	Potential Ultimate Number of Units: Current + Potential	Potential Ultimate Percentage	Difference Between Current ¹ & Potential Percentages
Single-Family Units	10,354 + 21,385 = 31,739	77.8%	(-) 6.6%
Multiple-Family Units	1,912 + 7,137 = 9,049	22.2%	(+) 6.6%
Total of Both Types ²	40,788	100.0%	n/a

Source: Derived from information in Tables 3 and 5, and from the 2000 U.S. Census information on housing types.

¹ Refer to Table 2.

² Percentages of each based on the total number of units of each type



Now that the ultimate numbers of both multiple-family and single-family units have been calculated, both can be compared to determine what the ultimate mix may be in the future. As Table 4 shows, the future mix of single-family and multiple-family has the potential to be extremely different than what exists today. The percentage of single-family units as a percentage of the total has the potential to decrease, while the percentage of multiple-family units has the potential to increase.

Table 5 POTENTIAL ULTIMATE POPULATION City of Pearland, Texas				
Number of Units		Multiplied By 2.84 People Per Unit - Average Household Size From the 2000 U.S. Census	Multiplied By 94.8% Occupancy - Occupancy Rate From the 2000 U.S. Census	Potential Population From Units
Potential Single-Family & Multiple-Family Units ¹	40,788			
Other Existing Units ²	1,629			4,635
POTENTIAL ULTIMATE POPULATION				114,200
¹ Table 4 ² 2000 U.S. Census information - Other Units include: "1-unit, attached"; "mobile home"; and "boat, RV, van, etc." NOTE: Calculations assume that no additional units that would be within the "Other Existing Units" category are developed, and that average household size and occupancy rate remain constant.				

Table 5 shows the potential ultimate population of the City based on the number of single-family and multiple-family units that could develop under the scenarios discussed herein. The table also includes population information based on the number of "Other Existing Units" within the City; such units include attached dwellings, mobile homes, and other types of dwelling units recorded by the U.S. Census that were not otherwise reflected within this 2004 Comprehensive Plan Update. The ultimate potential population that could result from all of these units is over 114,200 people.

Conclusions Regarding Potential Future Multiple-Family & Single-Family Development

Given the increases in population and service needs that will result in the high percentage of multiple-family units that has the potential to develop under current conditions, it is recommended that the City rezone existing undeveloped parcels that are zoned multiple-family to either a single-family zoning district or a nonresidential zoning district, depending on location. If this recommended rezoning occurs, the result will be a reduction in the potential number of multiple-family units. This would reduce the future potential percentage below 22.5 percent (shown in Table 4) to about 19 percent. The reduced percentage would be more consistent with other regional cities, and with the present mix of multiple-family and single-family units.



FUTURE TRADITIONAL MULTIPLE-FAMILY DEVELOPMENT

The possible exception to the previous recommendation would be a multiple-family component developed within an overall Traditional Neighborhood Design (TND) development. This phrase is used to describe a new movement in land use planning that is based on an old practice – that is, a built environment that fosters social interaction and mixed use pedestrian-friendly areas. The core idea behind the TND movement is the intent to revive a sense of community in today's increasingly urbanized culture. The main characteristics of a traditional neighborhood design are high density, tree-lined streets, public spaces, and mixed land uses.

This concept could be used on a limited basis in Pearland to provide unique multiple-family areas unlike anything the City currently has. The limited development of TND areas would be appropriate 1) along major roadways such as State Highway 288 and Beltway 8 (refer to the discussion of the Spectrum District later within this document), and 2) within the Village area, as shown on the *Future Land Use Plan* map (page 19). These locations could support the density that typically characterizes TND. If such a development was proposed within Pearland, the multiple-family component should not contribute more than approximately 20 percent of the overall units within the project. Also, the multiple-family dwelling units would have to be provided as part of a mixed use development, wherein retail and/or office uses would be located at least on the ground level with apartment, loft-type residences located on the floor(s) above. Public spaces such as a park or formalized outdoor space (e.g., courtyard, gazebo) should be integrated into any TND development. The TND concept is also discussed later within this *Comprehensive Plan Update* within the *Future Land Use* section.

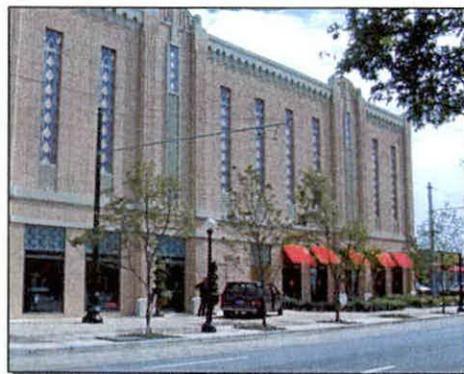


Illustration 2
EXAMPLES OF A TND DEVELOPMENT WITH
MULTIPLE-FAMILY USES – COULD DEVELOP IN
THE DOWNTOWN VILLAGE AREA OR THE
SPECTRUM DISTRICT

THE SINGLE-FAMILY MARKET

Pearland's 1999 Comprehensive Plan did not specifically make recommendations about lot size or lot coverage in relation to future single-family development. The following sections are intended to provide an analysis of single-family zoning districts and how the local need for increased lot size diversity and more stringent requirements for lot coverage have evolved. Also, recommendations are made with regard to future single-family development in Pearland.

SINGLE-FAMILY LOT SIZE

Within the *Land Use Categories* portion of the *Land Use Section*, "Low Density Residential" is described as being between 0 and 4 dwelling units per acre, with an average lot size of 7,500 square feet. Since the adoption of the 1999 Plan, however, the City has recognized its need for more specific guidance with regard to single-family lot size. This recognition has come as a result of an increase in developments with small lots (R-3 and R-4 zoning) in recent years.

The City has the following residential zoning districts with the corresponding minimum lot sizes:

- R-E – One-half acre lot (21,780 square feet)
- R-1 – 8,800 square foot lot
- R-2 – 7,000 square foot lot
- R-3 – 6,000 square foot lot
- R-4 – 5,000 square foot lot

The total difference between the minimum lot sizes required within the R-2, R-3, and R-4 districts is 2,000 square feet. However, there is a much larger difference in the minimum lot sizes between the R-E District and the R-1 District (12,980 square feet). This puts the City in the position of either dictating a relatively large lot of one-half acre, or a relatively small lot of between 8,800 and 5,000 square feet, without a choice in between. While it is true that a *minimum* 8,800-square-foot lot actually allows any lot size equal to or above that number, the development community generally uses the minimum lot size as the benchmark for the lot size that is developed.

The community has expressed a desire for Pearland to have more market diversity when it comes to buying a home. Currently, the City has thousands of lots allocated for residential zoning districts with allowable lot sizes in the range of 5,000 to 8,800 square feet; the following section discusses the City's current mix of lot sizes.

Size Analysis of Existing Single-Family Lots

In order to make a fully informed recommendation with regard what the City's single-family lot size policy should be in the future, an analysis of the existing development pattern is needed. *Illustration 6*, right, and *Table 6* on the following page provide information regarding this analysis. While 46 percent of the developed lots are over 8,800 square feet in size, almost 54 percent of the lots are less than 8,800 square feet in size. While the smallest lots categorized, which are those between 3,000 and 5,999 square feet, do represent the smallest percentage of developed lots, the large lot categories also have relatively low percentages.

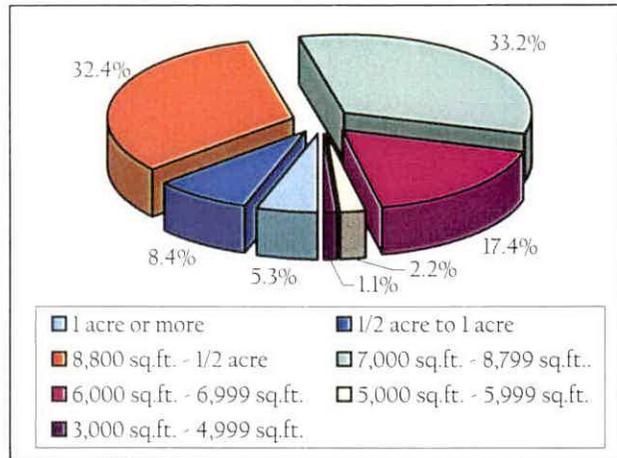


Illustration 6
SINGLE-FAMILY LOT SIZE PERCENTAGES



Illustration 4
EXAMPLE OF A SMALL-LOT SUBDIVISION



Illustration 5
EXAMPLE OF A LARGE-LOT SUBDIVISION

General Conclusions of the Single-Family Lot Size Analysis

Residents looking to purchase larger lots do not have many local options of larger lot home-sites. This fact limits opportunities by providing fewer options for families who live in Pearland and would like to upgrade from their existing home to a new one within the City. The City should strive for a range of lot sizes in the future.

In furthering this recommendation, the addition of residential districts into the Zoning Ordinance that have larger minimum lot sizes would provide a mechanism to increase the variety of the local housing market. The five current residential zoning districts should remain within the City's Zoning Ordinance in order to ensure continued conforming uses within those districts. However, three new zoning districts should be established within the Ordinance with minimum lot sizes of 10,000 square feet, 12,000 square feet, and 15,000 square feet. Lot sizes consistent with the City's current R-1 District of 8,800 square feet would also be acceptable. It is generally recommended that the City not rezone any

Table 6
EXISTING DEVELOPMENT OF SINGLE FAMILY LOTS
City of Pearland, Texas

Zoning District Corresponding to the Lot Size	Size of Lots	Current Acreage of Developed Parcels Over 3,000 Square Feet (as of July 2003)	Number of Lots in Each Zoning District	Percentage of Lots in Each Zoning District	
NA	1 acre or more	1,777.61	630	5.3%	46.2%
R-E	1/2 acre to 1 acre	745.37	1,001	8.4%	
R-1	8,800 sq.ft. - 1/2 acre	1,068.12	3,849	32.4%	
R-2	7,000 sq.ft. - 8,799 sq.ft..	708.28	3,943	33.2%	53.8%
R-3	6,000 sq.ft. - 6,999 sq.ft.	309.81	2,060	17.4%	
R-4	5,000 sq.ft. - 5,999 sq.ft.	34.45	263	2.2%	
NA	3,000 sq.ft. - 4,999 sq.ft.	11.86	125	1.1%	
Total		4,655.50	11,871	100.0%	

Source: Projects Dept., City of Pearland. Data updated in July 2003. Compiled by Planning Department Oct, 2003

additional land to allow for smaller lot sizes, with the possible exception of R-4 as discussed in the *General Housing Diversity* section herein. Higher densities may be appropriate in some areas for buffering or transition purposes, but Pearland should generally strive for the development of larger-lot subdivisions. Refer to the *Housing Density Map* for locational recommendations for rezoning existing vacant land to the previously recommended zoning districts. The *Future Land Use* portion of this 2004 *Comprehensive Plan Update* discusses the benefits of rezoning some areas of the City proactively.

SINGLE-FAMILY LOT COVERAGE

The trend of developing large houses on small lots has become an issue within Pearland in part due to increasing concerns with drainage and flooding. The current Zoning Ordinance allows the R-E District to be developed at a maximum coverage of 50 percent, with all other residential districts allowed 60 percent coverage. The Ordinance specifies "covered by buildings" in some of the residential districts, and is interpreted as such in the districts with no specification.

Lot coverage is important for several reasons. A high allowable percentage of lot coverage permits people to build more on their land; but as a result of the house footprint, concrete driveways, and other impervious cover, the amount of drainage from a property increases and the amount of water filtering through the ground decreases. Related to the increased runoff is the fact that with development, areas that had been pervious are decreased because of land development. A high amount of lot coverage also transfers visually into higher density, which can affect the overall appearance of the neighborhood and the community as a whole.



Currently, the Ordinance specifies that the allowable percentage is based on coverage *by buildings*. However, as mentioned, there are other site elements that result in impervious coverage. It is therefore recommended that lot coverage be addressed in detail as part of the Unified Development Code (UDC) that will be the implementation instrument of these recommendations. Adequate engineering study of lot coverage and its potential impacts on drainage and flooding should be pursued, with consideration given to the fact that all impervious surfaces, including buildings and driveways, can adversely affect the way in which runoff occurs. Lot coverage should also be considered within the UDC in terms of its affect on aesthetics and the resulting community image of Pearland. It is recommended that lot coverage requirements include a definition for impervious coverage and a percentage established for the entire lot.



Illustration 7
EXAMPLE OF A LARGE HOUSE ON A SMALL LOT, RESULTING IN A
HIGH PERCENTAGE OF LOT COVERAGE

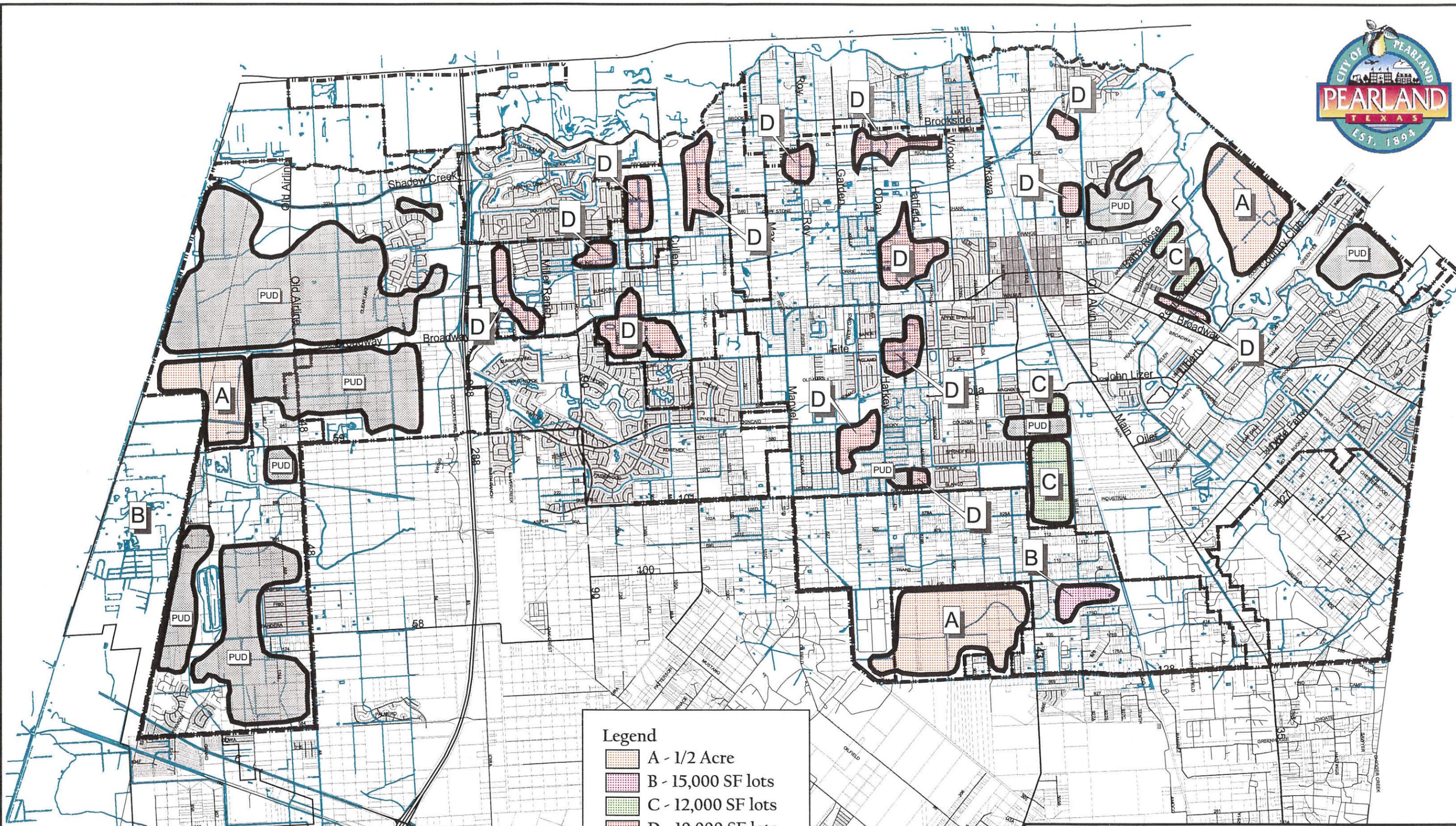
GENERAL HOUSING DIVERSITY

In addition to the desire for an increased variety of lot size choices, the community has expressed a desire for an increased diversity of housing types. Patio homes and townhomes have been suggested to increase the housing diversity. These two are discussed in the City's 1999 Comprehensive Plan as *Medium Density Residential*, and recommended locations for such development are identified on the *Future Land Use Plan* map.

These uses can be developed through the use of the City's R-3 or R-4 Single-Family Dwelling District. The R-3 District allows patio home development through a related Planned Unit Development (PUD) and does not allow townhomes. The R-4 District allows patio home development through straight zoning, and townhomes can be developed only through a related Planned Unit Development (PUD).

PATIO HOME & TOWNHOME ZONING DISTRICTS

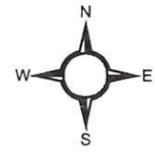
To facilitate the development process for these desired types of development, it is recommended that the City make the process easier to use and to understand. The patio home PUD should be eliminated as an option from the R-3 District; the straight zoning of patio homes through use of the R-4 District should remain. The townhome PUD should be eliminated from the R-4 District, and the PUD requirements should be used as the basis for establishing a zoning district specifically for townhome development.



Legend

-  A - 1/2 Acre
-  B - 15,000 SF lots
-  C - 12,000 SF lots
-  D - 10,000 SF lots

2000 0 2000 4000 6000 Feet



Dunkin Sefko & Associates, Inc.
Urban Planning Consultants Dallas, Texas
Date: February 2004

City of Pearland, Texas
Housing Density Map

Further, it is recommended that patio homes be developed at a maximum of seven dwelling units per acre, and townhomes should be developed at a maximum of ten dwelling units per acre. Both should be developed on tracts that are 40 acres or less in size, with a maximum of 50 percent project coverage, and provision for green space/park land. Amending the Pearland Zoning Ordinance in this manner will help the City provide the development community with better mechanisms to increase local housing choice. It should be noted that although these types of housing are desirable in Pearland, traditional single-family homes on larger lots, as recommended previously herein, should be the predominate type of residential development in the future. The City should review such development proposals in accordance with the recommended 2004 *Future Land Use Plan* on the basis that at least one of the following criteria apply:

- Patio homes and townhomes together comprise less than 30 percent of a mixed use development.
- Patio homes and townhomes together comprise less than 30 percent of a residential development.
- Patio homes and townhomes are proposed as a cluster development (refer to the following section, *Housing Developments With Open Space*).
- The patio homes or townhomes provide a buffer between single-family land uses and higher intensity land uses, such as multiple-family or nonresidential.
- The patio homes or townhomes provide a buffer between single-family land uses and major thoroughfares or collectors.
- The land proposed for development of patio homes or townhomes is located along a major thoroughfare or collector.

ANTI-MONOTONY REGULATIONS

In order for residential streets to achieve the intimate, interesting and welcoming quality, the buildings along the street must compose a suitable street wall. This means that the street should be visually interesting, with variations of front facades and dissimilar spacing of the residences. Some of the ways in which the City can avoid monotony along residential streets include encouraging:

- Greater variety of housing types.
- Variations in front setbacks.
- The addition of elements like front porches and allowing a reduction in front yards to bring houses to a pedestrian scale.
- A mixture of housing types and prices within a neighborhood.

WALKABLE NEIGHBORHOODS

Designs that make destination areas more walkable should be encouraged through the following:

- Neighborhoods should be designed to be pedestrian-centered, with residential sidewalks and streets that interconnect with adjacent developments, schools, neighborhood retail areas, open areas, walkways, greenways, etc.

- Encourage traffic calming measures to be incorporated into the street design of new residential neighborhoods to prevent excessive traffic speeding. Also, long, straight streets should be discouraged by specifically limiting the length of residential streets by ordinance.
- Design standards that ensure safety, mobility, and adequate separation between pedestrian and non-motorized modes of transport should be incorporated into neighborhoods.

HOUSING DEVELOPMENTS WITH OPEN SPACE

Open space and undeveloped land are becoming increasingly rare as society is becoming more urbanized. In order to allow development to occur while preserving open space, the concept of cluster development has grown in popularity in recent years. A cluster development "generally sites houses on smaller parcels of land, while the additional land that would have been allocated to individual lots is converted to common shared open space for the subdivision residents. Typically, road frontage, lot size, setbacks, and other traditional subdivision regulations are redefined to permit the developer to preserve ecologically sensitive areas, historical sites, or other unique characteristics of the land being subdivided"². Residents can enjoy larger amounts of open space, and developers can enjoy lower infrastructure costs (such as roads, waterlines, and sewer lines). Furthermore, this type of development can have a beneficial impact on the Pearland's drainage capabilities by reducing the amount of impervious cover.

The City could provide developers with incentives to utilize this design technique. One way in which the City can do this is generally referred to as a "density bonus", whereby a developer is allowed higher density levels in exchange for the provision of open space. Another incentive is to allow smaller street widths and cul-de-sac radii, resulting in reduced development costs. The following is an example of how a cluster design might work in the City.

A landowner with a 50-acre tract would leave 20 acres as perpetual open space, leaving 30 acres to be developed. Approximately 20 percent would likely be used for roadways, which is less than the approximately 30 percent that would be used for roadways in a typical development. This would leave 24 acres for residential lot development. With 7,000-square-foot lots permitted, approximately 149 lots could be established. The reduction of lot size to 7,000 square feet provides a monetary incentive to the developer due to reduced initial cost for roadways and improvements compared to developing 10,000-square-foot lots. The result would be 149 lots on less total acreage than the typical development with a 10,000-square-foot lot minimum.

² Cluster Development: Land Use Series. ADDRESS: <http://ohioline.osu.edu/cd-fact/1270.html>.

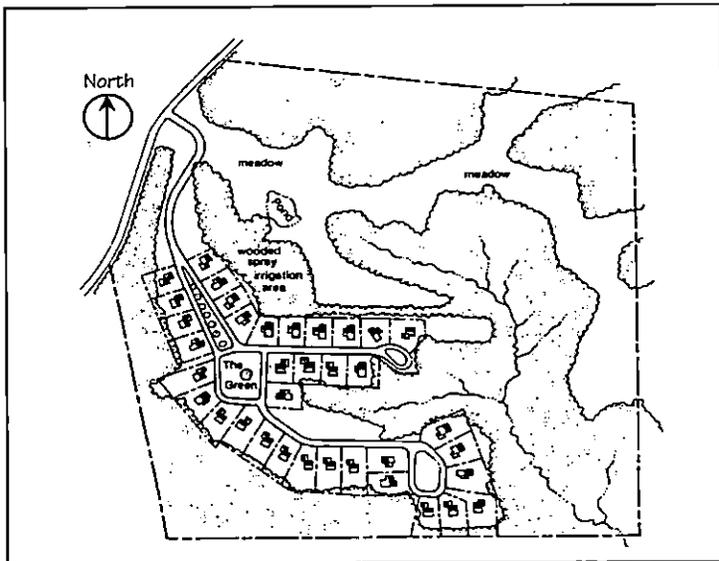
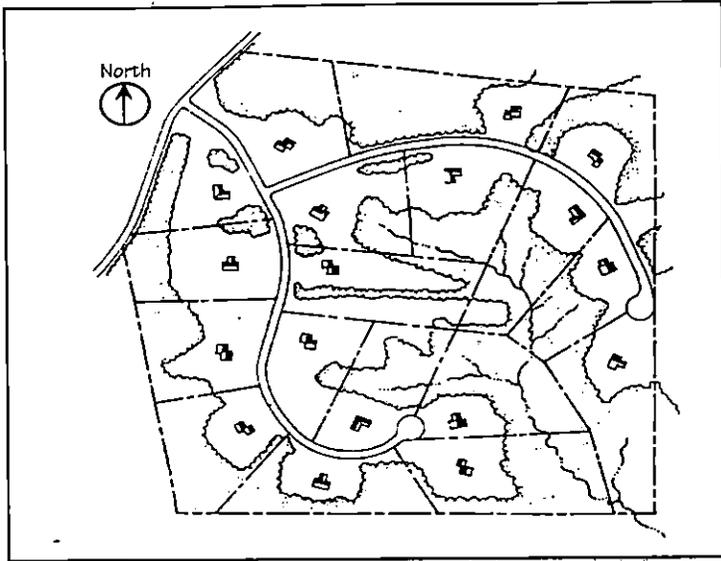


Illustration 8
COMPARATIVE LOT YIELD OF TYPICAL (top) & CLUSTER DEVELOPMENT (bottom)

Table 7
COMPARATIVE LOT YIELD OF 50 ACRES WITH CLUSTER DEVELOPMENTS
& TYPICAL DEVELOPMENTS

TYPE OF DEVELOPMENT	AMOUNT OF OPEN SPACE	ROADWAYS	LOT SIZE	LOT YIELD
CLUSTER	(40%) 20 acres	20%	7,000 s.f.	149 lots
TYPICAL	(0%) 0 acres	30%	10,000 s.f.	152 lots

Source: Dunkin, Selko & Associates, Inc.

CLUSTER DEVELOPMENT ZONING DISTRICT

In Pearland, a proposed cluster development could be allowed to develop at a lot size equal to the existing R-2 District. Although the previous recommendation was to not permit any more development with lots smaller than 10,000 square feet, the cluster concept would be beneficial to the City; therefore, a 7,000 square foot lot should be permitted, as shown in Table 7, but only if the development uses the cluster concept. A Homeowner Association (HOA) or other similar entity should be established to insure that open space areas are maintained. At least 40 percent of the overall site that is to be developed should be left as perpetual open space. A cluster development zoning district should be established within the City's Zoning Ordinance.

OPEN SPACE & NEIGHBORHOOD SQUARES

Creating meaningful open spaces is important to the overall design of local neighborhoods. The treatment and size of open spaces such as waterfronts, neighborhood greens, neighborhood squares, and similar amenities can create a variety of spaces, each serving

a different, distinct function. Therefore, the following should apply to new neighborhoods developed within Pearland:

- Each neighborhood should contain a central focus area such as a square or park that is of appropriate size and that is centrally located within the neighborhood.
- Neighborhoods along waterfronts and lakes should be encouraged to provide parks, walking trails and areas along the water front accessible to the public. Lakes should be designed such that they are visible from streets and enhance the character of the entire development.

HOUSING GUIDANCE:

RECOMMENDATIONS SUMMARY

- 1) Issue – Multiple-Family Development: The City should rezone vacant areas that are zoned for multiple-family development to a single-family or nonresidential zoning district, and should not rezone any new areas for multiple-family development in the foreseeable future. The possible exception to this recommendation would be a multiple-family component developed within an overall Traditional Neighborhood Design (TND), mixed use development.
- 2) Issue – Larger Lot Development: Three new zoning districts should be established within the Pearland Zoning Ordinance with minimum lot sizes of 10,000 square feet, 12,000 square feet, and 15,000 square feet.
- 3) Issue – Larger Lot Development: The City should not rezone any additional land to allow for smaller lot sizes (i.e., lots 8,800 square feet or less), with possible exceptions to allow for patio home, townhome, and cluster developments.
- 4) Issue – Larger Lot Development: Use the *Housing Density Map* as a guide for City policy on lot size. This is further discussed in the *Future Land Use* portion of this *Comprehensive Plan Update*.
- 5) Issue – Lot Coverage: Lot coverage will be addressed in detail as part of the Unified Development Code (UDC). Adequate engineering study of lot coverage and its potential impacts on drainage and flooding should be pursued. Lot coverage should also be considered in terms of its impact on Pearland's community image. Any new lot coverage requirements within the UDC should include a definition for impervious coverage and should specify an allowable maximum percentage of impervious surface for new development.
- 6) Issue – Housing Diversity: To help increase local housing choice, the Zoning Ordinance should be amended to provide separate districts for patio home and townhome development. Patio homes should be developed at a maximum of seven dwelling units

per acre, and townhomes should be developed at a maximum of ten dwelling units per acre, both at a maximum of 50 percent project coverage. All patio homes and similar developments should have an abundance of open space suitable for use by its residents. Developments of this type should also be on tracts that are 40 acres or less in size. The criteria recommended within the *Housing Diversity* section should be used as the City considers patio home and/or townhome development proposals.

- 7) Issue – Open Space: Cluster developments can assist in providing housing diversity and mitigate drainage problems. A cluster development zoning district should be established within the City's Zoning Ordinance, with a density bonus to provide an incentive for developers.

- 8) Issue – Monotonous, Anti-Pedestrian Neighborhoods That Lack Cohesive Character. Incorporating anti-monotony regulations within the new UDC will help ensure that new neighborhoods within Pearland provide local residents with an increased a sense of place. Such neighborhoods will likely also be able to hold their value economically due to the sense of quality that is generally inherent to unique neighborhoods. Anti-monotony recommendations include: encouraging a variety of housing types within neighborhoods, ensuring that new neighborhoods are pedestrian-friendly, and encouraging amenities like centralized open spaces, waterfront areas, and walking trails that contribute to neighborhoods being unique.

FUTURE LAND USE

SUBURBAN DEVELOPMENT (SD)

DISTRICT AREAS

Pearland currently has a large portion of its land zoned Suburban Development (SD) or some variation thereof, such as Suburban Development Residential. Previous City practice was to zone land SD after it was annexed into the City; this practice has changed in recent years, and less land has been zoned to this district. However, over 9,000 acres remain. As a result, when landowners/developers want to develop property they must apply for a rezoning. This method puts the City in a reactive position – that is, the City has to react to each rezoning proposal and has to establish reasons to affirm or deny each proposal. Also, this method puts the development community in a speculative position – that is, developers must speculate on what the City may grant in terms of rezoning, with only the 1999 *Future Land Use Plan* as a guide.

The City should consider the following three policy-related actions. First, the City should adopt a policy of annexing land and immediately zoning that land according to the 1999 *Future Land Use Plan* and/or the *Housing Density Map*, as applicable. Second, the City should adopt a policy of using the *Housing Density Map* within this *Comprehensive Plan Update* as a guide in making decisions regarding proposals to rezone any areas that are currently zoned Suburban Development. Third, the City should be responsive to requests to rezone areas where existing residences exist that were annexed and zoned Suburban Development; many citizens are applying individually for zoning changes that would make them conform to a residential zoning district. The City should establish a procedure to make such rezoning request as simple and streamlined as possible. Implementation of such policies not only benefits the City, but also benefits 1) the development community as well by establishing a clear framework for what type of development is desired in specific locations of Pearland, and 2) citizens in areas that were annexed.

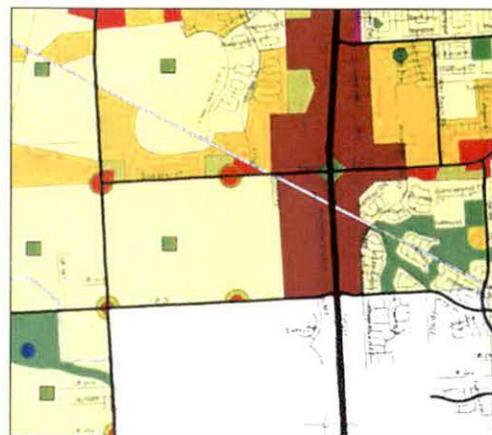
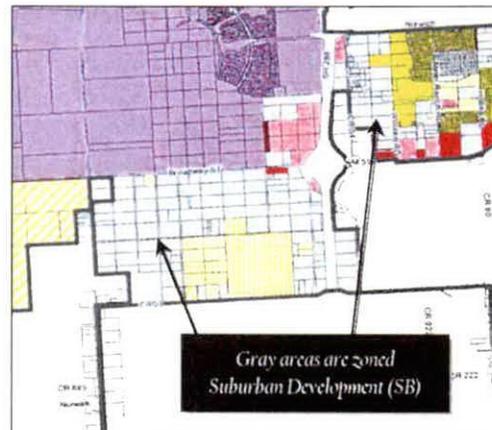
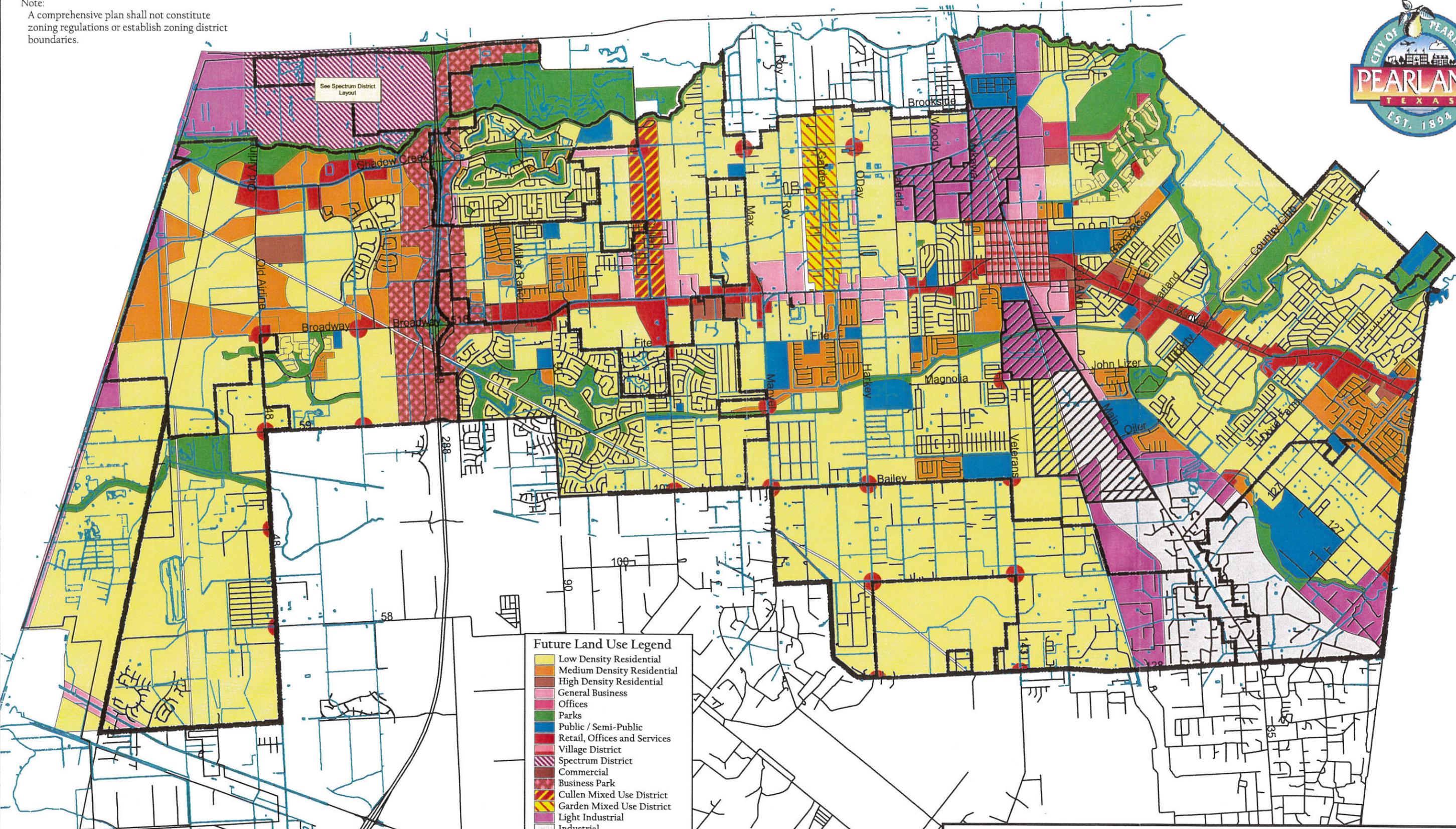


Illustration 10
ZONING MAP (top) &
THE 1999 FUTURE LAND USE PLAN (bottom)

Note:
A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



- Future Land Use Legend**
- Low Density Residential
 - Medium Density Residential
 - High Density Residential
 - General Business
 - Offices
 - Parks
 - Public / Semi-Public
 - Retail, Offices and Services
 - Village District
 - Spectrum District
 - Commercial
 - Business Park
 - Cullen Mixed Use District
 - Garden Mixed Use District
 - Light Industrial
 - Industrial
 - Foreign Trade Zone
 - Pearland City Limits
 - ETJ Line
 - Creeks

2000 0 2000 4000 6000 Feet

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Urban Planning Consultants Dallas, Texas
Date: February 2004

City of Pearland, Texas
2004 Future Land Use Plan

businesses. Another benefit for Pearland would be increased consistency between the City's adopted plan and its zoning regulations. Additionally, both residential and nonresidential land uses would benefit by becoming conforming uses, thereby streamlining the process of making desired expansions and/or selling property along Cullen Boulevard and Garden Road. The major difference between the *Cullen Boulevard Mixed Use District* and the *Garden Road Mixed Use District* would be the uses allowed within each, as shown in the following list. Other characteristics of the proposed districts would be similar, and are also outlined in the following.

- Acceptable land uses, assuming that the other bulleted items apply, include:

Cullen Boulevard District

- Single-family residential
- Retail (less than 20,000 sq. ft.)
- Technology-related businesses
- Cemetery
- Churches
- Light manufacturing (with limitation on building size) – primarily intended to allow existing businesses to have a conforming status in terms of zoning; any new manufacturing uses should only be allowed by Special Use Permit (SUP)

Garden Road District

- Single-family residential
- Manufacturing businesses
- Fabrication businesses
- Technology businesses
- Retailing
- Manufactured Homes
- Light Commercial

- The majority of existing nonresidential uses would become conforming, with the possible exception of uses that are determined to have an adverse affect on other uses in the area.
- New nonresidential businesses permitted would be closely defined and would be consistent with the types that currently exist along Cullen Boulevard and Garden Road.
- Expansions of existing nonresidential uses would include a requirement that business must be conducted within a building.
- Adjacency standards, such as setbacks and screening, would be established to ensure that residential uses would not be adversely affected by the integration of nonresidential land uses.
- Open storage should not be allowed.

A NEW MIXED USE AREA – THE SPECTRUM DISTRICT

The 1999 Comprehensive Plan discussed the City's need to facilitate the creation of "an attractive business park environment along State Highway 288" (page 5.17). Specifically called Planning Initiative #4 within the 1999 Plan, the concept was to provide locations for corporate headquarters in campus-like settings, office buildings, light manufacturing uses, restaurants, and retail shops. It was also mentioned that regional shopping centers, malls, hotels and motels would be desirable uses, and that



Illustration 13
THE LEGACY IN PLANO, TEXAS

multiple family development should be permitted with a limitation on the number of units per acre. This 2004 *Comprehensive Plan Update* supports the concept outlined in Pearland's previous Plan. However, this concept should be concentrated at the southwest intersection of State Highway 288 and Beltway 8, and should be slightly refined as outlined herein. As the 2004 *Future Land Use Plan* shows, the southwest intersection of State Highway 288 and Beltway 8 should be differentiated from the more general *Business Park* land use designation in order to identify it as a more unique area of the City. The intersection, shown on the 2004 *Plan* as the *Spectrum District*, has the three principle characteristics that the development community desires – location, location, location. Examples of other developments within Texas that this recommendation could be compared to include The Legacy in Plano, The Arboretum in Austin, and The Woodland Town Center in the Woodlands. The following elements should be integrated within a special zoning district for this identified area:

- A mix of land uses, including multiple-family, retail, office, public/semi-public, and light manufacturing, specifically:
 - A regional mall,
 - Research labs and high-tech manufacturing,
 - Hotel and conference facilities,
 - A sports park,
 - Restaurants,
 - Live theater and/or movie theater,
 - TND development (refer to page 7).
- A distinct gateway announcing the City of Pearland in a location visible from both State Highway 288 and Beltway 8.
- A comprehensive streetscape program, with medians, street trees, cohesive lighting, pedestrian walkways, etc.
- A comprehensive landscape program, with water features and view corridors.
- Cohesive signage that unifies the area.
- Parking oriented away from roadways and pedestrian walkways wherever possible.
- Pedestrian-orientation, including signage and crosswalks.
- Front building facades with a mixture of architectural and design characteristics that are aesthetically pleasing.
- If uses that require outside/open storage are permitted, areas used for the storage should be screened from public view.
- Buildings without setbacks where appropriate, such as buildings with office, retail and multiple-family mixed (such as within a TND development).
- Buildings set in a campus-like environment where appropriate, such as a large office,



Illustration 14
THE ARBORETUM IN
AUSTIN, TEXAS

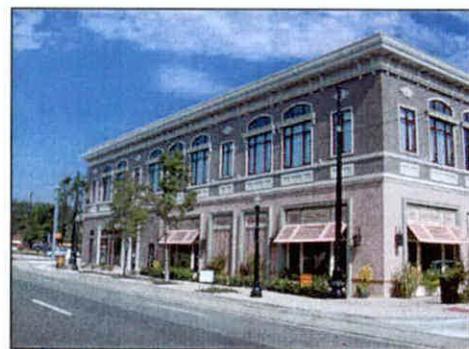


Illustration 15
EXAMPLE OF A MIXED USE DEVELOPMENT

manufacturing, or research and development centers.

- Neighborhood parks and/or public plazas.
- Pedestrian linkages to other areas of the City.

Integrating these concepts into a cohesive design and locating such a development at one of Pearland's major intersections and one of the main gateways into the City would create a positive perception of the City as a whole. Not only would this type of development be unique to the region, but it would also be unlike any development that currently exists in Pearland. The recommended integration of land uses and the pedestrian orientation would also set this area of the City apart.

The different land use concepts discussed herein have been recommended for various specific locations shown on the Spectrum District map (following page). Descriptions of the land use concepts in relation to their locations are as follows.

District S1: The Beltway District

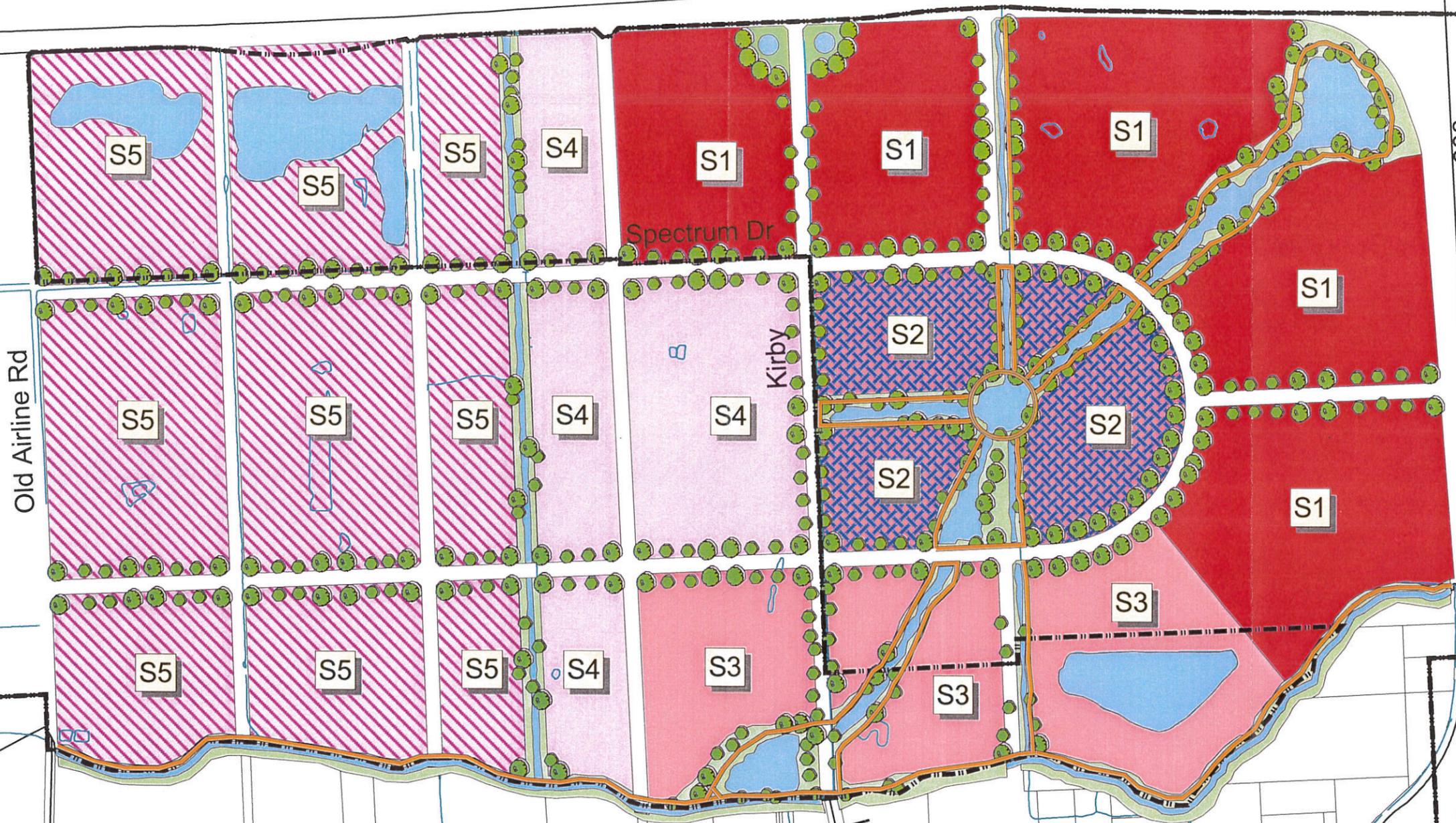


These areas are intended for nonresidential development that typically desires high visibility from major thoroughfares. Retail uses such as shops and restaurants are intended to characterize this district. A "mall-like" setting, either indoor or outdoor, would be ideal for these locations. Pedestrian circulation should be a prime consideration. In addition, science and technology related office uses (also referred to as "tech-flex") developed within a business park or corporate campus would also be appropriate. Buildings for such uses should be set back from roadways and parking should be located such that a feeling of open space is created. Business activities should take place wholly within buildings, and outside storage of materials would be inconsistent with the purpose of the S1 District. In addition, development should respect natural features such as creeks and drainageways by integrating such features into the overall site design.





Beltway 8



Legend

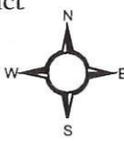
- S1 - The Beltway District
- S2 - The Mixed Use District
- S3 - The Mixed Use - High Density Residential District
- S4 - The Light Industrial and Science & Technology District
- S5 - The Light & Heavy Industrial District
- Open Space

Trail System

Pearland City Limits

Pearland ETJ

Creeks



400 0 400 800 1200 Feet

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Urban Planning Consultants Dallas, Texas

Date: February 2004

City of Pearland, Texas

The Spectrum District

District S2: Mixed Use District



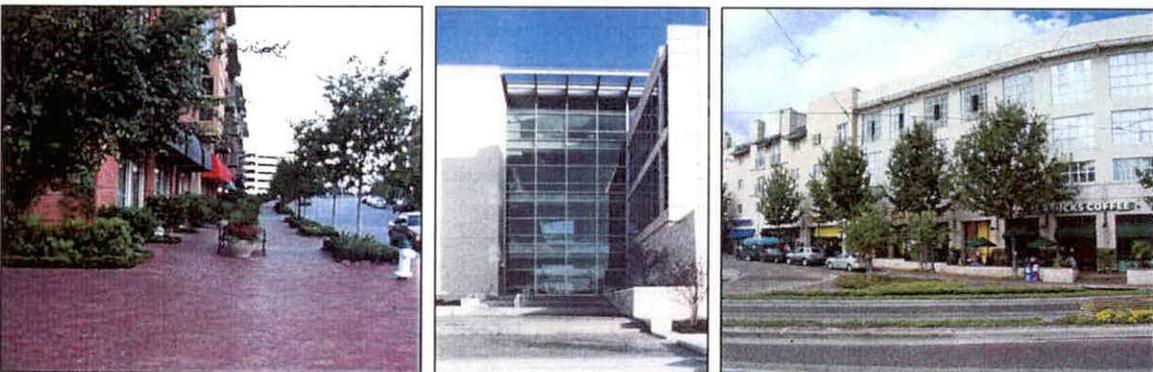
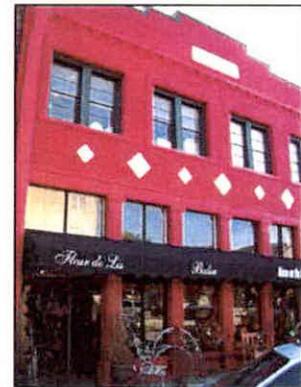
This area is appropriate for a variety of land uses, including hotels, a conference center/convention center, tourism-oriented uses, commercial, light industrial, and science and technology related uses (also referred to as “tech-flex”). This wide variety of acceptable uses is intended to allow for optimum market flexibility for development within the S2 area. Any commercial and/or light industrial uses developed should be within a business park or corporate campus with buildings and parking situated such that a feeling of open space is created, and business activities should take place wholly within buildings. Development should also respect natural features such as creeks and drainageways by integrating such features into the overall site design. Walkability and pedestrian-orientation is important for this site due to its central location within the overall Spectrum District; therefore, pedestrian access has been shown to and within the area.



District S3: The Mixed Use - High Density Residential District



These areas are intended for TND development, as discussed previously within this 2004 Comprehensive Plan Update. A vertical mix of nonresidential and residential uses is envisioned, with retail and/or office uses on the ground floor and residential uses above. Traditional multiple-family development is not intended for this area; retail and/or offices therefore should be required as a condition of development. Also, the City should have special oversight of this type of mixed use development by allowing it only through a Special Use Permit (SUP). In addition, consistent with other areas of the Spectrum District, commercial, and light industrial science and technology related uses (also referred to as “tech-flex”) developed within a business park or corporate campus would also be appropriate within the S3 area. Compatibility with residential uses should be an important design consideration.



District S4: The Light Industrial and Science & Technology District



These areas are intended for light industrial uses similar to those that are envisioned for location within District S2. One significant difference between District S2 and District S4 is that uses in S4 may have some business activity that takes place outside and/or some outside storage of materials; such outside activity and/or storage should have guidelines for screening. Another difference is that S4 would not necessarily have a campus-like business environment. S4 District uses should

provide positive transition between development within the S5 District (discussed below) and the S2 District. Regardless of the type of uses, however, design guidelines should be established to ensure that the businesses envisioned for this district provide an aesthetically pleasing view from the planned roadways.



District S5: The Light & Heavy Industrial District



These areas are intended for light or heavy industrial development that may have outside business activity and outside storage. Much of the development to the south and west of the Spectrum District area is currently characterized by heavy commercial and industrial businesses, and the identified areas should provide transition between these existing uses and the new uses envisioned for development within the S4 District. Regardless of the type of uses, however, design guidelines should be established to ensure that future development provides an aesthetically pleasing view from the planned roadways.



FUTURE LAND USE:

RECOMMENDATIONS SUMMARY

- 1) Issue – Amount of Suburban Development Zoning: The City should utilize the *Housing Density Map* and the 2004 *Future Land Use Plan* map herein to guide policy decisions on rezoning proposals in areas currently zoned Suburban Development.
- 2) Issue – Cullen Boulevard & Garden Road: The City should establish mixed use zoning districts for the areas along Cullen Boulevard and Garden Road. The respective specific locations for the recommended *Cullen Boulevard Mixed Use District* and the *Garden Road Mixed Use District* are shown on the 2004 *Future Land Use Plan*. The guidelines outlined herein should be integrated into the established district.
- 3) Issue – Creating a Unique Mixed Use Area: The City should establish a unique business park zoning district for the southwest corner of the intersection between State Highway 288 and Beltway 8. The recommended area for the *Spectrum District* is shown on the 2004 *Future Land Use Plan* and is shown in greater detail in the illustration on page 24. The guidelines outlined herein should be integrated into the established district.

COMMUNITY IMAGE GUIDELINES

INCREASED BEAUTIFICATION OF CORRIDORS

The City of Pearland has recognized the need for protecting and enhancing its image along major thoroughfares by enacting a corridor overlay zoning district for Pearland Parkway, Oiler Drive, and McHard Road. Other major roadways should be protected and enhanced by an overlay district. The following major thoroughfares could substantially benefit from an overlay district:

- State Highway 288 (Recommended in the 1999 *Comprehensive Plan*)
 - State Highway 288 (South Freeway) is located in the western portion of the City. It serves as a major north-south transportation route and links Pearland directly to downtown Houston. This highway is a critical element in shaping and developing the City's image.
- Beltway 8 (Recommended in the 1999 *Comprehensive Plan*)
 - Beltway 8 is also known as the Sam Houston Parkway. The major challenge with Beltway 8 is that Pearland has very little frontage along the highway. Beltway 8 is mostly contained inside Houston's city limits; therefore, unified development of the highway ideally would have the support of both cities. However, even if Pearland is unable to garner the support of Houston, the City should still proactively manage development along the Beltway wherever possible as outlined herein.
- Main Street
 - Main Street is a major north-south thoroughfare through the heart of the City. It serves as an important visual image because of its location through the core area of Pearland.
- Broadway Road
 - Broadway Road is a major east-west thoroughfare, moving through the center of Pearland and connecting to the city of Friendswood. It runs through the downtown area and forms a key intersection with Main Street.
- Dixie Farm Road
 - Dixie Farm Road is located in the eastern portion of the City. With a terminus at Main Street, the road runs to the northeast crossing Broadway Street and passes along the city limits of Houston and Friendswood and intersects Interstate Highway 45. The road can enhance the visual image of the City's main southeastern entrance.
- Planned Roadways
 - Future roads should be planned to enhance the image of the City. These planned roads are free from some of the complications that are experienced by existing roads. Planned roadways are opportunities for the City to develop aesthetically pleasing corridors from the initial construction and

development of the roadways. The image of existing roads is dependent on the land uses and other man-made features that lay adjacent to the road. Overall, the City should view planned roadways as a way in which to positively present its image proactively. One such roadway is Bailey, which is currently being studied as a possible additional east-west thoroughfare. Another possible roadway is Magnolia, north of Bailey; this roadway may become the alternative choice for an east-west thoroughfare if the studies of Bailey result in the conclusion that it would be economically infeasible to construct. Magnolia and/or Bailey should have corridor overlays after their initial development.

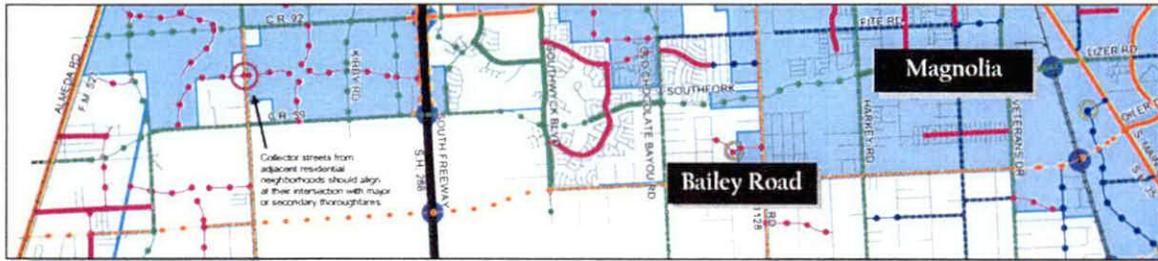


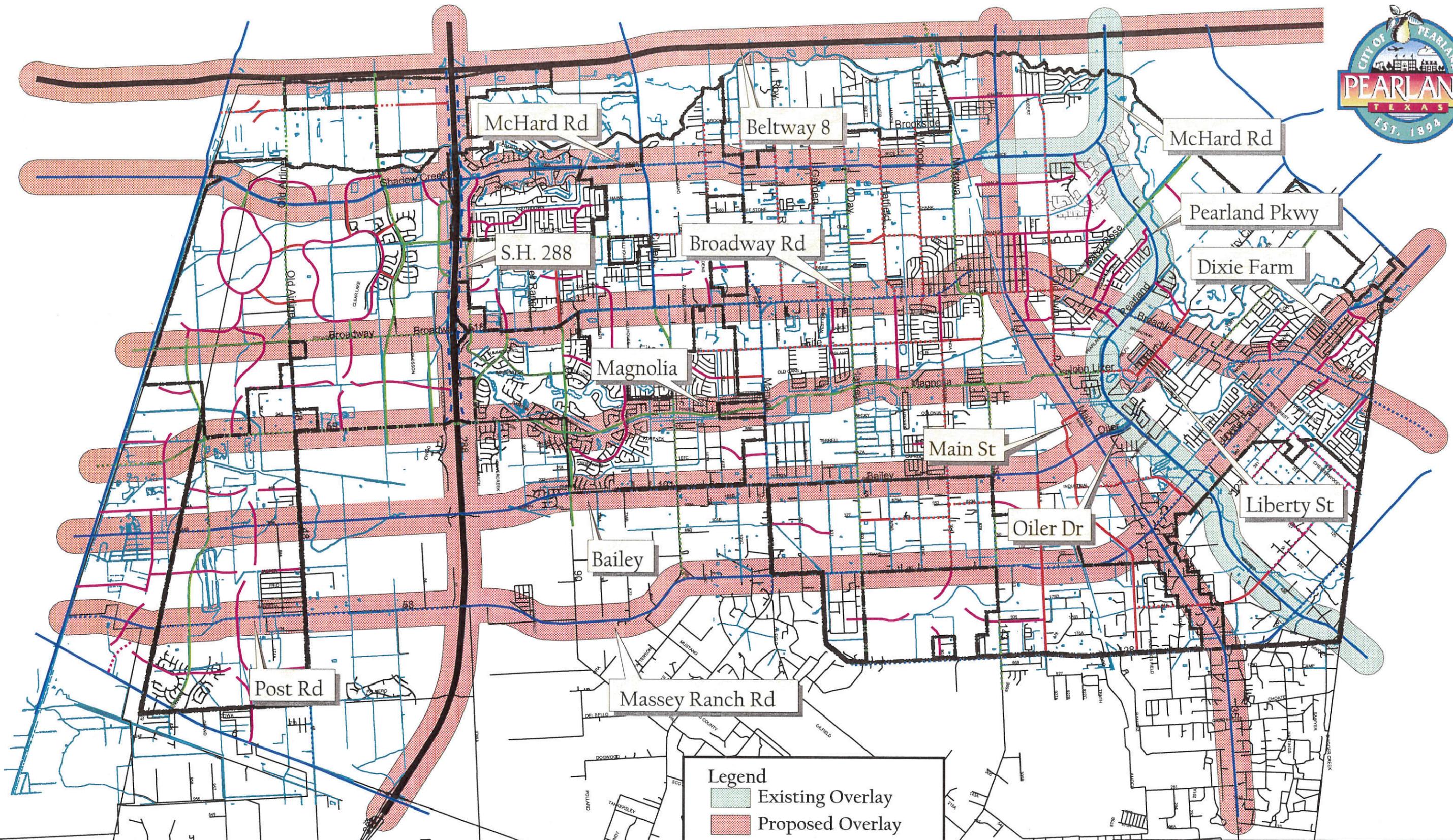
Illustration 16

THE ADOPTED THOROUGHFARE PLAN – Magnolia & Bailey Road

It is recommended that the City develop either a single overlay district that is applicable to all of the previously listed roadways, or develop separate overlay districts. The need for separate districts may arise from the differing characteristics of the roadways themselves. The City has had much success implementing the *Pearland Parkway, McHard Road, and Oiler Drive Corridor Overlay District* and thereby enhancing Pearland's visual image. Based on this, the existing Overlay District (Chapter 30 of the Land Use and Urban Development Ordinance) should be used as a template for implementing the recommendations made herein for enhancing development long other specified corridors. Many of the standards in the existing Overlay are sufficient and should be directly integrated into the new overlay district(s) as they are. Such standards include *Lot and Setback Standards, Lighting Standards, Buffering Standards, Sidewalk Standards, Sign Standards, and Utilities*. Unless otherwise noted, the regulations within the existing Overlay should be used in addition to the regulations recommended herein. Each of the following sections is divided into two parts, as applicable.

- District Boundaries
- Building Façade Standards
- Landscaping Standards
- Screening Standards

It should also be noted that there are some aesthetic-related recommendations that should be applied to nonresidential development throughout the City; these are discussed in the *General Design Guidelines*, which begins on page 35 of this 2004 *Comprehensive Plan Update*.



3000 0 3000 6000 9000 Feet

Dunkin Sefko & Associates, Inc.
Urban Planning Consultants Dallas, Texas
Date: February 2004

Legend

- Existing Overlay
- Proposed Overlay
- Pearland City Limits
- Pearland ETJ

City of Pearland, Texas

Corridor Overlays

The first part describes the *Pearland Parkway, McHard Road, and Oiler Drive Corridor Overlay District* standards, referred to as the *Pearland Parkway Overlay* for discussion purposes. The second part sets forth additional recommendations that should be incorporated into the overlay district(s) that should be implemented along State Highway 288, Beltway 8, Main Street, Liberty Street, Broadway Road, Dixie Farm Road, and certain planned roadways such as Magnolia and Bailey Road.

DISTRICT BOUNDARIES

Pearland Parkway Overlay Development Standards

This section establishes which portions of roadways are included in the existing overlay district. The depth of the existing overlay district boundary is 300 feet on either side of the right-of-way along the specified streets.

Recommendations for the New Corridor Overlays

The 300-foot boundary has proven to be problematic in some instances, especially with larger developments that encompass a large amount of land. Therefore, it is recommended that the new overlay district(s) boundaries be applied to the future development and use of all land within the depth of a lot to a maximum of 300 feet or to the entirety of any lot that has frontage on either side of the street right-of-way along a specified thoroughfare.

This would ensure that large developments and related buildings, which can sometimes extend beyond 300 feet, would conform to the standards of the overlay district(s), as long as the lot has some amount of frontage along a specified roadway.

BUILDING FAÇADE STANDARDS

Pearland Parkway Overlay Development Standards

The way in which the exterior of a structure looks along a major thoroughfare has an affect on the visual image of Pearland. The City has addressed this issue in the existing Overlay District by requiring building articulation in order to break the possibility of a monotonous building façade. The Overlay also addresses building materials for exterior walls, which are limited to masonry materials³. Generally, corrugated metal and exposed fasteners are prohibited. Another standard requires an exterior wall facing a specified roadway to be a minimum 25 percent transparent (i.e., glass). In addition, there is a requirement that buildings in a shopping center or integrated business development be architecturally similar.

The last section in the building façade standards concerns building colors. All building colors must comply with an approved color palette prepared by the City's Architectural Design Committee.

³ The definition of masonry within the *Pearland Parkway Overlay* and within any new overlay district(s) should be consistent with the recommended definition contained within the *General Non-Residential Guidelines* portion of this *Comprehensive Plan Update*.



Recommendations for the New Corridor Overlays

The masonry requirements contained within the existing Overlay District should be applied to any new overlay district(s), as should the standards related to similar architectural design, color, and materials. However, although building articulation is addressed, there is no specificity to the related requirement.



Illustration 17
EXAMPLE OF ARCHITECTURAL VARIATION

Therefore, to provide clarification to the development community, a specified requirement for building articulation should be incorporated into the recommended overlay district(s). Architectural variation of the exterior walls of any structure visible from the specified roadway(s) should be provided for all nonresidential structures 50,000 square feet in size or greater. The variation should be at least three feet in depth for every twenty-five feet in vertical or horizontal length. Nonresidential structures less than 50,000 square feet should incorporate architectural variation of at least one foot in depth for every ten feet in vertical or horizontal length.



Illustration 18
EXAMPLE OF LANDSCAPING IN PEARLAND (LOWE'S)

LANDSCAPING STANDARDS

Pearland Parkway Overlay
Development Standards

Landscaping is generally accepted as adding value to property and is an aesthetically pleasing element to incorporate along major thoroughfares. The existing overlay district outlines several landscaping standards. It requires 10 percent of a lot to have landscaped areas with a permeable surface with a coefficient runoff of at least 0.35. Other requirements include a specified tree caliper size (2"-3") for required trees, the number of which is dependent on the amount of frontage. For interior landscaping, parking spaces must be within 50 feet of a tree. A mechanical irrigation system for front yards and building setbacks is also required.



Illustration 19
EXAMPLE OF STREET TREES AND FRONT YARD
LANDSCAPING ENHANCING DEVELOPMENT

Recommendations for the New Corridor
Overlays

While landscaping in general is an important component of quality development, within the recommended corridor overlay(s) concentrated areas of landscaping are likely to have more of a visual impact. It is therefore recommended that instead of the landscaping percentage being based on the entire site as it is in the Pearland Parkway Overlay and in the General Development Standards, the percentage

should be based on the front yard area. The requirement should specify that at least 15 percent of the front yard or the designated yard that is located along a specified thoroughfare be landscaped.

In addition, the amount of trees required within the Pearland Parkway Overlay is sufficient, but the same concept applies to trees as was stated for landscaping – the key within the specified corridors is to positively affect the view from the road. Therefore within the new overlay, the same number of trees should be required, but at least fifty percent (50%) of the required trees should be located along the frontage of the specified thoroughfare.

SCREENING STANDARDS

Pearland Parkway Overlay Development Standards

Elements within the Pearland Parkway Overlay that are required to be screened include mechanical and utility equipment, vehicle loading and unloading areas, and refuse and recycling containers. Screening must be between 75 and 100 percent opaque, depending on the screening device and the element being screened.

Fence requirements are also outlined, and include requirements for masonry materials to be used, and color and design to be consistent with the related building's architecture. Also, no fence can be constructed with surface-painted or coated concrete, chain link, concertina wire, bared wire, corrugated metal, or fiberglass panels. An exception is allowed for barbed wire when used to control livestock. Residential subdivision fences are also required to be uniform in style, color, and material along the length of a subdivision.

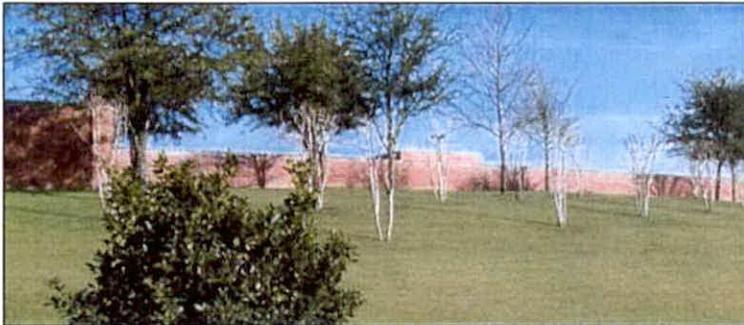


Illustration 20
EXAMPLE OF NONRESIDENTIAL MASONRY SCREENING WALL

Recommendations for the New Corridor Overlays

Although the screening requirements within the Pearland Parkway Overlay are adequate, there are some minor elements that could be added to further refine the requirements. The City should consider requiring some

variations of the screening walls, which is especially important for screening walls that are extremely long. This regulation could specify that all screening walls that are 20 feet in length or longer provide some horizontal variation in the wall that is equal to at least three feet in depth for every 20 feet in length. In addition, outside storage areas and outside display regulations should be strengthened, as the following sections discuss.

The City should develop screening alternatives to address adjacency issues between residential and nonresidential for all districts. No wood screening fences should be

allowed, with the exception of wood rail fencing around large residential lots, as described in the *Fencing* section, page 38.

OUTSIDE STORAGE AREAS

Outside storage areas are generally defined as areas where goods and materials are displayed or stored outside a building for more than 24 hours. These areas are required to be screened with landscaping within Chapter 22 of the Land Use and Urban Development Ordinance; there are no specific requirements for outside storage to be screened within the Pearland Parkway Overlay. Given the fact that such areas detract



Illustration 21

EXAMPLE OF SCREENING TYPICAL OUTSIDE STORAGE ELEMENTS

from the positive community image that the City desires to portray, outside storage areas, such as the one shown in *Illustration 18*, should be screened from public view with a masonry screening wall.

In addition, requiring screening walls for outside storage would be ineffective if the materials were stacked above the height of the screening wall. Therefore, the new overlay(s) should specify that outside storage materials cannot be stacked above the height of the screening wall.

OUTSIDE DISPLAY

Outside display is differentiated from outside storage due primarily to the more temporary nature of outside display. Outside display areas are defined as areas for the temporary display of retail commodities and goods for the purpose of sale outside of an enclosed building; commodities and goods generally do not remain outside overnight, although some seasonal display items (e.g., Christmas trees) may occasionally remain outside overnight. Many types of retailers have outside display areas, such as grocery stores, large retailers, and arts-and-crafts stores. Outside display areas are often located in the parking areas of such stores, or immediately in front of the building. There are no specific regulations within the Pearland Parkway Overlay with regard to outside display, however, the General Business (Retail) Zoning District does have the following requirements:

In connection with any permitted use, there shall be allowed the incidental display of merchandise out of doors subject to the following limitations:

Except as provided below, all display areas out of doors shall be confined to a pedestrian walkway immediately adjacent to the building housing the primary use, shall not extend from such building a distance of more than ten (10) feet, and shall be located wholly under a

permanent part of a main business building such as a marquee, provided that adequate pedestrian access is maintained. Adequate pedestrian access shall be an unobstructed thirty-six inch (36") walkway.

On any property in the general business district, the temporary sale of Christmas trees and other forms of decorative plant materials associated with celebration of religious events shall be permitted for a period of forty-five (45) days prior to the day of religious celebration. The Enforcing Officer shall issue a permit for such sale when he finds:

That there is an adequate off-street parking area, approved by the City; and

That the location and layout of drives and parking areas, of lighting and of temporary sales signs will not constitute a hazard to public traveling to the abutting public streets.

These requirements are adequate to ensure that outside display areas do not proliferate. Therefore, they should be included within the corridor overlay(s). Eliminating the visual clutter, which could result from outside display areas becoming too common along the specified roadways, is important to the visual appeal of the City.

GENERAL DESIGN GUIDELINES

The previously discussed requirements pertain to enhancing the visual quality of Pearland within specified corridors. However, there are elements that have been recognized as being important to enhancing Pearland's overall image, not just in specified corridors but throughout the City. Building façade materials and signage are two such elements. Ways in which these regulations can be further enhanced are discussed below; these recommendations should be incorporated within Chapter 22, Landscaping and Building Façades, and Chapter 24, Signs, within the Land Use and Urban Development Ordinance.

BUILDING FAÇADE MATERIALS STANDARDS

Existing General Development Standards

The general development standards for building facades generally apply to any wall or portion of a wall in the Multi-Family, Office and Professional, Neighborhood Service, General Business, and Commercial zoning districts. Any wall that is visible from a roadway or abutting a residential district must have a minimum 100 percent masonry or glass exterior wall. Existing buildings must conform to façade standards upon a change of occupancy, when a new occupant moves into an abandoned site, or if an expansion of a nonresidential or multiple-family structure is greater than 1,000 square feet. Lesser façade requirements apply to industrial districts, buildings built before January 1, 2001, and certain buildings in the commercial (C) zoning district.

Recommended Changes to Building Façade Materials Requirements

Existing buildings that undergo a change of occupancy or that have been abandoned for six months have to conform to the City's current façade requirements. The requirements also apply to any expansion of a building exceeding 1,000 square feet in dimensional area of a nonresidential or multi-family use.



Illustration 22

EXAMPLE OF A RETAIL DEVELOPMENT WITH ATTRACTIVE BUILDING MATERIALS

The first two triggers for building façade improvements have worked well and have resulted in more aesthetically pleasing existing structures. However, the trigger for façade improvements based on building expansion has been somewhat problematic, especially for structures that are not fully visible from a roadway. Therefore, expansions that are made to existing structures should trigger façade improvements only if the new exterior building façade(s) is not visible from a roadway. It should be the responsibility of the owner/developer of the building/lot to prove to the City that the building façade(s) intended to be metal is not visible.



Illustration 23

AN EXAMPLE OF AN ATTRACTIVE INDUSTRIAL BUILDING FAÇADE IN PEARLAND

In addition, the way in which the building materials standards are implemented is correlated to the type of roadway along which the building is located. While this is generally a good way to ensure that the image along roadways is positive for the City, the use of metal façade structures is prevalent in industrial areas that are often affected by the building material regulations. By ordinance, corrugate metal is prohibited on the exteriors walls of structures on lots located along a designated

“thoroughfare” or “collector” roadway. However, the spirit and intent of the facade requirements would not be compromised if the regulation did not apply to buildings in industrially zoned areas that are not clearly visible from the roadway. It is therefore recommended that Pearland make a revision to the current building façade requirements that exempt any façade of a building located in industrial zoning districts (M-1 and M-2) that are not visible from a designated thoroughfare or collector roadway. It should be the responsibility of the owner/developer of the building/lot to prove to the City that the building façade(s) intended to be metal is not visible.



Illustration 24

AN EXAMPLE OF AN ATTRACTIVE RETAIL BUILDING FAÇADE IN PEARLAND

Also, a revised definition of masonry material, which is currently found on page 76 of the City's Land Use & Urban Development Ordinance, should be amended so that it does not allow stucco or EIFS (exterior insulation and finish systems) by right. The only masonry materials that should be allowed by right are brick, stone brick veneer, custom treated tilt wall, and decorative or textured concrete block. Stucco and EIFS, along with any new material that has not been widely utilized (i.e., is a result of new technology) should be allowed only through the City's Special Use Permit (SUP) process.

SIGN STANDARDS

Size-Related Standards in the General Business (GB) District

Table VII of the Land Use and Urban Development Ordinance addresses sign regulations. Standards related to signs in Pearland have been raised in the past few years, and the results can be seen on recently developed nonresidential sites throughout



Illustration 25
EXAMPLE OF A LOWE'S BUILDING SIGN

the City. However, one change that should be made is to the sign requirements that impose maximum size limitations for signs within the General Business (GB) and Commercial (C) zoning districts. Building signs within the General Business district are permitted to be "2 square feet per lineal foot of building frontage up to a maximum of 200 square feet", and those within the Commercial district are permitted to be the same in terms of lineal feet with a maximum of 300 square feet (page 147).

While the maximum size requirements are generally suitable for small-scale structures, they are less suitable for large structures such as a Wal-Mart store or a Lowe's Home Improvement store. A more applicable regulation is to permit building signs within these districts to be a percentage of the building façade. The requirement should be amended to allow building sign(s) to be a maximum of 30 percent (cumulative) of the building façade area, not including windows, doors, and other openings.

Signs With Flashing/Moving Messages

The *Prohibited Signs, Advertising, Lighting* section of Chapter 4 (*Signs*) of the Land Use and Urban Development Ordinance addresses signs that move and flash. Specifically, the regulation states that signs and advertising devices "which move, flash, rotate, blink, change color, or are animated are prohibited" (page 84). However, an exception is made for "devices displaying time, temperature and messages spelled out electronically". It is recommended that the City establish an allowable time period within which a message could flash or change. This would ensure that any flashing/moving sign would not be a hazard or nuisance to traffic, by causing undue distraction, or to adjacent properties.

Clarification of the Definition of Free-Standing Signs

The *Height Restrictions* section of Chapter 4 (*Signs*) specifies “no free standing sign shall be allowed/permitted” (page 81). A free standing sign is defined in Chapter 3, *Definitions*, as “a sign that is supported solely by posts or structures other than a building” (page 17).



Illustration 26

MONUMENT SIGNS IN PEARLAND PRESENT A POSITIVE IMAGE OF THE CITY

This definition could be interpreted as including monument signs. The definition should be clarified to ensure that this interpretation cannot be made by deleting the words “or structures” from the definition.

FENCING STANDARDS

In general, fences that are erected to screen development, both residential and nonresidential, along roadways throughout Pearland are important to the City's overall visual quality, especially in terms of the materials that are used for the fencing. Certain materials such as wood have been proven over time to be more problematic in terms of maintenance than some higher quality materials such as brick. It is therefore recommended that fencing materials for both residential and nonresidential uses should be limited to masonry along specified thoroughfares; the term masonry as used here is intended to be consistent with the previously recommended masonry definition, which does not include stucco, EIFS, or wood. The exception to this should be wood rail fencing (as shown in Illustration 27 at the right), which should be permitted for perimeter fencing for large individual residential lots and for large-lot residential subdivisions. Also, as recommended previously for nonresidential screening walls, residential screening walls should be varied in form to provide increased visual interest; therefore, such walls that are 20 feet in length or longer should provide some horizontal variation equal to at least three feet in depth for every 20 feet in length.

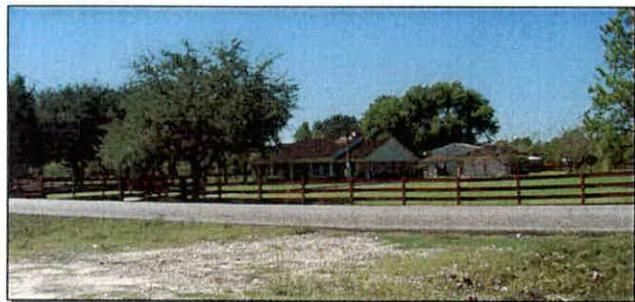


Illustration 27

PEARLAND “COUNTRY” WOOD RAIL FENCE TO BE ENCOURAGED IN LARGE-LOT SUBDIVISIONS

ACCESS & OFF-STREET PARKING STANDARDS

There should be a shared driveway requirement for all roadways within Pearland that are anticipated to develop with nonresidential uses. Currently there are minimum spacing



Illustration 28
EXAMPLE OF A SHARED DRIVEWAY BETWEEN TWO RETAIL USES

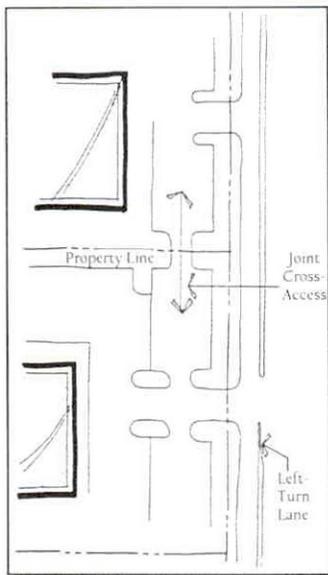


Illustration 29
CROSS-ACCESS SKETCH

requirements that adequately address driveway spacing issues, however, such requirements do not mandate that adjacent uses make provisions to share access points. Combined with the minimum driveway spacing, shared access requirements would further help ensure that the mobility function of the applicable corridors is preserved to the fullest extent possible as development occurs. Uses that require one driveway by current regulations should construct that driveway in such a way that it can be shared by an adjacent development. Areas that are already densely developed will not likely be able to do this, but new developments may be able to utilize driveways of adjacent



Illustration 30
EXAMPLE OF THE RESULT OF A LACK OF SHARED DRIVEWAYS & CROSS ACCESS

existing development (by widening, etc.). Uses that require more than one driveway by current regulations should construct at least one driveway such that it is or can be shared.

Another way in which to provide for increased mobility of the specified roadways is to require cross access between developments. This would help alleviate the need for drivers to enter onto one of these roadways in order to drive to an immediately adjacent development. Mutual access agreements for parking lots, driveways and adjoining properties should be required.



Illustration 31
EXAMPLE OF PARKING AREAS ORIENTED TO THE SIDE & REAR

In addition, the City encourages and prefers “parking to the side and rear of buildings” (page 103 of the Land Use and Urban Development Ordinance). To help the City attain its preferred site layout whenever possible, there should be an incentive established for parking to be to the side or rear. An example of such an incentive is to allow for a reduced amount of landscaping for developments with parking to the rear or side of buildings. For example, instead of 15 percent of the front yard (recommended within the following *Landscaping Standards* section), the City could allow a development to provide 10 percent landscaping of the front yard (with the same runoff coefficient).

BUFFER BETWEEN RESIDENTIAL & NON-RESIDENTIAL AREAS

In situations where residential and nonresidential uses abut each other, it is recommended that a landscaped buffer be provided. The buffer could include elements such as berms, trees, landscaping, fences, and walls. Such a buffer would ensure that incompatible uses are appropriately separated from residential uses.

TREATMENT OF ENTRYWAYS & STREET INTERSECTIONS

Residential developments should be encouraged to enhance their entrances and street intersections with incorporation of aesthetically pleasing elements. Examples of such elements include landscaping, decorative walls, fences, and unique lighting. Varying the orientation of homes within developments and ensuring that each key intersection has an interesting design would further enhance the character of local neighborhoods.

STREET ENHANCEMENT

Increased beautification measures along thoroughfares, collectors and internal spines are important to enhance the image of the City. Currently the ordinance does not require any additional setbacks, landscaping or any other aesthetic improvements along the perimeter streets of a development. Nor are there any specific requirements for fences or walls along the perimeter. To ensure that City’s streetscapes are improved, the following are recommended:



Illustration 32
WALLS INCORPORATING DIFFERENT MATERIALS,
LANDSCAPING, AND BUFFERING BETWEEN CITY STREETS
AND DEVELOPMENTS

- Require a landscaped strip between the perimeter fence and roadway. Tree-lined boulevards and streets with intermediate massing of shrubs should be encouraged.
- Require better design, variety and more durable materials for fences/walls along the perimeter of residential developments. Wherever possible the fences/walls around the residential development should be broken to provide views of interesting features located within the development for safety and visual interest.
- Encourage curved/meandering fences and sidewalks to provide a visual break from any monotonous development.

In addition, the provision of street trees should be encouraged for all developments. Trees along streets must be aligned in a disciplined manner. Such an alignment would assist in creating tree-lined streets, vistas and avenues. This is particularly important to remedy spaces when over-large setbacks cannot be avoided. Picturesque planting patterns are commended for parks, squares and other large areas.

MIXED LAND USES

Mixed land uses are important to encourage walkable communities. The ability of residents to be able to walk or ride a bicycle to work and/or to places that meet their retail needs should be a consideration as new development occurs within the City. In this regard it is recommended the introduction of neighborhood retail and services areas and other compatible uses within residential neighborhoods be considered.

COMMUNITY IMAGE:

RECOMMENDATIONS SUMMARY

- 1) Issue – Establish An Overlay District(s) for Significant Corridors in Pearland: The City should establish overlay district(s) that would apply to development along State Highway 288, Beltway 8, Main Street, Broadway Road, Dixie Farm Road, and certain planned roadways such as Magnolia and Bailey Road.
- 2) Issue – Apply Increased Development Standards Within the Overlay(s): The City should use the Pearland Parkway, McHard Road, and Oiler Drive Corridor Overlay District as a template for the increased development standards that should be applied to the overlay(s). Some standards should be enhanced as outlined herein; such standards include:
 - District Boundaries – Recommendation: The Corridor Overlay District(s) standards should apply to the future development and use of all land within the depth of a lot to a maximum of 300 feet or to the entirety of any lot that has frontage on either side of the street right-of-way along a specified thoroughfare.

- Building Façade Standards – Recommendations: For all nonresidential structures 50,000 square feet in size or greater, architectural variation of the exterior walls of the structure that are visible from the specified roadway(s) should be provided. The architectural variation shall be equal to at least three feet (3') in depth for every twenty-five feet (25') in vertical or horizontal length. Nonresidential structures less than 50,000 square feet should incorporate architectural variation of at least one foot (1') in depth for every ten feet (10') in vertical or horizontal length.
 - Landscaping Standards – Recommendations: 1) At least 15 percent of the front yard or the designated yard that is located along a specified thoroughfare should be landscaped; 2) At least fifty percent (50%) of the required trees should be located along the frontage of the specified thoroughfare.
 - Screening Standards – Recommendations: 1) All screening walls that are 20 feet in length or longer shall provide some horizontal variation in the wall that is equal to at least 3 feet in depth for every 20 feet in length; 2) Outside storage areas should be screened from public view with a masonry screening wall; 3) Outside storage materials shall not be stacked above the height of the screening wall; 4) Outside display should be minimal along the specified thoroughfares, and therefore the related existing regulation within the General Business District should be applied to areas within the corridor overlay(s).
- 3) Issue – Increase Selected General Design Standards: The City should review its existing Building Façade Materials Standards and Sign Standards as noted herein. Changes should be made according to the discussed recommendations.
- Building Façade Materials Standards – Recommendations: 1) Existing buildings should conform to facade requirements upon a change of occupancy, abandonment for a certain period of time (i.e., six months), or an expansion exceeding 1,000 square feet of a nonresidential or multi-family structure when any new exterior building façade is within 100' of the right-of-way; 2) The definition of “masonry” materials should include stucco or EIFS (exterior insulation and finish systems); stucco and EIFS, as well as any other exterior materials not specifically defined as masonry only after being granted a Specific Use Permit (SUP).
 - Sign Standards – Recommendations: 1) The allowable square footage of a building sign(s) should be a maximum of 30 percent (cumulative) of the building façade area, not including windows, doors, and other openings; 2) For flashing/moving signs, the City should establish an allowable time period within which a message could flash or change; 3) The definition for freestanding signs should be clarified to ensure that it cannot be interpreted as including monument signs - the words “or structures” should be deleted from the definition.
 - Fencing Standards – Recommendation: 1) All fencing of residential and nonresidential development required by ordinance should be constructed of masonry materials. The use of stucco, EIFS, and wood materials or any variation thereof should be permitted only by Special Use Permit (SUP).

- Access and Off-Street Parking Standards - Recommendations: 1) Cross-access between nonresidential developments and shared driveways should be required; 2) An incentive for parking to be to the side or rear should be established - the incentive could be reduced landscaping requirements.
- Buffering Between Residential & Non-Residential Areas - In situations where residential and nonresidential uses abut each other, it is recommended that a landscaped buffer be provided.
- Treatment of Entryways & Street Intersections - Residential developments should be encouraged to enhance their entrances and street intersections with incorporation of aesthetically pleasing elements.
- Street Enhancement - Recommendations: 1) A landscaped strip between perimeter fences and roadways should be required. Tree-lined boulevards and streets with intermediate massing of shrubs should be encouraged; 2) Variety and durable materials for fences/walls along the perimeter of residential developments should be required for safety and visual interest; 3) Curved/meandering fences and sidewalks should be encouraged; 4) Street trees should be encouraged for all new development.
- Mixed Uses - The City should consider allowing neighborhood retail and services areas, along with other compatible nonresidential uses within residential neighborhoods.



CONCLUSIONS OF THE 2004 UPDATE

This 2004 Comprehensive Plan Update has addressed several issues that have arisen within the City of Pearland since the adoption of the 1999 Comprehensive Plan.

HOUSING GUIDANCE

The *Housing Guidance* section provides guidance on housing issues in Pearland including multiple-family development, single-family lot size, and recommended areas for future single-family housing density shown graphically on a *Housing Density Map*.

FUTURE LAND USE

The *Future Land Use* section provides guidance on land use and zoning policies, including land that is currently zoned Suburban Development. In addition, the *2004 Future Land Use Plan* map graphically shows updated land use recommendations for land located along Cullen Boulevard and Garden Road - Cullen/Garden Mixed Use District - as well as land in the vicinity of State Highway 288 and Beltway 8 - *Mixed Use Business Park*.

COMMUNITY IMAGE GUIDELINES

The *Community Image Guidelines* section provides guidance on corridors within the City that should have increased development standards due to the significant role they play in presenting a quality image of Pearland. Recommendations for an overlay district(s) centered on using the Pearland Parkway Overlay as a template and building on the criteria therein to establish the *Community Image Guidelines* section also provides guidance on general design guidelines that would apply throughout Pearland; specifically addressed are building materials, signage, fencing, access and parking standards, buffering, street enhancement, and mixed uses.

IMPLEMENTATION

The implementation mechanism for the recommended policies within this 2004 Comprehensive Plan update will be Pearland's new Unified Development Code (UDC). The new Code will include all zoning, subdivision, and related development ordinances, and most of the recommendations herein will be integrated into zoning regulations. The new Code will implement policies that remain applicable from the 1999 Comprehensive Plan as well as those established herein in order to meet the needs of the City of Pearland for the foreseeable future.

