

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JANUARY 15, 1996 AT 7:00 P.M., IN THE COUNCIL CHAMBERS, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m. with the following present:

Chairman	Pat Lopez
Vice Chairman	Emil Beltz
Commissioner	Peggy Mayfield-Royer
Commissioner	Jeffery O'Brien
Commissioner	Randy Patro
Assistant City Manager	Richard Burdine
City Engineer	John Hargrove
Secretary to the Commission	Judy Highburger

Commissioner Marshall Eggers was absent.

II. APPROVAL OF MINUTES: Minutes of January 8, 1996

A motion to approve the minutes of the January 8, 1996 meeting, was made by Vice Chairman Emil Beltz, seconded by Commissioner Jeffery O'Brien.

Motion Passed 4 to 0 (2 abstentions - Commissioners Robert Larsen and Peggy Mayfield-Royer were absent at the last meeting).

III. NEW BUSINESS

Upon the Commissioners' concurrence, it was agreed to change the order of business. A motion was made by Commissioner O'Brien and seconded by Commissioner Mayfield-Royer to change the order of business by beginning with Item B, followed by Items C, D, and A.

Commissioners O'Brien and Mayfield-Royer amended their motion to begin with Item B, followed by Items C, A, and D.

Motion Passed 6 to 0.

B. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Southdown, Section Six.

Variance request to use a 20 foot building line on all lots.

Mr. Steve Gardner, Engineer, representing Ferro-Saylors, was present requesting approval of Southdown, Section Six. City Engineer John Hargrove recommended approval as submitted with the requested variance.

Commissioner Randy Patro questioned the 20 foot building line, to which Mr. Gardner replied that line is used throughout the subdivision. Mr. Hargrove added that this is maintaining what has already been done.

A motion was made by Commissioner Mayfield-Royer, and seconded by Commissioner O'Brien to approve the preliminary plat of Southdown, Section Six, and the requested variance.

Motion passed 6 to 0.

C. CONSIDERATION AND POSSIBLE ACTION - Final plat of West Oaks Village, Section 1-B.

Ms. Renee West, representing West Development, was present asking for approval of the final plat of West Oaks Village, Section 1-B, and requested a variance of 12 1/2 foot side yard aggregate to allow the floor plans to fit on smaller lots. Assistant City Manager Richard Burdine stated that in the past the Commission has gone to 10 foot aggregate on smaller lots, and he has no objection to the proposed variance.

Mr. Hargrove recommended plat approval, and he and the City Attorney will withhold their signatures until completion of the requirements.

REQUIREMENTS:

1. A letter of request for variance
2. A Hold Harmless Agreement
3. Signatures of Ms. West and the Drainage District Commissioners on the final plat.

4. The plat needs turnaround easement and UE recording information.

Vice Chairman Beltz asked if the variance letter has been written, to which Ms. West replied in the affirmative. Chairman Pat Lopez inquired if Mr. Burdine saw a problem with the variance request, and Mr. Burdine's response was in the negative.

Commissioner O'Brien queried Ms. West about landscaping the entrance, to which Ms. West replied there would be a rock wall, berms, and lighting.

Commissioner Larsen made a motion, seconded by Commissioner O'Brien, to approve West Oaks Village, Section 1 - B as submitted with the following exceptions, and to approve a variance to allow 12.5 feet side yard aggregate, and to include 10 foot rear set back line.

REQUIRED CORRECTIONS:

1. Letter of request for variance
2. Hold Harmless Agreement
3. Ms. West and the Drainage District signatures on the plat.
4. South side of plat - 8 foot UE calls for volume and page number.
5. West side of plat - temporary turnaround easement volume and page number needed.
6. Take Item 13's last sentence off plat, which referenced a 10 foot rear setback.

Commissioner Larsen amended the motion to the last action of 12.5 feet aggregate, and eliminate the issue of 10 foot rear setback line, at it is covered by "Required Corrections".

Motion passed 6 to 0.

A. PUBLIC HEARING AND CONSIDERATION - An Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 509, The Land Use and Urban Development Ordinance of the City of Pearland (see attached Ordinance).

Mr. Burdine gave a presentation on the proposed changes to Ordinance No. 509.

Those who spoke before the Commission were as follows:

Mr. Robert Buchanan, owner of First Impression Sign and Design, 2410 Shelvia; Mr. C.B. Stevens of A. B. Products, 1339 E. Broadway; and, Mr. Steven M. Gillmer, II, representing Pizza Hut, 2117 Tower Bridge Road.

Some concerns of the speakers were for a better working relationship between the City and small businesses; that the City did not take into consideration the elements of advertising by small business owners; needing a time limit for advertising; and, the need for a better definition of banners and posters.

The Chairman questioned the Commissioners as to their concerns. Commissioner Mayfield-Royer asked if the Commission can approve the Ordinance as read and omit certain areas for revision, and asked for more information on obsolete components. Chairman Lopez said the purpose of Section 20 is to eliminate sign poles currently not in use. Mr. Burdine informed the Commissioners of how signs evolve over time; such as various components welded to signs which make it difficult to calculate wind loads in not knowing how far down into the ground the sign pole is placed.

Commissioner O'Brien was in favor of approving Sections 1-18, and tabling Sections 19-25 for more clarification on banners. Commissioner Mayfield-Royer remarked that Section 23 is bringing signs into conformity and eliminate non-conforming signs in a limited time frame. Mr. Burdine stated there are a number of signs more than 15 feet high. If a store is vacant and has a large sign, it should be painted out. If the whole center is out of operation for six months, uses going into that center would have to be conforming.

Mr. Burdine said that neon used as decoration is not counted in calculating total sign area. If it spells out words, it is counted. None of the neon signs would have to go. In regards to banners, the intent is not to eliminate them across Hwy 518; the City would continue to erect them for non-profit organizations.

A motion was made by Commissioner Mayfield-Royer and seconded by Commissioner Patro to move forward to City Council with approval of amending Ordinance No. 509.

After further discussion by the Commissioners, the motion was amended to exclude Section 19 and to leave it for further discussion and/or action at a later date.

Motion passed 6 to 0.

The Commissioners recessed at 8:50 p.m. and reconvened at 8:56 p.m.

D. CONSIDERATION AND POSSIBLE ACTION - Review of Land Use in Newly Annexed Areas and Consideration of Commission-initiated Zone Changes.

Mr. Burdine reviewed Land Use and Urban Development Ordinance, Sections 4.1. and Section 24.4.. Section 4.1.: It is the purpose of the Suburban Development (SD) District to classify undeveloped property until such time as a permanent land use classification can be established.

Section 24.4. Newly Annexed Territory, further provides that:

1. All territory which may hereafter be annexed to the City of Pearland shall automatically be classed as lying and being in district "SD" until such classification shall have been changed by an amendment to the zoning ordinance as provided by law.

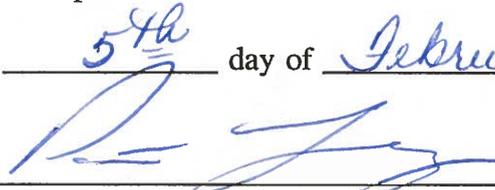
The Suburban Development (SD) district allows only agriculture and animal husbandry by right and single family homes by Specific Use permit. Therefore, a number of developed properties will automatically become nonconforming uses.

Mr. Burdine said he would have a map of the newly annexed area color-coded to show current land uses and present it at the next regular Commission meeting.

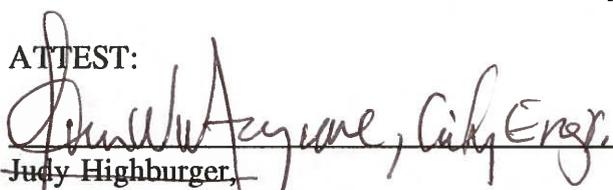
IV. Next Meeting Date: Monday, February 5, 1996; 7:00 p.m.

V. Adjourned: 9:10 p.m.

Minutes approved as submitted this 5th day of February
A.D., 1996.



Pat Lopez, Chairman

ATTEST:

~~Judy Highburger,~~
Secretary to the Commission



City of Pearland

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(713) 485-2411 • Fax (713) 485-8764

AGENDA ITEM

To: Mayor and City Council
Through: Paul Grohman, City Manager
From: Richard Burdine, Assistant City Manager
Subject: Waiver of Zoning Application Fee for One Year for Property Located in Newly Annexed Area Off of FM 518 Now Within the Corporate Limits of the City of Pearland Pursuant to Ordinance No. 708.

Date: December 6, 1995

The Land Use and Urban Development (Zoning) Ordinance, Section 4.1. provides that:

It is the purpose of the Suburban Development (SD) District to classify undeveloped property until such time as a permanent land use classification can be established.

Section 24.4. Newly Annexed Territory., further provides that:

1. All territory which may hereafter be annexed to the City of Pearland shall automatically be classed as lying and being in district "SD" until such classification shall have been changed by an amendment to the zoning ordinance as provided by law.

The Suburban Development (SD) district allows only agriculture and animal husbandry by right and single family homes by Specific Use permit. Therefore, a number of developed properties will automatically become nonconforming uses.

To help ease the transition from being outside to inside the City limits to being inside, I recommend that the City Council establish a one year "grace" period during which owners of newly annexed property can make a zoning change request at no cost.

Note that waiver of the zoning application fee in no way commits the Planning and Zoning Commission or City Council as to the outcome of rezone requests. Each request would be considered on its own merits.

Action:

Approved by Council 12/11/95

ORDINANCE NO. 509-C

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING ORDINANCE NO. 509, THE LAND USE AND URBAN DEVELOPMENT ORDINANCE OF THE CITY OF PEARLAND BY AMENDING SECTION 3 THEREOF TO ADD A DEFINITION FOR ARCHITECTURAL METAL; BY AMENDING SECTIONS 9, 11, 12, 13 AND 14 TO ALLOW A SINGLE DRIVEWAY ON LOTS LESS THAN 110 FEET IN WIDTH AND ON LOTS WITH 1 AND 2 FAMILY DWELLINGS IN THE MF, OP, NS AND GB DISTRICTS, RESPECTIVELY; BY AMENDING SECTION 19 TO REVISE DRIVEWAY LOCATION AND WIDTH REQUIREMENTS, TO DELETE PEDESTRIAN LANES IN PARKING LOTS, AND TO REVISE CONSTRUCTION AND MAINTENANCE STANDARDS; BY AMENDING SECTION 20 TO EXCEPT DETACHED, SINGLE FAMILY HOMES BUILT IN BUSINESS ZONES FROM LANDSCAPE REGULATIONS, TO REVISE THE ROLE OF THE PLANNING AND ZONING COMMISSION IN LANDSCAPE PLAN REVIEW AND TO CLARIFY FACADE MATERIALS; BY AMENDING SECTION 22, TO PROHIBIT SIGNS IN THE FORM OF BANNERS, POSTERS, PENNANTS, RIBBONS, STREAMERS, STRINGS OF LIGHT BULBS, SPINNERS OR OTHER SIMILAR DEVICES, TO CLARIFY REMOVAL OF OBSOLETE OR DAMAGED SIGNS, AND TO ESTABLISH THE HEIGHT AND MINIMUM DISTANCE BETWEEN BUILDER/SUBDIVISION DIRECTIONAL SIGNS; BY AMENDING TABLE III THERETO TO PROHIBIT BILLBOARDS AND POLE TYPE SIGNS IN CERTAIN COMMERCIAL ZONING DISTRICTS AND TO REVISE THE WORDING OF THE USE, "LIGHT MANUFACTURING PROCESS CLASS A"; BY AMENDING TABLE VI. THERETO REGARDING PARKING REQUIREMENTS FOR SHOPPING CENTERS, MALLS AND MULTI-OCCUPANCY USES; BY AMENDING TABLE VII THERETO TO ESTABLISH THE HEIGHT AND MINIMUM DISTANCE BETWEEN OFF-PREMISE DIRECTIONAL SIGNS FOR CHURCHES, COLLEGES, GOVERNMENT-OWNED BUILDINGS AND INSTITUTIONAL EDUCATIONAL USES; PROVIDING A PENALTY FOR VIOLATION; HAVING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; PROVIDING FOR CODIFICATION, PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council has received the recommendations of the Planning and Zoning Commission concerning the matters herein dealt with, which recommendations were made after the holding of a public hearing before said Commission and before the holding of a public hearing before the City Council on such matters; and,

WHEREAS, notices have been published of the times and places of said public hearings held before the Planning and Zoning Commission and City Council concerning the changes herein made, which public hearings have been duly held; and,

WHEREAS, the City Council has determined that the amendments to the Land Use and Urban Development Ordinance of the City of Pearland herein made are in the best interest of the health, safety and general welfare of the citizens of the City of Pearland;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by amending Section 3 thereof by adding the definition of the term, 'Architectural Metal', as follows:

ARCHITECTURAL METAL: A building facade material of interlocking metal panels, 26 gauge or thicker, having no exposed fasteners.

Section 2. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 9.4.(j.) to read as follows:

- j. Access: There shall be provided a minimum of two (2) driveways per lot, no portion of which shall be any closer than fifteen (15) feet to adjacent lot lines. A single driveway may be permitted on lots less than 110' in width and on lots with 1 or 2 family dwellings.

Section 3. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 11.4.1.(a) to read as follows:

- (a) Minimum lot size. Every lot within the zoning district shall be at least 12,500 square feet in area. See Section 24.2.1. for exception.

Section 4. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 11.4.7. to read as follows:

Access: A minimum of two driveways shall be required with no portion thereof closer than fifteen (15) feet to an adjacent lot line, unless otherwise approved by the City. One (1) driveway may be permitted on lots less than 110' in width and on lots with 1 or 2 family dwellings.

Section 5. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 12.4.1.(a) to read as follows:

- (a) Minimum lot size. Every lot within the zoning district shall be at least 12,500 square feet in area. See Section 24.2.1. for exception.

Section 6. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 12.4.7. to read as follows:

Access: Each lot shall have not less than two driveways with exterior driveways no closer than fifteen (15) feet from the adjacent lot line, or as otherwise approved by the City. One (1) driveway may be permitted on lots less than 110' in width and on lots with 1 or 2 family dwellings.

Section 7. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 13.4.1.(a) to read as follows:

- (a) Minimum lot size. Every lot within the zoning district shall be at least 22,500 square feet in area. See Section 24.2.1 for exception.

Section 8. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 13.4.7. to read as follows:

7. Access: Each lot shall have not less than two (2) driveways no closer than twenty-five (25) feet from adjacent lot lines, unless otherwise approved by the City. One (1) driveway may be permitted on lots less than 110' in width and on lots with 1 or 2 family dwellings.

Section 9. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 14.4.1.(a) to read as follows:

- (a) Minimum lot size. Every lot within the zoning district shall be at least 22,500 square feet in area. See Section 24.2.1 for exception.

Section 10. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 19.4.3.(a) to read as follows:

3. Access and Maneuvering:

- (a) Entrances and/or exits shall be so located as to minimize traffic congestion. Driveways shall be located so that the opening, including turning radii, is no closer than 25 15 feet to the end of a street intersection curb return. In no case shall such entrance or exit be closer than 35 25 feet from the intersection of any extended curb line. The width of the opening of entrances and exits measured at the property line, not including the turning radii of the driveway apron between the property line and the adjacent curb, shall be not less than twelve (12) feet nor more than twenty-five (25) feet in R-1, R-2, R-3, and R-4 areas and not less than twenty-five (25) feet in any district nor more than thirty-five (35) forty-five (45) feet in any other districts. Between any two (2) adjacent entrances or exits serving the same parking facility

there shall be provided at the property line a separation of not less than twenty-five (25) feet. Beyond the required number of driveways for each district, there shall be permitted no more than one additional driveway for each one hundred (100) feet of lot width above the minimum lot width. Common driveways may be allowed upon approval of the City.

Section 11. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by deleting Section 19.4.5. and renumbering Section 19.4.6. to read as follows:

5. ~~5.~~ Pedestrian Lanes:

~~When the parking area is designed to accommodate more than 100 vehicles, and where a majority of the parking spaces are not located next to a building walkway at the perimeter of the building, there shall be provided separate, marked pedestrian walkways to enable pedestrians to safely transit the parking area with minimum hazard. Such walkways shall have a clear width of not less than four (4) feet exclusive of vehicle overhang where head-in parking adjoins the walkways.~~

6.5 Alternative Landscaping for Parking:

Section 12. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 19.5.1. to read as follows:

1. Paving and Drainage:

All off-street parking areas shall be paved with not less than five (5) inches of reinforced 2,500 p.s.i. Portland cement concrete or four (4) inches on compacted subgrade, or one and one-half (1-1/2) inches of hot-mixed asphaltic cement concrete with a six (6) inch lime treated subbase to adequately provide an on five (5) inches of approved granular base on six (6) inches of lime treated subbase, or equal, as approved by the Director of Public Works. This is required to provide an adequate all-weather surface to the building line, unless otherwise approved by the Director of Public Works. Parking areas shall be graded and drained in such manner that run-off shall be properly channeled into a storm drain water course, ponding area, or other approved facility.

Section 13. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 19.5.6. to read as follows:

6. Maintenance Requirements.

To insure that all requirements set forth in this section are carried forward, it will be the

responsibility of the owner of the parking area to maintain the facility, including repair of potholes and pavement failures at least every three (3) months. All off-street parking areas shall be kept free of trash, debris, vehicle repair operation or display and advertising uses. At no time after initial approval of the parking area layout can changes be made in the location and number of provided spaces without approval of the City.

Section 14. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 19.6.3. to read as follows:

3. Parking Space for Disabled.

Disabled parking spaces for the disabled shall be provided and clearly marked as required in the Building Code 1985 edition under the rules and regulations promulgated by the State Purchasing and General Services Administration, The Elimination of Architectural Barriers Program.

Section 15. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 20.1. to read as follows:

The landscape requirements of this section shall be minimum standards for and be applicable to the following districts, MF, MH, OP, NS, GB, C, PUD, M-1, M-2, and specific uses as permitted by Section 23 hereof, except for detached, single family homes built in said districts. The landscape requirements shall also apply when:

- (1) there is an enlargement exceeding 1,000 square feet in area of the exterior dimensions of an existing nonresidential or multi-family residential building for which a building permit is required; or
- (2) there is an existing parking lot which is expanded in area to provide additional parking spaces.

The building facade requirements of this section shall apply to all buildings fronting having frontage on major thoroughfares or located in the MF, OP, NS, or GB or C districts. Existing buildings shall also conform to facade requirements upon a change of occupancy or expansion of the existing occupancy.

Section 16. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 20.2. to read as follows:

Prior to the construction and erection of a building or structure subject to the requirements of this section, a landscape plan shall be submitted for consideration and approval by the Planning and

~~Zoning Commission:~~ A landscape plan shall also be submitted as part of a Planned Unit Development District. The landscape plan shall contain as a minimum the following information:

- (a) A Conceptual Plan of the landscaping identifying general layout will be required.
- (b) The Plans should contain dimensions and elevations, where appropriate, of special structural elements such as building facades, walls, planters, foundations, berms, walkways and irrigating systems.
- (c) Building outlines, parking areas and arrangements, fences and structural features to be constructed on the site.
- (d) Landscape plans shall be prepared at a scale of 1" = 40' or larger scale and on a sheet size of 24" x 36". The plan sheets shall contain a scale, north arrow, name and address of the landscape architect, designer, or architect and the site owner and/or developer. The plans shall also identify the development and provide a brief description of the property and its location.

Section 17. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 20.3. Minimum Landscape Requirements, to read as follows:

Up to ten (10) percent of the entire area of the site not covered by buildings and not a part of the right-of-way or dedicated public streets or three (3) percent of the gross area of the site, whichever is greater, shall be required as landscaping to meet the requirements of this section.

- (a) The minimum landscape requirements shall be employed in accordance with the Tree Preservation and Landscape Design Guidelines (Guidelines) made a part hereof, to improve aesthetic appearance, to enhance the compatibility of different land uses, and to mitigate negative environmental influences on land uses (e. g. heat, noise, air pollution). Trees in Class I or II of the Guidelines with a minimum two inch (2") caliper measured twelve inches (12") from the ground shall be provided along street frontage(s) with the total caliper inches equal to one inch (1") for each fifteen feet (15') of frontage.
- (b) Landscaping shall be required for the screening of parking areas from an abutting public right-of-way or adjacent property, ~~as required by the Planning and Zoning Commission.~~ The number of shrubs shall be equal to the total caliper inches of street trees required under this article multiplied by five (5). Shrubs shall be maintained at a height of no more than thirty-six inches (36") nor less than eighteen inches (18") as measured from the surrounding soil line.

- (c) Interior landscaping shall be required by the ~~Planning and Zoning Commission~~ to be integrated into the overall design of the surface parking area in such a manner that it will assist in defining parking slots, pedestrian paths, driveways, and internal collector lanes, in limiting points of ingress and egress, and in separating parking pavement from street alignments. In addition to street trees required under Section 20.3.(a), trees in Class I or II of the Guidelines with a minimum two inch (2") caliper shall be provided within or adjacent to the parking area. The total caliper inches shall equal one inch (1") for each five (5) parking spaces.

Caliper inches of street and parking lot trees may be provided by planting a combination of trees that exceed the minimum two inch (2") caliper.

Where intensity of site development makes planting all required trees impractical, contributions to the Parks and Thoroughfares Landscaping Fund (Fund) may provide up to fifty percent (50%) of total required caliper inches of trees, ~~subject to review and approval of the Planning and Zoning Commission~~. A contribution rate per caliper inch shall be determined annually by the City Council and proceeds from the Fund shall be expended solely for the landscaping of public parks and thoroughfares.

- (d) Landscaping shall be required by the ~~Planning and Zoning Commission~~ to screen outside storage areas, loading docks and delivery entrances from adjacent property and public street right-of-way.
- (e) All landscaping shall be located so as not to interfere with the act of parking or with parking area maintenance and so as not to create a traffic hazard by obscuring driver or pedestrian vision of the intersections of walkways, driveways, collector lanes and streets or any combination thereof.
- (f) Landscaping may be required by the ~~Planning and Zoning Commission~~ to interrupt front building lines unbroken for a distance in excess of two hundred (200) feet.
- (g) Existing trees of larger than ten (10) inches in caliper measured twelve (12) inches from the ground shall be noted on the landscape plan. When possible, existing trees should be included in the landscape plan.

Credit toward required caliper inches of street and parking lot trees may be given by the Planning and Zoning Commission for the preservation of existing on-site trees (including any to be transplanted) when requested and depicted on the landscape plan. The Planning and Zoning Commission may give credit of up to three caliper inches (3") for each caliper inch of on-site trees preserved.

In order to be eligible for credit, an existing tree shall be in Class I through III in the Guidelines, in good condition, and be true to species, habitat and form.

- (h) Artificial plants and trees shall not be considered in the satisfaction of the requirements of this section.

Section 18. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 20.6. to read as follows:

Buildings shall have a minimum of seventy five percent (75%) masonry appearance, glass or architectural metal on front and side exterior walls.

Section 19. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 22.11.(11) to read as follows:

(11) Signs which contain or have attached thereto in the form of banners, posters, pennants, ribbons, streamers, strings of light bulbs (except during the period from November 15 to January 15), spinners, or other similar devices not within a building are prohibited.

Section 20. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 22.11.(12) to read as follows:

(12) Signs, or obsolete components thereof, which no longer advertise a bona fide business conducted, or a product sold, shall be removed or have blank faces installed by the owner, agent or person having beneficial use of the land, building or structure upon which such sign is located within thirty (30) days after written notification to do so from the Building Official. Upon failure to comply with such notice within the time specified in such order, the Building Official is authorized to file a complaint in Municipal Court and/or cause removal of such sign, and any expense incidental thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected.

Section 21. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 22.15.(1) to read as follows:

Replacement or repair of sign.

- (1) When any sign, or a substantial part of it, is blown down or otherwise destroyed or taken down or removed for any purpose other than maintenance operations or for changing the letters, symbols or other matter on the sign, it may not be replaced, reerected, reconstructed, or rebuilt except in full conformance with the provisions and requirements of this ordinance.

Section 22. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City

of Pearland be amended by revising Section 22.17.(1) and (3) to read as follows:

- (1) One builder/subdivision sign may be located at the main entrance of any new subdivision. Four (4) additional directional signs may be located off-site premise at appropriate locations with no such sign closer than twenty five (25) feet to any other sign.
- (3) The maximum area of a subdivision directional sign shall not exceed 32 square feet per face (two sides maximum), with a length to width ratio not to exceed 3:1 and a height not to exceed eight (8) feet.

Section 23. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 26.9 to read as follows:

A nonconforming use of any building, or structure or sign which has been abandoned shall not thereafter be returned to any nonconforming use. A nonconforming use shall be considered abandoned when:

- (a) It has been replaced with a conforming use, or
- (b) Such building, or structure or sign is or hereafter becomes vacant and remains unoccupied or out of use for a continuous period of six (6) months, or the special equipment and furnishings peculiar to the nonconforming use have been removed from the premises and have not been replaced within such six (6) month period; or
- (c) The intention of the owner to permanently discontinue the use is apparent.

Section 24. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland, be amended by revising Table III - Table of Uses, on the lines on page 86 (as currently paginated) in "RETAIL AND BUSINESS SERVICES" which are, "Signs (Billboard) Advertising" and "Signs, Pole Types (On Premise)", to read as follows:

	<u>SD</u>	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>R4</u>	<u>MF</u>	<u>MH</u>	<u>OP</u>	<u>NS</u>	<u>GB</u>	<u>C</u>	<u>M1</u>	<u>M2</u>
Signs (Billboard) Advertising	NO	NO	NO	NO									
Signs, Pole Types (On Premise)	NO	YES	YES	YES									

Section 25. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City

of Pearland, be amended by revising Table III - Table of Uses, on the line on page 89 (as currently paginated) in "INDUSTRIAL AND RELATED USES" which is "Light Manufacturing Process Class A", to read as follows:

SD R1 R2 R3 R4 MF MH OP NS GB C M1 M2

Light Manufacturing Process ~~Class A~~

NO YES YES

Section 26. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Table VII., Special Provisions, to read as follows:

Churches, colleges, government-owned buildings and institutional, educational uses shall be allowed on-premise building ground signs not exceeding 100 square feet per sign face.

Churches, colleges, government-owned buildings and institutional educational uses shall be allowed four off-premise sign(s), for directional purposes, not to exceed 32 square feet per face (2 sides maximum) and eight (8) feet in height, with no such sign closer than twenty five (25) feet to any other sign. Additional off-premise directional signs may be authorized by the Zoning Board of Adjustments along major thoroughfares as defined on Page 2-39 of the Pearland Comprehensive Development Plan (1978), or as amended.

Section 27. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Table VI., SCHEDULE OF OFF-STREET PARKING STANDARDS, (9)(a) and (11)(a) to read as follows:

USE	NUMBER OF REQUIRED PARKING SPACES	FOR EACH
(9) (a) Shopping Centers, Malls and Multi-occupancy uses over 3 acres	1	165 200 sq. ft. of floor area
(b) Shopping Centers, Malls and Multi-occupancy uses 3 acres or less	1	200 sq. ft. of floor area
(11) (a) Multi Use occupancy	1	165 sq. ft. of floor area

Section 28. Penalty - Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon final conviction thereof shall be fined in a sum not to exceed \$2,000.00 for each offense. Each day such violation continues to exist shall constitute a separate offense. But in case any person, firm or corporation violates any of the provisions of this Ordinance or fails to comply therewith, the City of Pearland, in addition to imposing the penalties above provided, may institute any appropriate action or proceedings in court to prevent, restrain, correct, or abate or to prevent any illegal act, conduct, business or use in or about any land; and the definition of any violation of the terms of this Ordinance as a misdemeanor, shall not preclude the City of Pearland from invoking the civil remedies given it by law in such cases; but same shall be cumulative of and in addition to the penalties prescribed for such violation.

Section 29. Savings - All rights and remedies which have accrued in favor of the City under this Chapter and amendments thereto shall be and are preserved for the benefit of the City.

Section 30. Severability - If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 31. Repealer - All ordinances or parts of ordinances in conflict herewith are hereby repealed, but only to the extent of such conflict.

Section 32. Codification - It is the intent of the City Council of the City of Pearland, Texas, that the provisions of this Ordinance shall be codified in the City's official code of Ordinances as provided hereinabove.

Section 33. Publication and Effective Date - The City Secretary shall cause this Ordinance, or its caption and penalty, to be published in the official newspaper of the City of Pearland, upon passage of such Ordinance. The Ordinance shall become effective ten (10) days from and after its publication, or the publication of its caption and penalty, in the official City newspaper.

PASSED, APPROVED and ADOPTED on first reading this

____ day of _____, A. D., 1996.

Tom Reid, Mayor

ATTEST:

Yolanda Benitez,
City Secretary

PASSED, APPROVED and ADOPTED on second reading this

____ day of _____, A. D., 1996.

Tom Reid, Mayor

ATTEST:

Yolanda Benitez,
City Secretary

APPROVED AS TO FORM:

Amy Motes McCullough,
City Attorney

CITY OF PEARLAND

CITIZEN'S REQUEST TO SPEAK BEFORE THE PLANNING
AND ZONING COMMISSION

Planning and Zoning Commission
City of Pearland
Pearland, Texas 77581

Ladies and Gentlemen:

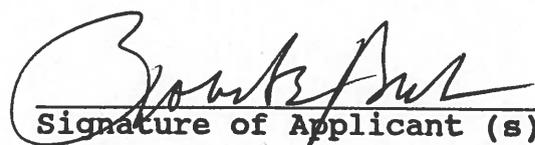
In accordance with the provisions of applicable law(s) of the State of Texas and ordinance (s) of the City of Pearland, I (we) respectfully request audience with the Planning and Zoning Commission to submit for its consideration the following remonstrance(s) and/or petition(s):

Discussion of Proposed:
1. Revisions to Sign Ordinance # 509

713/ 997-9166
Telephone Number

2410 STELLA
Address

1.15.96
Date


Signature of Applicant (s)
ROBERT E. BUCHANAN
Printed Name of Applicant (s)

CITY OF PEARLAND
CITIZEN'S REQUEST TO SPEAK BEFORE THE PLANNING
AND ZONING COMMISSION

Planning and Zoning Commission
City of Pearland
Pearland, Texas 77581

Ladies and Gentlemen:

In accordance with the provisions of applicable law(s) of the State of Texas and ordinance (s) of the City of Pearland, I (we) respectfully request audience with the Planning and Zoning Commission to submit for its consideration the following remonstrance(s) and/or petition(s):

① THAT THE AMENDMENT TO SECTION 22.11. (F)
BE CONSIDERED TO BE A REGULATION IN STEAD
OF PROHIBITED, AND THAT THE BOARD REVIEW
SOME REASONABLE WORKABLE SOLUTIONS TO THE PROBLEM.

② THAT THE ENTIRE SECTION PERTAINING TO SIGNS
BE MORE PRACTICAL ~~THE~~ THAN PROHIBITED.

713-482-5588
Telephone Number


Signature of Applicant (s)

1339 E. BROADWAY PEARLAND
Address

C. B. STEVENS
Printed Name of Applicant (s)

1-15-96
Date

CITY OF PEARLAND
CITIZEN'S REQUEST TO SPEAK BEFORE THE PLANNING
AND ZONING COMMISSION

Planning and Zoning Commission
City of Pearland
Pearland, Texas 77581

Ladies and Gentlemen:

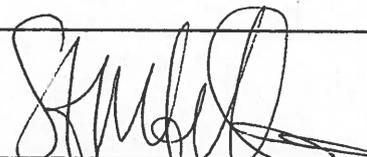
In accordance with the provisions of applicable law(s) of the State of Texas and ordinance (s) of the City of Pearland, I (we) respectfully request audience with the Planning and Zoning Commission to submit for its consideration the following remonstrance(s) and/or petition(s):

Amending Section 22 to prohibit signs
in the form of banners etc will result
in higher costs for area business in the
areas of marketing a help wanted. A well
placed banner yields tremendous results with
very little investment. If use of banners
is forbidden, other, more expensive a less visible
means will have to be employed.

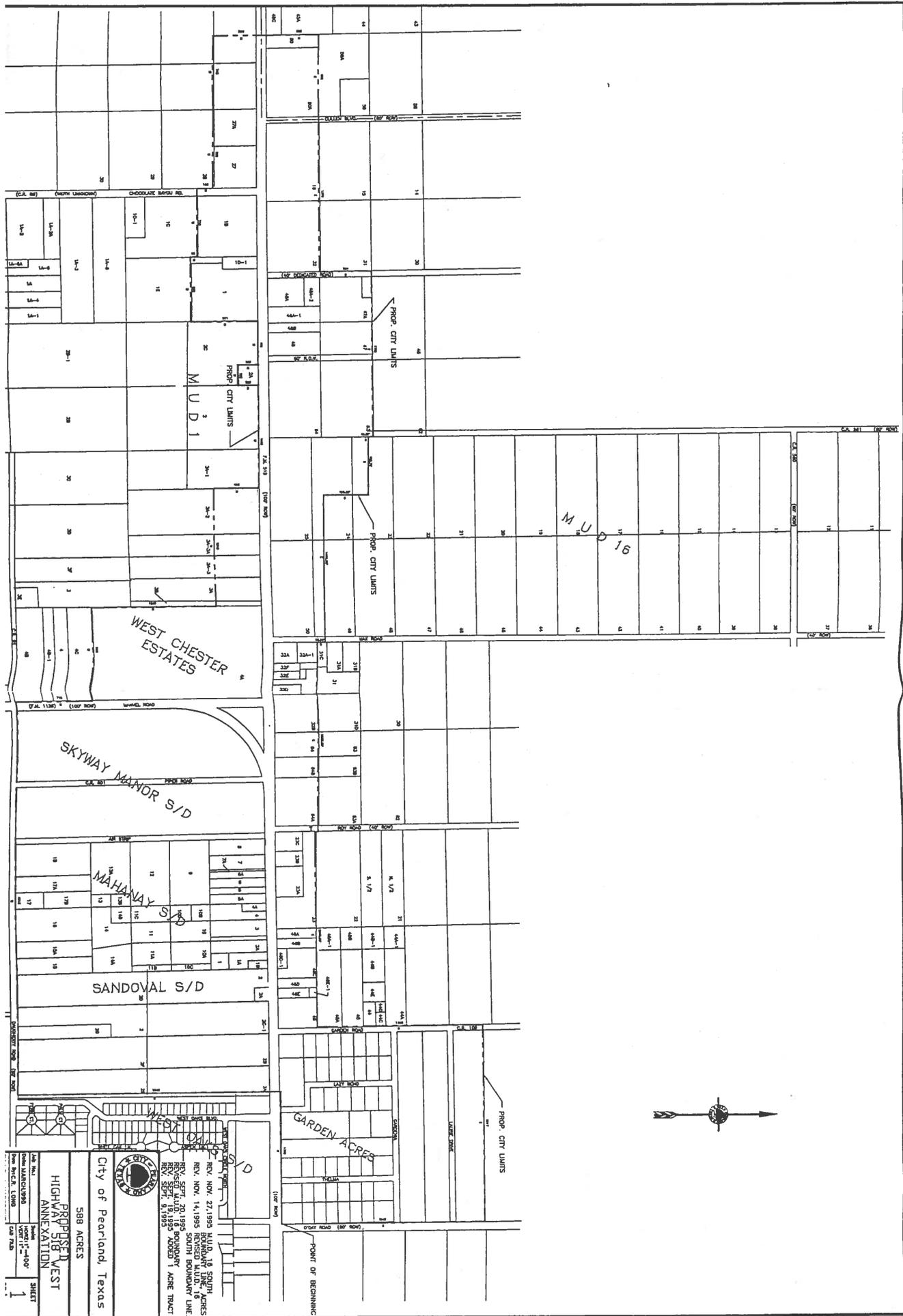
997-6401
Telephone Number

2117 Tower BRIDGE RD
Address

1-15-96
Date


Signature of Applicant (s)

Steven M. Gillmer II
Printed Name of Applicant (s)



City of Pearland, Texas
 588 ACRES
PROPERTY
HIGHWAY 10 WEST
ANNEXATION
SHEET
1

REV. NO. 271993 MUD 18 SOUTH BOUNDARY LINE 1.8 ACRES
 REV. NO. 141995 SOUTH BOUNDARY LINE
 REV. SEPT. 20, 1995 BOUNDARY LINE 1.8 ACRES
 REV. SEPT. 19, 1995 ADDED 1 ACRE TRACT
 REV. SEPT. 11, 1993 ADDED 1 ACRE TRACT

PLAT NO. 1000
 DATE: 11/19/95
 DRAWN BY: J. L. LIND
 CHECKED BY: J. L. LIND