



7. PLANNED DEVELOPMENT DISTRICTS (PD)

a. Introduction

The purpose of an overlay Planned Development zoning district (PD) is to provide for the development of land as an integral unit for single or mixed use in accordance with a PD Design Plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts. PD Districts are intended to implement generally the goals and objectives of the City's Comprehensive Plan. PD Districts are also intended to encourage flexible and creative planning and property development, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality development for the community than would result from the use of conventional zoning districts.

A PD also requires a joint workshop with the Planning and Zoning Commission and the City Council, in order to introduce the proposed PD to both bodies, and to have them provide preliminary feedback to the applicant and property owner. The joint workshop shall occur prior to the public hearing. If you are interested in proposing a PD, please let the Planning Department know as soon as possible, in order to provide you with a schedule for the joint workshop and then the joint public hearing.

A PD District may only be established in one of the following circumstances:

1. The land is located in close proximity to established residential neighborhoods where conventional zoning classifications may not adequately address neighborhood regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer or the City to develop and implement mutually-agreed, enforceable development standards;
2. The land, or adjacent property that would be impacted by the development of the land, has sensitive or unique environmental features requiring a more flexible approach to zoning and clustering of uses, or special design standards, in order to afford the best possible protection of the unique qualities of the site or the adjacent property;
3. The land is proposed for development as a mixed-use development or a traditional neighborhood development requiring more flexible and innovative design standards;
4. The land consists of Old Townsite and/or other older sections of Pearland that are proposed for redevelopment or infill development, and special design considerations are deemed desirable;
5. The land serves as transition between different and seemingly incompatible land uses;
6. The land is proposed for development as a major office, retail, commercial or industrial employment center, and special design standards may be warranted;
7. The land is of such a character that it is in the community's best interest to encourage high quality development through flexible development standards to



further the goals and objectives of the City's Comprehensive Plan; and

8. The land consists of unusually configured parcels that cannot be developed efficiently under the base district standards.

Each PD District shall be established as an overlay zoning district that combines with one or more base zoning districts. Development in a PD district must be consistent with a Design Plan that is incorporated as part of the district by the adopting ordinance for the PD.

No PD district shall be established for a gross contiguous area less than the following:

1. Single-family detached, attached and duplex uses: five (5) acres;
2. Multiple-family uses: five (5) acres;
3. Non-residential uses: three (3) acres;
4. Mixed residential and nonresidential uses: three (3) acres.

The density for any residential use within a PD shall not exceed the maximum density allowed in the base zoning district.

b. Approval Process

The Unified Development Code and the Texas Local Government Code both provide a process for Planned Development requests.

Planned Development Districts follow the approval procedure as follows:

1. Meet with City Staff

Prior to submitting for a Planned Development application, the applicant should meet with the Planning Department to discuss the planned development process, zoning districts, and development options for the property. All concerns and items discussed need to be addressed before an application is made for the Joint Public Hearing.

2. Submittal of the Application for a Joint Workshop

The applicant or property owner should submit all items as listed on the Planned Development Submittal Checklist in addition to the PD Workshop Application.

3. Submittal of the Application for a Planned Development

The applicant or property owner should submit all items as listed on the Planned Development Submittal Checklist along with the Universal Application.

4. Review of Application by City Staff

The Planning Department will process the proposed planned development application. Staff may contact the applicant or owner for additional information during the review period as well as throughout the entire planned development process.



5. Notification of Public Hearing

Staff prepares a location map that identifies the subject property and all property owners within 200 feet of the subject property. Staff will notify the applicant of the date of the joint public hearing. The property owners within 200 feet of the subject property are sent a notice of public hearing by mail, indicating the location of the property and the requested action, at least 10 days prior to the date of the joint public hearing. A legal notice is also sent to the local newspaper for publication.

6. Posting of Signs on Property for Zoning Notification

As required by ordinance, the applicant will be responsible for the posting of planned development notification signs on the property for which the change in zoning has been requested at least 10 days prior to the public hearing. See the specifics on the posting of signs on a property, which are provided.

7. Planning and Zoning Commission and City Council Joint Public Hearing

A public hearing is required by the State of Texas for all zone changes. The City of Pearland typically holds these meetings on the third Monday of each month. During the Joint Public Hearing, Staff presents a summary of the proposed CUP to the Commission and Council. Persons in support of the proposed request and persons in opposition to the proposed request may speak during the public hearing. No action will be taken during the joint public hearing.

The applicant and/or property owner should be present at this meeting and be prepared to discuss the planned development as well as answer any questions that arise.

8. Planning and Zoning Commission Meeting

Immediately following the Joint Public Hearing (typically the same night), the Planning and Zoning Commission will hold a regular meeting to make recommendations on the proposed Planned Development request to the City Council. The Commission may recommend approval, disapproval, or postpone action on the request until additional information is received. A Planned Development that is recommended for denial by the Commission will still be scheduled for City Council consideration. It is important that the applicant and/or property owner be present at this meeting and be prepared to discuss the zone change and answer any questions that may arise.

9. City Council Meeting (first reading of ordinance)

The City Council considers the proposed request at their next scheduled meeting after the Planning and Zoning Commission meeting. The Council receives the recommendation of the Commission and may act on the first reading of the ordinance. All conditions of approval of the Planning and Zoning Commission and City Council need to be addressed in the PD document attached to the ordinance.

If the first reading of the ordinance is denied, the Planned Development is not scheduled for a second reading.



If the Planned Development was recommended for denial by the Commission, a super majority vote by the Council is required in order for the PD to be approved.

10. City Council Meeting (second reading of ordinance)

If the first reading of the ordinance is approved, the proposed PD is placed on the agenda of the next scheduled meeting of the City Council. Any changes need to be incorporated in the final PD document before it is placed on the second reading agenda. The PD is not approved until the Council approves the ordinance on a second reading.

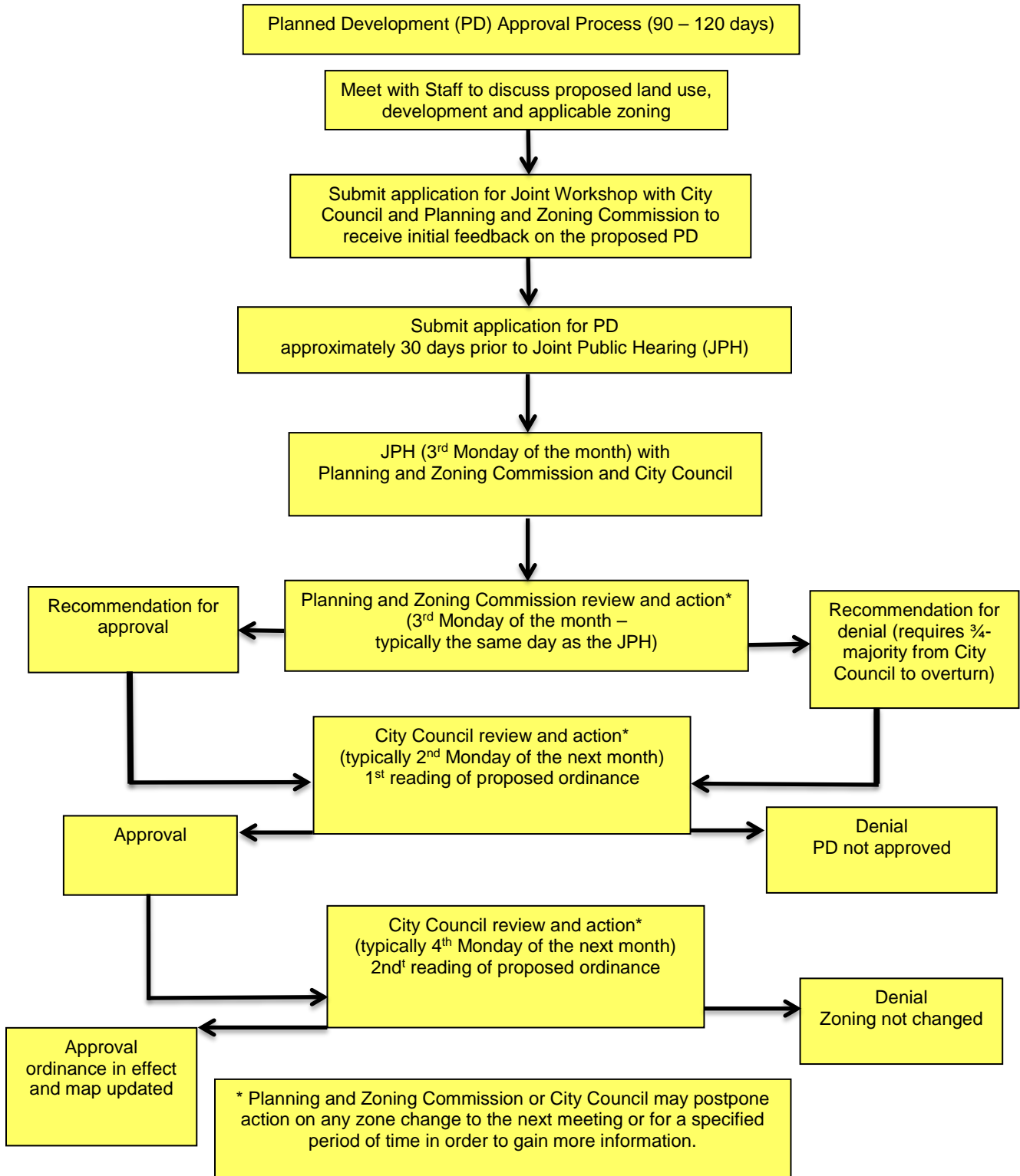
If the Council approves the request, the ordinance becomes effective after its publication.

If the Council disapproves the request and indicates that it is disapproved with prejudice, the same request may not be resubmitted to the City for one year from the original date of disapproval. A different zoning request may be submitted for the same property at any time. However, if the original rezoning request is disapproved without prejudice, the request may be resubmitted at any time.

At any time during the process before approval, the applicant may withdraw the proposed request and resubmit the request in a different or similar form. Such resubmittal shall follow the PD process from the very beginning, including new fees.



c. Flow Chart





d. Criteria for Approval

The following criteria will be used by the City in deciding whether to approve, approve with modifications, or deny a petition for a PD district:

1. The extent to which the land covered by the proposed PD district fits one or more of the special circumstances in warranting a PD district classification.
2. The extent to which the proposed PD district furthers the policies of the City's adopted Comprehensive Plan (as amended) and other formally adopted City planning documents, such as the Parks Plan.
3. The extent to which the proposed PD district will result in a superior development that could not be achieved through conventional zoning classifications.
4. The extent to which the proposed PD district will resolve or mitigate any compatibility issues with surrounding development.
5. The extent to which proposed uses and the configuration of uses depicted in the Design Plan are compatible with existing and planned adjoining uses;
6. The extent to which the proposed development is consistent with adopted public facilities plans, including those related to water, wastewater, transportation, drainage and other public facilities; and
7. The extent to which the proposed open space and recreational amenities within the development provide a superior living environment and enhanced recreational opportunities for residents of the district and for the public generally.

e. Conditions for Approval

The City Council may establish conditions to the PD District regulations and Design Plan as are necessary to assure that the purpose of the PD district is implemented. The PD Document attached to the ordinance presented at the first reading of the ordinance shall reflect all changes and recommendations made by the Planning and Zoning Commission and City Council.

f. Expiration

In a PD district, progress toward development of the Design Plan shall occur within the following time periods:

1. An application for approval of a Site Development Plan, subdivision plat or site plan, as may be required, shall be submitted for approval within two years of the date of establishment of the PD District, unless otherwise provided in the adopting ordinance. If a Site Development Plan for all or a phase of the development depicted in the Design Plan is not submitted within such period, the authority to submit such development and all subsequent site development plans or required permits for the PD district shall be suspended.



2. If the land within the PD district is to be developed in phases, a Site Development Plan or other development application shall be submitted for the next phase within two (2) years from approval of a Site Development Plan or other development application for the preceding phase, or as otherwise provided in the phasing schedule for the PD district. If a subsequent Site Development Plan or other development application is not submitted within such period, the authority to submit such Site Development Plan application for that portion of the property and any subsequent site development plans or other development applications for the PD district shall be suspended.
3. Expiration of an approved Site Development Plan or other development application shall result in suspension of the authority to submit a new Site Development Plan or other development application for that portion of the property and for subsequent phases of development within the district for which a Site Development Plan or other development application has not been approved.
4. An approved Site Development Plan shall expire if a preliminary plat application for single-family residential projects, or a site plan for any other project, is not approved within two years of the date of approval of the Site Development Plan.
5. Expiration of the approved preliminary plat or site plan subsequently shall result in expiration of the associated Site Development Plan. If the preliminary plat or site plan is reinstated, the Site Development Plan shall be deemed to be reinstated as well.

g. Checklist

The purpose of Planned Development District is to provide for the development of land as an integral unit for single or mixed use in accordance with a Planned Development Design Plan that may include uses, regulations, and other requirements that vary from the provisions of other zoning districts. Planned Development Districts are intended to implement the goals and objectives of the City's Comprehensive Plan. These Districts are also intended to encourage flexible and creative planning and property development, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a **higher quality development for the community than would result from the use of conventional zoning districts.**

Please note that this checklist is intended to assist applicants, design professionals and developers in the preparation of submittals for review by the Development Review Committee, and is generally what is required to facilitate to review of the proposed **Planned Development**. Submittal of a complete application will facilitate a timely review. Please note that incomplete applications may delay the Planning and Zoning Commission meeting date.

Joint Workshop required. Before the joint public hearing (required by Section 2.2.1.3.) is held for a new PD application, a joint workshop before the City Council and the Planning and Zoning Commission must be held to discuss said application.

The following items are to be submitted with the application:

- Universal Application and Checklist filled out completely and signed by the owner of the property to be considered for a Planned Development.



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- If the applicant is the designated agent, the application shall include an “Owner Authorization Letter,” authorizing the agent to file the application on his behalf.
Section 1.2.1.1 (a) of the Unified Development Code (UDC).
 - A deed or contract on the property or similar document indicating ownership.
 - Metes and bounds description (survey or plat of the property that provides or contains the metes and bounds description).
 - Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
 - Parcel map, printed from the City of Pearland website, clearly indicating the location and boundaries of the subject property.
 - PD documents submitted in electronic format (email, USB drive, etc.).
 - Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
 - Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
 - Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only). Please refer to the City’s webpage www.pearlandtx.gov for updated fees.

PD Document Materials Required:

- PD Document (text), explaining the Planned Development request in detail, following the PD format template attached to the checklist.
- Design Plan (See the PD template for further details.)
- Landscape Plan (See the PD template for further details.)
- Amenity Plan (See the PD template for further details.)
- Fencing Plan, if applicable (See the PD template for further details.)
- Signage Plan, if applicable (See the PD template for further details.)

Note: Additional information as it pertains to the request may be required. Staff will discuss any additional information deemed appropriate and necessary to process the application.



PD Template

The PD document should be prepared by the applicant and submitted to the City according to the following outline. There is a text component of the PD as well as required exhibits.

A. Introduction

1. Description of the Subject Property

Briefly describe the current area – vacant, existing structures, landforms, surrounding area, major thoroughfares, adjacent streets, etc.

2. Description of Proposed Development

Describe the proposed development – general activity (residential, professional offices, commercial, industrial and specific activities as to retail stores, restaurant, medical offices, pipe manufacturer, etc.)

3. Describe the Area

Describe the area of land in acreage by way of a survey, site plan, and/or legal description.

4. Purpose Statement

A statement as to the purpose and intent of the PD district established therein.

5. Comprehensive Plan

Describe how the PD implements the goals and objectives of the City's Comprehensive Plan.

6. Applicability

A PD may only be established in one (1) or more of eight (8) circumstances, as described within Section 2.2.2.1 (b) of the UDC. Describe in detail how the PD meets the criteria.

B. Zoning and Land Use

1. Describe the existing zoning districts and the boundaries of said districts.

Generally describe the location of the various districts. Use zoning districts from the UDC, and refer to locations on the Design Plan.

2. Describe the base zoning district(s) to be overlaid, together with the boundaries of the district(s), and describe the areas in acreage of each different district.

3. The general standards applicable to development within the district, with or without reference to the base district, including but not limited to: density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, accessory buildings, signs, lighting, project phasing or scheduling, management associations, and



such other requirements as the City Council may deem necessary in order to implement the Comprehensive Plan, and the purposes of the PD District.

- Provide a land use summary table outlining the percent of use in each zoning classification. Include detention and major thoroughfares as separate items. Discuss possible variations from percentages in table and amount of variance requesting, if any.
- Land Use Summary Table

Use	Acres	Percentage of Total Acres	Zoning District
Single Family			
Multiple Family			
Parkland to be Dedicated to the City			
Common Spaces/Trails/Recreation to be Maintained by HOA			
Detention			
Thoroughfares/ROW			
Internal Streets/Vehicular Circulation			
Others			

- For residential uses, provide lot width category and the corresponding zoning in a table.

Zone	Lot Area	Lot Width	Number of Lots

- For residential (single or multi-family) uses, provide density by classification of zoning districts in PD and overall for residential section, and the PD as a whole. Discuss any possible variation as development may occur.

Density Calculation for Residential

- Overall Gross Residential Density – The number of units/overall gross area of land dedicated for residential use.
- Net Residential Density – The number of units/net acres of land dedication for residential. (See definition in the UDC.)



location of such uses, the residential densities or other measurements of development intensity associated with base districts or phases of the development in conformance with the approved Design Plan.

C. Design Standards Applicable to the Development

1. Signage, Landscaping, Fencing, Parking, Screening, Trees, etc. Be sure to carefully consider all relevant regulations pertaining to the various land use requirement, and if necessary address them in PD. These may be addressed with specific separate plans or as part of the Design Plan. State that these items are as per the UDC, or list variations.
2. Refer to Design Plan and describe which aspects of plan are precise and which are general. (Generally, unless requested, do not show items on the Design Plan unless you are willing to accept them as concrete or fairly specific. Unless clearly marked as general and described as such, anything in the Design Plan will be considered to be part of the plan as shown.)
3. A specific list of deviations from standards in the base zoning district(s), together with any standards in the ordinance which are to be varied for development within the PD district.

Deviations	
Current Regulations	Proposed Regulations

4. Add a note that all requirements of the Unified Development Code will be met, unless specifically mentioned in this Planned Development.

D. Required Dedications of Land or Public Improvements

E. Phasing Schedule

Where applicable, setting forth the dates for submittal of site development plans and the timing of performance by the developer for dedications of land or public improvements and satisfaction of any conditions in relation to the phasing of development.

F. Exhibits

All exhibits should be labeled alphabetically and referred to within the appropriate section above as text within the PD document and all exhibits, including the Design Plan, shall be included at the end of the document and shall be drawn on a sheet size of 24 inches by 36 inches and shall be drawn to a scale no smaller than 1 inch = 60 feet.



1. Design Plan

No PD may be established without approval of a design Plan that illustrates the items listed below. The Design Plan shall be incorporated as a component part of the PD district regulations and shall be construed in conjunction with the authorized uses and development standards set forth in such regulations. If the Design Plan appears too cluttered or difficult to read due to size or amount of information, separate plans may be required to indicate a clearer vision of the proposed PD. Each plan shall be marked and identified as an Exhibit.

Drawings and details within the document (such as survey, aerial maps, and building elevations) should be submitted as part of the Design Plan.

- Proposed location and arrangement of uses
- Development phasing boundaries
- Existing physical features of the site
- Location of existing and proposed public features
- Access, thoroughfares, alleys, easements and lot lines (existing and proposed)
- Preliminary lot arrangements
- Proposed densities
- Proposed fencing/screening
- Building heights and locations
- Parking areas and rations
- Fire lanes

2. Landscape/Open Space Plan

Differentiate between proposed landscaping and open space. Keep the following in mind:

- Typically, a minimum of 20 percent of the gross land area within the entire PD is dedicated to open space, consistent with the requirements of the UDC. Open space is in addition to landscaping and buffering requirements.
- Detention/retention facilities may be counted as open space when incorporated into the development as an amenity, such as a pond or lake.
- Open space includes private parks, play plazas, and other recreational uses. Open space does not include easements, public parks, or landscaping within setbacks.
- Parkland includes recreational areas, playgrounds, etc., that is publicly owned and maintained and open to the general public



without memberships, affiliations, etc.

- Percent of gross landscaped area
- Percent of open space
- Indicate existing trees to remain
- Identify individual tree symbols and a legend on the plan
- Provide “Landscape Summary Table” to indicate species, quantity and size of trees

	Type	Caliper Inches	Quantity	Location
Street Trees				
Ornamental Trees				
Shrubs				
Buffer				
Other				

3. Amenity Plan

PDs are intended to result in a higher quality development for the community than would result from the use of conventional zoning districts. This can be achieved through a high quality amenity package.

Provide specific and detailed information regarding each proposed amenity, including the location, materials, etc. Amenities should be prominent and easily accessible to the entire development. Examples include the following:

- Combination of façade materials – brick, masonry, stucco
- Unified theme and enhanced site elements such as lighting and street furniture
- Paved crosswalks at entrances to enhance pedestrian connectivity, especially along trails.
- Passive recreation (i.e., gazebos, fountains, and common areas)
- Active recreation (i.e. basketball courts, clubhouse, tennis courts, tot lots, pocket parks)
- Enhanced signage with a brick/stone base and foundation landscaping
- Enhanced fencing, including masonry subdivision perimeter fence (not otherwise required by code), including materials, height, etc.



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- Water features (i.e. fountains)
 - Enhanced subdivision entry feature
 - Flower bowls/boxes
 - Heavily wooded common area
 - Neighborhood art
 - Decorative street signs
 - Preservation of natural features
 - Multi-purpose trail, including width, acres/miles, location, etc.
 - Amenitized detention
 - Seating node
 - Picnic tables with grills
 - Other furniture
 - Exercise stations
 - Sports field
 - Play structure
 - Community center
 - Club house
 - Pool
 - Other amenities proposed by applicant

4. Phasing Plan

If the development is proposed to be phases a development phasing plan is required that identifies the general sequence of phasing, including how residential and non-residential uses, infrastructure (public and private), landscaping/open space, and amenities will be provided and timed.



h. Posting of Notification Signs on Property Under Consideration for a Planned Development (PD)

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

1. One (1) sign per street frontage shall be located within thirty (30) feet of the abutting street, or as determined by the City.
2. So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
3. So as not to create a hazard to traffic on the public rights-of-way abutting the property.
4. On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
5. The signs shall be as follows:
 - A minimum sign size of two (2) feet by three (3) feet, but no larger than four (4) feet by four (4) feet
 - At least two (2) feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by ½ inch, on a white background.
 - Message content as follows:

PROPOSED PLANNED DEVELOPMENT
Contact City of Pearland
281.652.1765

Signs must be professionally made; handwritten signs are not allowed.

Signs must be freestanding and cannot be attached to a tree, fence, or building.



i. **Additional Information**

No PD district may be established without approval of a Design Plan that illustrates the proposed location and arrangement of uses, the relationship of such uses to base zoning districts, development phasing, planned public improvements, open space, proposed amenities and the overall design of the development. Detailed requirements for the contents of a Design Plan are as prescribed on the application form.

Residential PD Design Plan: A Design Plan for a development comprised of single-family or two-family (duplex) dwellings on individually platted lots shall show general uses, the topography and boundaries of the PD areas, existing physical features of the site, location of existing or proposed public facilities, phasing of the development, access, thoroughfares, alleys (if proposed), preliminary lot arrangements, proposed densities, proposed screening/fencing, landscaped or private amenity areas, project scheduling, and other pertinent development data.

Nonresidential or Multiple-Family PD Design Plan: A Design Plan for any nonresidential, multi-family, single-family attached, or manufactured (mobile) home development shall clearly show all pertinent aspects of the type and nature of the proposed development. The Design Plan shall show the types of use(s) proposed; access, topography and boundaries of the PD area; existing physical features of the site; existing and proposed streets, alleys, easements and lot lines; location of existing or proposed public facilities; building heights and locations; parking areas and ratios; fire lanes; screening/fencing and landscaped areas; conceptual project phasing and scheduling; and other pertinent development data to adequately describe the proposed development.