

**ORDINANCE NO. 2018-4034**

**AN ORDINANCE AMENDING APPENDIX A, “UNIFIED DEVELOPMENT ORDINANCE”, ARTICLE 2, “DEVELOPMENT REVIEW BODIES”, SECTION 2.8, “ADMINISTRATOR”, ARTICLE 3, “DEVELOPMENT REVIEW PROCEDURES,” SECTION 3.12 “BUILDING PERMIT,” AND SECTION 3.13 “CERTIFICATE OF OCCUPANCY”; ARTICLE 5, “DISTRICT PURPOSE STATEMENTS AND SUPPLEMENTAL STANDARDS”, SECTION 5.2 “RESIDENTIAL DIMENSIONAL STANDARDS”; ARTICLE 7, “GENERAL DEVELOPMENT STANDARDS”, SECTION 7.3 “OFF-STREET PARKING STANDARDS”, SECTION 7.6 LANDSCAPING AND TREE PROTECTION, AND SECTION 7.10 NON-RESIDENTIAL ARCHITECTURAL STANDARDS; AND ARTICLE 8, “SUBDIVISION DESIGN AND IMPROVEMENTS,” SECTION 8.3. “GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN FOR SUBDIVISIONS WITHIN THE CITY LIMITS” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS TO CORRECT MINOR TEXT OMISSIONS, OUTDATED REFERENCES, AND CLERICAL ERRORS; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:**

**PART 1:** That Appendix A, “Unified Development Ordinance,” Article 2, “Development Review Bodies”, Section 2.8 “Administrator”; Article 3, “Development Review Procedures”, Section 3.12 “Building Permit” and Section 3.13 “Certificate of Occupancy”; Article 5, “District Purpose Statements and Supplemental Standards”, Section 5.2 “Residential Dimensional Standards”; Article 7, “General Development Standards”, Section 7.3 “Off-Street Parking Standards”, Section 7.6 “Landscaping and Tree Protection”, and Section 7.10 “Non-Residential Architectural Standards”; and Article 8, “Subdivision Design and Improvements”, Section 8.3. “General Requirements and Minimum Standards of Design for Subdivisions within the City Limits”, of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibits “A”** through **“H”** and attached hereto and made a part of this Ordinance for all purposes.

**PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

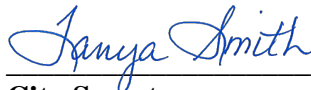
**PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less

than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

**PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

**PASSED, ADOPTED and APPROVED this 23<sup>rd</sup> day of August, 2018.**

**ATTEST:**



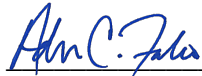
\_\_\_\_\_  
**City Secretary**

**APPROVED:**



\_\_\_\_\_  
**Mayor**

**APPROVED:**



\_\_\_\_\_  
**City Attorney**

### **Exhibit A**

That Appendix A, “Unified Development Ordinance,” Article 2, “Development Review Bodies,” Section 2.8, “Administrator,” Subsection 2.8.4. “Final Action” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

#### **4. Final Action.**

The Administrator shall review and take final action on the following:

- a.** Sign permits;
- b.** Site plans;
- c.** Architectural reviews;
- d.** Administrative adjustments;
- e.** Preliminary Plans as set forth in Section 3.4, Plat Review, of this UDO;
- f.** Minor and amending plats;
- g.** Determination of building plot (Section 12-7.2, General Provisions);
- h.** Certificate of Appropriateness Routine Maintenance Work reviews;
- i.** Determination regarding applicability of plat requirements; and
- j.** Alternative parking plans (Section 12-7.3, Off-Street Parking).

**Exhibit B**

That Appendix A, “Unified Development Ordinance,” Article 3, “Development Review Procedures,” Section 3.12, “Building Permit”, Subsection 3.12 A. “Building Permit Required” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

**A. Building Permit Required.**

No building or other structure shall hereafter be erected, moved, added to, structurally altered, repaired, demolished, or occupancy changed without a permit issued by the Building Official except in conformity with the provisions of this Section and the International Building Code as adopted and amended by the City, unless otherwise provided for in the City of College Station Code of Ordinances. No Building Permit issued under the provisions of this Article for land use or construction in the City shall be considered valid unless signed by the Building Official.

### **Exhibit C**

That Appendix A, “Unified Development Ordinance,” Article 3, “Development Review Procedures,” Section 3.13, “Certificate of Occupancy”, Subsection 3.13. A. “Applicability” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

#### **A. Applicability.**

A Certificate of Occupancy shall be required for any of the following:

1. Occupancy and use of a building hereafter erected or enlarged;
2. Change in use of an existing building to a different Use Category;
3. Any change in a nonconforming use or structure; or
4. As required by the International Building Code as adopted and amended, Section 110.

That Appendix A, “Unified Development Ordinance,” Article 3, “Development Review Procedures,” Section 3.13, “Certificate of Occupancy”, Subsection 3.13. C. “Review and Action by Building Official” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

#### **C. Review and Action by Building Official.**

Upon the request for a Certificate of Occupancy, the Building Official shall inspect the use or structure. If the Building Official determines that the use or structure complies with all applicable provisions of the International Building Code as adopted and amended and this UDO, a Certificate of Occupancy shall be issued.

That Appendix A, “Unified Development Ordinance,” Article 3, “Development Review Procedures,” Section 3.13, “Certificate of Occupancy”, Subsection 3.13. D. “Temporary Certificate of Occupancy” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

#### **D. Temporary Certificate of Occupancy.**

Pending the issuance of a Certificate of Occupancy, a Temporary Certificate of Occupancy may be issued by the Building Official. The Temporary Certificate of Occupancy shall be valid for a period established by the Building Official, pending completion of an addition or during partial occupancy of a structure and as provided in Section 110 of the International Building Code as adopted and amended.

**Exhibit D**

That Appendix A, “Unified Development Ordinance,” Article 5, “District Purpose Statements and Supplemental Standards,” Section 5.2 “Residential Dimensional Standards” Dimensional Standard Table of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

**Sec. 5.2 Residential Dimensional Standards.**

The following table establishes dimensional standards that shall be applied within the Residential Zoning Districts, unless otherwise identified in this UDO.

Residential Zoning Districts													
	R	WE	E(N)(P)	WRS	RS(U)	GS(U)(P)	T	D	MHP	MF	MU	Accessory Structures	
<b>Non-Clustered Residential Zoning Districts</b>													
Min. Average Lot Area per Dwelling Unit (DU)	3 acres Average	2 acres	1 Acre	20,000 SF	10,000 SF Average	5,000 SF	2,000 SF	3,500 SF			None	None	Refer to Section 6.5, Accessory Uses(L)
Absolute Min. Lot Area per Dwelling Unit (DU)	2 Acres	2 acres	1 Acre	20,000SF	6,500 SF	5,000 SF	2,000 SF	3,500 SF			None	None	
Min. Lot Width	None	100 (M)	100'(M)	70'	70'	50'	None	35'/DU(E)			None	None	
Min. Lot Depth	None	None	None	None	None	100'	None	100'			None	None	
Min. Front Setback(H)	50'	30'	30'	25'	25'	25'(D)	25'(D)	25'(D)			15'	None	
Max. Front Setback	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	>(L)		N/A	15'(O)	
Min. Side Setback	20'	10'	10'	7.5'	7.5'	7.5'	(A)	7.5'(C)			(A)(B)	None	
Min. Side Street Setback	15'	15'	15'	15'	15'	15'	15'	15'			15'	None	
Max. Side Street Setback	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A			N/A	15'(O)	
Min. Side Setback between Structures(B)	N/A	15'	15'	15'	15'	15'	7.5'	15'			7.5'	None	
Min. Rear Setback(L)	50'	20'	20'	20'	20'	20'	20'	20'(F)			20'	20'	

Max. Height	35'(G)(K)(L)	35'(G)(K)	35'(G)(K)(L)	35'(G)(K)	35'(G)(K)(L)	2.5 Stories/35'(G)(K)(L)	35'(G)(K)(L)	2.5 Stories/35'(G)(K)(L)		(G)(L)	(G)(L)		
Minimum Number of Stories	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A	2 Stories		
Max. Dwelling Units/Acre (Subdivision Gross)	0.33	0.5	1.0	2.0	4.00	8.0	14.0	12.0	10.0	30.0	N/A	N/A	
Min. Dwelling Units/Acre	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12	N/A		
<b>Clustered Residential Zoning Districts</b>													
Min. Average Lot Area per Dwelling Unit (DU)	N/A	1 Acre	20,000 SF Average	8,000 SF	8,000 SF Average	3,750 SF (P)	N/A	N/A	N/A	N/A	N/A	N/A	
Absolute Min. Lot Area per Dwelling Unit (DU)		1 Acre	10,000 SF	8,000 SF	6,500 SF	3,750 SF							
Min. Lot Width		100' (M)	100'(M)	None	None	None							
Min. Lot Depth		None	None	None	None	None							
Min. Front Setback(H)		Refer to Section 8.3.H.4, Cluster Development, Specific District Standards											
Min. Side Setback													
Min. Street Side Setback													
Min. Side Setback between Structures(B)													
Min. Rear Setback(L)													
Max. Height		35'(G)(K)	35'(G)(K)	35'(G)(K)	35'(G)(K)	2.5 Stories/35'(G)(K)(L)							
Max. Dwelling Units/Acre (Subdivision Gross)	0.5	1.0	2.0	4.00	8.0								

**Notes :**

- (A) A minimum side setback of seven and one-half (7.5) feet is required for each building or group of contiguous buildings.
- (B) Lot line construction on interior lots with no side yard or setback is allowed only where the building is covered by fire protection on the site or by dedicated right-of-way or easement.
- (C) Zero lot line construction of a residence is allowed where property on both sides of a lot line is owned and/or developed simultaneously by single party. Development under lot line construction requires prior approval by the Zoning Official. In no case shall a single-family residence or duplex be built within fifteen (15) feet of another primary structure. See Article 8, Subdivision Design and Improvements, for more information.
- (D) Minimum front setback may be reduced to fifteen (15) feet when approved rear access is provided, or when side yard or rear yard parking is provided.
- (E) The minimum lot width for a duplex dwelling may be reduced to thirty (30) feet per dwelling unit when all required off-street parking is provided in the rear or side yard.
- (F) Minimum rear setback may be reduced to fifteen (15) feet when parking is provided in the front yard or side yard.
- (G) Shall abide by Section 7.2.H, Height.
- (H) Reference Section 7.2.D.1.e for lots created by plat prior to July 15, 1970 and designated as Neighborhood Conservation in the Comprehensive Plan Future Land Use and Character Map.
- (I) Reference Section 7.2.D.1.b for lots with approved rear access.
- (J) For areas within a Single-Family Overlay District, reference the Neighborhood Prevailing Standards Overlay Districts Section in Article 5 or the Ordinance authorizing the rezoning for Neighborhood Conservation Overlay Districts.
- (K) Public, civic, and institutional structures shall have a maximum building height of fifty (50) feet in these districts.
- (L) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations.
- (M) In subdivisions built to rural street standards, lots shall be a minimum of one hundred (100) feet in width. There is no minimum lot width in cluster subdivisions built to urban street standards.
- (N) Estate lots that are part of a subdivision existing on or before September 12, 2013 are not permitted to use Cluster Development Standards without rezoning approval, which incorporates the entire subdivision.
- (O) For MU zoned properties, maximum side street and front setbacks may be measured from the edge of a public easement when it is in excess of the maximum setback. Maximum setbacks may be increased to up to eighty-five (85) feet to accommodate a parking lot between the structure and the street. Maximum setback requirements may be fulfilled through the use of plazas, outdoor dining, and bicycle parking.
- (P) Reference Section 8.3.H.4.e when using the cluster option in the Wellborn Community Plan area.



**Exhibit E**

That Appendix A, “Unified Development Ordinance,” Article 7, “General Development Standards,” Section 7.3 “Off-Street Parking Standards,” Subpart C.3. of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:






- 3.** For all detached single-family uses other than as set forth in subsection 2 above, at the time of construction, reconstruction, or addition to the number of existing bedrooms, parking shall be located in the areas described below:
  - a.** Anywhere on the lot behind the structure with no limit on the size of the area. Parking located behind the structure shall be screened by a solid hedge wall, fence, or wall, at least six (6) feet in height. All solid hedge walls shall be one-hundred (100) percent opaque. All shrubs planted for a hedge wall shall be a minimum of 15 gallons each and evergreen;
  - b.** Anywhere in the side yards of the lot with no limit on the size of the area; and,
  - c.** Any area located in front of the primary structure not to exceed a size equivalent to fifty (50) percent of the front area. The front area is defined as the area of the lot within the side lot lines, the front plane of the primary structure and the public right-of-way (see graphic below). The driveway area shall be included in this calculation.

**Exhibit F**

That Appendix A, “Unified Development Ordinance,” Article 7, “General Development Standards,” Section 7.6 “Landscaping and Tree Protection,” Subpart E.9. of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

**9. Landscape Information.**

- a. Landscape points required for site and calculations shown in the landscape legend.
- b. A legend showing the size, type (canopy, non-canopy, shrub) and points claimed for proposed landscaping.
- c. Location of landscape plants on plan identified by a symbol defined in a landscape legend (see sample legend below).

City of College Station					
<b>SAMPLE LEGEND</b>					
<b>LANDSCAPING POINT CALCULATIONS</b>					
<b><u>SYMBOL</u></b>	<b><u>SIZE</u></b>	<b><u>NAME &amp; TYPE</u></b>	<b><u>QUANTITY</u></b>	<b><u>POINT VALUE</u></b>	<b><u>POINT</u></b>
	8” AND LARGER EXISTING W/BARRICADE	LIVE OAK TREE (Quercus Virginiana) Canopy tree	2	300	600
	4” TO 8” AND LARGER EXISTING W/BARRICADE	LIVE OAK TREE (Quercus Virginiana) Canopy tree	13	200	2,600
	2” TO 14.5” CALIPER EXISTING W/O BARRICADE	LIVE OAK TREE (Quercus Virginiana) Canopy tree	8	35	280
	1.25 “ CALIPER AND LARGER	TREE CREPE MYRTLE (Lagerstroemia indica) Non-canopy tree	6 (NEW)	40	240
	5 GAL	WAX LEAF LIGUSTRUM (Ligustrum texanum) Shrub	46 (NEW)	10	460
NOTE: Symbols are for reference. Any symbols used must be distinguishable at any scale.					
BARRICADE FOR INDICATED TREES TO BE CONSTRUCTED WITH 48” HIGH ORANGE PLASTIC CONSTRUCTION NETTING AND SECURED TO STEEL T-POSTS. BARRICADE TO BE PLACED IN A CIRCLE AROUND INDICATED TREES A RADIAL DISTANCE OF 1’ FOR EVERY 1” CALIPER OF TREE. BARRICADE MUST BE IN PLACE PRIOR TO ANY DEVELOPMENT ACTIVITY AS WELL AS THROUGHOUT THE CONSTRUCTION PROCESS.					

STREETSCAPE:

136.57-LINEAR FEET x 6 = 819.42 = 820 POINTS

136.57-LINEAR FEET / 25 = 5.46 = 6 CANOPY TREES

POINTS PER PROJECT AREA:

26,416.3 SQUARE FEET OF SITE AREA

26,416.3 / 1,000 = 26.42

26.42 x 30 = 792.6 = 793 POINTS

**TOTAL POINTS REQUIRED: 1,613**

**Exhibit G**

That Appendix A, “Unified Development Ordinance,” Article 7, “General Development Standards,” Section 7.10. “Non-Residential Architectural Standards” Subpart 7.10 C.3.e.4. “Building Materials” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

- e. Existing buildings may continue to utilize materials other than those listed provided that any material replacement is for maintenance purposes only and the existing material is continued. Any material change or replacement of more than fifty (50) percent of the total area of a façade, including on a cumulative basis, shall require that all building materials be brought into compliance on that façade.

### **Exhibit H**

That Appendix A, “Unified Development Ordinance,” Article 8, “Subdivision Design and Improvements,” Section 8.3. “General Requirements and Minimum Standards of Design for Subdivisions within the City Limits” Subpart 8.3 H. 4. C. “Where Allowed” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

#### **c. Where Allowed.**

Cluster developments are allowed in residential WE Wellborn Estate, E Estate, RS Restricted Suburban, WRS Wellborn Restricted Suburban, and GS General Suburban zoning districts.