

ORDINANCE NO. 2018-4001

AN ORDINANCE AMENDING APPENDIX A, “UNIFIED DEVELOPMENT ORDINANCE,” ARTICLE 1 “GENERAL PROVISIONS,” SECTION 1.10.B.7 “DELETED DISTRICTS,” ARTICLE 2 DEVELOPMENT REVIEW BODIES,” SECTION 2.5.D “POWERS AND DUTIES.” ARTICLE 4 “ZONING DISTRICTS,” SECTION 4.1, “ESTABLISHMENT OF DISTRICTS,” ARTICLE 5, “DISTRICT PURPOSE STATEMENTS AND SUPPLEMENTAL STANDARDS,” SECTION 5.10.C “KRENEK TAP CORRIDOR OVERLAY DISTRICT (KO),” AND ARTICLE 7, “GENERAL DEVELOPMENT STANDARDS,” SECTION 7.5.B “APPLICABILITY,” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO THE KRENEK TAP CORRIDOR OVERLAY DISTRICT; 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 1 “General Provisions,” Section 1.10.B.7 “Deleted Districts,” Article 2 Development Review Bodies,” Section 2.5.D “Powers And Duties.” Article 4 “Zoning Districts,” Section 4.1, “Establishment Of Districts,” Article 5, “District Purpose Statements And Supplemental Standards,” Section 5.10.C “Krenek Tap Corridor Overlay District (Ko),” And Article 7, “General Development Standards,” Section 7.5.B “Applicability,” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”, Exhibit “B”, Exhibit “C”, Exhibit “D”, Exhibit “E”** 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 12th day of April, 2018.

ATTEST:

Janya Smith

City Secretary

APPROVED:

Kurt P. Moray

Mayor

APPROVED:

Carla A. Robinson

City Attorney

Exhibit A

That Appendix A, “Unified Development Ordinance,” Article 1, “General Provisions,” Section 1.10, “Transitional Provisions,” Subsection 1.10.B.7, “Deleted Districts,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“7. Deleted Districts.

The following districts not existing on the official zoning map on the effective date of this UDO are hereby deleted:

Deleted District	Name	Effective Date
C-PUD	Commercial Planned Unit Dev.	June 13, 2003
C-NG	Commercial Northgate	June 13, 2003
KO	Krenek Tap Overlay	April 22, 2018

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Exhibit B

That Appendix A, “Unified Development Ordinance,” Article 2, “Development Review Bodies,” Section 2.5, “Design Review Board,” Subsection 2.5.D, “Powers and Duties” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“D. Powers and Duties.

The Design Review Board has the following powers and duties:

1. Wolf Pen Creek District Review.

The Design Review Board shall hear and decide requests for waivers from the standards in the Wolf Pen Creek (WPC) subsection of the Design Districts Section of Article 5 of this UDO as limited to the possible waivers authorized by that subsection.

2. Wolf Pen Creek Parking Waivers.

The Design Review Board shall hear and decide requests to vary from the amount of required parking in the Wolf Pen Creek District (WPC).

3. Northgate District Standards Waivers.

The Design Review Board shall hear and decide requests to vary from the standards in the Northgate Districts (NG) subsection of the Design Districts Section of Article 5 of this UDO as limited to the possible Waivers authorized by that subsection.

4. Driveway Appeals.

The Design Review Board shall hear appeals to decisions of the Development Engineer regarding driveway appeals.

5. Appeal of Requirement Based on Site Plan Review Criteria.

The Design Review Board shall hear and decide appeals of the Administrator's application of site plan requirements to assure compliance with Sections 3.6.E, Site Plan Review Criteria, and 3.7.D, Additional Review Criteria for the WPC District.

6. Buffer Appeals.

The Design Review Board shall hear appeals of buffer requirements listed in Section 7.7, Buffer Requirements.

7. Non-Residential Architectural Standards Appeals.

The Design Review Board shall hear and decide waiver requests as specified in the Non-Residential Architectural Standards Section.

8. Non-Residential Architectural Standards Alternative Compliance.

The Design Review Board shall hear and decide proposals for alternative compliance to the Non-Residential Architectural Standards. ”

Exhibit C

That Appendix A, “Unified Development Ordinance,” Article 4, “Zoning Districts,” Section 4.1, “Establishment of Districts” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“

Residential Zoning Districts		
R		Rural
WE		Wellborn Estate
E		Estate
WRS		Wellborn Restricted Suburban
RS		Restricted Suburban
GS		General Suburban
D		Duplex
T		Townhouse
MF		Multi-Family
MU		Mixed-Use
MHP		Manufactured Home Park
Non-Residential Zoning Districts		
NAP		Natural Areas Protected
O		Office
SC		Suburban Commercial
WC		Wellborn Commercial
GC		General Commercial
CI		Commercial Industrial
BP		Business Park
BPI		Business Park Industrial
CU		College and University
Planned Districts		
P-MUD		Planned Mixed-Use District
PDD		Planned Development District
Design Districts		
WPC		Wolf Pen Creek Development Corridor
Northgate	NG-1	Core Northgate
	NG-2	Transitional Northgate
	NG-3	Residential Northgate
Overlay Districts		

OV	Corridor Overlay
RDD	Redevelopment District
NPO	Neighborhood Prevailing Overlay
NCO	Neighborhood Conservation Overlay
HP	Historic Preservation Overlay
Retired Districts	
R-1B	Single-Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
R&D	Research & Development
M-1	Light Industrial
M-2	Heavy Industrial

For the purpose of this UDO, portions of the City, as specified on the Official Zoning Map of the City, are hereby divided into the zoning, design, and overlay districts enumerated below. The intensity regulations applicable for such zoning districts are designated in Article 5 and the use regulations are designated in Article 6 of this UDO. ”

Exhibit D

That Appendix A, “Unified Development Ordinance,” Article 5, “District Purpose Statements and Supplemental Standards,” Section 5.10, “Overlay Districts,” Subsection 5.10.C, “Krenek Tap Corridor Overlay District (KO)” of the Code of Ordinances of the City of College Station, Texas, is hereby deleted.

Exhibit E

That Appendix A, “Unified Development Ordinance,” Article 7, “General Development Standards,” Section 7.5, “Signs,” Subsection 7.5.B, “Applicability” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

“B. Applicability.

The City Council recognizes that signs are necessary for visual communication for public convenience, and that businesses and other activities have the right to identify themselves by using signs that are incidental to the use on the premises where the signs are located. The Council herein seeks to provide a reasonable balance between the right of a person to identify his or her business or activity, and the rights of the public to be protected against visual discord and safety hazards that result from the unrestricted proliferation, location, and construction of signs. This Section will insure that signs are compatible with adjacent land uses and with the total visual environment of the community, in accordance with the City's Comprehensive Plan.

1. The City Council finds that the rights of residents of this City to fully exercise their rights of free speech by the use of signs containing non-commercial messages are subject to minimum regulation regarding structural safety and setbacks for purposes of traffic protection. The City Council seeks herein to provide for the reasonably prompt removal and disposal of such signs after they have served their purpose, and yet to avoid any interference with First Amendment freedoms, especially as to persons who are of limited financial means.
2. The City Council finds that instances may occur in the application of this Section where strict enforcement would deprive a person of the reasonable use of a sign, or the reasonable utilization of a sign in connection with other related property rights, and herein provides for such persons to have the right to seek variances from the requirements of this UDO for good cause. The City Council finds that it is imperative that enforcement officials apply this Section as it is written, in the interest of equality and fair and impartial application to all persons, and that the procedures to appeal a denial of a sign permit to the ZBA shall remain the sole administrative means to obtain any exception to the terms hereof.
3. The regulations of this Section shall apply for developments within the zoning districts listed in Section 12-7.5.C Summary of Permitted Signs. These regulations only apply to special districts within the City of College Station so far as is stated in the following Sections of this UDO:
 - a. Wolf Pen Creek District (WPC), Section 12-5.8.A;
 - b. Northgate Districts (NG-1, NG-2, NG-3), Section 12-5.8.B; and
 - c. Corridor Overlay District (OV), Section 12-5.10.A. “