

ORDINANCE NO. 2013-3471

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE", ARTICLE 2 "DEVELOPMENT REVIEW BODIES" AND ARTICLE 5 "DISTRICT PURPOSE STATEMENTS AND SUPPLEMENT STANDARDS", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, AS SET OUT BELOW; 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 Chapter 12, "Unified Development Ordinance," Article 2 "Development Review Bodies", and Article 5 "District Purpose Statements and Supplement Standards", to the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", Exhibit "B", and Exhibit "C", attached hereto and made a part of this ordinance for all purposes.

**PART 2:** That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

**PART 3:** That any person, firm, or corporation violating any of the provisions of this chapter 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) or more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

**PASSED, ADOPTED and APPROVED this 10<sup>th</sup> day of January, 2013.**

**APPROVED:**

Nancy F. Jewry  
Mayor

**ATTEST:**

Sherry Mosher  
City Secretary

**APPROVED:**

Carla A. Robinson  
City Attorney

## EXHIBIT "A"

That **Chapter 12, "Unified Development Ordinance", Article 2 "Development Review Bodies", of the Code of Ordinances of the City of College Station, Texas**, is hereby amended by adding subsection 4. "Easterwood Field Airport Zoning" to Section 12-2.3. "Zoning Board of Adjustment", D. "Powers and Duties"; by amending Section 12-2.5. "Design Review Board", D. "Powers and Duties", 4. "Northgate District Standards Waivers"; and by adding subsection c. to Section 12-2.8. "Administrator", B. "Powers and Duties", 5. "Other Duties", to read as follows:

### **Sec. 12-2.3. - Zoning Board of Adjustment.**

#### **D. Powers and Duties.**

#### **4. Easterwood Field Airport Zoning.**

To hear and decide requests for appeals, special exemptions, and variances related to the Easterwood Field Airport Zoning Ordinance.

### **Sec. 12-2.5. - Design Review Board.**

#### **D. Powers and Duties.**

#### **4. 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.

### **Sec. 12-2.8. - Administrator.**

#### **B. "Powers and Duties.**

#### **5. Other Duties.**

- c. The Administrator shall administer and enforce the regulations of the Easterwood Field Airport Zoning Ordinance.

## EXHIBIT "B"

That Chapter 12, "Unified Development Ordinance," Article 5 "District Purpose Statements and Supplement Standards", Section 12-5.2. "Residential Dimensional Standards"; Section 12-5.5. "Non-Residential Dimensional Standards", as renumbered in EXHIBIT "C" to Section 12-5.4.; Section 12-5.7. "Retired Dimensional Standards", as renumbered in EXHIBIT "C" to Section 12-5.6.; and Section 12-5.10. "Design District Dimensional Standards", as renumbered in EXHIBIT "C" to Section 12-5.9, of the Code of Ordinances of the City of College Station, Texas, are hereby amended to read as follows:

### Sec. 12-5.2. - 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									
	A-0	A-OR	R-1 (J)	R-1B	R-2	R-3	R-4	R-6	R-7	Accessory Structures
Min. Lot Area per Dwelling Unit (DU)	5 Acres	1 Acre	5,000 SF	8,000 SF	3,500 SF	2,000 SF	None	None		
Min. Lot Width	None	None	50'	None	35'/DU(E)	None	None	None		
Min. Lot Depth	None	None	100'	None	100'	None	None	None		
Min. Front Setback (H)	50'	50'	25'(D)	25'(D)	25'(D)	25'(D)	25'(D)	25'(D)		
Min. Side Setback	20'	20'	7.5'	7.5'(C)	7.5'(C)	(A)	(A)(B)	(A)(B)		
Min. Street Side Setback	15'	15'	15'	15'	15'	15'	15'	15'		
Min. Side Setback between Structures (B)			15'	15'	15'	7.5'	7.5'	7.5'	(L)	
Min. Rear Setback (I)	50'	50'	20'	20'	20'(F)	20'	20'	20'		
Max. Height	35' (G) (K) (L)	35' (G) (K) (L)	2.5 Stories/ 35' (G) (K) (L)	2.5 Stories/ 35' (G) (K) (L)	2.5 Stories/ 35' (G) (K) (L)	35' (G) (K) (L)	(G) (L)	(G) (L)		Refer to Section 12-6.5 Accessory Uses (L)
Max. Dwelling Units/Acre	0.2	1.0	8.0	6.0	12.0	14.0	20.0	30.0	10.0	N/A

#### Notes:

- (A) A minimum side setback of 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 15 feet of another primary structure. See Article 8, Subdivision Design and Improvements, for more information.
- (D) Minimum front setback may be reduced to 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 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 15 feet when parking is provided in the front yard or side yard.
- (G) Shall abide by Section 12-7.2.H, Height.
- (H) Reference Section 12-7.2.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 12-7.2.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 50 feet in these districts.
- (L) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations.

#### Sec. 12-5.4. - Non Residential Dimensional Standards.

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

	Non-Residential Zoning Districts						
	O	SC	GC	CI	BP	BPI	NAP
Min. Lot Area	None	None	None	None	None	None	N/A
Min. Lot Width	24'	50'	24'	24'	100'	100'	N/A
Min. Lot Depth	100'	100'	100'	100'	200'	200'	N/A
Min. Front Setback	25'	25'	25'	25'	25' (E)	25' (E)	N/A
Min. Side Setback	(A)(B)	(A)(B)	(A)(B)	(A)(B)	(A)(B)	(A)(B)	N/A
Min. St. Side Setback	15'	15'	15'	15'	15' (E)	15' (E)	N/A
Min. Rear Setback	15'	20'	15'	15'	15' (E)	15' (E)	N/A
Max. Height	(C)(F)	2 Stories / 35' (D)(F)	(C)(F)	(C)(F)	(C)(F)	(C)(F)	(F)

#### Notes:

- (A) A minimum side setback of 7.5 feet shall be 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 separated by a dedicated public right-of-way or easement of at least 15 feet in width.
- (C) See Section 12-7.2.H, Height.
- (D) Maximum building height is 2 stories and 35', measured at the highest point of the roof or roof peak. Section 12-7.2.H, Height applies to buildings over one-story.

- (E) Buildings shall be setback a minimum of 50 feet from all public streets adjacent the perimeter of the business park development, as shown on the approved Preliminary Plan document.
- (F) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations.

**Sec. 12-5.6. - Retired Dimensional Standards.**

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

	Retired Zoning Districts			
	C-3	R&D	M-1	M-2
Min. Lot Area	None	20,000 SF	None	None
Min. Lot Width	24'	100'	100'	None
Min. Lot Depth	100'	200'	200'	None
Min. Front Setback	25'	30'	25'	25'
Min. Side Setback	(A)(B)	30' (B)	(A)(B)	(A)(B)
Min. St. Side Setback	15'	30'	15'	25'
Min. Rear Setback	15'	30'(D)	15'	15'
Max. Height	(C) (E)	(C) (E)	(C) (E)	(C) (E)

**Notes:**

- (A) A minimum side setback of 7.5 feet shall be 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 separated by a dedicated public right-of-way or easement of at least 15 feet in width.
- (C) See Section 12-7.2.H, Height.
- (D) When abutting non-residentially zoned or used land, the rear setback may be reduced to 20 feet.
- (E) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations.

**Sec. 12-5.8. -Design District Dimensional Standards.**

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

	NG-1	NG-2	NG-3	WPC
Minimum Lot Area	None	None	None	2,400 SF
Minimum Lot Width	None	None	None	24'
Minimum Lot Depth	None	None	None	100'
Minimum Front Setback	None	None	None	25' (H)
Minimum Side Setback	None	None	None	None (A)
Minimum Side Street Setback	None	None	None	15'
Minimum Rear Setback	None	None	None	15'

Minimum Setback from Back of Curb (B)	10'	10'	10'	None
Maximum Setback from Back of Curb (B)	20' (C) (D) (E)	25' (C) (D) (E)	20' (C) (D) (E)	None
Maximum Height	(J)	(J)	(J)	(J)
Minimum Number of Stories	2 Stories (G)	2 Stories (G)	2 Stores (G)	None
Minimum Floor to Area Ratio (FAR)	1 : 1 (F) (I)	0.75 : 1 (F) (I)	1 : 1 (F) (I)	None

**Notes:**

- (A) Lot line construction on interior lots is allowed where access to the rear of the building is provided on the site or by dedicated right-of-way or easement.
- (B) Minimum/maximum setback from the back of any curb, including lots with single frontage, lots with double frontage, and corner lots with multiple frontages.
- (C) If the width of any public easement or right-of-way is in excess of the maximum setback, the maximum setback will be measured from the edge of the public easement or right-of-way.
- (D) Maximum setback from back of curb for University Drive is 25 feet, Wellborn is 35 feet and 100 feet for South College.
- (E) When café seating is between the café's building and a right-of-way, the building may be setback a maximum of 35 feet.
- (F) This area calculation shall not include any lot area encumbered by required easements, setbacks, sidewalks, detention, or area dedicated to civic features. The area of a porch or arcade fronting a public street is included in the calculation of lot coverage.
- (G) The 2-story requirement shall not apply to structures existing on or before April 2, 2006.
- (H) Minimum front setback may be reduced to fifteen feet (15') when approved rear access is provided or when side yard or rear yard parking is provided.
- (I) Places of Worship are exempt from the Floor to Area Ratio (FAR) requirement in all NG Districts.
- (J) Reference Easterwood Field Airport Zoning Ordinance regarding height limitations.

## EXHIBIT "C"

That **Chapter 12, "Unified Development Ordinance", Article 5 "District Purpose Statements and Supplemental Standards", Section 12-5.3 "Non-Residential Zoning Districts"** of the Code of Ordinances of the City of College Station, Texas, is hereby deleted in its entirety.

**That Sections 12-5.1. through 12-5.13. of Chapter 12, "Unified Development Ordinance", Article 5 "District Purpose Statements and Supplemental Standards", are hereby renumbered respectively as follows:**

- Section 12-5.1. – Residential Zoning Districts.
- Section 12-5.2. – Residential Dimensional Standards.
- Section 12-5.3. - Non-Residential Zoning Districts.
- Section 12-5.4. - Non-Residential Dimensional Standards.
- Section 12-5.5. - Retired Districts.
- Section 12-5.6. - Retired Dimensional Standards.
- Section 12-5.7. - Planned Districts (P-MUD and PDD).
- Section 12-5.8. - Design Districts.
- Section 12-5.9. - Design District Dimensional Standards.
- Section 12-5.10. - Overlay Districts.
- Section 12-5.11. - Single-Family Overlay Districts.
- Section 12-5.12. - Historic Preservation Overlay District.