

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 3, "BUILDING REGULATIONS", AND CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS 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 3, "Building Regulations", and Chapter 12, "Unified Development Ordinance" of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibits "A", "B", and "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 effect 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) nor more than Two-Thousand Dollars (\$2000.00). 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.

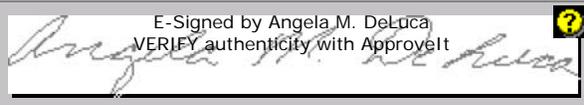
PASSED, ADOPTED and APPROVED this 25th day of March, 2004.

APPROVED:

Ron Silvia, Mayor

ATTEST:

Connie Hooks, City Secretary

E-Signed by Angela M. DeLuca
VERIFY authenticity with ApproveIt 


City Attorney

EXHIBIT "A"

That Chapter 3, "Building Regulations", Appendix 1.B, "Amendments to International Residential Code", of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by adding amendment number 30, as set out hereafter to read as follows:

"30. Section **R302.1 Exterior walls**, shall be amended to read as follows:

1. **R302.1 Exterior walls.** Exterior walls with a fire separation distance less than 3 feet shall have not less than a one hour fire-resistive rating with exposure from both sides. The above provisions shall not apply to walls which are perpendicular to the line used to determine the fire separation distance.

Exception: Tool and storage sheds, playhouses and similar structures exempted from permits by Section R105.2 are not required to provide wall protection based on location on the lot.

Projections: Projections may extend beyond the exterior wall on zero lot line construction. Projections shall be constructed from non-combustible material on the underside and may project a maximum of 18 inches, excluding non-combustible gutters, over the adjacent property line.

Exception: Tool and storage sheds, playhouses and similar structures exempted from permits by Section R 105.2 shall not extend over the lot line in zero lot line construction.

Combustibles in maintenance easement: The construction of any structure utilizing combustible material or the storage of combustible material is prohibited within the maintenance easement. The term "maintenance easement" is defined in Article 11 of the UDO.

Exception: A wood fence may be installed in the maintenance easement.

EXHIBIT "B"

That Chapter 12, "Unified Development Ordinance", Article 8, "Subdivision Design and Improvements," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending Article 8.2, "Lot Line Construction" to read as follows:

"8.2 Zero Lot Line Construction"

The following requirements apply to all single-family residential development.

A. Description

A zero lot line development is where houses in a development on a common street frontage are shifted or offset to one side of their lot. This provides for greater usable yard space on each lot. These developments require that planning for all of the house locations be done at the same time. Zero lot line developments are allowed by right. Review for compliance with the standards of this Section shall occur during the subdivision platting process. Restrictions that assure the minimum distance between houses and any required easements must be recorded on the plats of the applicable lots. Proof of such recordation must be submitted as part of the building permit application.

B. Setbacks

The side building setback shall be zero on one side of the house. This reduction does not apply to the street side setback or to the interior side setback adjacent to lots that are not part of the zero lot line project. The minimum distance between all buildings in the development must be fifteen feet.

C. Additional Standards**1. Eaves**

Eaves may project a maximum of 18 inches, excluding non-combustible gutters, over the adjacent property line.

2. Maintenance Easement

A maintenance easement shall be dedicated between the two property owners to allow for maintenance or repair of the house built on the lot line. The easement shall be unobstructed, located on the adjacent property abutting the side wall and must be a minimum of seven and one-half feet in width. Required maintenance easements shall be shown on the recorded plat.

3. Privacy

Windows or other openings that allow for visibility into the side yard of the adjacent lot are not allowed. Windows that do not allow visibility into the side yard of the adjacent lot, such as a clerestory window or a translucent window, are allowed. All materials within three feet of the property line shall be fire-rated to meet building code requirements."

EXHIBIT "C"

That Chapter 12, "Unified Development Ordinance", Article 11, "Definitions," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending Article 11.2, "Defined Terms" by adding the following definitions to read as follows:

"Easement, Maintenance: A private easement that is dedicated by plat specifically for zero lot line construction in a single-family residential development. Maintenance easements shall be a minimum of 7.5' in width.

Non-combustible material: As defined in Chapter Two of the 2000 International Residential Code as adopted and amended by the City of College Station City Council."