



City of College Station

Neighborhood Issues Ad Hoc Task Force



FINAL REPORT

MAY 27, 2004

City of College Station
1101 Texas Avenue
College Station, Texas 77840
<http://www.cstx.gov>



The City of
College Station, Texas

Embracing the Past, Exploring the Future.

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MEMORANDUM

DATE: May 27, 2004

TO: Honorable Mayor and City Council Members

FROM: Neighborhood Task Force Report Subcommittee
Karen Belter, Doug Pederson, Hays Glover

RE: Recommendations of the Neighborhood Ad-Hoc Task Force

We are pleased to present to the City Council, the final report of the Neighborhood Ad-Hoc Task Force. This work is the result of hours of meetings, discussions and vote tabulations. The Task Force consisted of 28 members representing various viewpoints regarding infill development, rental property in single family areas and the impacts of rental housing on neighborhood integrity. There was a significant concern on the part of a few members that the composition of the Task Force favored those who would support keeping the number of unrelated people at four and not support any more regulation of rental properties.

The Task Force discussed economic impacts of the various issues. There was discussion regarding the costs to investment property owners if the number of unrelated residents was to be reduced. There was discussion about what a rental registration program or increased code enforcement would cost and who would pay. In fact, some who voted for rental registration did so because it was stated such that there would be no cost to those who voluntarily comply.

Although not every member may be perfectly happy with every outcome, each member certainly had the opportunity to discuss and debate issues. We appreciate the Council's action to form this Task Force and thereby give voice to all the differing opinions and concerns.

We hope you will take our recommendations to heart and take appropriate actions to see that all recommendations are implemented. Thank you for your time and consideration.

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Harvey Cargill, City Attorney
Lance Simms, Building Official
David Giordano, Fire Chief
Ivan Olson, First National Bank

Facilitator

Beth Boone, Facilitator - Mediation Services of Texas

The Charge

Approved by the College Station City Council on March 11, 2004

“With the goal of insuring a high quality of life for all citizens, including home owners, renters, students, and those who invest in our community, the City hereby charges the Task Force with the following:

- Review the number of unrelated persons allowed to inhabit single-family dwellings and the impact associated with lowering of that number
- Review the impacts of infill development in older residential areas of College Station including such factors as: set backs, green space, parking, creation of conservation/historic overlay districts, etc.
- Review the application of property maintenance codes to single-family homes, and the need for and effectiveness of a rental property registration and inspection programs.
- Review all existing City ordinances related to infill development and property maintenance issues.
- Review the economic impacts, on all affected parties, of each of the topics listed above.

Upon completion of this evaluation, make recommendations to the City Council as deemed appropriate.

NEIGHBORHOOD AD-HOC TASK FORCE

Executive Summary

A Task Force of 28 citizens met over a six week period and throughout the process votes were taken on various issues. The group was led by a mediator and supported by various City Staff and other resource personnel. The following represent the final outcomes.

For the first three issues, potential actions were ranked in order of preference, with the first action being the most preferred for dealing with each issue:

PARKING

1. Parking limited to one side of the street (opposite fire hydrants)
2. Change requirement to 1 off-street space per bedroom
3. Limit on-street parking hours
4. Investigate and on-street parking permit system

CODE ENFORCEMENT POWER

1. Provide more personnel and resources
2. Provide education (informing and involving the public)
3. Work to speed up the process

NOISE

1. Increase fines for violations
2. Provide more stringent Police and Code enforcement
3. Fine landlords where violations occur
4. Police response / TABC / Code Enforcement

The concept of overlay districts was discussed at length and the Task Force felt that this should be a tool encouraged by the City and used by neighborhoods wanting to identify and preserve the existing character of their neighborhoods. The group listed the following items to be considered in any overlay district at the discretion of the specific neighborhood implementing the overlay.

OVERLAY DISTRICTS

- Lot size
- The number of unrelated people allowed to reside in a single family dwelling
- The percent of green space on individual lots
- Equal representation in developing any overlay district regulations
- Contextual set backs
- Architectural controls
- Preservation of building plots

For the next three issues, votes were taken to assess the overall Task Force recommendation.

IMPLEMENT A RENTAL REGISTRATION PROGRAM

YES	14 votes
NO	6 votes

IMPLEMENT A RENTAL INSPECTION PROGRAM

YES	3 votes
NO	17 votes

THE NUMBER OF UNRELATED PEOPLE DEFINED AS A FAMILY SHOULD:

Remain at 4	16 votes
Be Lowered to 3	4 votes
Be lowered to 2	2 votes

NEIGHBORHOOD AD-HOC TASK FORCE

Final Report

The Purpose

University communities throughout the country are faced with multiple issues related to neighborhood integrity, the impact related to rental properties (behavioral issues, maintenance, traffic, parking & public perceptions) and student occupancy. In College Station our older neighborhoods are within very close proximity to Texas A&M University and as a result contain the largest percentage of rental properties while single family residents in the same neighborhoods have a strong desire to maintain neighborhood integrity and the historical value of these neighborhoods. College Station's Comprehensive Plan calls for student related housing to develop in areas immediately around the main campus area. We have found it difficult to separate the issues related to rental property from the fact that much of the rental housing market is occupied by the student population. Stresses are put on our neighborhoods by the increase in properties used for rental businesses.

Many view single family homes as meaning occupancy by a more traditional "type" of family consisting of blood relatives and not occupancy by unrelated persons. In College Station the definition of family includes unrelated people living together as long as the number is limited. Our current number of unrelated allowed to occupy a single family residence is four. Typically most unrelated people living together in University towns are students. Most students will tell you they live together for economic and financial reasons. However, it is also possible for some families to be driven out of the rental market by students who collectively when sharing a home, can afford to pay higher rents.

Most recently, in College Station this issue of unrelated people living together surfaced as a result of a small housing development in one of the older neighborhoods in the Eastgate area. Lots that had been vacant for many, many years were developed with separate individual houses intended to be rented to students. Some residents of the area were worried about the impacts of rental housing on their quality of life. Some also believe that rental property is a commercial enterprise and should be treated as such, not as single family housing.

As a result, the College Station City Council, after hearing from the residents of the area, passed a motion issuing a charge to the City Manager's office to form an ad-hoc task force of citizens to study the issue and make recommendations back to City Council.

The Committee

In order to secure as balanced a group as possible, staff identified various interest groups and asked each group to designate a specific number of representatives. There were three components to the structure of the task force. The first group represented organizations or groups of people who need to be an active part of this process.

<u>Interest Group</u>	<u># of Representatives</u>
Representative of Neighborhood or Homeowner Associations	7
Rental Property Owners and Management Representatives	4
TAMU Students	5
Home Builders	2

The second component represented ten individuals who were invited to participate due to their direct involvement to date, their expertise, insight and experience, their representation of targeted organization, or some combination of these factors.

The third component included resource persons provided to the task force including City Staff, the City Attorney and other resources as requested by the Task Force. Resource persons did not vote or participate unless asked to respond to questions or to make presentations.

There was concern on the part of some members that the composition of the Task Force favored those who would support keeping the number of unrelated people at four and not support any more regulation of rental properties. The majority seemed to feel that the task Force was balanced in this regard.

The Process

City Staff secured the services of a trained mediator. Due to the nature of the discussions that would take place, staff felt the services of a professional mediator would be necessary for the Task Force to reach a recommendation. Beth Boone of Mediation Services of Texas was hired to lead the group discussions.

Meetings were set for Monday evenings beginning March 29 and continued through Monday, May 3, 2004. Each meeting began with dinner at 6:00 pm followed by presentations, discussions and votes on various issues. To enable better access to materials, a special web site was created for Task Force members to review the City's codes and ordinances and other relevant documents including;

- The Unified Development Ordinance,
- The City of College Station Code of Ordinances,
- The Final Report of the Community Enhancement Program,
- The Eastgate Neighborhood Plan,
- A Survey of University Communities,
- The City of College Station Subdivision Regulations,
- The City of College Station Comprehensive Land Use Plan and
- A link to GIS on-line maps.

Notebooks were made for each member containing The Council's "charge" to the Task Force, City of College Station Mission Statement, Task Force membership, and information about the facilitator.

The goal was to report back to City Council at the May 27, 2004 meeting.

Meeting Highlights

Detailed meeting notes and power point presentations for each meeting may be found in the appendix. Meeting notes are simply notes taken by Staff and are not formal minutes of the Task Force nor meant to speak for any individual Task Force member.

March 29

The mediator greeted the group and introductions were made. The group discussed meeting rules and process with a decision to try to reach consensus.

The "charge" was reviewed and issues prioritized for future discussion.

1. Infill development
2. The number of unrelated living together
3. Property maintenance codes and their enforcement
4. Rental registration and rental inspection

April 5

The mediator greeted the group and discussed various conflict handling modes. The group reviewed the charge and defined quality of life and economic impact using one word descriptors. To the group as a whole, *Quality of Life* means Safety, Attractiveness, Stability, Peacefulness and a Pleasant environment. *Economic Impact* refers to Growth, Value, Stability, Consequences, and Quality of life.

Presentations on infill development and related issues, the UDO and overlay districts were given by Staff.

April 12

Discussion focused on lot size and regulations regarding re-platting, ownership of multiple lots and the preservation of existing building plots and overlay districts. A motion was made to recommend an overlay district for areas pre-1970 with equal representation of affected College Station residents. The legal issues of grandfathering and amortization were presented allowing the group to understand that simply changing the number of unrelated people by code does not automatically bring all properties into compliance. Owners must be allowed time to recoup investments in their properties. One committee member questioned whether the City considers older neighborhoods worthy of preservation.

The definition of family and what constitutes a legal family was presented. Enforcement difficulties were discussed. Enforcement is done on a reactive complaint basis and residents should be prepared to help investigate and even testify in court. There had been 35 complaints since 1999. Resource personnel from the Police Department reviewed enforcement of loud party violations.

There was much discussion regarding the number of folks living in a dwelling and the problems of noise, traffic and parking. There was discussion as to whether the number of unrelated people living together is directly related to the behavioral issues causing problems. Several members mentioned that other communities have decreased the number of unrelated and this has helped resolve some of the problems.

April 19

On-street parking and associated problems were discussed as well as enforcement and overlay districts. Discussion regarding whether the number of unrelated people living together should be changed city-wide or only in overlay districts based on neighborhood preferences. The relationship of code enforcement and the behavioral issues associated with rental housing were discussed. Detailed minutes supplied by Karen Belter may be found in the appendix.

April 26

A presentation regarding code enforcement was given followed by a discussion of the Property Maintenance Code and finally rental registration and inspection programs. Power point presentations accompanied each speaker and may be found in the appendices. At this time the Task Force used a different process rather than trying to reach consensus. An email from Mr. Glenn Brown was sent to the members indicating a change in process may be helpful. The contents of the email are as follows:

We all appreciate the time and effort you have invested in this very challenging process to date. Rather than continue with the discussion on the number of unrelated, City staff will finish presenting information not already provided on property maintenance codes, code enforcement programs in general, and rental inspection/registration programs. We propose the remainder of the evening be devoted to the ranking of solutions that have been identified. Beth Boone is working on a process to achieve this ranking, but it will result in a different voting methodology being utilized. If this is not all completed at the April 26th meeting, then it can be finished at the May 3rd meeting. Hopefully this will be the last meeting needed. Also at the next two meetings Beth will be working with you on preparation of a report with your recommendations to the City Council. Items the need to be decided include: does the Task Force want to designate a subcommittee to prepare a draft of the report, or do you want City Staff to do this based on the direction you provide? Also you will need to discuss who will be making the presentation to the City Council at the May 27 Council Meeting. Please let me know if you have questions or comments. Again, thank you for all of the time you have spent. Glenn Brown

Discussion of issues and ranking of potential actions occurred regarding parking, code enforcement authority and noise.

Lastly, the group listed the following items to be considered in any overlay district at the discretion of the specific neighborhood implementing the overlay.

- Lot size
- The number of unrelated people allowed to reside in a single family dwelling
- The percent of green space on individual lots
- Equal representation in developing any overlay district regulations
- Contextual set backs
- Architectural controls
- Preservation of building plots

May 3

At this meeting the topics of rental registration and rental inspections programs were discussed. The group listed reasons to have a program and reasons not to have a program. Again, detail may be found in the appendix.

Discussion took place regarding fees and the potential cost of a registration program. The group discussed no fee or a nominal fee for registration and a penalty if one does not register. Next the topic of a rental inspection program was introduced. The Fire Chief reiterated that inspection programs do not get at the behavioral issues. It was suggested that better efforts at education would be very helpful. This can be done through the Apartment Association, property management groups, the City's web site, utility bill, Off-campus housing, etc. The groups discussed several issues related to inspection such as exterior and interior inspections, whether to use city or private inspectors, the frequency and costs, enforcement, and whether to should be upon request or not.

The discussion then turned to the number of unrelated people living in a dwelling unit followed by a vote as to whether to recommend changing the number. The city attorney suggested that an overlay district needs to have "bare bone backbone" and that the Council could make specific recommendations regarding this backbone such as a reduction in the number of unrelated from 4 to 3. Existing property would have to be grandfathered until investment is recouped and/or change in use occurred. Investors have to prove that they have not recovered their investment.

The group voted as follows:

THE NUMBER OF UNRELATED PEOPLE DEFINED AS A FAMILY SHOULD:

Remain at 4	16 votes
Be Lowered to 3	4 votes
Be lowered to 2	2 votes

The Report

A subcommittee of 3 members was nominated by the Task Force to prepare and present the recommendations to the City Council. Staff aided the subcommittee in report preparation and presentation materials.

Appendix

Task Force Web Site Page

Meeting Notes

UDO, Infill and Overlay District Presentation.

Code Enforcement Violations Summary Report

Property Maintenance Code Presentation

Rental Registration and Inspection Program Presentation



CITY OF COLLEGE STATION
The Heart of The Research Valley

City of College Station

Neighborhood Task Force

Task Force Notes

- 3-29-04
- 4-05-04
- 4-12-04
- 4-19-04
- 5-03-04

Your Charge

Mediation Rules

What is a Conservation District?

What is a Historic District?

Unified Development Ordinance

The Code of Ordinances

Community Enhancement Program - Final Report

Eastgate Neighborhood Plan

Survey of University Communities

Subdivision Regulations Section 18: Platting and Replatting within Older Residential Subdivisions

Pre 1970 subdivision Map

Comprehensive Plan - Land Use Plan Map

The Comprehensive Land Use Plan is implemented by a sequence of long-range actions for guiding the orderly and intentional growth/development within our City. Areas on this Comprehensive Plan - Land Use Map are assigned "uses" as described in the legend of the map. A Comprehensive Plan Land Use Map does not constitute zoning regulation or establish zoning district boundaries. The Map that depicts these "future" land uses, as well as the complete planning document were developed by and approved under the Comprehensive Plan process by all levels of interested parties, from the citizen to city staff, and ultimately the City Council.

Geographic Information - Online Maps

*For additional information, see the **GIS Mapping Application Guide**.*

March 29, 2004
Ad-Hoc Task Force notes

All members present except Onie Holms
Resource personnel – Glenn Brown, ACM, Dave Giordano, Fire Chief, Eric Hurt, Fire Marshal,
Jane Kee, City Planner, Kate Elrod, Neighborhood Planner, Becky Hagen, Communications
Operator (PD)
Guests – Shawn Durelle, Susan Lancaster, Lynn McIlhane, Anne Hazen

Group convened at 6:00 pm for dinner.
Meeting began at 6:30 with an introduction by Glenn welcoming members, thanking them for
serving, and introducing Beth Boone.

Beth greeted group / introductions were made by each member. Members received notebooks
containing information related to this project.

Group discussed:

Meeting rules and process for the project.

Groups will build consensus using Stand Aside where one does not agree but will not
block the vote, Block where one feels a strong moral objection and Override where a vote
can override a block.

How group was put together and why.

Economic impacts vs. other quality of life issues.

Group reviewed the charge to list the issues that need discussion and prioritized them.

These are:

- 1. Infill development**
- 2. The number of unrelated living together**
- 3. Property maintenance codes and their enforcement**
- 4. Rental registration and rental inspection**

They will take 4 – 8 meetings. Each evening an issue will be discussed and voted on. An issue
may be extended to one additional meeting but then a vote shall be taken. Staff will be prepared
for 2 issues each meeting. There was objection to the charge by some that economic impact
seemed to be the primary concern or focus. It was discussed that other concerns such as noise,
safety, litter, traffic, parking and property maintenance were also important and should be in the
charge.

With each issue, quality of life, city ordinances and the impacts will be discussed.

For the next meeting the group requested:

A UDO for each table

An overview of the UDO as it relates to the charge

An estimate of the amount of property available for infill

Pictures of infill developments

Copies of the Community Enhancement Report

Neighborhood issues as related to UDO process/development/ consultant recs.

Group adjourned at 9:00pm.

April 5, 2004
Ad-Hoc Task Force notes

All members present. Resource personnel – Glenn Brown, ACM, Harvey Cargill, City Attorney., Eric Hurt, Ass't Fire Chief/Fire Marshal, Jane Kee, City Planner, Natalie Ruiz, Development Manager, Kate Elrod, Neighborhood Planner, Becky Hagen, Communications Operator (PD)
Guests – Susan Lancaster, Lynn McIlhane, Anne Hazen, Nancy Berry

Group convened at 6:00 pm for dinner. Meeting began at 6:30 with an introduction by Glenn welcoming members, thanking them for serving, and then turning the mtg. over to Beth Boone. Beth greeted group and went over various conflict handling modes. The group then defined quality of life and economic impact by each offering one word and then the group voting on 5 words to describe each as follows:

QUALITY OF LIFE

Safety – 20
Attractive – 15
Stability – 13
Peaceful – 13
Pleasant – 15(after tie with health)

ECONOMIC IMPACT

Growth – 20
Value – 16
Stability – 14
Consequences – 19 (3-way tie with
Opportunity and Quality of life)
Quality of Life - 15

Staff made presentations on infill, the UDO and overlay districts. Infill was defined as new development on vacant lots or redevelopment of existing properties either by renovation or demolition and rebuilding. An estimate of the amount of vacant land available for infill in the Eastgate area is 6% and on the Southside approximately 4%.

The group took a break at 7:50. 8:00 – reconvened and used "talking stick" to each express their concern or what they want to see discussed re: infill.

- Right of Prop. Owner to do what he wants with property if he complies with codes
- Lot size
- Rental compliance
- Create overlays
- Reasonable return on investment (appropriate, obj., democratic re: overlay)
- Intent and Design
- Maintenance Codes
- Students view of infill
- Use maps to develop conservation overlay
- Infill - # unrelated by permit
- Code enforcement
- Econ. Impact of permitting unrelated number
- Strong Neighborhood integrity policy
- Legalities of overlay
- Re-subdivision process
- Residential (family) occupancy vs. running a rental business
- Distinguish between infill and problems existing on current properties (behavioral)
- Students will move to Bryan if # reduced.

For the next meeting the group requested a map of pre-1970 subdivisions and a discussion of what they can do from a legal standpoint in terms of grandfathering and amortization. Group adjourned at 9:00pm.

April 12, 2004
Ad-Hoc Task Force notes

All members were present except Marsha Sanford and Ron Lightsey. Resource personnel were Glenn Brown, David Giordano, Harvey Cargill, Eric Hurt, Jane Kee, Kate Elrod, and Becky Hagen.

Guests were Dennis Maloney, Anne Hazen, Scott Mears, Susan Lancaster, Nancy Berry

Dinner was served at 6:00 pm. Mtg. began at 6:30 with a welcome from Beth Boone.

Each member was given time to express their concerns about in-fill development. Discussion focused on lot size and what can and cannot be done regarding re-platting. The issue of ownership of multiple lots complicates the issue. The idea to prohibit reducing the size of a building plot was discussed. A building plot is the entire area used for a house whether one lot or more. A house on three lots can be removed and 3 houses built in its place under the current regulations.

The group discussed the idea of an overlay, its enforcement, possible administrative board representation, geographic area, the kinds of requirements and whether they should get into this much detail. The group talked about how much "teeth" an overlay could have. Staff clarified this by explaining that the state statute provides for a community to adopt overlay standards by ordinance and that they are then enforceable by the city. One member pointed out, from his experience on the Bryan Landmark Commission, that enforcement is not always a matter of "teeth" but sometimes a matter of desire or will. A motion was made to recommend an overlay district for areas pre-1970 with equal representation of affected College Station residents.

Break – 8:00.

Staff defined a family as purported in the Unified Development Ordinance. A question was asked whether exchange students are considered related under the definition. The answer was "No." The difficulty of enforcement was discussed, the reason being that the burden of proof is on the City. Enforcement is done on a reactive complaint basis. Residents have to be prepared to help investigate and even testify in court. There had been 35 complaints since 1999. Staff explained how PD enforces the loud party violations.

Staff was asked to explain next time what constitutes "living" as used in the definition of family. There was much discussion regarding the number of folks living in a dwelling and the problems of noise, traffic and parking. Some felt that the number of people living in a unit is not directly related to the problems occurring and by changing the number the problem is not necessarily addressed.

At 9:00 Beth ended the discussion after a vote was taken showing 5 members present wanted to change the number of unrelated people who can live together while the rest of the group wanted to leave it as is.

April 19, 2004

Ad-Hoc Task Force notes – *these notes were supplied by Karen Belter and supplemented by staff.*

Members absent were Ben White, Tiana Sanford, Onie Holms. Resource personnel were Glenn Brown, David Giordano, Harvey Cargill, Eric Hurt, Lance Simms, Jane Kee, Kate Elrod, Becky Hagen and Ivan Olson (First National Bank).

Dinner was served at 6:00 pm. Mtg. Began at 6:30 with Beth Boone asking the group how they feel about progress thus far. The response was that work is proceeding too slowly. Less verbal processing was suggested.

One committee member passed out an agenda on government and values in planning and zoning. A motion was made, and dropped, to put the 4-3 unrelated issue on the ballot for city vote. Much discussion about how ordinances really couldn't be enforced and that changing an ordinance from 4-3 was not enforceable. There was emphasis that inability to enforce an ordinance was not a reason to not modify one. Enforcement is complaint driven. Staff admitted that it was almost impossible for them to enforce the # of unrelated ordinances due to limited resources. Without changes on staff level, any expectation of enforcement of a new ordinance would be limited.

A discussion followed involving the economic impact of reducing 4 to 3. One committee member said that if 4-3 were enforced "under performing property" would have to be supplemented by Section 8 housing. Another committee member emphasized that the economic impact of reducing 4 to 3 would be too great city wide but that perhaps protection for the older neighborhoods could be included. A proposal was suggested to make 4-3 city wide except the area that is designated for multi family. A suggestion was made for a ratio between concrete and green space.

Also, it was pointed that one committee member had 49 names of citizens on a petition supporting the reduction from 4-3 in the overlay districts. It was also commented that these 49 names were acquired in one evening and were motivated by citizen's concern that they would not be able to attend the February 26th City Council Workshop at 3:00 p.m

Much heated discussion on 4-3 with emphasis that it would never go city wide due to economic impact. However, it was suggested that perhaps some protection could be provided for older neighborhoods. A suggestion was made to go from 4-3 in R-1 across the community with specific request for variance to go before P & Z and obtain a permit. The votes were 7 for this change, 10 against, and 6 that abstained.

There were other suggestions that running businesses in R-1 should be restricted, street parking should be limited, and that number of unrelated be reduced.

The city attorney commented that in 2003 the law had changed and the city could enforce deed restrictions. More discussion followed regarding reducing the number of unrelated in overlay with code modifications. The committee voted to recommend a new zoning category created for neighborhoods designed to be exclusively R-1 rental properties. The votes were as follows: 11 voted to pass, 2 voted against and there were 10 who abstained.

Voting took place as follows regarding the number of unrelated:

Change the # of unrelated city-wide - 4 yes, 19 no.

Change the # in overlay districts only - 20 yes, 3 no.

Code Enforcement as a viable alternative - 21 yes, 2 no

At 9:00 Beth ended the meeting.

April 26, 2004
Ad-Hoc Task Force notes

Resource personnel were Glenn Brown, David Giordano, Harvey Cargill, Eric Hurt, Lance Simms, Jane Kee, Kate Elrod, and Becky Hagen.

Dinner was served at 6:00 pm. Mtg. Began at 6:30 with presentation regarding code enforcement to explain the process. Next the Property Maintenance Code was presented and various sections explained. The Fire Marshal's office focused on items relating to the exterior of structures and the Building office focused on those items relating to the interior. The code does have a square foot minimum for the number of people who can sleep in a bedroom.

Next rental registration and rental inspection programs were discussed.

Power point presentations accompanied each speaker.

Break 7:45

After the break Beth asked everyone but the committee to leave the room for a short time while she talked with the group. When staff and guests returned, the group began a ranking process using colored dots as follows:

Higher number of points in ranking reflects the more preferred the option

RANK	PARKING
58	Parking limited to one side of the street (opposite fire hydrants)
44	1 off-street space per bedroom
29	Limit on-street parking hours
3	On-street parking permit system

CODE ENFORCEMENT POWER

69	More personnel / resources
38	Education (informing/involving public)
17	Faster process

NOISE

67	Increase fines
37	More stringent PD / Code enforcement
34	Fine the landlord
20	PD response / TABC / Code Enforcement

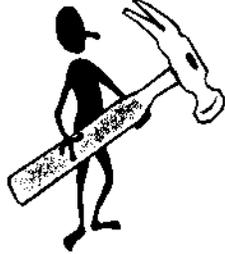
The group listed the following items to be considered in any overlay district:

- Lot size
- # unrelated
- % green space
- Equal representation in developing any overlay
- Set backs
- Architectural controls
- Preservation of building plots

At 9:00 Beth ended the meeting.

ZONING AND PLATTING

- Zoning:
land uses, densities,
bulk restrictions
- Platting:
record of ownership,
location and
condition of public
infrastructure



ZONING

Grandfathered
How does this relate?

THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

What is it?
How did it come to be?
Process

THE UDO

–What is it?

Development codes consolidated into
one document.

Outlines local development
requirements and review processes.

Living document.

THE UDO

- What it is not...

Licensing or operational regulations

Hours of operation
Rental regulations

Behavioral regulations

Loud parties
Parking restrictions - PITY

THE UDO

How did the UDO come to be?

- Streamlining efforts 1996-1998
- Concerns re: infill in 1999
- Consultant hired in 2000 to draft UDO

UDO

Process

- **Hired consultant**
- **3-yr. process involving focus groups**
 - Residents
 - Homeowner's Assoc.
 - Development community
 - Experts in various fields
- **Became effective June 2003**

INFILL DEVELOPMENT

– What is infill development?

The development of new housing or other buildings on scattered vacant sites in a built-up area.

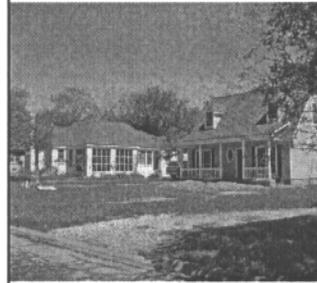
Use of vacant land, reuse or change of use of a developed parcel, intensification of use by remodeling or renovating.



WHY IS INFILL AN ISSUE?

- **Impacts – real and perceived**
 - Noise
 - Traffic
 - Property values
 - Buffering
 - Deed restrictions
 - Contextual “fit”

WHAT IS CONTEXTUAL “FIT”?

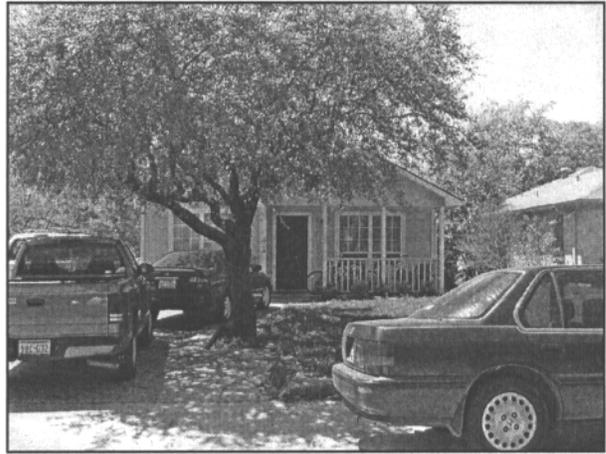
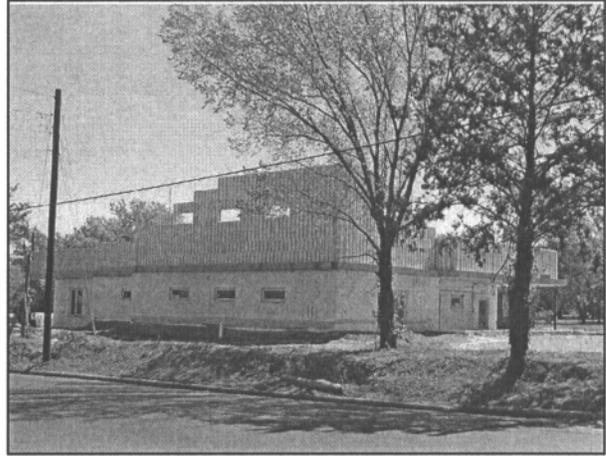
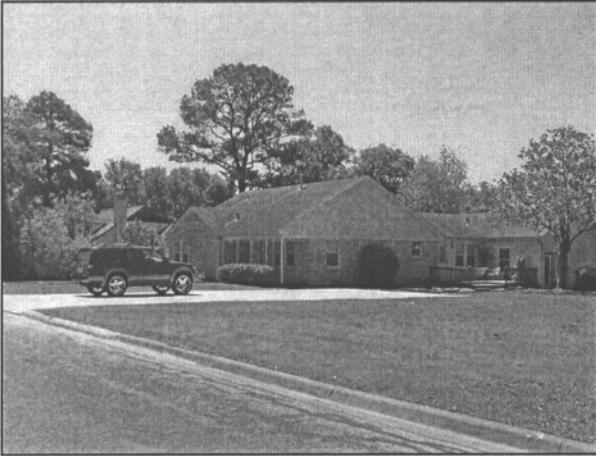


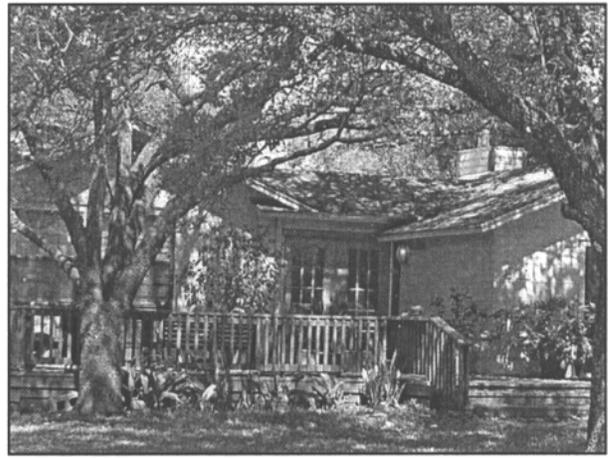
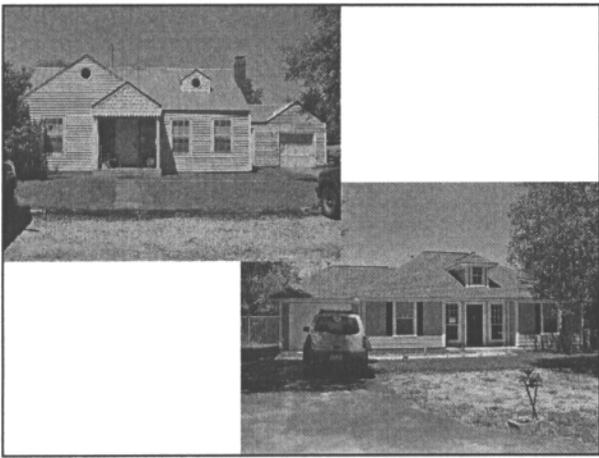
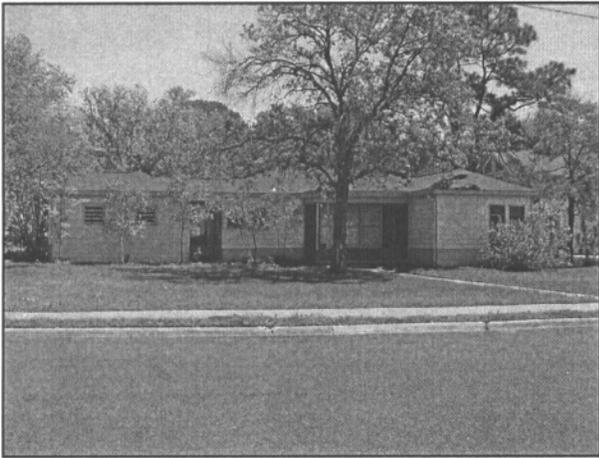
- **How the “new” relates to the existing**
- **Use**
- **Bulk Standards**
 - Setbacks
 - Lot size
 - Open space
 - Parking
 - Architecture
 - Home size

WHAT IS CONTEXTUAL "FIT"?



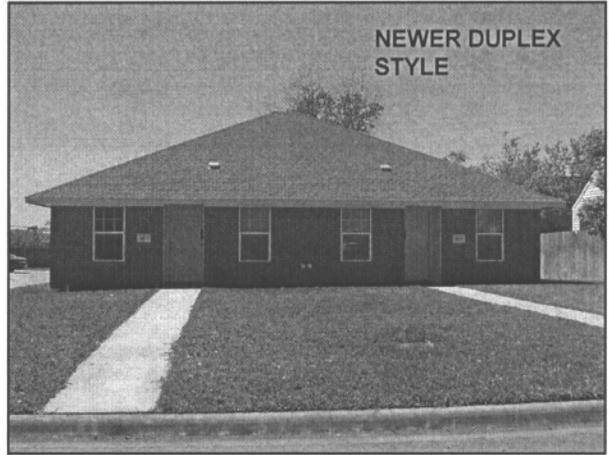
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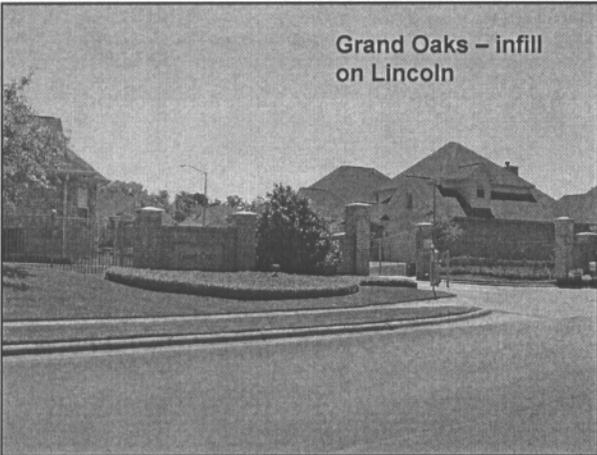




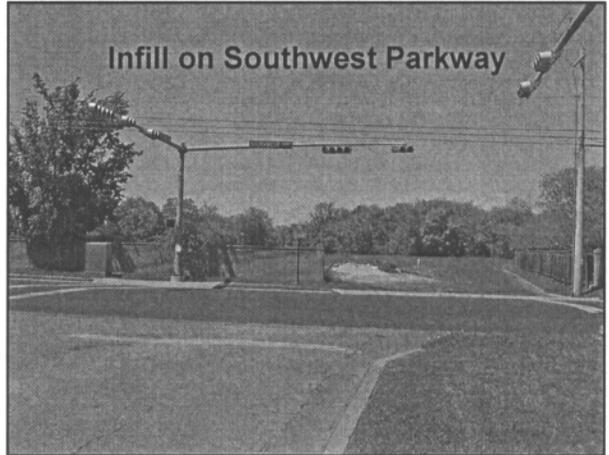
OLDER DUPLEX
STYLE



NEWER DUPLEX
STYLE

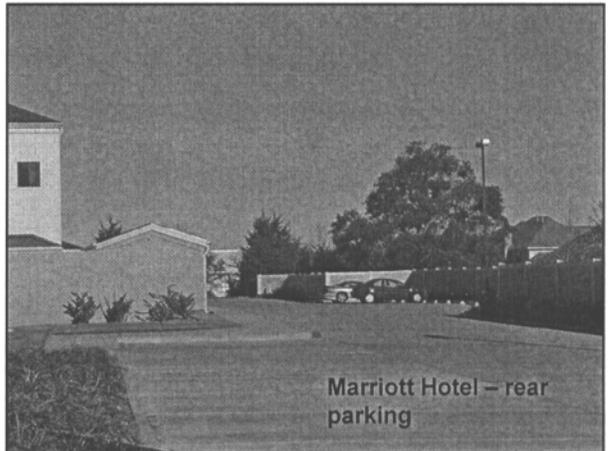


Grand Oaks – infill
on Lincoln

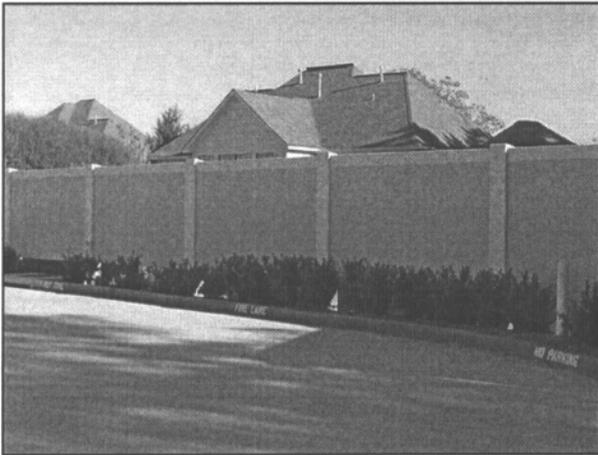


Infill on Southwest Parkway

- UDO PROCESS**
Neighborhood Protection Standards
- Proximity Issues
 - Buffering
 - Outdoor Lighting
 - Building Height
 - Public Address Systems
 - Supplemental Standards
 - Contextual Standards
 - Section 18 (lot size)
 - Front Setback
 - Building Height
 - Open Space
 - Parking (number, surface, location)
 - Architecture
 - Home size



Marriott Hotel – rear
parking



UDO PROCESS

Neighborhood Protection Standards

- Proximity Issues
 - Buffering
 - Outdoor Lighting
 - Building Height
 - Public Address Systems
 - Supplemental Standards
- Contextual Standards
 - Section 18 (lot size)
 - Front Setback
 - Building Height
 - Open Space
 - Parking (number, surface, location)
 - Architecture
 - Home size



**How do you create
regulations
tailored to a particular
Neighborhood's Character?**

Continuum of Regulation

Development Criteria by City Ordinance, such as the UDO to apply to the community at large.

Create Overlay Districts by City Ordinance to protect historical, cultural, or architectural character of a specified area through public or staff review.

Homeowner Association Covenants
State law allows the creation, maintenance, and enforcement of protection standards by the private sector.

Function of Overlay Districts

**To maintain
character and encourage
reinvestment in a designated area
through rehabilitation and
compatible infill**

Overlay Districts

- **Urban Conservation Districts**
- **Neighborhood Conservation Districts**
- **Historic Conservation Districts**
- **Historic Preservation Districts**

Enabling Legislation

allows communities to regulate property.

Texas Statutes, Local Government Code, Chapter 7,
Municipal Zoning Authority, Section 211.003, 6b:

- “(b) In the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures.”

Generalities

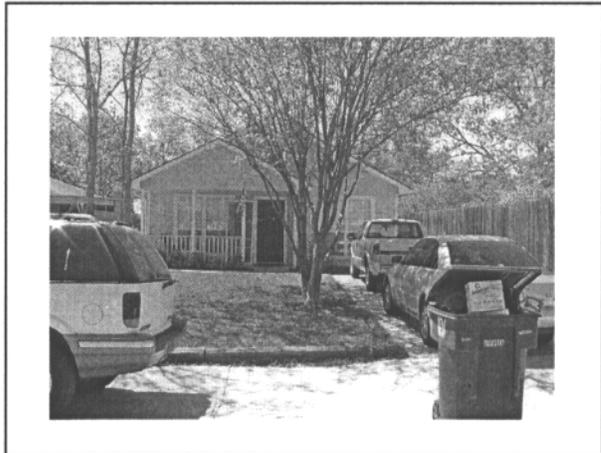
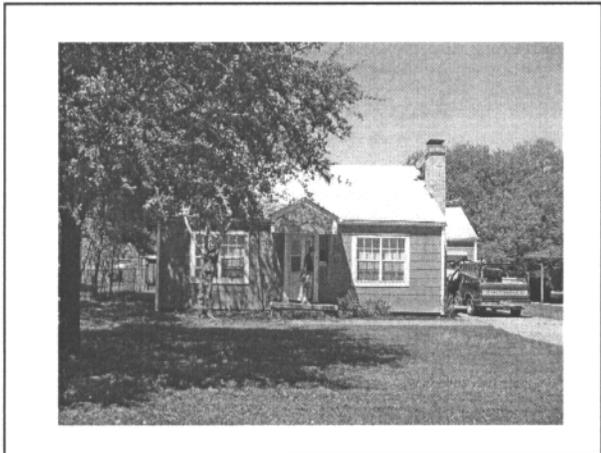
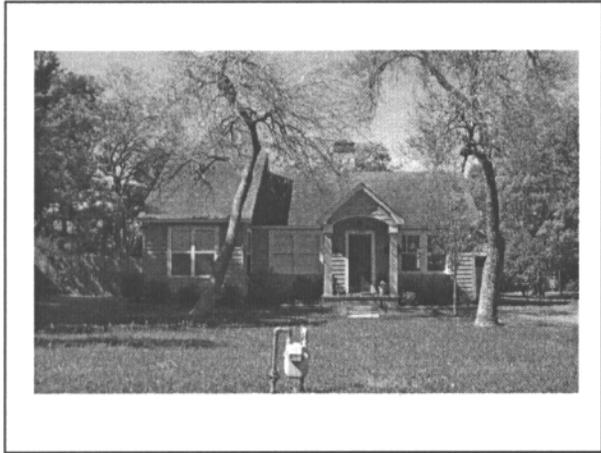
- **Conservation districts are used when a historic preservation district is insufficient to protect an area.**
- **Historic districts tend to be created when property is over 50 years old.**
- **Conservation districts tend to be created when property is between 25 & 50 years old.**

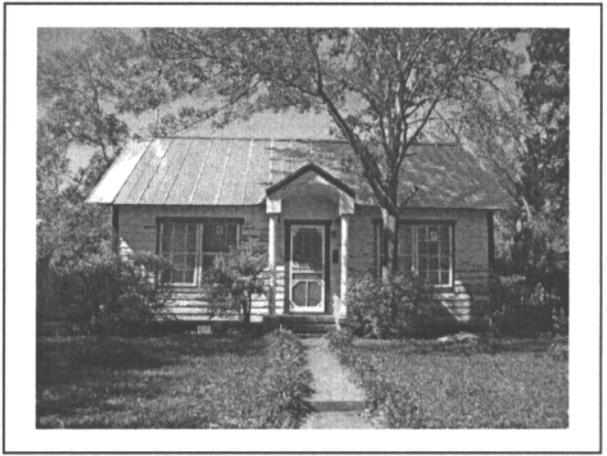
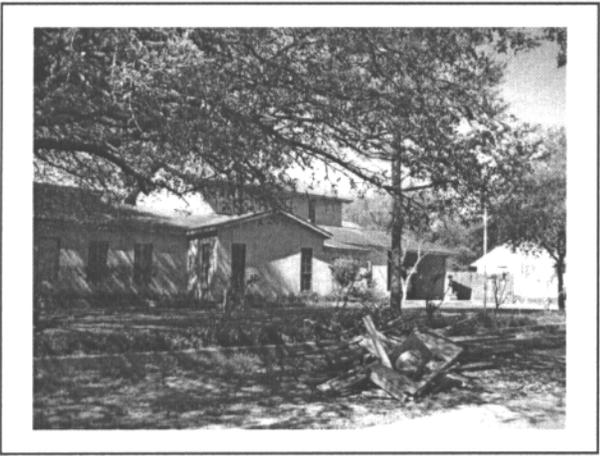
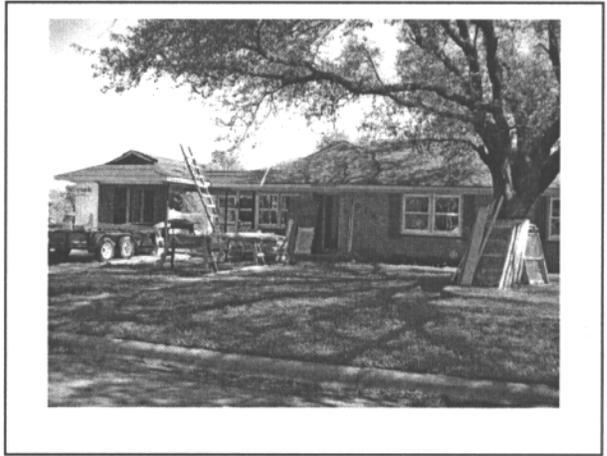
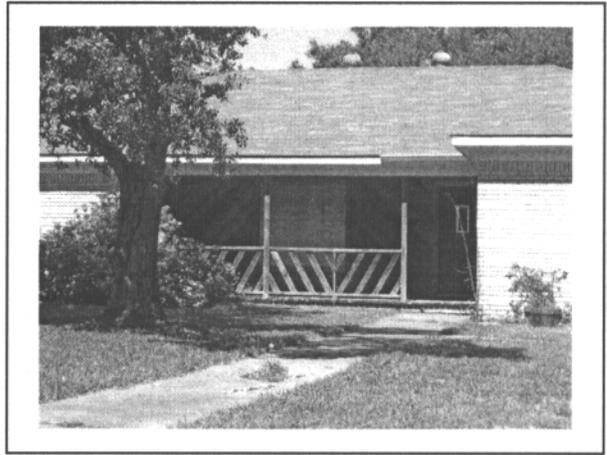
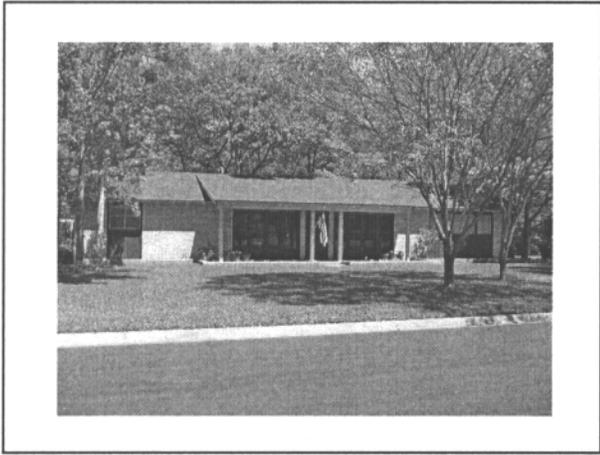
- **Conservation districts usually protect the character of a designated area.**
- **Historic districts usually protect the character of an area and the historic fabric.**
- **Conservation districts are often used to buffers historic districts.**

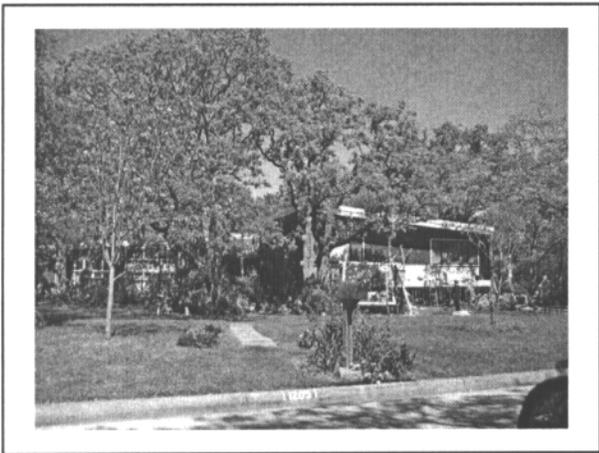
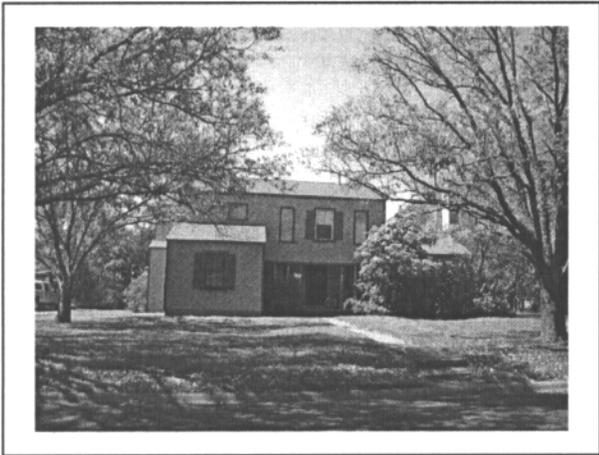
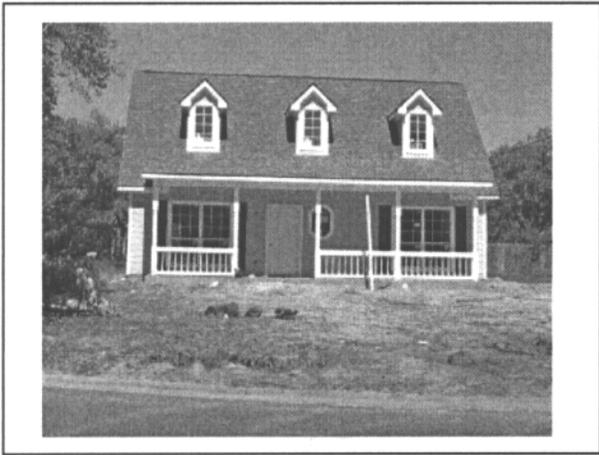
Developing an Overlay

- **Grassroots property owner support.**
- **City Council support.**
- **City Ordinance to establish the authority to create overlay districts and to declare the basic standards.**
- **City Ordinance to establish districts' boundaries.**
- **Property owner participation in developing Design Guidelines for each district.**

**Consider
the historic character of
College Station's older neighborhoods.**







**What level of regulatory measures
need to be implemented in
our older neighborhoods
to encourage reinvestment?**

**Violations Summary Report
Code Inforcement, All Inspectors
1998-2004**

VIOLATIONS SUMMARY REPORT	1998	1999	2000	2001	2002	2003	2004	Total
Development w/o Permit	0	0	0	1	2	0	0	3
Low Limbs	0	3	1	2	3	1	0	10
Commercial Sign Violation	0	0	0	0	0	67	7	74
Residential Sign Violation	0	0	0	0	0	3	6	9
Sign Regulations	1	17	2	4	13	6	0	43
Home Occupation	1	9	3	2	8	5	13	41
Unrelated	0	7	4	3	4	3	0	21
Junk Motor Vehicles	1	182	131	66	150	91	27	648
Open Storage	0	412	657	534	458	446	159	2666
Animal Permits	0	0	3	2	4	0	0	9
Addressing Requirements	0	142	99	40	84	182	28	575
Weeds & Unsightly Vegetation	0	406	1,299	947	1,003	1,010	100	4765
Parking in the Yard	0	25	24	46	55	15	7	172
Truck & Trailer parking	1	20	34	44	32	13	6	150
Recreational Vehicle Parking	0	8	8	7	10	13	3	49
Disposal - Prohibited Material	0	6	8	2	2	8	5	31
Containers Left at Curb	0	200	435	752	981	1,152	962	4482
Theft of Service	0	5	4	6	2	2	0	19
Scrap/Used Tires	0	14	35	21	47	56	23	196
Removal of CFC's	0	44	33	19	24	19	8	147
Unprepared Waste	0	25	5	2	0	12	0	44
Fencing Requirements	0	0	0	0	0	24	5	29
Stagnant Water	0	2	25	7	4	2	5	45
Accumulation of Trash, Filth	0	74	189	75	89	150	158	735
Obstruction of View of Traffic	0	9	10	3	12	11	0	45
Total	4	1,610	3,009	2,585	2,987	3,291	1,522	15,008

Analysis of Cases WITHOUT Violations Attached

	1998	1999	2000	2001	2002	2003	2004	Total
Violations Total	4	1,610	3,009	2,585	2,987	3,291	1,522	15,008
Cases Total	5	2,670	3,424	3,435	3,660	5,499	1,702	20,395
% Violations Unaccounted for per Year	20%	40%	12%	25%	18%	40%	11%	26%

	1998	1999	2000	2001	2002	2003	2004	Total
Unrelated per Mo's Analysis	0	10	4	4	9	5	2	34

3/26/2004

Overview of The 2000 International Property Maintenance Code

2000 IPMC - Chapters 1 & 2

Administration

- General
- Applicability
- Exceptions (historic buildings)
- Local amendments

Definitions

2000 IPMC - Chapter 3

General Requirements

- Owner/occupant responsibilities
- Exterior property areas
- Structural
- Rubbish and garbage
- Extermination

2000 IPMC - Chapter 4

Light, Ventilation and Occupancy Limitations

- General
- Light
- Ventilation
- Occupancy Limitations

2000 IPMC - Chapter 5

Plumbing facilities and fixture requirements

- General
- Required facilities
- Toilet rooms
- Plumbing systems and fixtures
- Water system
- Sanitary drainage system
- Storm drainage

2000 IPMC - Chapter 6

Mechanical and electrical requirements

- General
- Heating facilities
- Mechanical equipment
- Electrical facilities
- Electrical equipment

2000 IPMC - Chapter 7

Fire safety requirements

- General
- Means of egress
- Fire resistance ratings
- Fire protection systems
- Smoke detector requirements

Rental Registration & Inspection

WHY?

WHY NOT?

What are we currently doing?

- No registration program for rental property
- Inspect common areas of multi-family properties
- Can inspect single family properties upon request

- Owner information currently comes from the appraisal district, not always accurate or updated.

WHY?

- Track the number and location of rental properties.
- Obtain accurate contact information for rental property owners and document responsible person or agency.
- Consistent process and time line for updating of information.
- Insure rental property owners are informed of code provisions.
- Occupancy declaration.

Registration, Why Not?

- Won't solve behavioral problems.
- Some believe Registration of property is unconstitutional. (violates personal and property rights)
- Only tracks people and property. Does not deal with safety or property maint.
- Discourage investors from buying rental property.
- Somebody has to pay.

RENTAL INSPECTIONS!

■ Reasons for inspection program:

- Life Safety
- Property Maintenance
- Life Safety and Property Maintenance

WHY INSPECT?

- Safety of our citizens
 - Egress
 - Smoke detectors
 - HVAC
 - Electrical
 - Plumbing
 - Structural
- Property Maintenance
 - Paint
 - Broken windows and doors
 - Other cosmetic issues

Why Not Inspect?

- Invasion of privacy
- Will not solve behavioral issues (won't accomplish desired outcomes)
- Somebody will pay
- Already have laws on the books pertaining to quality of life issues

ASSOCIATED ISSUES:

- Voluntary vs. Mandatory?
- How often do we inspect?
- City or Private?
- Require local management company or not?
- Who pays?
- How much does it cost?
- Does it achieve the desired results?
- Is it legal?