



# CITY OF COLLEGE STATION

Planning & Development Services

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## MEMORANDUM

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TO: Members of the City Council and Planning & Zoning Commission

FROM: Molly Hitchcock, Planning Administrator

THROUGH: Joey Dunn, Director of Planning & Development Services

DATE: December 3, 2005

SUBJECT: **Annual Review of the Unified Development Ordinance (UDO)**

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When the UDO was adopted in 2003, the City committed to making this development ordinance a living document. To honor that commitment, a stipulation was added that provides for the annual review of the City's UDO.

The following is a summary of the major changes proposed to the UDO and the process that has been involved with the annual review.

### **Proposed changes to the UDO:**

Many of the proposed amendments are clerical in nature. As Staff has administered the code over the last year, we have identified several editing discrepancies and minor clarifications or corrections that should be made. The following is a brief summary of the major changes proposed to the UDO (a more detailed list is provided as an attachment):

- Administrative Adjustments – Currently, the code allows the Administrator to consider an Administrative Adjustment to any numerical zoning standard in the UDO. Staff believes it was the intent of the Administrative Adjustment to provide relief to existing minor setback encroachments that were created years ago and those made by honest mistake. Increasingly, requests have been made for Administrative Adjustments in the planning phases of projects—before any

construction has taken place. It is proposed that Administrative Adjustments only apply to residential, non-residential, and design district dimensional standards.

- Non-Residential Dimensional Standards – In office and commercial zoning districts, minimum lot sizes for individual developments are 24'x100'. Because of the site requirements for non-residential projects (setbacks, parking lots, landscaping and streetscaping, etc.), the developability of such small lots seems unlikely. It is proposed that these non-residential zoning districts have minimum lot sizes that are more realistic for development (50'x100' to 200'x200').
- Planned Development Districts (PDDs) – The current code allows for PDDs to permit new or innovative concepts in land utilization that would otherwise not be allowed through the UDO. The combination of residential and non-residential uses is not allowed in a PDD zoning district—mixed-use developments are required to apply for Planned Mixed-Use District (P-MUD) zoning. Staff believes some limited mix of uses may be appropriate for a PDD, such as a church or day care in a single-family oriented PDD. It is proposed to remove the restriction that commercial and residential land uses can not be combined in a PDD.
- Northgate Standards and Regulations - In 2003, the City Council adopted the Northgate Redevelopment Implementation Plan, which envisions a unique, pedestrian-friendly, dense urban environment. The sections of the UDO that regulate aspects of the Northgate zoning districts are being updated to help encourage development and redevelopment in the area that will move towards desired traditional neighborhood development. Included in the proposed updates are:
  - Allowing City Staff instead of the Design Review Board (DRB) to approve development proposals. The current code requires Staff to review project proposals for compliance with established standards, then requires a review and approval from the DRB. In making their decisions, the DRB considers the *Northgate Design Guidelines*, the *Northgate Revitalization Implementation Plan*, and previous policies and decisions. The proposed code has incorporated many of these decision points so they may become obvious and predictable and that the process may become more streamlined. Any developer wishing to deviate from the stated requirements would make their appeal to the Design Review Board.
  - Including additional use standards in an effort to promote mixed-use and pedestrian-scaled development.
  - Adding specific information and standards for historic properties. The current code requires a developer to look in *Northgate Historic Resources* to determine if the property has been deemed historic, then research *The Secretary of the Interior's Standards for the Treatment of Historic Properties* to determine what changes may be appropriate. To make it easier for an applicant to determine how to proceed, the proposed code lists the specific properties determined to be historic by the historic resources survey, then lists the standards to which proposed changes to the buildings will be held.
  - Including building design standards for development proposals. Currently, proposals are judged by the DRB in light of resources previously mentioned. Specific standards will allow Staff to provide consistent reviews.

- Stating specific parking standards. Currently, the DRB sets off-street parking requirements. It is proposed that commercial developments will require no additional parking and that residential developments may provide up to 25% less parking than their counterparts in other zoning districts. For safety reasons, the removal of head-in street parking will be required with development, and parallel, on-street parking may be added in certain areas.
  - Increasing the widths of sidewalks. When platting or building, properties are currently required to install four to six foot wide sidewalks. Depending on the existing or anticipated pedestrian traffic of the specific street, sidewalks are proposed to be eight to twelve feet wide at the back of curb.
  - Specifying a required urban streetscape. The current code vaguely requires landscaping/streetscaping along a third of a property's frontage. It is proposed that developments be required to provide street trees at a specific spacing; benches; 100% landscaping (when applicable); and indirect architectural lighting (when applicable); and low, more pedestrian-scaled parking lot lighting.
  - Increasing the options for signage. Signs are currently held to the same regulations as found in other zoning districts. Standards have been added for window signs, hanging signs (pedestrian signs found under awnings and canopies), and projection signs (signs that extend perpendicular from the building).
  - Adding regulations regarding outside storage and display. This proposed addition would prohibit all outdoor storage and non-construction-related temporary or portable buildings, and specify the allowable location of outside sales and displays.
  - Defining which regulations the DRB may consider waivers from, and the guidelines the DRB is to use in making their decisions.
- Wireless Telecommunication Facilities (WTFs) – Staff has received many questions in the past year regarding the requirements of different types of WTFs. It is proposed to reorganize the code to clarify the individual requirements for attached WTFs, collocating WTFs, and new transmission towers. To reflect industry standards, it is also proposed to change the grid plan requirement of the service area from a period covering five years to a period covering two years.
  - Portable Storage Structures – College Station has not yet experienced the level of difficulties related to the use of portable storage structures that other communities may have experienced, but are aware of their increasing use. It is proposed to add a new section to the UDO that will regulate the use, location, and size of such structures.
  - Drive-Through Queuing Requirements – At this time, City Staff has the ability to require what is deemed to be enough space for a drive-through facility to have safe access and circulation. To codify expectations for such facilities, it is proposed to add a new section to the UDO which will specify queuing distances based upon use and the design and layout requirements of the queuing areas.
  - Traffic Impact Analysis (TIA) – Currently incorporated into the UDO as part of the non-residential architectural standards, the section on TIAs defines their applicability, methodology, and required content. Once Staff is aware of the probable impact of a non-residential development on the neighboring properties and

thoroughfare systems, it is possible to discuss and begin the mitigation of any negative impacts. Realizing that other types of development may also contribute to traffic and thoroughfare congestion and/or hazards, it is proposed that the section for TIAs be removed from a “non-residential” code section to a neutral section where a TIA may be applied to all proposed developments that produce 5,000 or more trips per day.

- Signs – Several issues regarding signage have come up in the past year. Planning & Development Services received several complaints and questions regarding the proliferation of TAMU student election signs, the types of signs allowed for special events, and when it is necessary to remove an existing sign. Several amendments are proposed to create clear requirements:
  - Limiting the size and duration of display for non-commercial signs. It has been determined that signage for student elections is protected as is signage for city, state, and national elections. State statute allows for size and time limitations, so it is proposed that these regulations be added.
  - Clarifying that special events are not limited to one sign, but may have multiple signs, including banners and balloons.
  - Stating that signs and sign structures must be removed when associated buildings are removed from sites. Several non-conforming signs have been allowed to remain on a site when all other structures have been removed and rebuilt to current code. To simplify the enforcement of required sign removal, it is proposed that signs and their supports be removed when their associated buildings are removed.
- Non-Residential Architectural Standards – Last year the City Council adopted the Non-Residential Architectural Standards section of the UDO. The past year of Staff implementation of the ordinance and customer experience of complying with the code have sparked many discussions and suggestions. Among the changes that are proposed are:
  - Including a table summarizing the requirements of the section.
  - Defining what façades are considered to face a right-of-way.
  - Requiring architectural relief and sidewalk and tree standards (for projects 50,000 sq.ft. and greater) for all façades facing a right-of-way, not just for front or main building façades. In a couple of recent projects, buildings have been turned so that the rear façades face major arterials and the fronts face parking lots. For visual interest from the public rights-of-way, it is proposed that requirements be based on rights-of-way and not on building orientation.
  - Allowing the DRB to consider larger or more flexible waivers to the standards.

### **Recommended Changes Since the Draft:**

The draft has been available for public comment for approximately four weeks as of the date of this memo. Based upon further review and public feedback since its release, Staff recommends the following items be considered for inclusion in the final draft you will be consider in the next few weeks:

1. To change references of “formally filed” to “filed” for consistency and clarity (Section 3.3).

2. To change the Minimum Off-Street Parking Requirement for Motor Vehicle Service Areas from one space per 100 sq.ft. to 1:200 (Section 7.2).
3. To clarify the intent and requirements of traffic impact analyses (Section 7.4).
4. To add a statement warning that property owners will be responsible for the reconstruction of dumpster enclosures location within utility easements that are removed for utility construction and/or maintenance (Section 7.8).
5. To further clarify the proposed definition of a “façade facing a right-of-way” (Section 7.10).
6. To remove the proposal that architectural features/articulation be required on all façades, instead expand the requirement for certain building materials be extended to every façade, then remove the buffer requirement for rear façades that are metal and limit the amount of metal that may be used (Section 7.10).
7. To allow limited exceptions to Non-Residential Architectural reflective glass standards when they come into conflict with International Energy Code requirements (Section 7.10).
8. To remove the requirement that certain buildings have a 30-inch back of required materials at their base (Section 7.10).
9. To amend the definition of building plot so that pad sites in older shopping centers that had never been considered part of the building plot are considered so when the pad site is demolished and redeveloped (Section 11.2).

One additional change that has been requested is that the UDO allow for recreational vehicle parks. This land use was considered by City Council several years ago, but was not adopted because of Council concerns of such parks becoming permanent student housing. Staff recommends the land use be considered again. If it is decided that RV parks should be considered again, it is recommended that Staff be allowed to come back to the P&Z and Council with a proposed UDO amendment separate from the Annual Review.

Please be aware that it is the intent of Staff to correct formatting issues (such as page number locations and tables that continue across pages) once the final draft has been adopted.

### **UDO Annual Review Process:**

The 2004 annual review of the UDO was concluded in September of last year when the City Council adopted a number of amendments. Since that time, Staff has brought forward two additional amendments that have been adopted (regarding signage and non-residential architectural standards). In April of 2005, Staff meetings began to discuss issues that had evolved since the last annual review. These items were discussed with the P&Z and City Council at workshops in May and Staff was given input on how to proceed. After these discussions in May, the issues were posted on the City’s website for public review and comment. Planning & Development Services staff began discussing the annual review and issues with the public in May and have continued to do so through public meetings, guest speaking engagements and personal communications. Staff returned to the City Council in August to inform them of the status of the process. The draft of the UDO was given to the P&Z on November 3<sup>rd</sup> and

was posted on the website for public review and comment on November 4<sup>th</sup>. E-mails announcing the draft availability were sent to City contact lists on Nov. 8<sup>th</sup>–10<sup>th</sup>. With an anticipated date of January 5, 2006 for P&Z consideration, the public will have had access to the draft for approximately nine weeks.

## **Northgate**

As Northgate is a zoning district with a unique set of stakeholders, the changes proposed to the Northgate section of the UDO have undergone a process separate than the UDO Annual Review to this point. Staff met with the Design Review Board several times at the end of last year to gather their insight since they are currently the body responsible for the review of all new and significant development proposals in Northgate. Staff next went to the Northgate stakeholders. Earlier this year we held three public meetings to which Northgate property and business owners were individually invited and the public in general was invited to attend. At each of these meetings, ordinance concepts were discussed. The public input was taken back to the DRB for their thoughts, then the process of drafting a new code began. The status of the process was discussed with City Council in August, and the draft amendment was made available to the public on August 17<sup>th</sup>. In late August, a public meeting over the draft was held in Northgate. Many of the changes suggested by the public have been made to the draft. A few of the suggestions, such as allowing larger big boxes in the area—which staff felt may undermine the intent of the district, were not incorporated.

A consulting firm from Austin that specializes in redevelopment analysis and planning (TIP Strategies, Inc.) was hired to review the draft after the last of the public input was integrated. The draft was reviewed in light of the 2003 *Northgate Redevelopment Implementation Plan* and met with positive feedback (the consultant's review is attached). One of the consultant's suggestions still outstanding that Staff is pursuing is the incorporation of more graphics into the ordinance. A person who does CAD drafting has been hired and is currently working on several graphics to help show the intent of the regulations.

Staff recently merged all of the proposals for the Northgate districts into the annual review draft so that the UDO could be considered by the public, P&Z, and the City Council in its entirety.