



**Mayor**  
Ben White  
**Mayor Pro Tem**  
Ron Gay  
**City Manager**  
Glenn Brown

**Councilmembers**  
John Crompton  
James Massey  
Lynn McIlhaney  
Chris Scotti  
David Ruesink

**Agenda**  
**College Station City Council**  
**Workshop Meeting**  
**Thursday, March 27, 2008 3:00 p.m.**  
**City Hall Council Chambers, 1101 Texas Avenue**  
**College Station, Texas**

1. Presentation, possible action, and discussion on items listed on the consent agenda.
2. Presentation, possible action, and discussion regarding neighborhood integrity items including code enforcement, city/neighborhood/University/student/property manager relationships, rental registration, permitted number of unrelated individuals, dense development standards, and neighborhood services.
3. Presentation, possible action, and discussion regarding College Station's Greenways Program including discussion of current practices and updating of the Greenways Plan.
4. Presentation, possible action, and discussion regarding the update to the City of College Station's Comprehensive Plan.
5. Presentation and discussion on an update of the city's Red Light Camera Program.
6. Council Calendar
  - March 26 CSPD Annual Employee Banquet Pebble Creek CC, 6:30 pm
  - March 28 Texas Institute Preclinical Studies Groundbreaking - Texas Institute for Genomic Medicine (TIGM) Grounds - 670 Raymond Stotzer Parkway, 2:00 pm
  - March 29 Celebrity Roast for Royce Hickman, Hilton, 6:00 pm
  - March 31 Citizen University, Mayor/Council Council Chambers, 5:30 pm – 7:30 pm
  - April 2 Annual Appreciation Picnic, Interfaith Dialogue, City Hall, 11:30 am
  - April 5 Little League Opening Ceremonies. Southwood Athletic Complex, 10:00 am
  - April 6 A Musical Evening with "The Yale Whiffenpoofs and Texas A&M University Singing Cadets", Annenberg Presidential Conference Center, 5:00 pm
  - April 10 Better Business Bureau 2008 Torch Awards luncheon, Miramont Country Club, 12:00 pm
  - April 10 City Council Workshop and Regular Meetings, **2:30 pm** and 7:00 pm
7. Presentation, possible action, and discussion on future agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

8. Discussion, review and possible action regarding the following meetings: Arts Council Subcommittee of the Council, Audit Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Cemetery Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Library Committee, Metropolitan Planning Organization, National League of Cities, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments (Notice of Agendas posted on City Hall bulletin board).
9. Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending and contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Application with TCEQ in Westside/Highway 60 area, near Brushy Water Supply Corporation.
  - b. Civil Action No. H-04-4558, U.S. District Court, Southern District of Texas, Houston Division, *College Station v. U.S. Dept. of Agriculture, etc., and Wellborn Special Utility District.*
  - c. Cause No. GN-502012, Travis County, *TMPA v. PUC* (College Station filed Intervention 7/6/05)
  - d. Sewer CCN request.
  - e. Legal aspects of Water Well and possible purchase of or lease of another water site.
  - f. Civil Action No. H-04-3876, U.S. District Court, Southern District of Texas, Houston Division, *JK Development v. College Station.*
  - g. Cause No. 06-002318-CV-272, 272<sup>nd</sup> Judicial District Court, Brazos County, Texas, *Taylor Kingsley v. City of College Station, Texas and Does 1 through 10, inclusive.*
  - h. Cause No. 485-CC, County Court at Law No. 1, Brazos County, Texas, *City of College Station v. David Allen Weber, et al.*
  - i. Bed & Banks Water Rights Discharge Permits for College Station and Bryan
  - j. Cause No. 07-001241-CV-361, 361<sup>st</sup> Judicial District Court, Brazos County, Texas  
*Gregory A. & Agnes A. Ricks v. City of College Station*
  - k. Water CCN request
  - l. Legal issues and advice on Brazos Valley Solid Waste Management Agency Contract, on proposed Brazos Valley Wide Area Communication Contract, on proposed Common Use Contract, on proposed Franchise with City of Bryan for B.T.U. Electric, on proposed easement and pole use for College Station electric line and update on legal proceedings for Grimes County Landfill site and on contract for site acquisitions.
10. Action on executive session, or any workshop agenda item not completed or discussed in today's workshop meeting will be discussed in tonight's Regular Meeting if necessary.

11. Adjourn.

APPROVED:

\_\_\_\_\_  
City Manager

Notice is hereby given that a Workshop Meeting of the City Council of the City of College Station, Texas will be held on the 27<sup>th</sup> day of March, 2008 at 3:00 pm in the City Hall Council Chambers, 1101 Texas Avenue, College Station, Texas. The following subjects will be discussed, to wit: See Agenda

Posted this 24<sup>th</sup> day of March, 2008 at 2:00 pm



\_\_\_\_\_  
City Secretary

I, the undersigned, do hereby certify that the above Notice of Meeting of the Governing Body of the City of College Station, Texas, is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board at City Hall, 1101 Texas Avenue, in College Station, Texas, and the City's website, [www.cstx.gov](http://www.cstx.gov). The Agenda and Notice are readily accessible to the general public at all times. Said Notice and Agenda were posted on March 24, 2008 at 2:00 pm and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

This public notice was removed from the official board at the College Station City Hall on the following date and time: \_\_\_\_\_ by \_\_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF COLLEGE STATION, TEXAS

By \_\_\_\_\_

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_  
Notary Public – Brazos County, Texas

My commission expires: \_\_\_\_\_

This building is wheelchair accessible. Handicap parking spaces are available. Any request for sign interpretive service must be made 48 hours before the meeting. To make arrangements call (979) 764-3517 or (TDD) 1-800-735-2989. Agendas may be viewed on [www.cstx.gov](http://www.cstx.gov). Council meetings are broadcast live on Cable Access Channel 19.

**March 27, 2008**  
**Workshop Agenda Item 2**  
**Strong & Sustainable Neighborhoods**  
**Neighborhood Integrity – An Action Plan**

**To:** Glenn Brown, City Manager

**From:** Bob Cowell, AICP, Director of Planning & Development Services

**Agenda Caption:** Presentation, possible action, and discussion regarding neighborhood integrity items including code enforcement, city/neighborhood/University/student/property manager relationships, rental registration, permitted number of unrelated individuals, dense development standards, and neighborhood services.

**Recommendation(s):** Staff recommends the Council provide direction and clarification on the policy options presented by staff.

**Summary:** This purpose of this agenda item is to provide the Council with an overview of past neighborhood integrity issues and policy recommendations for addressing issues that will result in strong and sustainable neighborhoods.

Specifically, staff will briefly discuss previous efforts by the City to support neighborhood integrity and the results from these efforts. Staff will also provide an overview of the most recent community engagement effort. Staff will present its recommendations on the following:

- § Neighborhood Planning
- § Home Ownership Programs
- § Property Maintenance Code
- § Neighborhood Services
- § Neighborhood-focused code enforcement
- § Rental Registration
- § Model Lease Program
- § Dense Development Standards
- § Improved Data Collection, Reporting, and Analysis
- § TAMU Aggieland Solution
- § TAMU/City Relationship and Joint Efforts
- § Neighborhood Outreach
- § Outcome, Output, and Programmatic Performance Measures
- § Nuisance Properties
- § Party Host Responsibilities
- § Number of Unrelated Individuals

The proposed Plan of Action should be viewed as a beginning point and not an end unto itself. The proposed plan presents several key strategies, programs, and actions which represent staffs best effort to understand the problem and offer meaningful responses to the identified problems.

**Budget & Financial Summary:** N/A – To be determined following policy direction.

**Attachments:**

1. Strong and Sustainable Neighborhoods: An Action Plan for Neighborhood Integrity

2. November 19, 2007 Council Briefing
3. February 4, 2008 Stakeholder Representative Meeting Notes
4. February 4, 2008 Consultants Synthesis Document
5. February 23, 2008 Consultants Presentation
6. February 23, 2008 Stakeholder Representative Meeting Notes
7. Living Among Aggies (2<sup>nd</sup> Edition)

# **Strong and Sustainable Neighborhoods An Action Plan for Neighborhood Integrity**

## **Introduction**

Neighborhood Integrity or perhaps more to the point, the desire for strong neighborhoods meeting the demand for housing and contributing positively to the quality of life experienced in College Station, has been at the forefront of community discussions for some time. Indeed, one could argue that the desire to build and maintain strong neighborhoods closely integrated with the University was the very basis for the formation of the city itself.

As the home of Texas A&M University, College Station is home to thousands of university students. As the University continues its growth and expansion, the community has the opportunity to accommodate an increasing number of students in off campus housing. Our challenge is to welcome the increasing number of students while retaining the strength and vitality of our neighborhoods.

Among the challenges before us are; first our housing stock is aging resulting in maintenance requirements and often leading to investment ownership and renter occupation in traditional single family neighborhoods. Second, there are issues which manifest themselves in our residential neighborhoods as a result increased number of units being available for rent – parking, trash, poorly maintained housing, and noise. Third, homeowners view the transition of homes in their neighborhoods into rentals as intrusive and unwelcome change. Finally, current market conditions will likely see additional housing constructed to accommodate the student rental market.

## **Objective of this Action Plan**

Strong and Sustainable Neighborhoods – An Action Plan for Neighborhood Integrity has a threefold objective:

1. Gain an understanding of the issues and present a policy rationale for strong and sustainable neighborhoods.
2. Identify existing neighborhood integrity efforts employed in the City of College Station.
3. Recommend specific policy initiative(s) to enhance existing efforts.

## **Rationale for Strong and Sustainable Neighborhoods**

Neighborhoods are the basic building blocks of our city. Neighborhoods are where we live, raise our families, and socialize with our friends and neighbors. In many ways our city is only as strong and sustainable as our neighborhoods. Our neighborhoods are a collection of varying housing types with an increasingly diverse occupancy composition. There are greater than 34,000 dwelling units (including all housing types except “group quarters”) in College Station. The majority of these dwelling units are renter occupied, though the majority of single family homes remain owner occupied.

In 2000 it was estimated that nearly 75% of the single family homes located in College Station were owner occupied. Still more than 5,000 single family homes are occupied by renters. Further, the majority of dwelling units are occupied by non-family households, that is households functioning as a family but not related to one another. In 2000 it was estimated that approximately 60% of all households were composed of non-related individuals.

College Station citizens have been clear in their desire to promote strong and sustainable neighborhoods. Throughout the Comprehensive Plan update, citizens voiced their support for efforts that protect neighborhood integrity. The Comprehensive Plan Advisory Committee (CPAC) has addressed this specifically through establishing working goals for the Comprehensive Plan update that state “Strong, unique neighborhoods...” and “Long-term viability and appeal of established neighborhoods”.

For the purposes of this action plan we have adopted the working goal of

*Protect and Strengthen College Station neighborhoods resulting in distinct neighborhoods that welcome homeowners, renters, students and others, maintain their viability over time and enhance the overall quality of life for our citizens.*

Strong and sustainable neighborhoods are too important to leave to piece-meal solutions implemented to address what is portrayed as the current crisis. Strong and sustainable neighborhoods demand the best we have to offer; that is a thoughtful and comprehensive policy approach that contributes positively to the quality of life for all that call College Station home.

The City Council directed the City Manager at its November 19, 2007 Council meeting to proceed with developing a holistic response to issues being confronted by College Station neighborhoods. Since receiving direction from the Council, the following actions have been undertaken:

- Convened a 35+ member engagement panel consisting of homeowners, students, realtors/investors, TAMU administration and city staff
- Conducted two – day long engagement sessions to identify issues and possible solutions
- Conducted a review of best practices from other major university communities
- Conducted a review of existing codes, ordinances, and organizational practices of the City of College Station to identify gaps, inconsistencies, and potential areas of modification
- Established an interactive web page discussing neighborhood integrity

## **Challenges Before Us**

Given the current and anticipated future environment, the City government is being called to provide leadership in the critical area of Neighborhood Integrity. The Council has recognized the need to be proactive articulating through its Strategic Plan several policy directives and initiatives related to neighborhood integrity. This proposed Plan of Action attempts to quantify and offer the Council and community specific direction to move the organization and community towards a positive response to our present and future conditions.

As we address the challenges presented by enhancing the quality of our neighborhoods, providing protection to homeowners, and providing a welcoming home to our university students, we must acknowledge it is a shared responsibility by the entire community – City government, resident homeowners, students, investor-property managers, and University administration. We will not be successful without the full involvement of each key stakeholder to contribute towards the solution.

The City government must take a leadership role to bring together the key stakeholders. We must position ourselves to implement strategies and programs to enhance the quality of life and stabilize neighborhoods in transition. There must be a full recognition that we have limitations. We must strike a clear balance between actions appropriately belonging with City government and actions which more appropriately belong to other key stakeholders.

The proposed Plan of Action should be viewed as a beginning point and not an end unto itself. The proposed plan presents several key strategies, programs, and actions which represents our best efforts to understand the problem and offer meaningful responses to address the identified problems.

## **Emphasis Areas, Proposed Strategies and Actions**

### **Emphasis Areas**

- § Adapt current service delivery system (planning, code enforcement, outreach, etc) to have a greater orientation toward neighborhoods.
- § Enhanced use of regulatory and enforcement tools currently available to the City
- § Full engagement of all stakeholders in the solution

### **1.0 Strategy**

Improve the capacity of neighborhoods to deal with a myriad of planning and quality of life issues including those resulting from an aging housing stock and an increase in the number of rental units.

One of the many challenges we face is the recognition that we have aging housing stock in the community. As the housing stock ages, it is frequently converted to rental units in previously owner occupied single family neighborhoods or falls into disrepair. Our strategy suggests that we should be proactive in addressing this issue through multiple actions.

- 1.1 Action Re-establish the neighborhood planning program and ensure that the efforts compliment the comprehensive plan and are closely aligned with City objectives to stabilize and enhance neighborhoods. Our Neighborhood Planning efforts should focus on developing neighborhood specific strategies and protections to promote neighborhood stabilization, appearance, public infrastructure, and compatible land use.
- 1.2 Action Promote home ownership through various programs managed by the City for first time home buyers to increase homeownership in targeted neighborhoods. Home ownership is a key to neighborhood stabilization.
- 1.3 Action Use adopted property maintenance codes and ordinances to enhance property maintenance. We need to better use existing legislation to promote neighborhood pride and appearance.

**2.0 Strategy** Orient service delivery toward neighborhoods and enhance the City's enforcement tools to better address the rental market.

- 2.1 Action Establish a single point of responsibility in the City organization oriented to addressing neighborhood issues and coordination of all City programs. One of the weaknesses identified through this process was the identification of multiple points of entry into the City processes. This can be both confusing and time consuming for citizens with legitimate concerns.
- 2.2 Action Conduct intensive neighborhood enforcement programs in select neighborhoods for code compliance. This is a multi-functional approach to address transitional neighborhoods. If a neighborhood association is not present work to develop an association. Provide education programs as well as enforcement activities. Bring together key stakeholders to identify needs of the neighborhood and use the array of tools provided in this plan to address the concerns.
- 2.3 Action Promote the formation and registration of neighborhood associations and enhance their effectiveness. Perhaps one of the best ways that a neighborhood can partner with the city and others ensuring that neighborhoods remain strong and sustainable is to form a neighborhood association and to get it registered with the city. This organizational structure allows us to address issues in a systematic manner and enables the city to readily engage neighborhood. Certain services offered by the city can only be reasonably offered at this level.
- 2.4 Action Implement Universal Rental Registration Program. All single family rental properties should be registered at no cost to the property owner. The registration should be minimally intrusive and should be easy to complete. The information collected should include a mandatory local point of contact and the current number and names of tenants on the lease.

Registrations should be renewed annually and should coincide with the University calendar. This always creates an opportunity to present information to tenants about city codes, neighborhood activities, and the educational programs offered by the city.

- 2.5 Action Landlords and property investors should be encouraged to adopt model leases which provide protections to landlords to deal with difficult situations. The model lease is in place with a number of properties already in the city with good results. The City and Landlord Associations should through its education efforts strongly suggest the adoption of the model lease to provide landlords with the tools to address problem properties.
  - 2.6 Action Enhance development standards. Dense small lot development (i.e., developments that are susceptible to conversion to rental units) should have higher development standards including no parking zones concurrent upon recording of the plat, designated overflow parking areas, mandatory alleys, off-street parking tied to # of bedrooms, maximum lot coverage, etc. These standards could be lessened or waived if the development is subjected to a zoning prohibition against two or more unrelated individuals residing in the homes.
  - 2.7 Action Improve data collection on neighborhood problems and challenges. Better use of the city's web site and GIS to collect data on neighborhood problems should be implemented. Better collection of data related to violations, including mapping, data bases, etc. to aid in identifying trends and "hot spots" to permit proactive action by the City in addressing the issues and concerns.
- 3.0 Strategy** Educate key stakeholders and community. One of the critical needs is to provide continuous education of key stakeholders on the need to have strong viable neighborhoods.
- 3.1 Action Fully implement the Aggieland Solution program presented by TAMU student leadership. This is a proactive program which benefits the entire community.
  - 3.2 Action Work with University Administration to apply the Aggie Code of Honor and other codes of conduct and behavior to off campus activities. This will provide an additional support system to assist students in transitioning to life in the community at large and promote good citizenship.
  - 3.3 Action Work with University Administration to educate students upon arrival on Campus to understand community standards and expectations. There is a gap between students understanding local standards and expectations which can be met during orientation sessions when they arrive on campus to begin their college work.

- 3.4 Action     Develop and implement “Howdy Neighbor” program as a direct outreach by neighborhood associations to welcome new residents to their neighborhoods. There are several good examples already in place within the community in which neighborhood associations provide new residents with informational packets to help them transition into the neighborhood. This program needs to be expanded and implemented by Neighborhood Associations.
- 3.5 Action     The City government should develop a comprehensive training and education program to assist key stakeholders to address the many facets of this Plan of Action. The city should become the reservoir of materials, information, and programs to assist students, neighborhood associations, individual citizens, and landlords to obtain information to assist them in developing a positive response to Neighborhood Integrity issues.
- 3.6 Action     Establish performance measures that address programmatic accomplishments, outputs, and outcomes. These measures should be grounded in this action plan and other adopted Council plans and policies and should be use to determine the success of the various efforts identified in this plan.

**4.0 Strategy**   Provide for additional enforcement tools to address Neighborhood Integrity issues. This plan suggests a number of specific proposals to address Neighborhood Integrity.

- 4.1 Action     Amend the City code to codify that any property that receives three verified actions (i.e., written warnings, citations, etc) in a period of one year (that is the registration cycle) will be considered a nuisance property and procedures for enforcement as provided by Local Government Code will be initiated by the City. Failure to have a property properly registered at the time of a verified complaint shall constitute a verified action in itself. Once a property has been declared a nuisance property a zero tolerance policy will be employed for a period of at least one year, meaning that subsequent verified actions will result in mandatory levying of applicable citations and fines.
- 4.2 Action     Amend the City code to codify host responsibilities for parties in residential areas. This should clearly outline who is responsible for what and what the potential consequences will be for failure to meet these expectations. This information could be made a part of what is delivered to the tenants during the rental registration process.
- 4.3 Action     Adopt a mediation procedure to resolve areas of disagreement between various parties involving Neighborhood Integrity issues. The mediation procedure is suggested by the Aggieland Solution and merits implementation.

### **Unrelated Individuals**

A great deal of discussion has centered around the issue of the permitted number of unrelated individuals allowed to reside in a single dwelling unit. Currently the City regulates this number at four per unit. It is the staff's belief that the afore-described action plan can succeed with or without adjustment in the permitted number of unrelated individuals. If Council elects to reduce the permitted number of unrelated individuals, staff continues to recommend all of the identified actions contained in this plan. If Council elects to reduce the permitted number of unrelated individuals it is recommended that such a provision apply only to neighborhoods that succeed in securing the support of at least 60% of the property owners located in a plat or phase of a plat. It is also important to remember that any such action will not eliminate the non-conforming (or grandfathered) status of properties currently housing four unrelated individuals.

### **Conclusions**

A real opportunity exists in College Station. An opportunity to demonstrate how a community can welcome thousands of students, address an aging housing stock, and build strong and sustainable neighborhoods. This opportunity will not be without its challenges, but then few things that are worth doing come without challenges. This opportunity requires a clear focus, tailored solutions, and the commitment of all partners. Implementation of this action plan will result in strong and sustainable neighborhoods that continue to make College Station a great place to call home for homeowner, renter, and student alike!

# Neighborhood Integrity Briefing

College Station City Council  
November 19, 2007

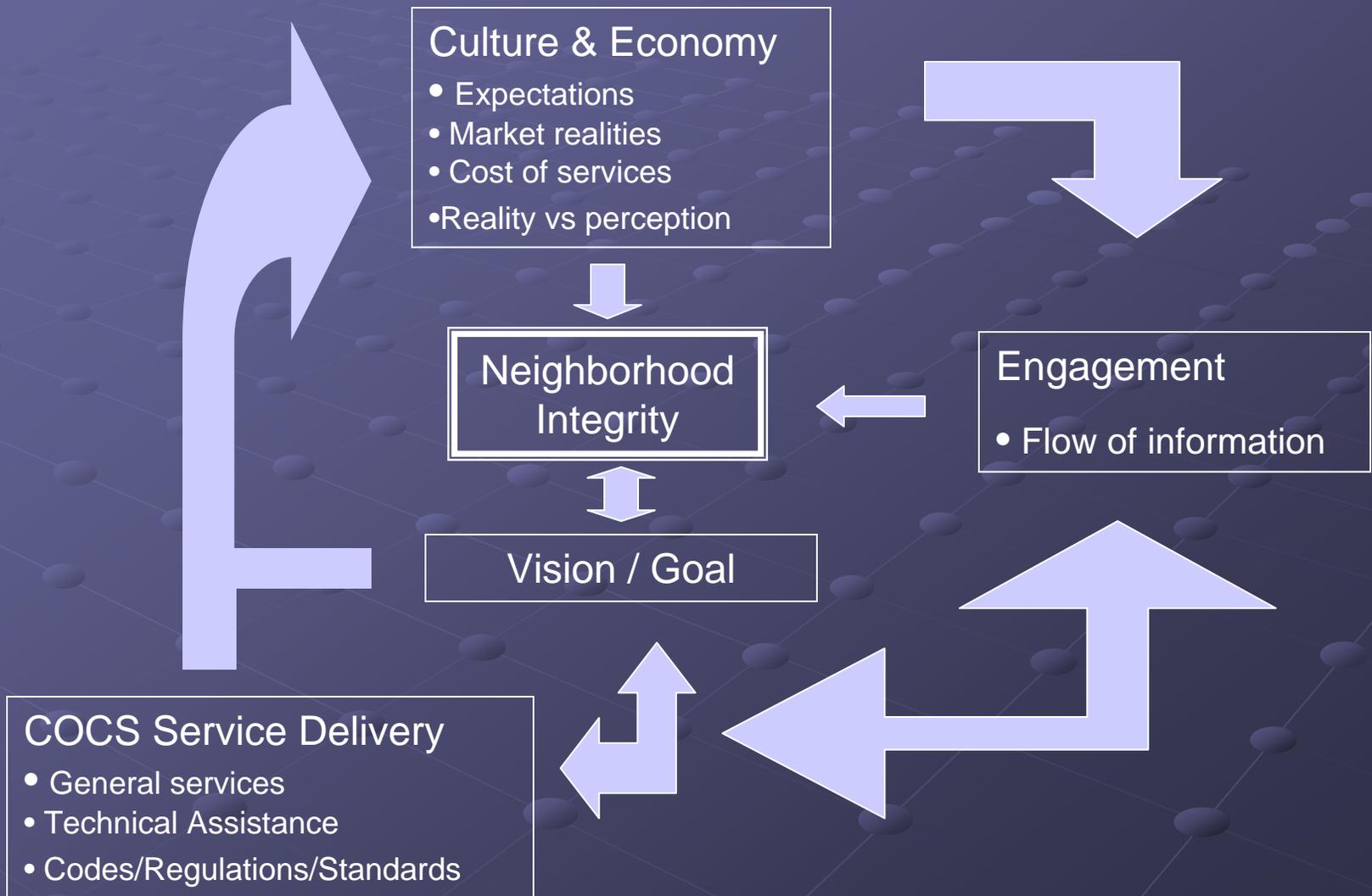
# Presentation Objectives

- Overview of Neighborhood Integrity
- Recommend process to address challenges
- Questions, discussion, direction

# Overview

- Neighborhood Integrity Complex Issue
  - Quality of Life Quotient
  - Home to TAMU and Blinn Students
  - Vision for community & neighborhoods
  - Values
  - COCS Service Delivery System
  - Fuzzy problem definition
  - Silver bullet solutions

# Overview



# Overview

## ● Challenges

- No clear definition of problem
- Silo dwelling
- Absence of key stakeholders
- Staff acknowledgement of problems

# Recommended Process

## ● Process objectives

- Consensus building
- Clarity in problem definition
- Specific actions and solutions
- Engagement of all key stakeholders

# Recommended Process

- Working Problem Statement

How does College Station house a large young transient population while establishing and maintaining neighborhood integrity?

# Recommended Process

- Data and Information Collection (underway)
  - Survey other major university communities
  - Identification of best practices
  - Forensic review of previous City initiatives
  - Catalogue of issues, concerns, and questions

# Recommended Process

- Identification and Engagement of key stakeholders
  - Neighborhoods
  - Students
  - University administration
  - Realtors
  - Property Managers
  - Builders / investors
  - Staff

# Recommended Process

- Deploy Community Problem Solving Model for this project
  - Engagement of key stakeholders
  - Problem definition
  - Include all topics and concerns
    - Parking
    - Unrelated individuals
    - High density street standards
    - Sustainable neighborhood development
  - Develop options and alternatives
  - Consensus building

# Recommended Process

- 2 - day long workshops with stakeholders
- Outside professional facilitator
- Address challenges
- Develop consensus recommendations
- Develop professional staff recommendations to operationalize consensus recommendations
- Brief stakeholders
- Brief P&Z
- Brief Council

# Recommended Process

## ● Timetable

- Council briefing November 19, 2007
- Identification key stakeholders November 2007
- Stakeholder appointments January 2008
- CPS Workshops January – February 2008
- Brief stakeholders March 2008
- Brief P&Z March 2008
- Recommendations to Council March 2008

# Recommended Process

- Why take the time to conduct Community Problem Solving Process?
  - This is a *wicked* issue
  - Examine the issues in context
  - Engage all key stakeholders
  - Build consensus for actions

# Recommended Process

- What will the Council receive in March 2008?
  - Well thought out policy recommendations
  - Action Plan to address challenges
  - Integrated solutions

# Conclusions

- Questions
- Discussion
- Direction from Council

**Meeting Notes**  
**"Neighborhood Integrity" Meetings 2-4-08**  
**College Station Texas**

**NOTE:**

- 1. The "issues" listed in this document were each identified by at least one person attending the particular session. Others present may have disagreed with whether a particular issue exists or is a problem if it does, but people were asked not to contradict others at the meeting. This is thus what staff and the consultant believe is a reasonably complete list of issues raised, but it is not a consensus or final list. A separate document provides the consultant's attempt to synthesize and simplify the issues.*
- 2. The "solutions" listed in this document were each identified by at least one person attending a particular session. It was very clear at the meeting that others have concerns (ranging from moderate to severe) about some of these possible solutions. The suggested "solutions" listed here are presented merely as a list of items raised by participants – and not as specific recommendations. There will be more discussion of possible consensus or compromise solutions on 23 February.*

**Opening Session**

**Issues**

- University role in solution (not been included before)
- Student adjustment to new environment contributes to behavioral issues
- Apparent lack of consequences
  - Parking on street
  - Noise from parties
  - RV/Boat Parking
- Lack of communication to and from city
- Property maintenance
- Perceived lack of code enforcement
  - On-street parking
  - Number of unrelated
  - Parties – what happened to no tolerance
- Student perceptions of sense of animosity from neighbors/city towards all students
- Inconsistent responses by City
  - Zero Tolerance Policy not always in effect

- Inadequate maintenance of some commercial properties near neighborhoods contributes to this problem
- Procedural and other limitations on City under state zoning enabling laws
- Question raised about ability of City to enforce covenants
- Students may not always provide adequate pet care
- Sprawl
  - This problem may lead some residents to move farther out
  - Won't find students out that far
- This issue may limit the attraction of College Station as a retirement community for former Aggies
- Question raised about noise abatement – can city control vehicular noise?
- Possible adverse effect of rental properties on single-family property values
- Density of rental units contribute to this issue
- Student Participation
  - Students present pleased to be involved and regret that they were not involved earlier
  - At least one neighborhood representative expressed the view that students should not be involved
- Many neighborhoods built under design standards that are not adequate for many uses today – particularly off-street parking
- Aging housing stock (see issued immediately above)
- 37,000 students living off campus
- Parking a particular problem where it results in blocking driveways

## Solutions

- Rental Registration
- Neighborhood information packet
  - Distributed to all new residents, including renters
  - Summarizes covenants and sets standard of expectations
- Neighborhood relations dept. important
- City might provide model lease language, giving landlords more tools to use in dealing with tenants who pay their rent but are neighborhood problems
  - Many (most?) landlords currently use Texas Apartment Association lease, which provides a good model
- More code enforcement officers

Current level of service (information provided by staff at meeting):

- Five people, including one supervisor
- Drive by most properties in city two times per week

- 96% of current enforcement activity is proactive (initiated by City, rather than by complaint)
- Ordinance limiting occupancy of single-family dwellings to not more than two unrelated persons
  - Such restrictions might be imposed city-wide or just in designated neighborhoods
- Separate zoning district for rental units
- Review effectiveness of existing ordinances:
  - Enforce existing ordinances before drafting new ones
  - May need to be rewritten

## Neighborhood Session

### Issues

- Deterioration and apparent lack of maintenance of rental properties
- Requiring signatures of 60% property owners to sign petitions to create neighborhood conservation district seems too high to some
- Since parking is a major part of the issue, maybe City should reevaluate parking rules:
  - Consider prohibiting on-street parking on all streets that are 27 feet wide or less?
  - Part of the problem arises from parking large SUVs and pick-up trucks, which are common in College Station but much wider than cars
- Some neighborhoods don't have sidewalks
- Associations need to know the ordinances and how to target the program
- Rotation of city staff big difficulty in achieving neighborhood goals
- Improved communication may not make a difference in student behavior – at least some present believe that there is already a “wealth” of information available to students and that they do not pay much attention to it

### Solutions

- Allow each neighborhood to design guidelines for addressing rental housing in that neighborhood
  - Process would be same as with the neighborhood conservation district but would be expanded to address rental housing issues

- Decrease required number of signatures to from neighborhood conservation district to 50% + 1
- Rental Registration
- Parking permit program to limit on-street parking
- Creation of Council of Neighborhood Associations to discuss issues and communicate
- Question raised as to whether the City should be enforcing architectural standards contained in covenants

*Answer from consultant and staff was "no;" however, some basic design standards are included in the neighborhood conservation district, and those can be enforced by City.*

### Other discussion

- 

### Investor/Realtor Session

#### Issues

- Some developers have tried to address parking issue by providing rear parking provided for some units
- Developers and investors have turned to renting single-family houses in part because City has zoned against duplexes in areas near campus
- Issue now affects more of City, because price of homes no longer dictates areas where parents buy for students to use and sub-lease
- Issues not a function of occupancy – landlords do not believe that reducing occupancy from 4 to 2 will solve the problems

#### Solutions

- Professional lawn maintenance helps
  - Provided for large complexes and some neighborhoods of rental housing
  - Provided by some landlords if tenants fail to do it
  - Installing sprinkler systems to keep landscaping green helps
- Point system tied to rental registration
  - Cumulative
  - Gainesville, FL
- Owners should have local representation
- Increased street width with smaller lots
- Might have different design standards for proposed rental neighborhood, but hard to implement and enforce
- Rear alley or other access to rear parking seems like good idea

## **Student/A&M Admin Session**

### **Issues**

- Issue is trying to solve the residents issues
- Students feel discriminated against
- Students want to be part of the solution
- College Station 101 – student version of Citizens University
- Generational difference in finding solutions to problems, don't have to limit ourselves to get what we want
- Cultural differences with international graduate students – international student orientation

### **Solutions**

- Original proposal in Living Among Aggies has been revised
  - Revised proposal has little involvement of University Administration
  - Depends more on student leadership
- Fine students who abuse citizen privileges
- New student conferences as an avenue to start education
  - Have Neighborhood Services participate?
  - Invite representatives of homeowners associations?
- Student mediation and intervention may be helpful, because students respond differently to other students vs. cops, CE officers, etc.
- Handing out Neighborhood Info Sheets could help
- Tickets deferment/dismissal program – Living among Aggies
- Invite student leaders to meet with neighborhood associations or City-wide Council of Neighborhood Associations

## ***Neighborhood Integrity and Rental Housing***

### ***College Station Texas***

#### ***Consultant's Synthesis of Issues from Meetings 4 February 2008***

##### **Process Issues**

Students very much want to be involved and are somewhat concerned that the policy-making part of this process involving elected officials may take place while many of them are away for spring break.

*Comment: Bob Cowell assured students that the intent of Council is exactly the opposite and that this issue should be brought before Council for a policy decision while most students are still on campus.*

At least some neighborhood representatives do not believe that students should be involved in the discussion.

*Comment: This appears to be a minority view; the process has been established to include students, and it will continue to include them. The final decisions will remain with City Council, which will listen to whatever stakeholders it believes are relevant to the discussion.*

##### **Context Issues**

*Comment: The following issues provide a context in which the rest of the discussion must take place. They are, however, largely beyond the control of the City and must simply be accepted as part of the environment in which other issues must be addressed.*

About 37,000 Aggie students, as well as additional students from Blinn College, need off-campus housing in the College Station–Bryan metro area.

Many of the students are young and away from home for the first time; they may have difficulty adapting their normally civil behavior to this new context.

The population of College Station is aging, thus creating what may be a more significant generation gap (consultant's term) than has previously existed in many neighborhoods.

Almost everyone agrees that College Station should be an attractive place for retirement, particularly for former Aggie students; however, as more people retire to College Station, the "aging community" factor becomes larger. Although economics once limited the conversion of single-family homes to those in a few, modest neighborhoods, the economic pattern has changed; and there are a number of parents and investors acquiring properties for rental occupancy in many different neighborhoods.

Under Texas law, lawful nonconforming uses are protected, or "grandfathered in", under new regulations. Thus, any major change in the City's regulations (such as a new limit on occupancy) would apply only to units built or converted to rentals in the future, not to units that are now rented. Other types of regulations, such as new ordinances dealing with loud parties, can be applied to all persons in all units.

## **Public Policy Issues**

**Different rules for different neighborhoods?** Most people participating in the discussions seemed to agree that a new regulatory program can and should acknowledge differences among neighborhoods. A logical extension of this policy position would be that new restrictions should be imposed only on neighborhoods where a substantial number of property owners believe such regulations are both necessary and desirable. Most who spoke appeared to accept the concepts of neighborhood petitions and some degree of neighborhood self-determination, policies that underlie the City's new Neighborhood Conservation District; many seemed to believe that the Neighborhood Conservation process could be expanded to include limitations on future rental housing.

### **Different policies for landlords with problem properties than for other landlords?**

Landlords and investors expressed firm convictions that everyone in their business should not be punished for problems that they believe arise only from a small number of properties belonging to a small number of landlords. Although landlords and investors were the most adamant in expressing this position, no one else seemed to question it. Thus, one of the public policy questions that must be addressed in trying to find solutions to the problems is whether it is possible to craft a solution that has significant effects on "bad actors" without unduly impairing the reasonable business opportunities of others.

### **Voluntary compliance versus "zero tolerance" and immediate consequences for violators?**

College Station has taken great pride in achieving compliance with most regulations through warnings and moral suasion, without imposing fines or penalties. There is a tension, however, between the desire of residents for prompt and immediate consequences for disruptive neighbors and the desire of the City not to impose many fines. There is a further tension in that any expansion of enforcement efforts (which a number of neighborhood representatives advocate) would involve new costs to the City. If the public policy resolution of the previous issue is that there should be no new fees imposed on "good" landlords, it becomes essential to collect significant inspection fees or fines from landlords whose properties create problems for the City.

## **Substantive Issues**

**Parking** appears to be the most frequently mentioned substantive issue (really a symptom) of extensive rental occupancy in a neighborhood. Many of the excess vehicles are forced onto the streets, where the following problems may and sometimes do occur:

- Make street inaccessible to emergency vehicles
- Make street inaccessible to school buses
- Block neighbors' driveways
- Take up on-street parking that neighbors may expect to have available for their guests
- Make passage difficult for pedestrians in neighborhoods that lack sidewalks.

**Loud parties** and the secondary effects of such parties are also an issue in many neighborhoods. Parties may be particularly problematic to neighbors when they are held outside. Some of the negative effects of such parties on neighborhoods include:

- Noise after reasonable bedtimes for children and working adults

- Drunken behavior of party participants, some of which carries into neighbors' yards
- Trash tossed or left to blow into neighboring yards.

Although the City devotes police and code enforcement resources to dealing with loud parties, they may not catch all such parties, and some students simply resume the objectionable behavior as soon as the City official leaves.

**Affordable housing for students** is a major concern of students and, from a somewhat different perspective, for landlords. Because Texas A&M continues to grow but appears to have stopped trying to house additional students, this will continue to be a growing issue. If occupancy of rental units were reduced to two persons per unit for all future rentals, it is likely that the cost of renting space in houses would increase and even more rental houses would be needed to provide for those students who must live off-campus but cannot or will not be housed in apartments or off-campus dorms.

*Comments: Student representatives seemed to have a good understanding of the local rental market and the potential effect on the availability and cost of housing that would result from the elimination of existing houses from the rental stock or reductions of occupancy. Not all of the economic argument are as clear-cut. One landlord argued that "even \$25 per year" would be an unaffordable fee to pay for a rental unit that he separately acknowledged would generate rental income of \$900 to \$1200 per month; that position appears to be more philosophical than economic, because a \$25 fee on \$12,000 or so of income would be a charge of less than one quarter of one percent (or less than the cost of an extra call to a sewer service to unplug a stopped up drain). The lack of economic basis to the landlords' side of this argument does not make the issue go away, but it is important to note.*

**Lawn and property maintenance** was an issue raised by a number of people. In further discussion, even those raising the issue acknowledged that this can be a problem with owner-occupied homes and homes rented to families, in addition to student-occupied housing. There is, nevertheless, a widely held perception in neighborhoods that student rentals in general tend to be among the units with the most maintenance issues visible from the street or neighboring premises.

**Occupancy.** A number of neighborhood residents expressed the opinion that the problem is one of having too many people in each rental unit.

*Comment: There is clearly a correlation between the number of occupants in a unit and the extent of the parking problem around it. Discussion with the large group and individual ones, however, failed to show a direct correlation between total occupancy and other problems that directly affect neighbors. Landlords and students alike disputed whether total occupancy is a real issue.*

**Other noise.** Some neighbors raised concerns about other noise issues related to vehicles used by occupants of rental housing.

## **Communication Issues**

**Among neighborhoods and students.** It is the consultant's conclusion that in many neighborhoods communication between neighborhood residents and their temporary neighbors is dismal and that the responsibility for the lack of communication is shared by all non-participants.

In contrast, there are clearly some neighborhoods where the communication among residents – including renters – is excellent, and that such communication makes life better for all of them.

**Among neighborhoods and landlords.** Not surprisingly, landlords and developers who attended the working sessions appeared to be attentive to community and neighborhood concerns. There does not, however, appear to be any consistent form of communication between landlords and the long-term residents of the neighborhoods in which they own rental property.

**With the City.** It is clear that both Eric Hurt, Director of Community Enhancement/Code Enforcement, and Barbara Moore, Neighborhood & Community Development Coordinator, have excellent relationships with many neighborhood representatives and landlords. Not all neighborhood representatives, and virtually none of the students participating in the discussions, are aware of the resources of their offices, however. There is a need to expand their excellent communication with many groups to include all stakeholders.

*Comment: Both Mr. Hurt and Ms. Moore appear to be working diligently to address this issue. It is one issue that is likely to be cured no matter what comes out of this process.*

**To students.** College Station 101 and a new leadership program provide excellent information about the responsibilities of community citizenship to a tiny percentage of the students at Texas A&M. There is currently no structured program that disseminates information to students on important local laws, issues in neighborhoods, and the general responsibilities of adult citizenship in a community.

**To neighbors.** It appears that many neighbors think of students as “those people” – a group that is not understood and therefore somewhat intimidating. Most graduate students at Texas A&M are international students, therefore issues of color, language, religion and culture contribute to the ways in which they are different from others in neighborhoods in which they live. There is currently no structured program that helps neighbors to understand today’s students and to understand and accept those who come from other countries and other cultures.

## **Enforcement Issues**

There is a widely held belief among neighborhood representatives that increased enforcement efforts would reduce the problems arising from rental houses in neighborhoods. Some student representatives argued fervently that there should be no new ordinances until it is clear that all reasonable efforts are being made to enforce current ordinances. No one involved appears to oppose increased enforcement efforts, but no one proposed a way to pay for it. Such efforts in other communities are often funded with fees charged to owners of rental units, a concept to which there is strong opposition by College Station landlords.

*Comment: More enforcement effort almost always pays off in increased compliance. The consultant would note, however, that, if accurate, the 96 percent “proactive” enforcement effort and the “drive by every property twice a week” performance levels of College Station enforcement staff are commendable. In driving through many neighborhoods (admittedly on a Sunday night, when, according to neighbors, there are usually few problems), the consultant viewed far fewer obvious code problems in neighborhoods than he has observed in similar neighborhoods in other college towns. Specifically, the consultant saw no vehicles parked on lawns, only one trash barrel left out by the street on what was clearly not a pick-up day, very little trash in yards, no upholstered furniture outside on porches (or on roofs – a college student favorite*

*elsewhere), no old refrigerators or coolers in yards, and no streets seriously impaired by the way in which vehicles were parked. The real problem with current enforcement efforts may not be a lack of personnel but a lack of serious and immediate penalties or other effective tools to deal with repeat and intransigent offenders.*

### **About this Document**

This document reflects the attempt of the consultant to the City of College Station to synthesize issues from a day-long series of meetings occurring on 4 February 2008. Participants in the meetings included leaders of neighborhood associations and other neighborhood activists, owners and developers of rental properties, student leaders from Texas A&M, and representatives of several city departments. This is an interim document to facilitate further discussion. It does not represent official policy of the City of College Station nor does it represent final recommendations of the consultant. It is a working document. Consultant contact – Eric Damian Kelly, J.D., Ph.D, FAICP, Duncan Associates 765-289-5380, [eric@duncanplan.com](mailto:eric@duncanplan.com) .

# College Station Rental Housing in Neighborhoods

# Consensus Points?

- Some of the issues related to rental housing should be addressed on a city-wide basis, but others should be addressed only in neighborhoods where residents express both a desire and a commitment to maintenance of a family life-style.

# Consensus Points?

- To the extent that issues with rental housing may be attributable to landlords, not all landlords are equally responsible for the problems, and proposed solutions should target landlords who cause or allow problems without unduly burdening others.

# Consensus Points?

- Effective enforcement is a critical element of any successful program to address building and occupancy issues. There **may** be a policy conflict between the City's commitment to resolving most infractions voluntarily and effective enforcement.

# Consensus Points

- Be sure that current ordinances are fully enforced before adopting new ones.

# Facilitator's Comments

- Any significant new enforcement effort or administrative program will require additional personnel and will result in additional costs to the City.
- There is no identified source of funding for such an effort.

# Recap of Existing Ordinances

- Zoning ordinance limits occupancy to not more than four unrelated person

# Existing Ordinances

- Noise ordinance (under “public nuisances”) prohibits defined loud noises that can be heard:
  - (a) in any occupied residential unit which is not the source of the noise or upon the yard, or;
  - (b) in the driveway of such residential unit;
  - (c) in a school or public building or upon the ground thereof while in use, upon any parking lot open to members of the public as invitees or licensees, and in any event from a location not less than less than fifty feet (50') from the source of the noise measured in a straight line from the source.
- Noise ordinance appears to apply to vehicles

# Existing Ordinances

- Parking Ordinance
  - Parking on yard or lawn prohibited
  - Parking on “unapproved surfaces” prohibited
  - Parking along specific streets or specific sides of streets prohibited (individual streets named in ordinance adopted or amended by City Council)

# Existing Ordinances

- General Nuisance Ordinance prohibits
  - (1) Accumulations of manure or rubbish which are breeding places for flies, mosquitoes, or vermin.
  - (4) Filthy, littered, or trash-covered cellars, house yards, factory yards, vacant areas in rear of stores, vacant lots, houses, buildings, or premises containing trash, litter, rags, accumulation of empty barrels, boxes, crates, packing cases, lumber or fire- wood not neatly piled, scrap iron, tin, and other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire danger.

# Existing Ordinances

- Sanitation
  - “Container left at curb” allows leaving [trash] container at “designated pickup point” only within 12 hours of scheduled pickup

# Existing Ordinances

- International Property Maintenance Code  
[we will return to this later]

# Tools Not in Use

- Landlord registration
- Requirement for local representation for landlords
- Effective penalty system for repeat violators (like a point system)
- Reduced occupancy limit
- On-street parking permits, with limited number of permits per dwelling unit

# Tools Not In Use

- Lower occupancy limit, possibly based on number of bedrooms or available off-street parking
- Some aspects of property maintenance code not currently enforced
- Neighborhood partnerships
- Formal three-way communication channels (neighborhoods, landlords, tenants, groups representing tenants)

# Tools Not in Use

- Civil penalties for violations
  - Do not require conviction of a crime
  - Involve lower burden of proof in court
  - Authorized by Texas law
  - Can be as much as \$1,000 per day

# Discussion

- What types of expectations affecting residential neighborhoods (with or without rental housing) should be universal and city-wide, and which should be neighborhood specific?

[issues begin on next page]

# City-wide or Neighborhood?

- Streets accessible to private, emergency and delivery vehicles at all times?
- No parking on yards or lawns?
- No parking on unapproved surfaces?
- No trash accumulation in yards?
- Trash barrels taken in promptly?
- Noise limits (using current measure of whether they are heard from other property)?

# City-wide or Neighborhood?

- Current Occupancy Limit of not more than four unrelated persons?
- Possible lower occupancy limits?
- Additional parking restrictions, such as limiting on-street parking to two per dwelling unit?
- Party ordinance or stronger noise ordinance?
- Tougher penalties for repeat violators?

# City-wide or Neighborhood?

- Should City consider a greater commitment to “zero tolerance” for:
  - Specified violations?
  - All violations in neighborhoods participating in new conservation program?
  - Specified violations in neighborhoods participating in new conservation program?

*NOTE that there is a conceptual model for applying increased penalty to specified areas in laws imposing greater penalties for drug offenses occurring near a school*

# What is “Zero Tolerance”?

- Verbal or door hanger warning for:
  - Noise Violations?
  - Parking in Yards?
  - Trash Cans Left Out?
  - Trash in yard?
  - Maintenance issues?
- Skip warning letter?
- Immediate civil citation if repeat of same offense within XX days?

# Protecting Neighborhoods

- There are some basic questions to be answered if the City is to adopt additional standards or remedies for specific neighborhoods:
  - What is a “neighborhood”?
  - What can the City, landlords and students expect from the neighborhood in return?

[continued on next slide]

# Neighborhood

- What size neighborhood should be eligible to participate in a new program?
  - Original subdivision?
  - Bounded by arterial and collector streets?
  - Minimum population?
  - Minimum number of units?
  - Represented by a recognized neighborhood or community association?

# Neighborhood Commitments

- Is it reasonable to ask that an association representing a neighborhood asking for additional protection to enter into an agreement with the City addressing certain issues?

[continued]

# Commitments?

- Agree to prepare “welcome” brochures to neighborhood, explaining rules and other expectations?
- Identify leadership contacts (with phone and e-mail info) for students and landlords with concerns?
- Agree to hold one or more annual educational sessions for all residents of neighborhood?
- Agree to participate in City-wide multi-cultural event(s)?

# Landlords

- Should the City consider a limited landlord registration program that:
  - Is triggered by a verified violation (not just a complaint)?
  - Then requires registration of that unit?
  - Requires designation of 24-hour local contact for unit required to be registered?
  - Establishes point system that could lead to revocation of right to rent that unit?

*[and/or]*

## Landlords (2)

- Should City consider a universal registration requirement for landlords who rent single-family homes (and duplexes and triplexes)?
  - With no fee and the City absorbing the full costs of the program?
  - With a modest administrative fee to fund program?

# Landlords

- To fund limited registration program and to deter repeat offenses, should City consider adopting a schedule of civil penalties to be imposed for repeat violations at the same dwelling unit?

# Parking?

- Should City consider limiting parking to one side of more streets? OR
- Should City consider neighborhood parking permits for on-street parking in some neighborhoods (by request)? OR
- Both?



# Parking

- Should City consider new restrictions on:
  - Parking RVs and boats in driveways needed for cars?
  - Parking RVs and boats on lawn?
  - Parking vehicle in driveway in such a way that it extends across part or all of sidewalk?

# Property Maintenance?

- Should City begin enforcement of additional provisions of International Property Maintenance Code?
  - Garage doors (now enforced)
  - Driveways and sidewalks?
  - Foundation walls (cracks)?
  - Exterior walls (paint)?
  - Roofs, drainage and gutters?
  - Decorative features (now enforced)
  - Overhangs, eaves?

[continued]

# Property Maintenance?

- More
  - Stairways, decks, porches (structurally sound)?
  - Chimneys and towers (weather treated)?
  - Handrails and guards?
  - Windows (no broken ones)?
  - Screens (no holes)?
  - Doors?
  - Basement hatchways?
  - Rodent guards on basement windows?

# Further Involvement

- How would you like to stay involved with the discussion of this issue as City Council considers options?
  - E-mail information?
  - Further meeting (s) to review specific proposals?
  - Work session with Council?
  - Public hearing (required)?
  - Educational program on anything new that is adopted?

# Anything Else?



## Rental Housing in Family Neighborhoods A College Station Discussion

### Overview and Disclaimer

This document has been prepared by Eric Damian Kelly, Ph.D., FAICP, of Duncan Associates, an Austin-based planning firm. Dr. Kelly was hired by the City to facilitate two workshops conducted with neighborhood leaders, student leaders, landlords and City officials and staff, to discuss issues related to rental housing in single-family neighborhoods. Dr. Kelly has worked in a number of university towns and addressed this issue frequently.

This document, however, is not a set of recommendations. It includes the consultants' thoughts and attempts at synthesizing the information and comments that came out of the two days of workshops. Much of this document is simply synthesis and summary. In some cases, however, it goes beyond simple synthesis and includes comments that may (or may not) be helpful to Council in addressing this complex issue.

The consultant submits this document in the hope that it will be helpful to City Council members. In doing so, however, Dr. Kelly and the firm recognized that it is the members of the College Station City Council who were elected to make policy for the City, and it is they who are in the best position to resolve difficult issues like this.

### Geography of Rules

#### Policy

There appears to be a consensus that some of the issues related to rental housing should be addressed on a city-wide basis, but others should be addressed only in neighborhoods where residents express both a desire and a commitment to maintenance of a family life-style. There are a few neighborhood advocates who believe that new rules should be applied in the whole city and a few students who appear to believe that there should be no new rules anywhere in the city. Most of the neighborhood participants, however, and all of the landlords involved in the discussion seem to support an approach that would impose the strictest new rules (such as limitations on occupancy) only in select neighborhoods. A logical extension of this policy position would be that new restrictions should be imposed only on neighborhoods where a substantial number of property owners believe such regulations are both necessary and desirable. Most who spoke appeared to accept the concepts of neighborhood petitions and some degree of neighborhood self-determination, policies that underlie the City's new Neighborhood Conservation District; many seemed to believe that the Neighborhood Conservation process could be expanded to include limitations on future rental housing.

## Rules That Should Apply Citywide

There appears to be consensus that the following rules, many of which are already in effect, should apply City-wide:

- Streets accessible to private, emergency and delivery vehicles at all times [note that this is really a policy determination that will guide the application of other rules, primarily related to parking]
- No parking on yards or lawns [current ordinance]
- No parking on unapproved surfaces [current ordinance, but see note below]
- No trash accumulation in yards [current ordinance]
- Trash barrels taken in promptly [current ordinance]
- Noise limits (using current measure of whether they are heard from other property) [current ordinance, but see discussion below]
- Occupancy limit of not more than four unrelated individuals [current ordinance]

*Notes:*

*Parking: In the course of discussing this issue, the group sidetracked briefly to concerns about the parking of RVs and boats in yards. The current ordinance allows boats and RVs to be parked in yards even on the grass. There appeared to be a broad consensus that the portions of the parking ordinance relating to RVs and boats should be fixed – probably by requiring that they, also, be parked on an approved surface and that there be additional screening for them.*

*A related issue that was not resolved was the effect of parking a boat or RV in a driveway on the availability of parking for cars and trucks; if one part of a new ordinance on rental housing relates to the availability of parking spaces, the ordinance should probably prohibit parking of boats or RVs in any of the required off-street parking places. If revisions to the rental housing ordinance do not address required off-street parking, then this comment can be disregarded.*

*Noise. See separate discussion of under the general issue of “Enforcement” later in these notes.*

## Rules That Should Apply only in Specific Neighborhoods

- Possible lower occupancy limits [there is considerable neighborhood interest in a limit of two unrelated persons]
- Party ordinance or stronger noise ordinance [see separate discussion of noise, below]

*Notes: Occupancy limits are difficult to enforce, and the issue of occupancy addresses few of the real issues that neighbors identified. Nevertheless, there is considerable interest among neighborhood advocates in seeing lower occupancy limits, at least in selected neighborhoods, and the Council may have to consider that for any new ordinance(s) to have credibility with neighborhood groups.*

## What is a Neighborhood?

Although some neighborhood activists would like to be able to designate a block or a couple of blocks as a “neighborhood” for purposes of petitioning the City Council for new restrictions on rental housing, the most reasonable approach to this issue appears to be to use neighborhoods already designated by the City for other purposes. The City Council should retain some flexibility to accept a petition from part of a neighborhood where that neighborhood is separated by a major geographic barrier, such as a major roadway, effectively dividing it into more than one neighborhood.

## Thoughts on Neighborhood Rules

The Neighborhood Conservation District ordinance adopted by the City gives neighborhoods great flexibility to determine what rules they want to have applied to their respective neighborhoods. That may be a workable approach for building restrictions that are enforced primarily through administrative plan review in a City office. That is probably not a workable approach for rules that will be enforced in the field and sometimes at odd hours, when City Hall is closed. Although there was little discussion of this issue at the 23 February workshop, the consultant would recommend that any new ordinance on this issue include very standard additional rules that apply in designated neighborhoods; under that approach, the Code Enforcement staff only has to keep track of two sets of rules, not eight or ten or 12.

## Neighborhood Commitments

At the suggestion of City staff, one of the topics discussed at this workshop was whether the City can and should expect any sort of commitment from those neighborhoods that are protected by new rules. There seemed to be at least moderate acceptance of this notion by neighborhood leaders. Students and landlords clearly supported the concept. Based on discussions at the two separate days of workshops, the kinds of commitments that might make the most difference would include:

- Agree to prepare “welcome” brochures to neighborhood, explaining rules and other expectations.
- Identify leadership contacts (with phone and e-mail info) for students and landlords with concerns. These should be included in “welcome packet” but should also be on-file with the City, so that City staff can make referrals.
- Agree to hold one or more annual educational sessions for all residents of neighborhood. Anecdotal reports suggest that the most successful of these are tied to informal social events, such as BBQs, but it is important that they also be used to open some formal lines of communication.
- Agree to participate in City-wide multi-cultural event(s). Graduate student representatives participating in the workshop pointed out that 90 percent of Aggie grad students are international. They suggested that some of the tensions between neighbors and graduate students may be cultural. It seems unrealistic to try to hold neighborhood-level multi-cultural events; the City, however, could coordinate such events, working with grad student leaders and University officials, and invite (and expect attendance by) neighborhood leaders.

## Registration, Enforcement and Applicability

### Applicability

There appeared to be a consensus on the following point:

To the extent that issues with rental housing may be attributable to landlords, not all landlords are equally responsible for the problems, and proposed solutions should target landlords who cause or allow problems without unduly burdening others.

There is thus broad support for applying tougher rules to problem landlords or problem properties (one major landlord clearly believes the effect of new rules should fall on problem properties and not on other properties owned by the same landlord). At least some landlords clearly believe that a rental registration program could become punitive and that adoption of a costly or difficult universal registration requirement would thus punish landlords who have not caused problems.

Interestingly, however, the landlords who participated in the discussion (as well as some City officials) clearly believe that most of the problems relate to non-resident landlords and that part of the solution is to “require local representation.” That is an eminently reasonable approach, but it is difficult to determine whether a landlord has local representation – or who that representation might be – without some sort of a registration program.

### Registration

Landlords oppose some aspects, such as fees associated with universal registration requirements. Neighborhood leaders advocate them. Students generally had no position on the issue, although a registration program typically gives tenants some additional leverage in dealing with problem landlords.

If the City Council wants to avoid a showdown with landlords over rental registration fees, it essentially has two choices:

- Implement a registration program with no fee, absorbing the costs from the General Fund;
- Accept the landlords’ suggestion of requiring registration only after there is a documented violation at a property owned by that landlord. The landlords would apparently like to limit registration at that time to that specific property, but there would be some logic in requiring a landlord who has had documented problems to register all of his/her/its rental properties.

One landlord argues that registration is unnecessary because “they know where to find me.” That is a plausible argument in the Planning Department at 3 p.m. on Thursday. That is a less plausible position for the Code Enforcement officer who is working Saturday night and has only the name of the property owner. One landlord argued that it should be the City’s responsibility to obtain contact information from the property appraiser, who is also a government official. The problem with that approach is that many tax bills go to accountants, mortgage companies and business offices, meaning that the tax bill addresses may not provide a realistic way to get in touch with someone to help deal with a problem at a property at 9 p.m. on Friday. The job of Code Enforcement would be much easier if all landlords were

required to register and if they were required to provide a phone number that would generally be answered 24 hours per day. Some landlords, however, will believe that is an unnecessary restriction, and some individual property owners may resent the fact that it will force them to turn management of their properties over to professional property managers (an action that would generally benefit neighborhoods and the City).

This will not be an easy issue to resolve. At some point, however, Council members will have to weigh the concerns of landlords against the practical issues involved in trying to provide effective enforcement of ordinances. Enforcement actions that deal with the landlord are far more likely to be effective over the long-run than those that deal only with tenants.

### **Effective Enforcement and Zero Tolerance**

Although many neighborhood advocates believed before these workshops that the City has a “zero tolerance” policy toward certain code violations, the Code Enforcement staff at the workshop made it clear that zero tolerance is not the current policy. In fact, Code Enforcement officials take great pride in the fact that 96 percent of cases that they handle are resolved without any enforcement action beyond a warning stage. Achieving such a high degree of compliance through informal work and formal warnings is a remarkable achievement, in which the entire City should take pride. It may not, however, be adequate to deal with repeat violators and intransigent offenders.

Satisfying neighbors concerned about this issue will almost undoubtedly require some toughening of the enforcement practices of the City. Code Enforcement staff is understandably reluctant to adopt such a strategy without direction from City Council

Toughening the stance is not as simple as saying “we have zero tolerance” for specific offenses. As a practical matter, a true “zero tolerance” policy is probably not very practical, not very fair, and possibly not defensible. If someone has a 60<sup>th</sup> birthday party, invites two dozen friends over, and starts playing oldies on the stereo system, he would undoubtedly expect someone to tell him that the stereo is too loud before assessing a substantial citation. If someone who normally takes their trash cans in promptly has a heart attack and is taken to the hospital on trash day, she would probably be pretty unhappy with the City if she came home and found a citation, rather than a warning, for failing to take the trash barrel in. Although these are examples of people who are extremely unlikely to be repeat violators, code enforcement and police officers have no easy way of assessing who may and who may not voluntarily comply – and they should not be asked to do so.

The City could take two steps to make enforcement more effective. One is easier than the other to implement. The City could:

- Provide for the immediate assessment of a penalty for a violation of the same type for which a warning has been issued in the previous 30 (or 60) days;
- Eliminate the warning letter from the current enforcement procedure, so that a violation goes directly from a door-hanger or in-person warning to a citation if it is not timely corrected.

The immediate assessment of a penalty for repeat violations would be a particularly valuable tool for dealing with noise violations. Those are the violations that seem the most likely to recur. If someone cleans up their yard in response to a warning, he or she is unlikely to allow it to become trashed immediately. If someone gets a parking ticket or even a warning for parking on the grass, he will probably not do it again soon. But if someone is having a party and the nice police officer asks them to turn down the stereo, there is a pretty good chance that someone at the party may crank the stereo back up as soon as the officer drives out of sight. Having an immediate and significant penalty for a repeat complaint of that type (whether the same night or the same week or the same month) would improve the effectiveness of enforcement.

A variation on this concept that was suggested at the workshop was that any property that had more than a specified number of verified complaints within a specified period would be deemed a public nuisance.

Several neighborhood advocates were intrigued by an enforcement point system used in Gainesville, Florida (and originally recommended there by the consultant for these sessions). That system is tied to a rental registration program, and points are assessed against the particular registration.

### Civil Penalties

College Station currently relies exclusively on criminal penalties as enforcement tools. Texas law allows home-rule cities to impose civil penalties of up to of up to \$1000 per day. There are many advantages to civil penalties for violations such as those involved in rental housing issues. If a criminal penalty is contested, the City must prove the violation “beyond a reasonable doubt.” If a civil penalty is challenged, the standard is “by a preponderance of the evidence.” Further, judges who hear more serious cases are often somewhat reluctant to enforce criminal penalties for apparently victimless crimes. Criminal penalties do not involve that sort of exercise of judgment in the courts. The civil penalty is due as levied, unless the violator appeals the levy; even then, the court is generally limited to a question of determining whether there was a violation. In general, it is also easier to compound civil penalties than criminal ones.

Civil penalties have an additional advantage in dealing with rental housing issues. It is difficult to impose vicarious criminal liability – for example, charging a landlord with a crime for allowing repeated loud parties at a rental house that he owns. In contrast, property-related civil penalties can easily be assessed against property owners, with no requirement that the City prove criminal intent or even knowledge of the specific violation.

This was a suggestion of the consultant, but no one attending the workshop seemed to object to this suggestion.

## Parking

### Overview

Parking is probably the most visible aspect of this issue, and it is one that clearly gnaws at some residents every day. Effectively addressing the parking issue is likely to make more difference in the overall perception of the City's efforts in this area than any other specific action.

### Solutions

Some developments that have been built to be rented include extra parking behind the dwelling units. That is an excellent solution, but it is one that is not practical for older neighborhoods.

The City's one-side-of-street parking rules received excellent comment, both from enforcement staff and from neighbors. There was considerable support for the expansion of that program to additional streets.

A more cumbersome – but very practical – solution that was not discussed extensively is to limit occupancy of rental houses based on the number of available off-street parking places. Again, this is a back-up plan that the City may want to consider if expansion of the one-side parking rules does not make a significant dent in the current problem.

## Property Maintenance

### Overview

Next to parking, property maintenance was probably the substantive issue that was raised most frequently by neighborhood advocates. Complaints ranged from uncut lawns to inadequate attention to painting homes and making minor repairs. The City has adopted the International Property Maintenance Code, but staff is currently enforcing only selected portions of it.

### Discussion

Fully enforcing this code would address a number of the issues that concern neighborhood residents. If rigorously enforced, however, it could lead to opposition from residents/property owners who may view such enforcement as too aggressive.

### Contact Information

Eric Damian Kelly, Ph.D., FAICP  
Vice President  
Duncan Associates  
2312 West Audubon Drive  
Muncie IN 47304  
Phone 765-289-5380  
e-mail [eric@duncanplan.com](mailto:eric@duncanplan.com)

web [www.duncanplan.com](http://www.duncanplan.com)

# Living Among Aggies

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## Neighborhood Education and University Involvement

Tyler Koch, Darrek Ferrell, Ryan McLagan, and Katy Dyer

2nd Edition

The proposal outlined within this document is intended to provide a new alternative for addressing conflicts in the residential districts of the city of College Station. It is believed by the authors that this an essential step in finding the best direction for the city of College Station in order to obtain optimal quality of life.

# Living Among Aggies

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# Living Among Aggies

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## Quotes from the Council

**"We need to engage the students and neighbors about what would be the best direction for the city of College Station."**

**-Ron Gay, Mayor Pro Tempore**

At the council workshop on October 25, 2007 this was the concluding response of the council in regard to the possibility of an ordinance limiting the number of unrelated residents that may live in a single household in College Station. Only a few hours before Mr. Gay made this statement, the proposal you are about to see was discussed for the first time in Administrative Conference Room #2 of City Hall. There was no way that Mayor Pro Tempore Gay could've known what was being discussed, as it was such a new concept, but we are confident that the council made the right decision.

**"We don't need to start buying nails before we know how big the house is,"**

**-James Massey, City Councilman**

Councilman Massey is absolutely correct that it is not yet time to begin buying nails, but it *is* time to hire the architect. Today we are here to provide you with our blueprint for what a coalition of student leaders and various city officials feel is a vital portion of the overall plan for determining the best direction for the city of College Station. For the last several months, we have been hard at work not only preparing to construct a house, but getting ready to make a home for all of the residents of College Station, whether temporary or permanent, college freshman or senior citizen, Aggie or otherwise...working together, we will all live in a peaceful coexistence.

**"the community is shouting"**

**-John Crompton, City Councilman**

Councilman Crompton is also correct in this statement. However, this isn't the first time a community has shouted for help from its leaders, and it certainly won't be the last. On one occasion when a much divided community shouted for relief from their leader, President Richard Nixon responded, "We cannot learn from one another until we stop shouting at one another - until we speak quietly enough so that our words can be heard as well as our voices." It is of the utmost importance that we end the shouting today, and that we begin to discern the voices that make up our community.

**"I do not support further limiting the number of unrelated residents from 4 to 2."**

**-Mayor Ben White**

In the inaugural Coffee with the Mayor, Mr. White was describing proposed student solutions to preserving neighborhood integrity when this comment was made. The solutions outlined in this document are meant to be a blueprint for restructuring the relationship between students, the university, and the city. It is our goal and our sincere hope that we can provide a solution that Mayor White and all of College Station *does* support as the "Proud Home of Texas A&M University".

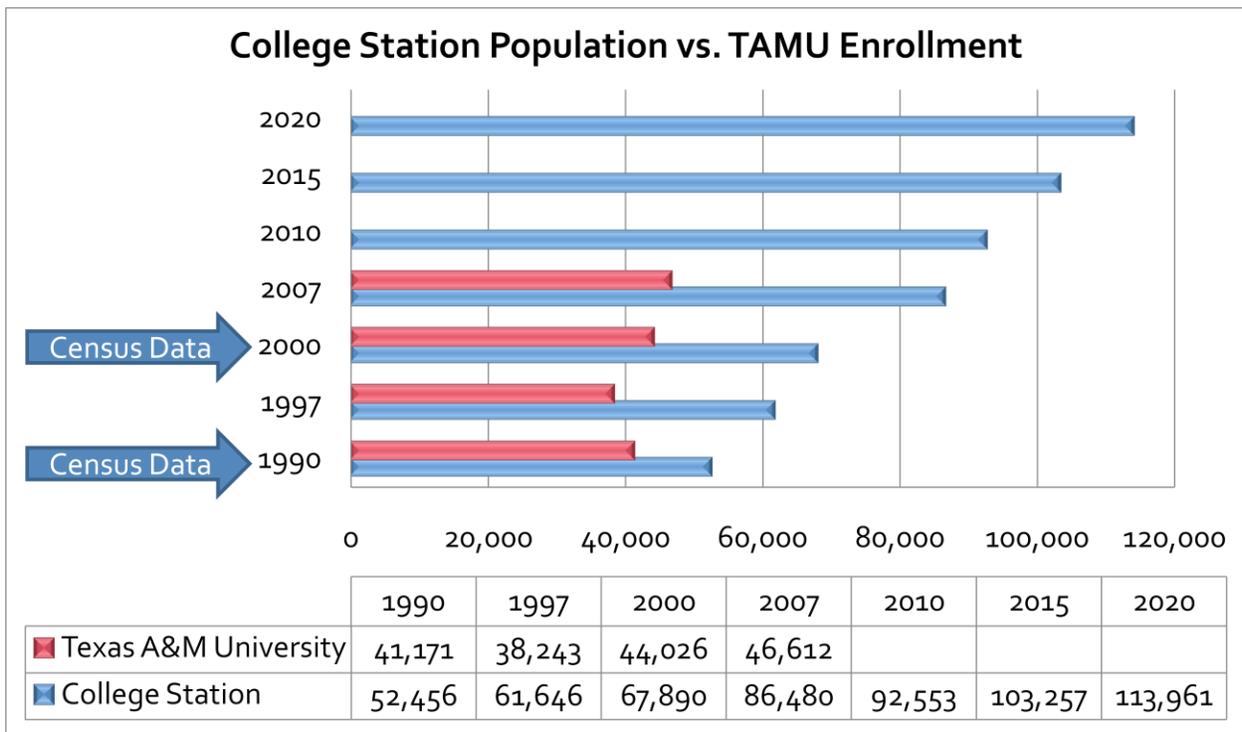
# Living Among Aggies

## Demographic Information

- ✦ The city of College Station exists as a unique blend of residents, both temporary and permanent, who strive for the greatest quality of life.
- ✦ The demographics of the city make it a place unlike any other in the state, thus requiring actions seldom employed in other communities.

Maintaining Councilman Massey’s analogy of building a home in College Station, it is vital that we understand the demographic of our community fully before creating our plan. Before any home is designed the first questions are always, “Who is going to live there,” and “What are their needs?” The following demographic evaluation will seek to answer these questions and help to establish a place for all who wish to call College Station their home.

## Estimated Populations

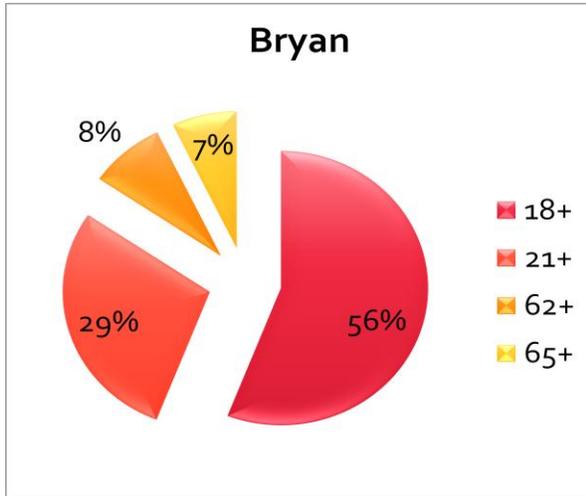


College Students have been counted in the population of College Station since the 1950 Census. Currently, the enrollment of Texas A&M University is equal to about 54% of the estimated population. Between 1990 and 2000, the city of College Station experienced a population growth of 29.4%; it is estimated that in the last seven years the city has grown by 27.4%. It can be expected that students will continue to be around half of the city’s population throughout the culmination of Vision 2020, when the university will cap admissions at 50,000 students.

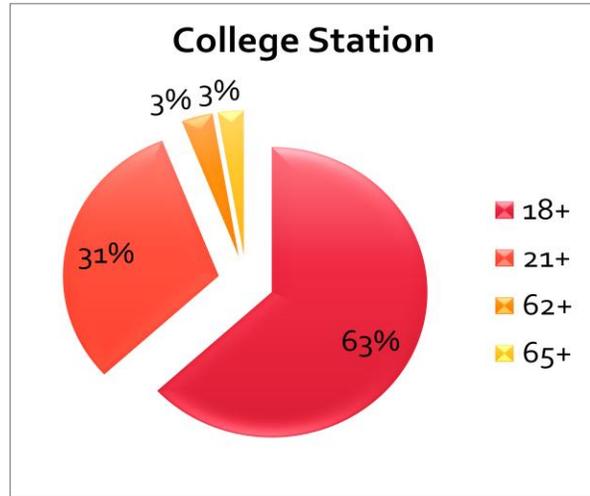
# Living Among Aggies

## Age Groups

**The median age of Bryan in 2000 was 27.6 years old**

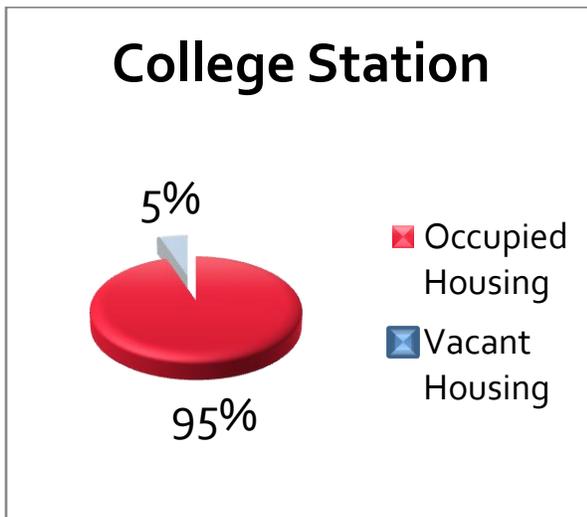
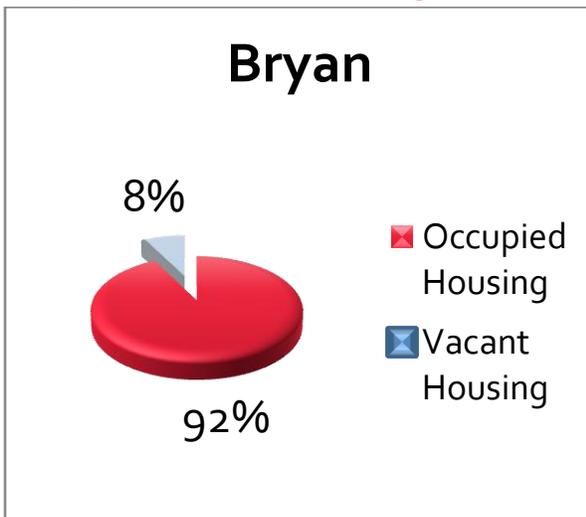


**The median age of College Station in 2000 was 21.9 years old**



The population of College Station is considerably younger than that of Bryan, and this is without a doubt attributed to the number of students at Texas A&M. Blinn College should be considered as the probable factor keeping the median age below 30 in Bryan, though it is highly likely that other factors do have some impact. The city of Bryan also has an elderly population three times as large as that in College Station. In 2000, College Station had only 2,461 residents over age 65, while Bryan counted 6,119 residents in this age group.

## Occupied vs. Vacant Housing



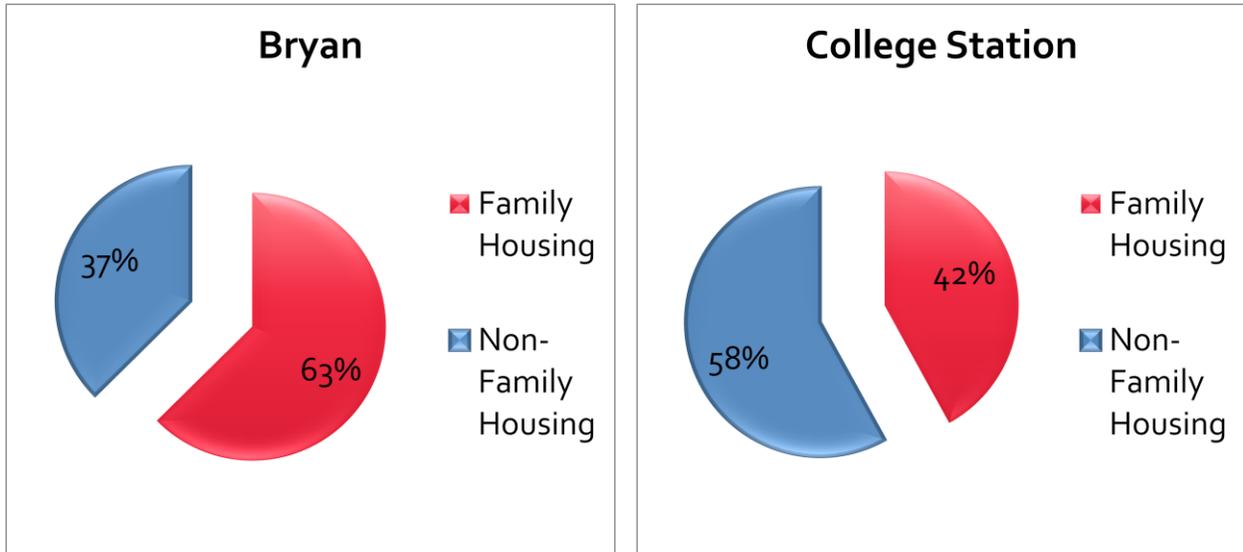
# Living Among Aggies

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Data shows that the vast majority of homes in both Bryan and College Station are occupied and abandonment is not an issue of great concern for either city. Therefore, any residential issues that may arise must be dealt with based on who lives in the area, rather than who does not live there.

## Housing by Type

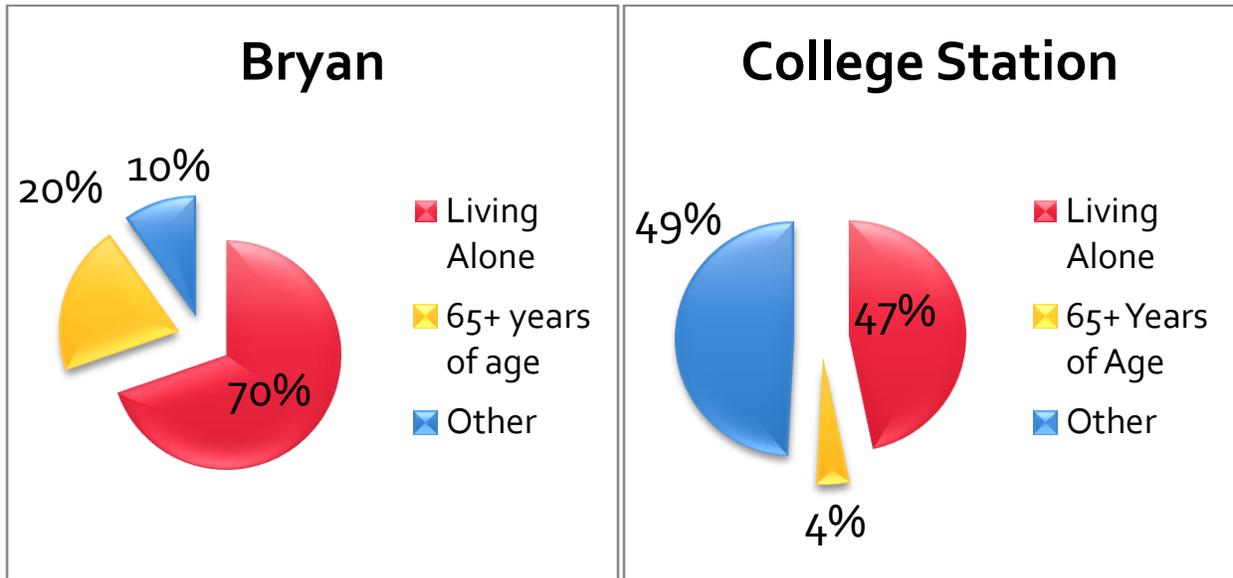
**The housing types in College Station are the inverse of Bryan.**



The U.S. Census Bureau examined housing by type based on whether or not the household includes a spouse and/or children under 18 years of age. Non-family households are the remaining homes occupied by unrelated residents or those living alone. While both cities are divided in a nearly 60—40% split, College Station has nearly 60% non-family housing, the inverse of Bryan. From this it is apparent that what may be good for Bryan is not always in the best interest of College Station.

# Living Among Aggies

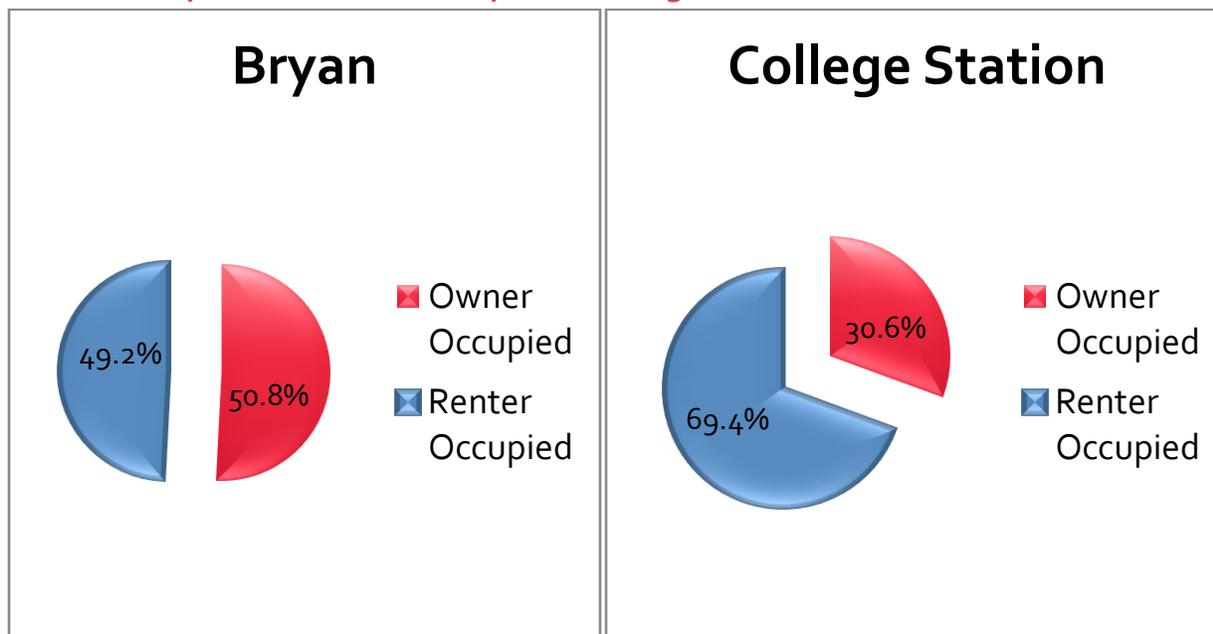
## Non-Family Housing



To further show the difference in types of housing between Bryan and College Station, it is necessary to examine the difference between non-family housing in the two cities. In Bryan, the vast majority of non-family housing is occupied by unwed individuals who live alone, and a large portion of the remainder is occupied by unmarried senior citizens. The situation is very different in College Station. Nearly half of all non-family housing in College Station is occupied by more than 1 unrelated resident under 65 years of age. It is believable that this is due to the large number of unrelated and unmarried students who divide rent among 2, 3, or 4 residents. In the "Other" category, there are 7043 households, while the Census Bureau lists only 24,691 households in College Station. In other words, 28.5% of all homes in College Station are occupied by this group, compared to 3.6% in Bryan.

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## Owner Occupied vs. Renter Occupied Housing



College Station is home to 20% more renters than Bryan, another phenomenon that is likely due to the large number of students who live off campus. In 2000 it was estimated that about 15% of all residents live in on-campus housing, private dormitories and Greek housing. It was estimated that the remaining 85% live in households. Remembering that the census returned a population of 67,890 for the city, we can estimate that nearly 58,000 residents lived in households. If 69.4% of those households were renter occupied, then over 40,000 residents lived in the 17,145 renter occupied homes. That's an average of 2-3 renters per household.

## An Alternative: University/City Activism

### The Involved Parties & Their Roles

#### The City

##### Neighborhood Services Office

- ✦ Provide appropriate training to students
  - Once per academic semester
  - Required only once for each student involved
- ✦ Identify and define areas of continual conflict
- ✦ Contact and dispatch student participants
- ✦ Maintain documentation of resident interaction for a period not less than 9 months or one-academic year.
- ✦ Follow up on documentation and resident interaction

# Living Among Aggies

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## Police Department & Code Enforcement

- ✦ Refer areas of potential continual conflict to the Neighborhood Services Office
- ✦ Evaluate the safety of student participants in residential interaction
- ✦ Pending the continuation of the conflict after residential interaction, utilize previous documentation in order to resolve conflict
- ✦ If the conflict cannot be resolved, and a violation can be found, follow up with a citation, as usual

## Municipal Court

- ✦ Review documentation of Neighborhood Services Office and Police Department/Code Enforcement
- ✦ Consider deferred disposition for the student in violation who has received a citation
- ✦ Dismiss citation pending completion of an approved education program provided by the university

## The University

### Student Government Association & Off Campus Aggies

- ✦ Provide a means of student participation in an established partnership
- ✦ Continually work to improve student awareness of community issues
- ✦ Assist in the creation of an approved education program

### Department of Student Life

- ✦ Facilitate involvement of Off Campus Aggies through Adult, Graduate and Off Campus Student Services (AGOSS)
- ✦ Provide students with resources to enhance their time in College Station and limit the potential for conflicts
- ✦ Host an approved education program to address issues related to off-campus conflicts

## The Program

### Phase 1: Identify and Address Continual Conflict

- ✦ After evaluating the safety of student involvement in the area, the **Police Department & Code Enforcement** refer areas of ongoing and continual conflict involving Texas A&M students to the **Neighborhood Services Office**.
  - Ongoing and Continual Conflict- These will be areas where conflict has continued over a period of time and where the issue has escalated to extreme measures. These are *not* single offenses or complaints.

# Living Among Aggies

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- ✦ **The Neighborhood Services Office** begins documentation of the situation and notifies **Student Government Association and Off Campus Aggies** of the situation.
- ✦ **Student Government Association and Off Campus Aggies** assembles a team of 2 or 3 students to conduct a visitation
  - Visitation- consists of attempts to visit the home of the students in question along with the home of the resident(s) who lodged the complaints.
- ✦ **Student Government Association and Off Campus Aggies** collect documentation from students who conducted the visitation and return it to the **Neighborhood Services Office**.
- ✦ **The Neighborhood Services Office** files the documentation for at least one academic year.

## Phase 2: Continuation of the Conflict

- ✦ If the conflict persists, and it can be determined that the students in question are in violation of a city ordinance (i.e. - noise violation), the **Police Department and Code Enforcement** should issue a citation, according to their own standard procedures.
- ✦ If the conflict persists, and it *cannot* be determined that a city ordinance has been violated, the **Police Department and Code Enforcement** should consult the documentation kept by the **Neighborhood Services Office** in order to pursue their own manner of resolving the conflict.
  - The conflict resolution may require that the **Police Department and Code Enforcement** yield control of the situation to the **Neighborhood Services Office**, at which time they may request the assistance of **Student Government Association and Off Campus Aggies**.
- ✦ Pending a citation, the students in question may request that the **Neighborhood Services Office** send their documentation to the **Municipal Court**.
- ✦ The **Municipal Court** will then review the case, as usual, and at the judge's discretion a deferred disposition may be granted to the students in question, pending attendance in an approved education program provided by the **Department of Student Life**.
- ✦ The **Municipal Court** should then forward all documentation to the **Department of Student Life**, who will then conduct the approved education program.
- ✦ After successful completion of the program, the **Department of Student Life** should draft a letter of completion on behalf of the students in question.
- ✦ Upon receiving the letter of successful completion, the **Municipal Court** may then dismiss the citation and any penalties the students may have incurred as a result of the citation.

## Phase 3: Perpetual Conflict Notification & Consideration

- ✦ If the conflict persists even after deferred disposition, and a violation of a city ordinance can be determined, the **Police Department and Code Enforcement**

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should issue a citation as though deferred disposition were never granted. That is, the citation should include any increases or additional penalties that are normally included in a citation for a second offense (or whatever number may be appropriate for the number of citations the student has received).

- ✦ The **Student Government Association and Off Campus Aggies** will work in conjunction with the **Neighborhood Services Office** to draft a letter to the students in question explaining the follow:
  - The effect that certain behavior has on their peers in the community
  - The effect that certain behavior has on the community as a whole
  - A record of their disorderly conduct will be kept on file with the city and may cause them difficulty in further interactions and dealings with the city.
  - They may submit a letter of appeal to the **Neighborhood Services Office** in order to address and attempt to correct any issues that they feel may need to be further addressed in the conflict.

### Alternative Ordinance: Host Responsibility

The neighborhood conservation districts that were implemented by Bryan in 2006 were created by an ordinance modeled after one that exists in the city of San Marcos, Texas, home of Texas State University. In the recent “stakeholders” meetings held by the staff of the City of College Station, a representative from the city of San Marcos was in attendance for her own informational purposes. However, at one point during the meetings, she mentioned another ordinance that the city of San Marcos uses that has not yet been considered by either Bryan or College Station. This ordinance addresses “Host Responsibilities of Parties in Residential Areas.”

#### Details of the Ordinance:

The basic premise of the ordinance is to hold any citizen of the city responsible for any event that they host at residence within the city limits. They define a host as, “person who invites or allows others to gather or remain at his residence, or at a residence he has a lawful right to occupy, for a party,” (see Appendix 3). Further the ordinance addresses issues of parking, noise, litter, and alcohol, as they are common problems associated with parties held in residential areas.

#### Why Might This Ordinance Be A Better Alternative for College Station?

- ✦ This ordinance promotes accountability and responsibility for all people living in residential areas.
- ✦ Currently, Code Enforcement Officers in College Station have to research all individuals who may be named on a lease to issue a citation. This ordinance allows the officer simply to ask any person in attendance at an out-of-control party who invited them.
- ✦ One option discussed at the “stakeholders” meetings was a zero-tolerance policy, and this idea was strongly discouraged by the police department, as it does not allow officers to use discretion in issuing citations. This ordinance maintains the officer’s discretion while allowing better enforcement of ordinances currently in place.

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- ✦ The Host Responsibility Ordinance targets the problem directly and leads to punishment for those who have actually broken the law, rather than preemptively punishing the innocent and the guilty alike.
- ✦ This ordinance maintains a sense of community and preserves all hope for an improved student—resident relationship in our community.

### Conclusions

At Texas A&M University, we value a code of honor that says, “An Aggie does not lie, cheat, or steal, or tolerate those who do.” We are bound to preserve the integrity of our institution, as well as the character of our community. The student body of Texas A&M constitutes more than half of the population of College Station, and it is therefore our responsibility to ensure that our city shares the same values. A second passion that is shared among those who attend our university is a love of tradition. Since 1876, Aggies have upheld the tradition of calling College Station home, and College Station has traditionally endeared the title of “Aggieland.” Today we invite the city of College Station to join us in the founding of a new tradition—a tradition of peace in the home that we call Aggieland built on the foundation of honor and held together by the nails of integrity and character that will always be felt in a community that lives among Aggies.

# Living Among Aggies

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## Appendix 1: Contacts

Name	Title	Email
Conner Prochaska	Student Body President, TAMU	<a href="mailto:sbp@tamu.edu">sbp@tamu.edu</a>
Tyler Koch	Speaker of Student Senate	<a href="mailto:tkoch@texasffa.org">tkoch@texasffa.org</a>
Darrek Ferrell	External Affairs Committee Chair of Student Senate	<a href="mailto:darrek@tamu.edu">darrek@tamu.edu</a>
Ryan McLagan	Executive Director of Community Relations, TAMU	<a href="mailto:rmclagan@gmail.com">rmclagan@gmail.com</a>
Brady Black	Executive Director of Legislative Relations, TAMU	<a href="mailto:black.brady@tamu.edu">black.brady@tamu.edu</a>
Katy Dyer	President, Off-Campus Aggies	<a href="mailto:misskd72@tamu.edu">misskd72@tamu.edu</a>
Wayne Larson	Public Communications Director	<a href="mailto:wlarson@cstx.gov">wlarson@cstx.gov</a>
Peggy Calliham	Community Relations Manager	<a href="mailto:pcalliham@cstx.gov">pcalliham@cstx.gov</a>
Barbara Moore	Neighborhood and Community Relations Coordinator	<a href="mailto:bmoore@cstx.gov">bmoore@cstx.gov</a>
Judge Ed Spillane	Presiding Judge, College Station Municipal Court	<a href="mailto:espillane@cstx.gov">espillane@cstx.gov</a>

# Living Among Aggies

## Appendix 2- Data

**Table DP-1. Profile of General Demographic Characteristics: 2000**

Geographic area: College Station city, Texas

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
<b>Total population</b> .....	<b>67,890</b>	<b>100.0</b>	<b>HISPANIC OR LATINO AND RACE</b>		
			Total population.....	67,890	100.0
<b>SEX AND AGE</b>			Hispanic or Latino (of any race).....	6,759	10.0
Male.....	34,667	51.1	Mexican.....	4,437	6.5
Female.....	33,223	48.9	Puerto Rican.....	163	0.2
Under 5 years.....	3,032	4.5	Cuban.....	84	0.1
5 to 9 years.....	2,664	3.9	Other Hispanic or Latino.....	2,075	3.1
10 to 14 years.....	2,497	3.7	Not Hispanic or Latino.....	61,131	90.0
15 to 19 years.....	12,185	17.9	White alone.....	51,362	75.7
20 to 24 years.....	24,176	35.6			
25 to 34 years.....	8,857	13.0	<b>RELATIONSHIP</b>		
35 to 44 years.....	5,616	8.3	Total population.....	67,890	100.0
45 to 54 years.....	4,071	6.0	In households.....	57,187	84.2
55 to 59 years.....	1,411	2.1	Householder.....	24,691	36.4
60 to 64 years.....	920	1.4	Spouse.....	7,954	11.7
65 to 74 years.....	1,315	1.9	Child.....	10,679	15.7
75 to 84 years.....	841	1.2	Own child under 18 years.....	9,229	13.6
85 years and over.....	305	0.4	Other relatives.....	1,891	2.8
Median age (years).....	21.9	(X)	Under 18 years.....	391	0.6
			Nonrelatives.....	11,972	17.6
18 years and over.....	58,101	85.6	Unmarried partner.....	690	1.0
Male.....	29,615	43.6	In group quarters.....	10,703	15.8
Female.....	28,486	42.0	Institutionalized population.....	217	0.3
21 years and over.....	39,801	58.6	Noninstitutionalized population.....	10,486	15.4
62 years and over.....	2,985	4.4			
65 years and over.....	2,461	3.6	<b>HOUSEHOLD BY TYPE</b>		
Male.....	1,017	1.5	Total households.....	24,691	100.0
Female.....	1,444	2.1	Family households (families).....	10,368	42.0
			With own children under 18 years.....	5,192	21.0
<b>RACE</b>			Married-couple family.....	7,954	32.2
One race.....	66,608	98.1	With own children under 18 years.....	4,043	16.4
White.....	54,673	80.5	Female householder, no husband present.....	1,678	6.8
Black or African American.....	3,698	5.4	With own children under 18 years.....	967	3.9
American Indian and Alaska Native.....	206	0.3	Nonfamily households.....	14,323	58.0
Asian.....	4,951	7.3	Householder living alone.....	6,691	27.1
Asian Indian.....	1,291	1.9	Householder 65 years and over.....	589	2.4
Chinese.....	1,566	2.3	Households with individuals under 18 years.....	5,477	22.2
Filipino.....	149	0.2	Households with individuals 65 years and over.....	1,665	6.7
Japanese.....	106	0.2	Average household size.....	2.32	(X)
Korean.....	1,026	1.5	Average family size.....	2.98	(X)
Vietnamese.....	274	0.4			
Other Asian <sup>1</sup> .....	539	0.8	<b>HOUSING OCCUPANCY</b>		
Native Hawaiian and Other Pacific Islander.....	44	0.1	Total housing units.....	26,054	100.0
Native Hawaiian.....	18	-	Occupied housing units.....	24,691	94.8
Guamanian or Chamorro.....	14	-	Vacant housing units.....	1,363	5.2
Samoan.....	8	-	For seasonal, recreational, or		
Other Pacific Islander <sup>2</sup> .....	4	-	occasional use.....	111	0.4
Some other race.....	3,036	4.5	Homeowner vacancy rate (percent).....	1.4	(X)
Two or more races.....	1,282	1.9	Rental vacancy rate (percent).....	5.0	(X)
<b>Race alone or in combination with one or more other races:</b> <sup>3</sup>					
White.....	55,773	82.2	<b>HOUSING TENURE</b>		
Black or African American.....	3,852	5.7	Occupied housing units.....	24,691	100.0
American Indian and Alaska Native.....	465	0.7	Owner-occupied housing units.....	7,546	30.6
Asian.....	5,362	7.9	Renter-occupied housing units.....	17,145	69.4
Native Hawaiian and Other Pacific Islander.....	109	0.2	Average household size of owner-occupied units.....	2.78	(X)
Some other race.....	3,672	5.4	Average household size of renter-occupied units.....	2.11	(X)

- Represents zero or rounds to zero. (X) Not applicable.

<sup>1</sup> Other Asian alone, or two or more Asian categories.

<sup>2</sup> Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.

<sup>3</sup> In combination with one or more of the other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.

Source: U.S. Census Bureau, Census 2000.

<sup>1</sup> [http://txsdc.utsa.edu/data/census/2000/dp2\\_4/pdf/1604815976.pdf](http://txsdc.utsa.edu/data/census/2000/dp2_4/pdf/1604815976.pdf)

# Living Among Aggies

**Table DP-1. Profile of General Demographic Characteristics: 2000**

Geographic area: Bryan city, Texas

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
<b>Total population</b> .....	<b>65,660</b>	<b>100.0</b>	<b>HISPANIC OR LATINO AND RACE</b>		
			<b>Total population</b> .....	<b>65,660</b>	<b>100.0</b>
<b>SEX AND AGE</b>			Hispanic or Latino (of any race).....	18,271	27.8
Male.....	32,701	49.8	Mexican.....	14,755	22.5
Female.....	32,959	50.2	Puerto Rican.....	110	0.2
Under 5 years.....	5,246	8.0	Cuban.....	59	0.1
5 to 9 years.....	4,822	7.3	Other Hispanic or Latino.....	3,347	5.1
10 to 14 years.....	4,542	6.9	Not Hispanic or Latino.....	47,389	72.2
15 to 19 years.....	5,908	9.0	White alone.....	33,943	51.7
20 to 24 years.....	9,103	13.9			
25 to 34 years.....	10,915	16.6	<b>RELATIONSHIP</b>		
35 to 44 years.....	8,659	13.2	<b>Total population</b> .....	<b>65,660</b>	<b>100.0</b>
45 to 54 years.....	6,350	9.7	In households.....	63,038	96.0
55 to 59 years.....	2,228	3.4	Householder.....	23,759	36.2
60 to 64 years.....	1,768	2.7	Spouse.....	10,510	16.0
65 to 74 years.....	2,981	4.5	Child.....	18,956	28.9
75 to 84 years.....	2,149	3.3	Own child under 18 years.....	15,200	23.1
85 years and over.....	989	1.5	Other relatives.....	4,337	6.6
Median age (years).....	27.6	(X)	Under 18 years.....	1,736	2.6
18 years and over.....	47,929	73.0	Nonrelatives.....	5,476	8.3
Male.....	23,434	35.7	Unmarried partner.....	1,088	1.7
Female.....	24,495	37.3	In group quarters.....	2,622	4.0
21 years and over.....	43,266	65.9	Institutionalized population.....	2,241	3.4
62 years and over.....	7,177	10.9	Noninstitutionalized population.....	381	0.6
65 years and over.....	6,119	9.3			
Male.....	2,301	3.5	<b>HOUSEHOLD BY TYPE</b>		
Female.....	3,818	5.8	<b>Total households</b> .....	<b>23,759</b>	<b>100.0</b>
<b>RACE</b>			Family households (families).....	14,877	62.6
<b>One race</b> .....	<b>64,235</b>	<b>97.8</b>	With own children under 18 years.....	7,670	32.3
White.....	42,452	64.7	Married-couple family.....	10,510	44.2
Black or African American.....	11,635	17.7	With own children under 18 years.....	5,136	21.6
American Indian and Alaska Native.....	265	0.4	Female householder, no husband present.....	3,337	14.0
Asian.....	1,084	1.7	With own children under 18 years.....	2,101	8.8
Asian Indian.....	280	0.4	Nonfamily households.....	8,882	37.4
Chinese.....	289	0.4	Householder living alone.....	6,190	26.1
Filipino.....	53	0.1	Householder 65 years and over.....	1,818	7.7
Japanese.....	52	0.1	Households with individuals under 18 years.....	8,537	35.9
Korean.....	153	0.2	Households with individuals 65 years and over.....	4,379	18.4
Vietnamese.....	123	0.2	Average household size.....	2.65	(X)
Other Asian <sup>1</sup> .....	134	0.2	Average family size.....	3.27	(X)
Native Hawaiian and Other Pacific Islander.....	52	0.1	<b>HOUSING OCCUPANCY</b>		
Native Hawaiian.....	13	-	<b>Total housing units</b> .....	<b>25,703</b>	<b>100.0</b>
Guamanian or Chamorro.....	17	-	Occupied housing units.....	23,759	92.4
Samoan.....	10	-	Vacant housing units.....	1,944	7.6
Other Pacific Islander <sup>2</sup> .....	12	-	For seasonal, recreational, or occasional use.....	156	0.6
Some other race.....	8,747	13.3	Homeowner vacancy rate (percent).....	2.0	(X)
Two or more races.....	1,425	2.2	Rental vacancy rate (percent).....	7.7	(X)
<b>Race alone or in combination with one or more other races:</b> <sup>3</sup>			<b>HOUSING TENURE</b>		
White.....	43,671	66.5	<b>Occupied housing units</b> .....	<b>23,759</b>	<b>100.0</b>
Black or African American.....	11,918	18.2	Owner-occupied housing units.....	12,065	50.8
American Indian and Alaska Native.....	532	0.8	Renter-occupied housing units.....	11,694	49.2
Asian.....	1,256	1.9	Average household size of owner-occupied units.....	2.80	(X)
Native Hawaiian and Other Pacific Islander.....	87	0.1	Average household size of renter-occupied units.....	2.51	(X)
Some other race.....	9,678	14.7			

- Represents zero or rounds to zero. (X) Not applicable.

<sup>1</sup> Other Asian alone, or two or more Asian categories.

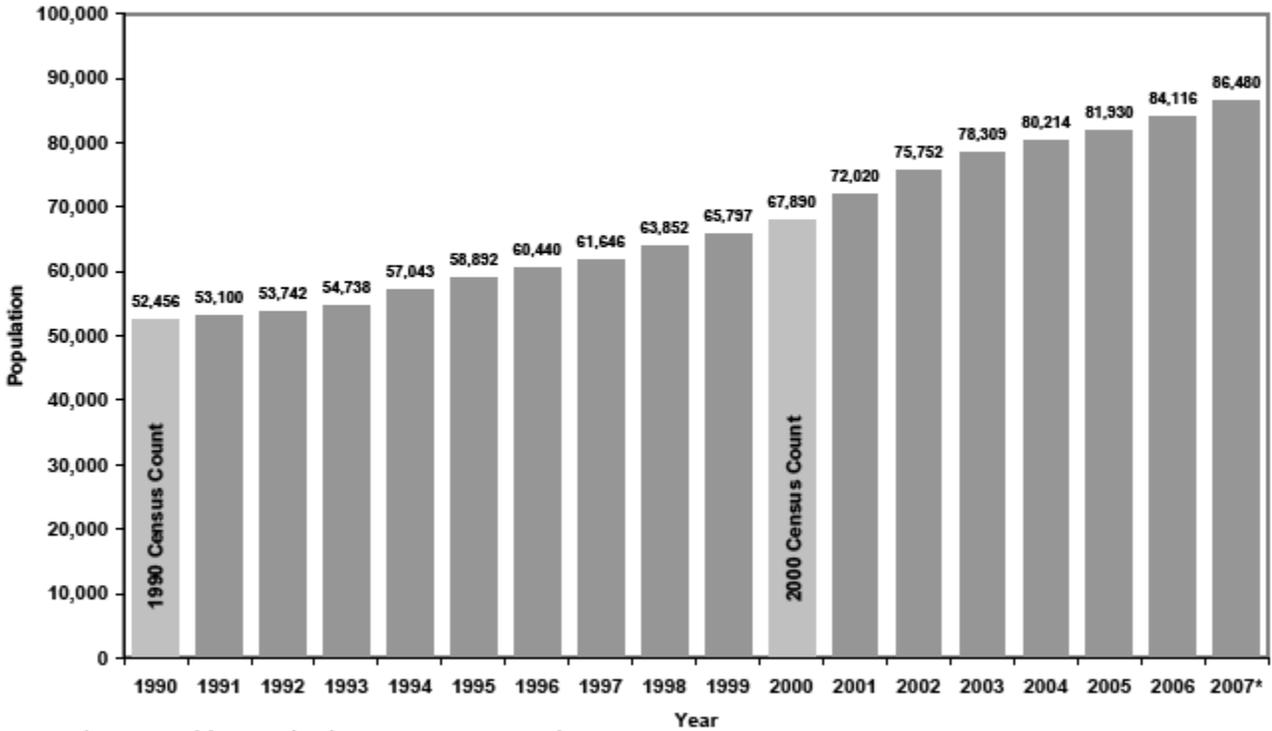
<sup>2</sup> Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.

<sup>3</sup> In combination with one or more of the other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.

Source: U.S. Census Bureau, Census 2000.

# Living Among Aggies

Estimated Population Change  
1990 - Present  
College Station, Texas



Source: City of College Station, Department of Planning and Development Services  
\*Through September 2007

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## See Also:

2002 Demographic Report

[http://www.cstx.gov/docs/demographic\\_report\\_2002\\_-\\_1.pdf](http://www.cstx.gov/docs/demographic_report_2002_-_1.pdf)

Demographic Brochure:

[http://www.cstx.gov/docs/demographics\\_-\\_1.pdf](http://www.cstx.gov/docs/demographics_-_1.pdf)

<sup>3</sup> [http://www.cstx.gov/docs/pop\\_est\\_annual-aug07.pdf](http://www.cstx.gov/docs/pop_est_annual-aug07.pdf)

# Living Among Aggies

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## Appendix 3- "Host Responsibilities of Parties in Residential Areas" Ordinance

### ARTICLE 6. HOST RESPONSIBILITIES OF PARTIES IN RESIDENTIAL AREAS

#### Sec. 34.701. Definitions.

In this article:

*Host* means a person who invites or allows others to gather or remain at his residence, or at a residence he has a lawful right to occupy, for a party.

*Party* means a planned or unplanned gathering of people.

*Residence* means a dwelling unit in an apartment, townhouse, duplex or other multi-family residential structure, or a single-family residence. Residence includes the entire premises of a residence, including the residence building, garage, carport, driveway and yard, and adjacent common areas, parking areas, sidewalks and streets.

*Residential area* means an area:

- (1) That is within a residential zoning district; or
- (2) Within which, in a one-block area, a majority of the buildings are designed or used for residential purposes, such as one-family or two-family dwellings, apartments, townhomes and condominiums.

*Unlawful level of noise* has the same meaning as "unreasonable noise" in Section 42.01 of the Texas Penal Code.

(Ord. No. 2002-23, § 1, 3-25-02; Ord. No. 2003-29, § 1, 5-28-03)

#### Sec. 34.702. Responsibilities of hosts.

(a) It is unlawful for a host to fail:

- (1) To advise his guests that streets and driveways cannot be blocked by vehicles of persons attending the host's party;
- (2) To ensure that noise from the host's party does not reach an unlawful level;
- (3) To ensure that litter related to the host's party is properly disposed of by 10:00 a.m. of the day after the party started; or,
- (4) To ensure that any alcoholic beverages provided or served at the host's party are controlled in a manner that ensures the alcoholic beverage laws are not violated.

(b) It is not a defense to prosecution for violations of any law or ordinance that a security officer or officers who were hired for a party failed to properly fulfill the host's duties in subsection (a) of this section.

(c) It is prima facie evidence that the host violated subsection (a)(1) if the police warn the host that vehicles of persons attending the host's party are blocking streets and driveways and that these vehicles need to be moved, and the vehicles are not moved within a reasonable time.

(Ord. No. 2002-23, § 1, 3-25-02; Ord. No. 2003-29, § 2, 5-28-03)

#### Sec. 34.703. Enforcement of other laws.

Nothing in this division affects a peace officer's authority to enforce other laws such as disorderly conduct, littering, parking and alcohol-related offenses against persons who violate those laws.

(Ord. No. 2002-23, § 1, 3-25-02)<sup>4</sup>

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<sup>4</sup>San Marcos, TX Code of Ordinances, < <http://www.municode.com/resources/gateway.asp?pid=11549&sid=43>>.

**March 27, 2008  
Workshop Agenda Item 3  
Greenways Program Update**

**To:** Glenn Brown, City Manager

**From:** Bob Cowell, AICP, Director of Planning & Development Services

**Agenda Caption:** Presentation, possible action, and discussion regarding College Station's Greenways Program including discussion of current practices and updating of the Greenways Plan.

**Recommendation(s):** Staff recommends the Council provide any clarification/direction they deem appropriate based on the information presented by staff.

**Summary:** This purpose of this agenda item is to provide the Council with an overview of past and current efforts regarding the identification and acquisition of greenways in College Station. Specifically, staff will discuss the current greenways plan and its goals and strategies, current research and analysis being performed by staff, partnership and funding opportunities, and proposals for updating of the greenways plan.

**Budget & Financial Summary:** N/A

**Attachments:** N/A

**March 27, 2008  
Workshop Agenda Item 4  
Comprehensive Plan Update**

**To:** Glenn Brown, City Manager

**From:** Bob Cowell, AICP, Director of Planning & Development Services

**Agenda Caption:** Presentation, possible action, and discussion regarding the update to the City of College Station's Comprehensive Plan.

**Recommendation(s):** Staff recommends the Council provide any clarification/direction they deem appropriate based on the information presented by staff.

**Summary:** This purpose of this agenda item is to provide the Council with an update on the Comprehensive Update process. Specifically, staff will present the results from the most recent CPAC meetings related to community character and neighborhood integrity.

**Budget & Financial Summary:** N/A

**Attachments:** N/A

**March 27, 2008  
Workshop Agenda Item 5  
Red Light Camera Program Update**

**To:** Glenn Brown, City Manager

**From:** Mark Smith, Director of Public Works

**Agenda Caption:** Presentation and discussion on an update of the city's Red Light Camera Program.

**Recommendation(s):** No action needed

**Summary:** This item is placed on the Council's agenda to provide an update on the city's red light camera program, showing how the system works beginning with the violation and ending with received notice.

**Budget & Financial Summary:** There is no financial impact at this time.

**Attachments:**

None