



College Station, TX

Meeting Agenda

Planning and Zoning Commission

1101 Texas Avenue, College Station, TX 77840

Internet: www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: 242 663 945 277 | Passcode: ov9Sa9Ed

Phone: 833-240-7855 | Phone Conference ID: 960 422 366#

The City Council may or may not attend this meeting.

September 4, 2025

6:00 PM

City Hall Council Chambers

Notice is hereby given that a quorum of the meeting body will be present in the physical location stated above where citizens may also attend in order to view a member(s) participating by videoconference call as allowed by 551.127, Texas Government Code. The City uses a thirdparty vendor to host the virtual portion of the meeting; if virtual access is unavailable, meeting access and participation will be in-person only.

1. Call to Order, Pledge of Allegiance, Consider Absence Request.

2. Hear Visitors

At this time, the Chairperson will open the floor to visitors wishing to address the Commission on issues not already scheduled on tonight's agenda. The visitor presentations will be limited to three minutes in order to accommodate everyone who wishes to address the Commission and to allow adequate time for completion of the agenda items. The Commission will receive the information, ask city staff to look into the matter, or will place the matter on a future agenda for discussion. (A recording is made of the meeting; please give your name and address for the record.)

3. Consent Agenda

All matters listed under the Consent Agenda, are considered routine by the Commission and will be enacted by one motion. These items include preliminary plans and final plats, where staff has found compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. Since there will not be separate discussion of these items, citizens wishing to address the Commission regarding one or more items on the Consent Agenda may address the Commission at this time as well. If any Commissioner desires to discuss an item on the Consent Agenda it may be moved to the Regular Agenda for further consideration.

3.1. Consideration, discussion, and possible action to approve meeting minutes.

Attachments: 1. July 17 2025

4. Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission action.

5. Regular Agenda

5.1. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, Unified Development Ordinance, Article 11 "Definitions", Section 11.2 "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, by amending certain sections regarding the definition of family.

Sponsors: Heather Wade

Attachments: 1. Draft Ordinance
2. Family Definition Red Lines

- 5.2. Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, Unified Development Ordinance, Article 1 “General Provisions”, Section 1.10 “Transitional Provisions,” Article 3 “Development Review Procedures”, Section 3.4 “Official Zoning Map Amendments (Rezoning)”, Article 4 “Zoning Districts”, Section 4.1 “Establishment of Districts,” Article 5 “District Purpose Statements and Supplemental Standards”, Section 5.10 “Overlay Districts” and Section 5.11 “Single-Family Overlay Districts,” and Article 6 “Use Regulations”, Section 6.3 “Types of Use” of the Code of Ordinances of the City of College Station, Texas, by amending certain sections regarding the ROO Restricted Occupancy Overlay zoning district and HOO High Occupancy Overlay zoning district.

Sponsors: Heather Wade

Attachments: 1. Draft Ordinance
2. Sec.1.10 Transitional Provisions Red Lines
3. Sec. 3.4 Official Zoning Map Amendments Rezoning Red Lines
4. Sec.4.1 Establishment of Districts Red Lines
5. Sec. 5.10 Overlay Districts Red Lines
6. Sec. 5.11 Single Family Overlay Districts Red Lines
7. Sec. 6.3 Types of Use Red Lines

6. Informational Agenda

- 6.1. Discussion and review regarding the following meetings: Design Review Board and BioCorridor Board.

- 6.2. Presentation and discussion regarding an update on items heard:

- A request for a comprehensive plan amendment on approximately five acres of land generally located south of the intersection of University Drive East and East Crest Drive. The Planning & Zoning Commission heard this item on July 17, 2025 and voted (6-0) to recommend approval. The City Council heard this item on August 14, 2025 and voted (7-0) to approve the request with a smaller acreage.
- A request for a rezoning on approximately 38.24 acres of land generally located south of the intersection of University Drive East and East Crest Drive. The Planning & Zoning Commission heard this item on July 17, 2025 and voted (6-0) to recommend approval of the rezoning with the condition that the "panhandle" area be removed. The City Council heard this item on August 14, 2025 and voted (7-0) to approve the request removing the "panhandle" area and creating a buffer area.

- 6.3. Presentation and discussion regarding the P&Z Calendar of Upcoming Meetings:

- Thursday, September 11, 2025 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
- Thursday, September 18, 2025 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.
- Thursday, September 25, 2025 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
- Thursday, October 2, 2025 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.

6.4. Discussion of new development applications submitted to the City.
New Development Link: www.cstx.gov/newdev

7. Discussion and possible action on future agenda items.

A Planning & Zoning 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. Adjourn.

The Planning and Zoning Commission may adjourn into Executive Session to consider any item listed on the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted on the website and at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on August 29, 2025 at 5:00 p.m.



City Secretary

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979) 764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

Penal Code § 30.07. Trespass by License Holder with an Openly Carried Handgun.

"Pursuant to Section 30.07, Penal Code (Trespass by License Holder with an Openly Carried Handgun) A Person Licensed under Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter this Property with a Handgun that is Carried Openly."

Codigo Penal § 30.07. Traspasar Portando Armas de Mano al Aire Libre con Licencia.

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411, Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre."

**Minutes
Planning and Zoning Commission
Regular Meeting
July 17, 2025**

COMMISSIONERS PRESENT: Chairperson Jason Cornelius, Commissioners Aron Collins, Marcus Chaloupka, Tre Watson, Michael Buckley, and David Higdon

COMMISSIONERS ABSENT: Commissioner Warren Finch

COUNCIL MEMBERS PRESENT: Councilmember Scott Shafer

CITY STAFF PRESENT: Director of Planning & Development Anthony Armstrong, Assistant Director of Planning & Development Molly Hitchcock, City Engineer Carol Cotter, Transportation Planning Administrator Jason Schubert, Long Range Planning Administrator Christine Leal, Land Development Review Administrator Robin Macias, Senior Planner Jeff Howell, Assistant City Attorney II Aaron Longoria, Administrative Support Specialist Kristen Hejny, Technology Services Specialists Sean Kennedy

1. Call Meeting to Order, Pledge of Allegiance, Consider Absence Request.

Chairperson Cornelius called the meeting to order at 6:00 p.m.

2. **Hear Visitors**

No visitors spoke.

3. **Consent Agenda**

- 3.1 Consideration, discussion, and possible action to approve meeting minutes.

- June 5, 2025

Commissioner Collins moved to approve the Consent Agenda, Commissioner Chaloupka seconded the motion, the motion passed 6-0.

4. **Consideration, discussion, and possible action on items removed from the Consent Agenda by Commission Action.**

No items were removed from the Consent Agenda for discussion.

5. **Regular Agenda**

- 5.1 Public Hearing, presentation, discussion, and possible action regarding an ordinance amending the Comprehensive Plan - Future Land Use & Character Map from General

Commercial to Urban Residential for approximately 4.648 acres generally located south of the intersection of University Drive East and East Crest Drive. Case #CPA2025-000001

- 5.2 Public Hearing, presentation, discussion and possible action regarding an ordinance amending Appendix A, Unified Development Ordinance, Article 4, "Zoning Districts," Section 4.2 "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundary from GC General Commercial, R Rural, and T Townhouse to MF Multi-Family (28.855 acres) and T Townhouse (9.385 acres) for approximately 38.24 acres generally located south of the intersection of University Drive East and East Crest Drive as well as at the terminus of Summit Crossing Lane. Case #REZ2025-000002

Presentations, discussion, and public hearings for items #5.1 and #5.2 were held together.

Senior Planner Howell presented the comprehensive plan amendment and rezoning to the Commission recommending approval of both.

Chairperson Cornelius asked if the City has any thoughts on access from the development to University Drive East.

Senior Planner Howell clarified that as part of this request there is no connection to University Drive East. Mr. Howell further clarified that a Traffic Impact Analysis (TIA) was provided to staff, and the TIA indicated that mitigation is required with a signal at University Drive East and East Crest Drive and a signal or round about at Harvey Road and Summit Crossing Drive.

Chairperson Cornelius asked about the call received in objection.

Senior Planner Howell clarified that the call and letter received in objection was from the adjacent property owner, and staff also received a call in objection from a property owner on Summit Crossing Drive.

Commissioner Higdon asked for any plans to connect the development to FM 158/Boonville Road.

Senior Planner Howell clarified that the Master Thoroughfare Plan shows that a future connection to FM 158/Boonville Road is required, stating that a preliminary plan and platting will be required to identify the eventual connection.

Chairperson Cornelius asked for clarification that the only access to the development is from Summit Crossing Drive.

Senior Planner Howell confirmed the current access, stating that right-of-way will be required to provide a connection when platting.

Commissioner Higdon asked if the properties between the two requests would remain urban residential.

Senior Planner Howell confirmed that the properties would remain urban residential and zoned T Townhouse.

Glenn Jones, Applicant, J4 Engineering, was available to address and answer questions from the Commission. Mr. Jones clarified that Summit Way will extend to and through University Drive East and create a minor collector to FM 158/Boonville Road in the future.

Chairperson Cornelius asked if the development would have multi-family and townhouse developments.

Mr. Jones confirmed that the development would have both multi-family and townhouse developments, with commercial development along the frontage of University Drive East, and an extension of Summit Way.

Chairperson Cornelius opened the public hearing for agenda items #5.1 and #5.2.

Bailey Rhodes, West Web, representing Adam Developing Properties, spoke in opposition to the comprehensive plan amendment and rezoning citing concerns for disruptions in continuity of the development, creating burdens for existing commercial land owners, buffer areas consuming developable area limiting design flexibility, cost increase for commercial land owners, interruption of available commercial corridor, traffic and access conflicts, compatible expectations, and the risk of reduced commercial interest. Ms. Rhodes also stated that this development goes against good planning practice, disrupts the logical continuity of commercial development, and is a residential disruption.

Chairperson Cornelius asked if the clients in opposition are opposed to the “panhandle” portion of the development, or the entirety of the development.

Ms. Rhodes clarified that there is general opposition for future development.

Michael Prime, Summit Crossing Subdivision, College Station, spoke in opposition to the comprehensive plan amendment and rezoning citing concerns for multi-family development, drainage, lighting issues, and access on Lonetree Drive.

Senior Planner Howell clarified that Lonetree Drive would be required to construct an extension or turn around.

Chairperson Cornelius closed the public hearing for agenda items #5.1 and #5.2.

Commissioner Collins asked if this proposed development is an appropriate use.

Senior Planner Howell confirmed that this is an appropriate use of the property.

Commissioner Collins asked who would be responsible for buffers.

Senior Planner Howell clarified that buffering would be at the expense of the property developer.

Commissioner Collins stated that nothing needs to be done by current landowners regarding drainage, clarifying that if the property is rezoned, the developer will need to provide plans on water evacuation.

Senior Planner Howell confirmed that plating will require a site plan and detention plans.

Commissioner Higdon expressed concerns regarding access to the “panhandle”, with the extension of Lonetree Drive.

Senior Planner Howell clarified that access, connectivity, right-of-way, and streets will be reviewed with the site plan.

Commissioner Chaloupka expressed concerns with the “panhandle” area, stating that the development isolates and causes challenges for surrounding properties.

Chairperson Cornelius asked if the Commission could add a condition to the comprehensive plan amendment or rezoning.

Director Armstrong clarified that the Commission must act on the comprehensive plan amendment and rezoning requests separately, and may recommend approval, recommend approval with conditions, or recommend denial, confirming that the Commission can put a condition on either request that is physical in nature.

Chairperson Cornelius asked if the Commission could recommend approval of the comprehensive plan amendment and add a condition to the rezoning.

Director Armstrong confirmed that the Commission could recommend approval of the comprehensive plan amendment and add a condition to the rezoning.

Chairperson Cornelius asked if the Commission were to add a condition to not rezone the “panhandle” area, how would that affect development.

Mr. Jones responded that not rezoning the “panhandle” area kills project, stating that the development is maintaining a 350-foot strip of commercial area on University Drive East.

Chairperson Cornelius asked if the Commission did not add conditions if they could still make recommendations to the City Council based on the Commission’s concerns.

Director Armstrong clarified that staff would relay a report to City Council, and a representative of the Commission would be available to speak at City Council.

Transportation Planning Administrator Schubert provided clarification on access from Summit Crossing Lane stating that it will extend to University Drive East at East Crest Drive.

Commissioner Collins asked if Lonetree Drive will connect to any streets.

Transportation Planning Administrator Schubert clarified that Lonetree Drive is currently a stub, and development regulations will require the development to continue the street or turn it in to a cul-de-sac.

There was general discussion amongst the Commission on conditions, concerns, and recommendations.

Director Armstrong clarified that if the Commission were to recommend approval of the comprehensive plan amendment, the rezoning would then be in direct compliance with the with the future land use.

Commissioner Collins moved to recommend approval of the comprehensive plan amendment. Commissioner Higdon seconded the motion, the motion was approved 6-0.

Commissioner Chaloupka moved to recommend approval of the rezoning with the condition that the “panhandle” area be removed. Commissioner Collins seconded the motion, the motion was approved 6-0.

6. Informational Agenda

6.1 Discussion of new development applications submitted to the City.

New Development Link: www.cstx.gov/newdev

There was no discussion.

6.2 Presentation and discussion regarding an update on items heard:

- A request for a comprehensive plan amendment on approximately three acres of land generally located at 2360 Harvey Mitchell Parkway South from General Commercial to Urban. The Planning & Zoning Commission heard this item on May 15, 2025 and voted (3-1) to recommend approval. The City Council heard this item on June 12, 2025 and voted (6-0) to approve the request.
- A rezoning of approximately three acres of land generally located at 2360 Harvey Mitchell Parkway South from GC General Commercial and OV Corridor Overlay to PDD Planned Development District. The Planning &

Zoning Commission heard this item on May 15, 2025 and voted (3-1) to recommend approval. The City Council heard this item on June 12, 2025 and voted (6-0) to approve the request.

There was no discussion.

6.3 Presentation and discussion regarding the P&Z Calendar of Upcoming Meetings:

- Thursday, July 24, 2025 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
- Thursday, August 7, 2025 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.
- Thursday, August 14, 2025 ~ City Council Meeting ~ Council Chambers ~ Open Meeting 6:00 p.m.
- Wednesday, August 20, 2025 ~ P&Z Commissioner Training ~ Bush 4141 Community Room ~ 1:00 p.m.
- Thursday, August 21, 2025 ~ P&Z Meeting ~ Council Chambers ~ 6:00 p.m.

There was no discussion.

6.4 Discussion and review regarding the following meetings: Design Review Board and BioCorridor Board.

- None

There was no discussion.

7. **Discussion and possible action on future agenda items.**

There was no discussion.

8. **Adjourn**

The meeting adjourned at 6:50 p.m.

Approved:

Jason Cornelius, Chairperson
Planning & Zoning Commission

Attest:

Kristen Hejny, Board Secretary
Planning & Development Services

September 4, 2025

Item No. 5.1.

UDO Definition of Family - UDO Amendments for Senate Bill 1567 Compliance

Sponsor: Heather Wade, Principal Planner

Reviewed By CBC: Planning & Zoning Commission

Agenda Caption: Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, Unified Development Ordinance, Article 11 "Definitions", Section 11.2 "Defined Terms" of the Code of Ordinances of the City of College Station, Texas, by amending certain sections regarding the definition of family.

Relationship to Strategic Goals:

- Good Governance
- Neighborhood Integrity
- Sustainable City

Recommendation(s): Staff recommends approval of the amendment to the Unified Development Ordinance to comply with Senate Bill 1567, which prohibits the regulation of occupancy based on familial or relationship status.

Summary: Senate Bill 1567 (SB 1567), which takes effect September 1, 2025, prohibits Texas cities from regulating how many people may live in a home based on their relation to one another. To comply with new state law, the City is in the process of amending zoning regulations that previously limited occupancy of a dwelling unit based on familial or relationship status, and removing all ROO Restricted Occupancy Overlay and HOO High Occupancy Overlay zoning districts. This item is part of the first phase of the process, amending the UDO definition of "family".

Budget & Financial Summary:

Attachments:

1. Draft Ordinance
2. Family Definition Red Lines

ORDINANCE NO. 2025-xxxx

AN ORDINANCE AMENDING APPENDIX A, “UNIFIED DEVELOPMENT ORDINANCE,” ARTICLE 11 “DEFINITIONS”, SECTION 11.2 “DEFINED TERMS” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING THE DEFINITION OF FAMILY, IN RESPONSE TO COMPLIANCE REQUIREMENTS OF SENATE BILL 1567, WHICH PROHIBITS THE REGULATION OF OCCUPANCY BASED ON FAMILIAL OR RELATIONSHIP STATUS; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

- PART 1:** That Appendix A, “Unified Development Ordinance,” Article 11 “Definitions”, Section 11.2 “Defined Terms” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Exhibit A

That Appendix A, “Unified Development Ordinance,” Article 11 “Definitions”, Section 11.2 “Defined Terms” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

Sec. 11.2. - Defined Terms.

....

“Family: A family is any number of persons occupying a single dwelling unit. The term family shall not be construed to mean a club, a lodge, or a fraternity or sorority house.”

....

Sec. 11.2. Defined Terms.

...

“Family: A family is any number of persons occupying a single dwelling unit, ~~provided that no such family shall contain more than four (4) persons unless all members are related by blood, adoption, guardianship, or marriage, are an authorized caretaker, or are part of a group home for disabled persons. When counting the number of unrelated persons in a single dwelling unit, a maximum of one (1) group of persons related by blood, adoption, guardianship, marriage, an authorized caretaker, or members of a group home for disabled persons shall be permitted, provided that all other persons shall each count as one (1) unrelated person. Guardianship shall include foster children, exchange students, or those in the process of securing legal custody of a person under the age of eighteen (18). Any asserted common law marriage must be subject to an affidavit of record under the Texas Family Code, as amended, or a judicial determination.~~ The term family shall not be construed to mean a club, a lodge, or a fraternity or sorority house. “

....

September 4, 2025
Item No. 5.2.
UDO Amendments for Senate Bill 1567 Compliance

Sponsor: Heather Wade, Principal Planner

Reviewed By CBC: Planning & Zoning Commission

Agenda Caption: Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, Unified Development Ordinance, Article 1 “General Provisions”, Section 1.10 “Transitional Provisions,” Article 3 “Development Review Procedures”, Section 3.4 “Official Zoning Map Amendments (Rezoning),” Article 4 “Zoning Districts”, Section 4.1 “Establishment of Districts,” Article 5 “District Purpose Statements and Supplemental Standards”, Section 5.10 “Overlay Districts” and Section 5.11 “Single-Family Overlay Districts,” and Article 6 “Use Regulations”, Section 6.3 “Types of Use” of the Code of Ordinances of the City of College Station, Texas, by amending certain sections regarding the ROO Restricted Occupancy Overlay zoning district and HOO High Occupancy Overlay zoning district.

Relationship to Strategic Goals:

- Good Governance
- Neighborhood Integrity
- Sustainable City

Recommendation(s): Staff recommends approval of the amendments to the Unified Development Ordinance to comply with Senate Bill 1567, which prohibits the regulation of occupancy based on familial or relationship status.

Summary: Senate Bill 1567 (SB 1567), which takes effect September 1, 2025, prohibits Texas cities from regulating how many people may live in a home based on their relation to one another. To comply with new state law, the City is in the process of amending zoning regulations that previously limited occupancy of a dwelling unit based on familial or relationship status and removing all ROO Restricted Occupancy Overlay (ROO) and HOO High Occupancy Overlay (HOO) zoning districts. This proposed amendment is part of the first phase of the process, which only amends the UDO in sections related to ROO and HOO overlays. The second phase of the process is anticipated to move forward in September and will be to repeal the overlays from properties and rezone those properties with only their base zoning districts.

Budget & Financial Summary:

Attachments:

1. Draft Ordinance
2. Sec.1.10 Transitional Provisions Red Lines
3. Sec. 3.4 Official Zoning Map Amendments Rezoning Red Lines
4. Sec.4.1 Establishment of Districts Red Lines
5. Sec. 5.10 Overlay Districts Red Lines
6. Sec. 5.11 Single Family Overlay Districts Red Lines
7. Sec. 6.3 Types of Use Red Lines

ORDINANCE NO. 2025-xxxx

AN ORDINANCE AMENDING APPENDIX A, “UNIFIED DEVELOPMENT ORDINANCE,” ARTICLE 1, “GENERAL PROVISIONS,” SECTION 1.10, “TRANSITIONAL PROVISIONS,” ARTICLE 3 “DEVELOPMENT REVIEW PROCEDURES”, SECTION 3.4 “OFFICIAL ZONING MAP AMENDMENTS (REZONINGS),” ARTICLE 4 “ZONING DISTRICTS”, SECTION 4.1 “ESTABLISHMENT OF DISTRICTS,” ARTICLE 5 “DISTRICT PURPOSE STATEMENTS AND SUPPLEMENTAL STANDARDS”, SECTION 5.10 “OVERLAY DISTRICTS” AND SECTION 5.11 “SINGLE-FAMILY OVERLAY DISTRICTS,” AND ARTICLE 6 “USE REGULATIONS”, SECTION 6.3 “TYPES OF USE” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO THE ROO RESTRICTED OCCUPANCY OVERLAY ZONING DISTRICT AND THE HOO HIGH OCCUPANCY OVERLAY ZONING DISTRICT;; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Appendix A, “Unified Development Ordinance,” Article 1 “General Provisions”, Section 1.10 “Transitional Provisions,” Article 3 “Development Review Procedures”, Section 3.4 “Official Zoning Map Amendments (Rezoning),” Article 4 “Zoning Districts”, Section 4.1 “Establishment of Districts,” Article 5 “District Purpose Statements and Supplemental Standards”, Section 5.10 “Overlay Districts” and Section 5.11 “Single-Family Overlay Districts,” Article 6 “Use Regulations”, Section 6.3 “Types of Use,” and Article 11 “Definitions”, Section 11.2 “Defined Terms” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”, Exhibit “B”, Exhibit “C”, Exhibit “D”, and Exhibit “E”**, attached hereto and made a part of this Ordinance for all purposes.

PART 2: If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

PART 3: That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day

such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 4: This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

Exhibit A

That Appendix A, “Unified Development Ordinance,” Article 1 “General Provisions”, Section 1.10 B.5. “New Districts” and 1.10 B.7. “Deleted Districts” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

Sec. 1.10. Transitional Provisions.

....

“5. New Districts.

The following districts are hereby created and added to those in effect at the time of the adoption of this UDO.

New District	Name	Effective Date
RDD	Redevelopment District	June 13, 2003
P-MUD	Planned Mixed-Use Development	June 13, 2003
NCO	Neighborhood Conservation Overlay	December 13, 2007
HP	Historic Preservation Overlay	September 11, 2008
NAP	Natural Areas Protected	October 7, 2012
SC	Suburban Commercial	October 7, 2012
BP	Business Park	October 7, 2012
BPI	Business Park Industrial	October 7, 2012
RS	Restricted Suburban	September 22, 2013
MF	Multi-Family	December 28, 2014
MU	Mixed-Use	December 28, 2014
WE	Wellborn Estate	August 7, 2016
WRS	Wellborn Restricted Suburban	August 7, 2016
WC	Wellborn Commercial	August 7, 2016
MH	Middle Housing	November 6, 2022

7. Deleted Districts.

The following districts not existing on the Official Zoning Map are hereby deleted:

Deleted District	Name	Effective Date
C-PUD	Commercial Planned Unit Development	June 13, 2003
C-NG	Commercial Northgate	June 13, 2003

KO	Krenek Tap Overlay	April 22, 2018
ROO	Restricted Occupancy Overlay	September 11, 2025
HOO	High Occupancy Overlay	September 11, 2025

“

....

Exhibit B

That Appendix A, “Unified Development Ordinance,” Article 3 “Development Review Procedures”, Section 3.4C. “Application” and ”, Section 3.4D. “Approval Process” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

....

“C. Application.

A complete application for an Official Zoning Map amendment shall be submitted to the Administrator as set forth in the General Approval Procedures Section above and herein. As applicable, applicants shall submit the information, documents, and materials set forth in the Traffic Impact Analyses Section of Article 7, General Development Standards of this UDO.

1. Application requests for a P-MUD Planned Mixed-Use District or PDD Planned Development District shall provide the following additional information:
 - a. A written statement of the purpose and intent of the proposed development;
 - b. A list and explanation of the potential land uses permitted; and
 - c. A concept plan as described in the Concept Plans (P-MUD and PDD Districts) Section below.
2. Application requests for an NCO Neighborhood Conservation Overlay shall provide the following additional information in accordance with the Neighborhood Conservation Overlay Process Handbook.
 - a. A copy of the original plat of the subdivision, or multiple contiguous phases of original subdivisions that apply jointly;
 - b. A petition including dated signatures by property owners of at least fifty (50) percent plus one (1) of the total number of single-family zoned or developed building plots contained within the original subdivision, or multiple contiguous phases of original subdivisions that apply jointly in one application, in support of the overlay district. The fifty (50) percent plus one (1) petition signatures must be met for each of the original subdivisions that apply jointly;
 - c. Contact information for property owners of platted single-family development in the original subdivision to serve on the Neighborhood Conservation Overlay petition committee;
 - d. Certificate of mailing neighborhood meeting notice for all property owners of single-family zoned or developed building plots contained within the original subdivision;
 - e. Completed neighborhood meeting sign-in sheets; and
 - f. Neighborhood meeting minutes signed by a petition committee member.
3. Application request for an HP Historic Preservation Overlay shall provide the following additional information:
 - a. An inventory and survey of structures to be included in the rezoning, submitted on a form provided by the Historic Preservation Officer;

- b. A current photograph of each property included in the rezoning, and its improvements;
- c. Historical photographs, where available; and
- d. A completed designation report. Upon initiation of the historic designation procedure, the Historic Preservation Officer shall coordinate research to compile a written report regarding the historical, cultural, and architectural significance of the place or area proposed for historic designation at the request of the applicant, but the rezoning application will not be considered complete until the report has been completed. A designation report shall include a statement on each of the following to the extent that they apply:
 - 1) A listing of the architectural, archaeological, paleontological, cultural, economic, social, ethnic, political, or historical characteristics upon which the nomination is based;
 - 2) A description of the historical, cultural, and architectural significance of the structures and sites;
 - 3) Identification of historic contributing and non-contributing resources to the proposed district; and
 - 4) A description of the boundaries of the proposed HP Historic Preservation Overlay, including subareas and areas where new construction will be prohibited.

D. Approval Process.

1. Pre-Application Conference.

Prior to the submission of an application for an Official Zoning Map amendment, applicants are encouraged to schedule and attend an optional pre-application conference in accordance with the Pre-Application Conference Subsection of the General Approval Procedures Section above.

2. Required Meetings.

a. Neighborhood Meeting.

Prior to the submission of an application for an Official Zoning Map amendment for an NCO Neighborhood Conservation Overlay, all potential applicants shall request to set up a neighborhood meeting with City staff. “

....

Exhibit C

That Appendix A, “Unified Development Ordinance,” Article 4 “Zoning Districts”, Section 4.1 “Establishment of Districts,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

Sec. 4.1. Establishment of Districts.

For the purpose of this UDO, portions of the city, as specified on the Official Zoning Map, are hereby divided into the zoning districts enumerated below. The intensity regulations applicable for such districts are designated in the respective Sections of Article 5, District Purpose Statements and Supplemental Standards, and the use regulations are designated in Article 6, Use Regulations of this UDO.

Table of Districts	
Residential Zoning Districts	
R	Rural
WE	Wellborn Estate
E	Estate
WRS	Wellborn Restricted Suburban
RS	Restricted Suburban
GS	General Suburban
D	Duplex
T	Townhouse
MH	Middle Housing
MF	Multi-Family
MU	Mixed-Use
MHP	Manufactured Home Park
Non-Residential Zoning Districts	
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
CU	College and University
NAP	Natural Areas Protected
Retired Districts	
R-1B	Single-Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
R&D	Research & Development
M-1	Light Industrial
M-2	Heavy Industrial
NPO	Neighborhood Prevailing Overlay
Planned Districts	
P-MUD	Planned Mixed-Use District
PDD	Planned Development District
Design Districts	
WPC	Wolf Pen Creek
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate
Overlay Districts	
OV	Corridor Overlay
RDD	Redevelopment District
HP	Historic Preservation Overlay

Single-Family Overlay Districts	
NCO	Neighborhood Conservation Overlay

Exhibit D

That Appendix A, “Unified Development Ordinance,” Article 5 “District Purpose Statements and Supplemental Standards”, Section 5.10D. “HOO High Occupancy Overlay” and Section 5.11D. ROO Restricted Occupancy Overlay”, of the Code of Ordinances of the City of College Station, Texas, is hereby amended by removing Section 5.10D. “HOO High Occupancy Overlay” and Section 5.11D. ROO Restricted Occupancy Overlay” in their entirety.

....

Exhibit E

That Appendix A, “Unified Development Ordinance,” Article 6 “Use Regulations”, Section 6.3C. “Use Table” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

USE TABLE																																		
Specific Uses	R	WE	E	WRS	RS	GS	T **	D **	MH	MF **	MU **	MHP **	P-MUD **	O	SC **	WC	GC	CI	BP **	BPI	CU	NAP	R-1B	R-4 **	R-6 **	C-3 **	M-1	M-2	R&D **	WPC **	NG-1 **	NG-2 **	NG-3 **	
Assisted Living/R esidentia l Care Facility														P	P		P																	
Boardin g and Roomin g House										P			P											P	P									P
Courtyar d House									P *																									
Dormito ry										P	P		P											P	P						P	P	P	
Duplex								P	P				P											P	P									
Extende d Care Facility/ Convale scent/ Nursing Home										P			P		P		P	P						P	P					P				
Fraternit y/Sororit y										P														P	P						P	P	P	
Manufac tured Home	P *		P *									P *																						
Mixed- Use Structur e										P	P		P																	P	P	P	P	
Multi- Family										P	P		P											P	P					C (a)		P	P	P
Multi- Family built prior to January 2002										P	P													P	P					P	P	P	P	
Multiple x, Medium									P	P																								

Governmental Facilities	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P*	P*	P	P	P	P	P		P*	P*	P*	P	P	P	P	P	P*
Health Care, Hospitals															P	P															
Health Care, Medical Clinics										P	P			P	P	P	P								P				P	P	
Parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P
Places of Worship	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P	P	P	P		P*	P*	P*	P	P	P	P	P	P
Agricultural Use, Barn or Stable for Private Stock	P	P	P																												
Agricultural Use, Farm or Pasturage	P	P	P																												
Agricultural Use, Farm Product Processing	P																														
Animal Care Facility, Indoor										P	P		P	P	P	P	P								P			P	P		
Animal Care Facility, Outdoor	P*															P															
Art Studio/Gallery										P (c)	P	P		P	P	P	P								P			P	P	P	
Car Wash																P*															
Commercial Garden, Greenhouse, or Landscape Maintenance	P*															P*	P*	P*	P*								P*				
Commercial										P	P		P		C	C	P*	P*							C			P	P		

Amusement ent																																			
Confere nce/Con ventio n Center										P	P			P			P	P												P	P	P			
Country Club	P	P	P	P	P	P							P				P	P					P												
Day Care, Commer cial									P (c)	P	P	C	P	P	P	P	P	P					P		C	C	P					P	P	P	P
Drive- In/Thru														P *		P														C		P *			
Dry Cleaners and Laundry										P	P		P *	P *	P	P *	P	P								P *				P *	P *	P *	P *		
Fraternal Lodge													P				P	P													P	P	P		
Fuel Sales													P *				P *									P *		P							
Funeral Home																	P	P											P						
Golf Course or Driving Range	P *												P *				P *	P *																	
Health Club/Sp orts Facility, Indoor										P	P		P		P	P	P	P								P				P	P	P	P		
Health Club/Sp orts Facility, Outdoor										P	P *		P				P	P												P	P *	P			
Hotel	C (b)									P	P		P		P		P													P	P	P			
Mobile Food Court										C	C		C				C													C	C	C			
Night Club, Bar, or Tavern										C	C		C				C													C	C	C			
Office									P (c)	P	P		P	P	P	P	P	P	P	P	P						P	P	P	P	P	P	P	P	P
Parking as a Primary Use											P		P	C			P	P												P		P *			
Personal Service Shop									P (c)	P	P		P	P	P	P	P	P								P				P	P	P	P	P	P

[illegible]

[illegible]

Sec. 1.10. Transitional Provisions.

5. New Districts.

The following districts are hereby created and added to those in effect at the time of the adoption of this UDO.

New District	Name	Effective Date
RDD	Redevelopment District	June 13, 2003
P-MUD	Planned Mixed-Use Development	June 13, 2003
NCO	Neighborhood Conservation Overlay	December 13, 2007
HP	Historic Preservation Overlay	September 11, 2008
NAP	Natural Areas Protected	October 7, 2012
SC	Suburban Commercial	October 7, 2012
BP	Business Park	October 7, 2012
BPI	Business Park Industrial	October 7, 2012
RS	Restricted Suburban	September 22, 2013
MF	Multi-Family	December 28, 2014
MU	Mixed-Use	December 28, 2014
WE	Wellborn Estate	August 7, 2016
WRS	Wellborn Restricted Suburban	August 7, 2016
WC	Wellborn Commercial	August 7, 2016
ROO	Restricted Occupancy Overlay	April 19, 2021
MH	Middle Housing	November 6, 2022
HOO	High Occupancy Overlay	September 24, 2023

6. Redesignated District.

Henceforth all areas designated PUD Planned Unit Development shall be redesignated PDD Planned Development Districts. The individual ordinances that created the PUD Planned Unit Developments shall remain in effect, along with all provisions and conditions listed therein. Any modification of a former PUD Planned Unit Development shall follow the provisions for PDD Planned Development Districts listed herein.

Previous District	Name	Redesignated District	Name	Effective Date
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PUD	Planned Unit Development	PDD	Planned Development District	June 13, 2003
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7. **Deleted Districts.**

The following districts not existing on the Official Zoning Map are hereby deleted:

Deleted District	Name	Effective Date
C-PUD	Commercial Planned Unit Development	June 13, 2003
C-NG	Commercial Northgate	June 13, 2003
KO	Krenek Tap Overlay	April 22, 2018
<u>ROO</u>	<u>Restricted Occupancy Overlay</u>	<u>September 1, 2025</u>
<u>HOO</u>	<u>High Occupancy Overlay</u>	<u>September 1, 2025</u>

(Ord. No. 2023-4453, Pt. 1(Exh. A), 8-10-2023; Ord. No. 2023-4468, Pt. 1(Exh. A), 9-14-2023)

Sec. 3.4. Official Zoning Map Amendments (Rezoning).

....

"C. Application.

A complete application for an Official Zoning Map amendment shall be submitted to the Administrator as set forth in the General Approval Procedures Section above and herein. As applicable, applicants shall submit the information, documents, and materials set forth in the Traffic Impact Analyses Section of Article 7, General Development Standards of this UDO.

1. Application requests for a P-MUD Planned Mixed-Use District or PDD Planned Development District shall provide the following additional information:
 - a. A written statement of the purpose and intent of the proposed development;
 - b. A list and explanation of the potential land uses permitted; and
 - c. A concept plan as described in the Concept Plans (P-MUD and PDD Districts) Section below.
2. Application requests for an NCO Neighborhood Conservation Overlay shall provide the following additional information in accordance with the Neighborhood Conservation Overlay Process Handbook.
 - a. A copy of the original plat of the subdivision, or multiple contiguous phases of original subdivisions that apply jointly;
 - b. A petition including dated signatures by property owners of at least fifty (50) percent plus one (1) of the total number of single-family zoned or developed building plots contained within the original subdivision, or multiple contiguous phases of original subdivisions that apply jointly in one application, in support of the overlay district. The fifty (50) percent plus one (1) petition signatures must be met for each of the original subdivisions that apply jointly;
 - c. Contact information for property owners of platted single-family development in the original subdivision to serve on the Neighborhood Conservation Overlay petition committee;
 - d. Certificate of mailing neighborhood meeting notice for all property owners of single-family zoned or developed building plots contained within the original subdivision;
 - e. Completed neighborhood meeting sign-in sheets; and
 - f. Neighborhood meeting minutes signed by a petition committee member.
3. ~~Application requests for a ROO Restricted Occupancy Overlay shall provide the following additional information in accordance with the Restricted Occupancy Overlay Process Handbook:~~
 - a. ~~A copy of the original plat of the subdivision, or multiple contiguous phases of original subdivisions that apply jointly;~~
 - b. ~~A petition including dated signatures by property owners of at least fifty (50) percent plus one (1) of the total number of single-family zoned or developed building plots contained within the original subdivision, or multiple contiguous phases of original subdivisions that apply jointly in one application, in support of the overlay district. The fifty (50) percent plus one (1) petition signatures must be met for each of the original subdivisions that apply jointly;~~
 - c. ~~Contact information for property owners of platted single-family development in the original subdivision to serve on the Restricted Occupancy Overlay petition committee;~~
 - d. ~~Certificate of mailing neighborhood meeting notice for all property owners of single-family zoned or developed building plots contained within the original subdivision;~~
 - e. ~~Completed neighborhood meeting sign-in sheets; and~~

f. ~~Neighborhood meeting minutes signed by a petition committee member.~~

34. Application request for an HP Historic Preservation Overlay shall provide the following additional information:

- a. An inventory and survey of structures to be included in the rezoning, submitted on a form provided by the Historic Preservation Officer;
- b. A current photograph of each property included in the rezoning, and its improvements;
- c. Historical photographs, where available; and
- d. A completed designation report. Upon initiation of the historic designation procedure, the Historic Preservation Officer shall coordinate research to compile a written report regarding the historical, cultural, and architectural significance of the place or area proposed for historic designation at the request of the applicant, but the rezoning application will not be considered complete until the report has been completed. A designation report shall include a statement on each of the following to the extent that they apply:
 - 1) A listing of the architectural, archaeological, paleontological, cultural, economic, social, ethnic, political, or historical characteristics upon which the nomination is based;
 - 2) A description of the historical, cultural, and architectural significance of the structures and sites;
 - 3) Identification of historic contributing and non-contributing resources to the proposed district; and
 - 4) A description of the boundaries of the proposed HP Historic Preservation Overlay, including subareas and areas where new construction will be prohibited.

D. Approval Process.

1. Pre-Application Conference.

Prior to the submission of an application for an Official Zoning Map amendment, applicants are encouraged to schedule and attend an optional pre-application conference in accordance with the Pre-Application Conference Subsection of the General Approval Procedures Section above.

2. Required Meetings.

a. Neighborhood Meeting.

Prior to the submission of an application for an Official Zoning Map amendment for an NCO Neighborhood Conservation Overlay ~~or ROO Restricted Occupancy Overlay~~, all potential applicants shall request to set up a neighborhood meeting with City staff. “

....

Sec. 4.1. Establishment of Districts.

For the purpose of this UDO, portions of the city, as specified on the Official Zoning Map, are hereby divided into the zoning districts enumerated below. The intensity regulations applicable for such districts are designated in the respective Sections of Article 5, District Purpose Statements and Supplemental Standards, and the use regulations are designated in Article 6, Use Regulations of this UDO.

Table of Districts	
Residential Zoning Districts	
R	Rural
WE	Wellborn Estate
E	Estate
WRS	Wellborn Restricted Suburban
RS	Restricted Suburban
GS	General Suburban
D	Duplex
T	Townhouse
MH	Middle Housing
MF	Multi-Family
MU	Mixed-Use
MHP	Manufactured Home Park
Non-Residential Zoning Districts	
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
CU	College and University
NAP	Natural Areas Protected
Retired Districts	
R-1B	Single-Family Residential

R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
R&D	Research & Development
M-1	Light Industrial
M-2	Heavy Industrial
NPO	Neighborhood Prevailing Overlay
Planned Districts	
P-MUD	Planned Mixed-Use District
PDD	Planned Development District
Design Districts	
WPC	Wolf Pen Creek
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate
Overlay Districts	
OV	Corridor Overlay
RDD	Redevelopment District
HP	Historic Preservation Overlay
HOO	High-Occupancy Overlay
Single-Family Overlay Districts	
ROO	Restricted-Occupancy Overlay
NCO	Neighborhood Conservation Overlay

(Ord. No. 2023-4453, Pt. 1(Exh. A), 8-10-2023; Ord. No. 2023-4468, Pt. 1(Exh. B), 9-14-2023)

Sec. 5.10. Overlay Districts.

In the event an area is rezoned to apply an overlay district, this district shall apply to all multi-family, commercial, and industrial property, and where applicable, to single-family, duplex, or townhouse development. The underlying district establishes the permitted uses and shall remain in full force, and the requirements of the overlay district are to be applied in addition to the underlying use and site restrictions.

A. OV Corridor Overlay.

This district is established to enhance the image of gateways and key entry points, major corridors, and other areas of concern, as determined by the City Council, by maintaining a sense of openness and continuity.

The following supplemental standards shall apply to this district:

1. Setbacks.

All buildings will be set back forty (40) feet from the right-of-way. Where parking is located in the front of the building, there shall be a front setback of twenty (20) feet from the right-of-way to the parking area and all drive aisles.

2. Signs.

Freestanding signs shall be limited to the restrictions of the Signs Section of Article 7, General Development Standards of this UDO but shall not exceed the height of the building.

3. Building Colors.

Building colors shall be neutral and harmonious with the existing man-made or natural environment, and only compatible accent colors shall be used. All colors shall be approved by the Administrator. The applicant must provide elevation drawings and color samples.

4. Special Restrictions for Retail Fuel Sales.

In cases where the underlying zoning district allows fuel sales and a station is proposed, the following restrictions shall apply:

a. Activities Restricted.

- 1) No major emergency auto repair; and
- 2) No body, fender, or paint work.

b. Signs.

- 1) Sign height shall be restricted by the provisions of the Signs Section of Article 7, General Development Standards of this UDO but shall not exceed the height of the building.
- 2) No freestanding fuel price signage shall be permitted.
- 3) Signs for air, water, and other similar services or products must meet the criteria for exempt signs as provided in the Signs Section of Article 7, General Development Standards of this UDO.

B. RDD Redevelopment District.

The purpose of this district is to facilitate the redevelopment of existing nonconforming commercial centers through flexible or relaxed standards, which can accommodate existing physical limitations and take extraordinary circumstances into account. The RDD Redevelopment District is an overlay district. The permissible uses on any site shall be governed by the underlying zoning.

The following supplemental standards shall apply to this district:

1. **Location.**

An RDD Redevelopment District may be established upon any commercially zoned property where the initial development was developed a minimum of twenty (20) years before the rezoning request and the proposed redevelopment meets the intent of this Section. Special consideration should be given to those areas considered "gateways" and/or historic, and those with proximity to Texas A&M University.

2. **Standards.**

Although every effort should be made to meet all requirements of this UDO, designated RDD Redevelopment Districts may be allowed to waive up to fifty (50) percent of required parking standards and landscaping where physical limitations and the site's location and relationship to the goals of the Comprehensive Plan warrant consideration. A lesser percentage may be established as part of the approval process.

3. **Criteria for Evaluation.**

Evaluation of all sites and site plans for rezoning to RDD Redevelopment District shall consider the following:

- a. Conformance with the Comprehensive Plan;
- b. Aesthetic contribution of the proposed redevelopment;
- c. Economic viability of the existing site;
- d. Physical limitations and the demonstrated inability to meet current requirements;
- e. Public health and safety standards; and
- f. Effort made to meet all standards of this UDO.
- g. Full engineering of sites may not be required for the establishment of an RDD Redevelopment District; however, a preliminary engineering study will be required which assesses parking, vehicular access and circulation, drainage, and utility requirements.

4. **Procedure for Establishment.**

The procedure for rezoning to RDD Redevelopment District shall be the same as any other rezoning application except that a site plan of the proposed redevelopment of the site shall be carefully evaluated to ascertain the site plan's benefit to achieving the goals of the Comprehensive Plan.

Elevations of proposed structures may be required as part of the review process, or to determine eligibility for rezoning.

Full engineering may not be required for evaluating a property for rezoning. Varying levels of information may be required by the Administrator depending upon the peculiarities of any given site.

The site plan components shall govern the redevelopment of the site following the approval of an RDD Redevelopment District.

C. **HP Historic Preservation Overlay.**

1. **Purpose.**

The HP Historic Preservation Overlay is intended to provide for the protection and preservation of places and areas of historical, cultural, and architectural importance and significance. Such action is necessary to promote the economic, cultural, educational, and general welfare of the public.

Specifically, this district has the following expressed purposes:

- a. To protect and enhance the landmarks and districts which represent distinctive elements of College Station's historic, architectural, and cultural heritage;
- b. To foster civic pride in the accomplishments of the past;
- c. To protect and enhance College Station's attractiveness to visitors and the support and stimulus to the economy thereby provided;
- d. To ensure the harmonious, orderly, and efficient growth and development of College Station;
- e. To promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within College Station; and
- f. To encourage stabilization, restoration, and improvements of such properties and their values.

2. Applicability.

The HP Historic Preservation Overlay may be applied to districts, areas, or individual property, regardless of the base zoning district or current use of the properties, that:

- a. Are at least forty (40) years old;
- b. Meet at least two (2) of the criteria listed below; and
- c. Possess historic integrity that is evident through historic qualities including location, design, setting, materials, workmanship, feeling, and association.

3. Criteria for Designation of HP Historic Preservation Overlays.

A property or district may be designated if it:

- a. Possesses significance in history, architecture, archeology, and culture;
- b. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
- c. Is associated with events that have made a significant impact in our past;
- d. Embodies the distinctive characteristics of a type, period, or method of construction;
- e. Represents the work of a master designer, builder, or craftsman;
- f. Represents an established and familiar visual feature of the neighborhood or city; or
- g. Is eligible for listing on the National Register of Historic Places, Recorded Texas Historic Landmark, or a State Archaeological Landmark, as determined by the Texas Historical Commission.

4. Removal of an HP Historic Preservation Overlay.

Upon recommendation of the Landmark Commission to the Planning and Zoning Commission based upon new and compelling evidence and negative evaluation according to the same criteria and following the same procedures set forth in this UDO for designation, the Planning and Zoning Commission may recommend to the City Council and the City Council may remove an HP Historic Preservation Overlay made under this Section.

~~D. HOO High Occupancy Overlay.~~

~~1. Purpose.~~

The purpose of this district is to accommodate increased residential occupancy through the permitting of shared housing as a use. The HOO High Occupancy Overlay aims to promote efficient land use and provide additional housing opportunities by allowing higher occupancy residential structures within specific areas of College Station where additional residential density is appropriate.

2. ~~Applicability.~~

The HOO High Occupancy Overlay may be applied where the base zoning district(s) of the area is MH Middle Housing, a multi-family zoning district, or a mixed-use zoning district. An area under this overlay shall consist of a property or contiguous properties that are of sufficient size that generally follow visible geographic features of an area. It is not the intent for this overlay to be applied to small areas or individual lots.

3. ~~Standards.~~

In addition to the permitted uses of the base zoning district, shared housing is a permitted use.

(Ord. No. 2023-4453, Pt. 1(Exh. A), 8-10-2023; Ord. No. 2023-4468, Pt. 1(Exh. C), 9-14-2023)

Sec. 5.11. Single-Family Overlay Districts.

A. Purpose.

Single-family overlay districts create an additional zoning district that is superimposed over the underlying zoning district. Single-family overlay districts are intended to provide additional standards for College Station neighborhoods. These standards promote residential development patterns and are intended to protect and enhance desirable neighborhood characteristics, livability, and harmonious, orderly, and efficient growth and development. The underlying zoning district establishes the permitted uses and standards and shall remain in effect. The requirements of the overlay are to be applied in addition to the underlying zoning district standards.

B. Applicability.

Single-family overlay districts may only be applied to neighborhoods zoned and developed for single-family dwelling units.

C. General Provisions.

1. The yard, lot, building height, and open space regulations of the single-family overlay districts must be read in accordance with the yard, lot, building height, and open space regulations in the Residential Dimensional Standards Section above and the General Provisions Section of Article 7, General Development Standards of this UDO. In the event of a conflict between the single-family overlay district and these Sections, the single-family overlay district controls.
2. The City Council may approve a single-family overlay district for the boundaries of original subdivisions or multiple contiguous phases of original subdivisions that apply jointly.
3. An application for an Official Zoning Map amendment to include a single-family overlay district may be filed once a petition is signed by property owners of at least fifty (50) percent plus one (1) of the total number of single-family zoned or developed building plots contained within the original subdivision, or multiple contiguous phases of original subdivisions that apply jointly in one application, in support of the overlay. The fifty (50) percent plus one (1) petition signatures must be met for each of the original subdivisions or each phase of an original subdivision that apply jointly.

~~D. ROO Restricted Occupancy Overlay.~~

~~1. Purpose.~~

~~The ROO Restricted Occupancy Overlay is intended to provide subdivision-specific occupancy regulations in single-family neighborhoods. ROO Restricted Occupancy Overlays are intended to preserve the single-family character of residential neighborhoods.~~

~~2. Applicability.~~

~~The regulations of the ROO Restricted Occupancy Overlay apply to each single-family dwelling and accessory living quarter within the overlay.~~

~~3. General Provisions.~~

- ~~a. The standards set forward in a ROO Restricted Occupancy Overlay must be based on the findings of the petition committee.~~
- ~~b. The petition committee shall consist of property owners of platted single-family development from the original subdivision. In the circumstance where multiple contiguous phases of original subdivisions are applying jointly, the petition committee shall consist of one property owner from each phase included in the application.~~

-
- c. ~~To be eligible to apply for a ROO Restricted Occupancy Overlay, improvements must exist on at least 51 percent of the platted single-family lots in the original subdivision.~~

4. ~~Standards.~~

~~Occupancy of either, a detached single-family dwelling or accessory living quarter, shall not exceed two unrelated persons per single-family dwelling or accessory living quarter. Related persons are specified in the definition of family in the Defined Terms Section of Article 11, Definitions of this UDO. Accessory living quarter requirements are further specified in the Accessory Uses Section of Article 6, Use Regulations of this UDO.~~

5. ~~Legacy Clause.~~

- a. ~~Occupancy levels in individual single-family dwellings and accessory living quarters within an original subdivision, existing at the time a ROO Restricted Occupancy Overlay is adopted, are permitted to continue, not to exceed a maximum of four unrelated persons for single-family dwellings and two unrelated persons for accessory living quarters and shall be considered a nonconforming use. The provisions of the Nonconforming Uses Section of Article 9, Nonconformities of this UDO, shall apply, with the exception of the Continuance Subsection.~~
- b. ~~The structure containing the nonconforming use may be enlarged or expanded up to a maximum of ten (10) percent of the heated square footage of the structure existing at the time the ROO Restricted Occupancy Overlay was adopted.~~
- c. ~~Enlargement or expansion of the structure containing the nonconforming use beyond ten (10) percent and up to a maximum of twenty-five (25) percent of the heated square footage of the structure existing at the time the ROO Restricted Occupancy Overlay was adopted shall require approval of the Zoning Board of Adjustment. The Zoning Board of Adjustment may authorize such enlargement or expansion based on the following criteria:~~
- ~~1) That granting the enlargement or expansion will ensure the same general level of land use compatibility as the otherwise applicable standards;~~
 - ~~2) That granting the enlargement or expansion will not materially or adversely affect adjacent land uses or the physical character of uses in the vicinity of the nonconforming use; and~~
 - ~~3) That granting the enlargement or expansion will be generally consistent with the purposes and intent of this UDO.~~
- d. ~~The structure containing the nonconforming use may be structurally altered or renovated, up to a maximum of fifty (50) percent of the heated square footage of the structure existing at the time the ROO Restricted Occupancy Overlay was adopted, provided that the structural alteration or renovation does not enlarge or expand the structure.~~
- e. ~~Structurally altering or renovating the structure containing the nonconforming use beyond fifty (50) percent of the heated square footage of the structure existing at the time the ROO Restricted Occupancy Overlay was adopted shall require approval of the Zoning Board of Adjustment. The Zoning Board of Adjustment may authorize such structural alterations or renovations based on the following criteria:~~
- ~~1) That granting the structural alternation or renovation will ensure the same general level of land use compatibility as the otherwise applicable standards;~~
 - ~~2) That granting the structural alternation or renovation will not materially or adversely affect adjacent land uses or the physical character of uses in the vicinity of the nonconforming use; and~~

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- 3) ~~That granting the structural alteration or renovation will be generally consistent with the purposes and intent of this UDO.~~
 - f. ~~The use shall come into compliance with the ROO Restricted Occupancy Overlay standards at such time that any of the following occur:~~
 - 1) ~~The single family dwelling or accessory living quarter is demolished;~~
 - 2) ~~The subdivision of land occurs, creating an additional lot or building plot;~~
 - 3) ~~Nonconforming use changes or occupancy increases. Decreases in the nonconforming use occupancy levels below four unrelated persons shall not be an indication of abandonment as specified in the Abandonment Subsection in the Nonconforming Uses Section of Article 9, Nonconformities of this UDO, or cause a loss of the legal nonconforming use status;~~
 - 4) ~~The structure containing the nonconforming use is enlarged, expanded, structurally altered, or renovated beyond the standards provided above in this Section; or~~
 - 5) ~~The termination of registration with the City's Rental Registration program.~~

ED. NCO Neighborhood Conservation Overlay.

Sec. 6.3. Types of Use.

- A. Uses of land or structures which are not expressly listed in the Use Table as permitted uses (P), permitted uses subject to specific use standards (P*), or conditional uses (C) in a zoning district or planned development are prohibited uses and shall not be established in that district or planned development.
- B. The Administrator shall determine whether or not an unlisted use, that is otherwise prohibited, as stated above should be processed. In doing so, the Administrator shall utilize purpose statements adopted herein in conjunction with the applicable zoning district, and consideration of the following criteria:
 - 1. The actual or anticipated characteristics of the activity based on known characteristics of similar projects in standard planning practice;
 - 2. The relative amount of site area, floor space, and equipment;
 - 3. Relative volumes of sales from each activity;
 - 4. The customer type for each activity;
 - 5. The relative number of employees in each activity;
 - 6. Hours of operation;
 - 7. Building and site arrangement;
 - 8. Vehicles used with the activity and the relative number of vehicle trips generated by the use; and
 - 9. How the use advertises itself.

- C. **Use Table.**

Except where otherwise specifically provided herein, regulations governing the use of land and structures with the various zoning districts and classifications of planned developments are hereby established as shown in the following Use Table.

- 1. **Permitted Uses.**

- A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this UDO.

- 2. **Permitted Uses Subject to Specific Standards.**

- A "P*" indicates a use that will be permitted, provided that the use meets the provisions in the Specific Use Standards Section below. Such uses are also subject to all other applicable regulations of this UDO.

- 3. **Conditional Uses.**

- A "C" indicates a use that is allowed only where a conditional use permit is approved by the City Council. The Council may require that the use meet the additional standards enumerated in the Specific Use Standards Section below. Conditional uses are subject to all other applicable regulations of this UDO.

USE TABLE																																			
Specific Uses	R	WE	E	WRS	RS	GS	T**	D**	MH	MF**	MU**	MHP**	P-MUD**	O	SC**	WC	GC	CI	BP**	BPI	CU	NAP	R-1B	R-4**	R-6**	C-3**	M-1	M-2	R&D**	WPC**	NG-1**	NG-2**	NG-3**	HOO**	
KEY: P= Permitted by Right, P*= Permitted Subject to Specific Use Standards C= Conditional Use, **= District with Supplemental Standards (refer to Article 5) *** Commercial, Office, and Retail Uses in MH Middle Housing are allowed in Live-Work Units Only																																			
RESIDENTIAL USES																																			
Assisted Living/Residential Care Facility														P	P		P																		
Boarding and Rooming House										P			P											P	P									P	
Courtyard House									P*																										
Dormitory										P	P		P											P	P							P	P	P	
Duplex								P	P				P											P	P										
Extended Care Facility/Convalescent/										P			P		P		P	P						P	P					P					

Shared Housing								P (d)	P	P (d)	P (d)											P (d)	P (d)						P (d)	P	P	P	P	
Single-Family Detached	P	P	P	P	P	P	P	P				P										P												
Single-Unit Dwelling									P																									
Split-Lot Duplex								P	P																									
Townhouse							P		P	P		P										P	P									P		
Two-Unit Dwelling									P																									
Live-Work Unit									P *				P *	P *																				
PUBLIC, CIVIC, AND INSTITUTIONAL USES																																		
Educational Facility, College and University																			P															
Educational Facility, College and University									P	P	P		P	P	P	P	P	P						P						P	P	P	P	

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Animal Care Facility, Indoor										P	P		P	P	P	P	P										P					P	P	P		
Animal Care Facility, Outdoor	P *															P																				
Art Studio/Gallery									P (c)	P	P		P	P	P	P											P				P	P	P	P		
Car Wash																P *																				
Commercial Garden, Greenhouse, or Landscape Maintenance	P *															P *	P *	P *	P *												P *					
Commercial Amusement										P	P		P		C	C	P *	P *									C					P	P	P		
Conference/Convention Center										P	P		P				P	P													P	P	P			

Country Club	P	P	P	P	P	P							P								P													
Day Care, Commercial									P (c)	P	P	C	P	P	P	P	P						C	C	P						P	P	P	
Drive-In/Thru														P *		P												C		P *				
Dry Cleaners and Laundry										P	P		P *	P *	P	P *	P	P							P *					P *	P *	P *	P *	
Fraternal Lodge													P				P	P												P	P	P		
Fuel Sales													P *				P *							P *		P								
Funeral Home																	P	P	P							P								
Golf Course or Driving Range	P *												P *				P *	P *																
Health Club/Sports Facility, Indoor										P	P		P		P	P	P	P							P					P	P	P	P	
Health Club/Sports										P	P *		P				P	P		P	P								P	P *	P			

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onal Vehicle Park																																							
Restaura nt										P	P		P		P*	P*	P															P*			P	P	P	P*	
Retail Sales - Single Tenant over 50,000 SF											P						P																		P				
Retail Sales and Service									P (c)	P	P		P		P*	P*	P*	P*														P				P	P	P	P
Retail Sales and Service - Alcohol											C		P				P*	P*														P				C	P	P	
Sexually Oriented Business	P*	P*	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*	P*			P*	P*	P*	P*	P*		P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		
Shooting Range, Indoor													P				P	P		P														P					
Theater										P	P		P				P																		P	P	P	P	
Retail Sales, Manufac																			P															P*					

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Wireless Telecom municati on Facilities - Interme diate	P *												P *	P *			P *	P *	P *	P		P *				P *	P *	P *	P *	P *	P *	P *	
Wireless Telecom municati on Facilities - Major	C									P *			C				C	C	C	P		C				C	C	P *	C				
Wireless Telecom municati on Facilities - Unregula ted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P		P	P	P	

Notes:

- (a) Multi-family residential uses located in stories or floors above retail commercial uses are permitted by right.
- (b) Hotels are only allowed when accessory to a country club development and are limited to a maximum of fifteen (15) rooms.
- (c) Permitted in live-work units only.

~~(d) Permitted only when there is also a HOO High Occupancy Overlay.~~

(Ord. No. 2023-4453, Pt. 1(Exh. A), 8-10-2023; Ord. No. 2023-4468, Pt. 1(Exh. D), 9-14-2023; Ord. No. 2023-4478, Pt. 1(Exh. A), 10-26-2023; Ord. No. 2024-4557, Pt. 1(Exh. D), 10-24-2024)