

ORDINANCE NO. 2015-3640

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTIONS 12-2.1, "CITY COUNCIL", 12-2.2, "PLANNING & ZONING COMMISSION", 12-2.12, "SUMMARY OF REVIEW AUTHORITY", AND 12-8.5.D, "WAIVER FROM LOT SIZE" OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

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

- PART 1: That Chapter 12, "Unified Development Ordinance," Sections 12-2.1, "City Council", 12-2.2, "Planning & Zoning Commission", 12-2.12, "Summary of Review Authority", and 12-8.5.D, "Waiver from Lot Size" 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: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.
- PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED and APPROVED this 26<sup>th</sup> day of February, 2015.

APPROVED:

  
MAYOR

ATTEST:

  
City Secretary

APPROVED:

  
City Attorney

**EXHIBIT "A"**

That Chapter 12, "Unified Development Ordinance," Section 12-2.1, "City Council," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending subsection 12-2.1.B.2, "Final Action", to read as follows:

**"2. Final Action.**

The City Council shall hear and take final action on the following:

- a. Development agreements and oversize participation agreements for City participation in cost-sharing of infrastructure improvements;
- b. Conditional use permits;
- c. Zoning map amendments (rezoning);
- d. Concept Plans for Planned Development Districts (PDD) and Planned Mixed-Use Districts (P-MUD);
- e. Text amendments;
- f. Comprehensive Plan amendments;
- g. Impact fee land use decisions and Capital Improvement Plan (CIP) priorities;
- h. Annexations;
- i. Appeal of the P&Z's decision regarding a development exaction appeal;
- j. Appeal of the DRB's denial of a Gateway Grant;
- k. Appeal of the LC's denial of a Certificate of Appropriateness;
- l. Appeal of the LC's decision of a Certificate of Demolition; and
- m. Petitions to form a Municipal Utility District."

That Chapter 12, "Unified Development Ordinance," Section 12-2.2, "Planning & Zoning Commission," of the Code of Ordinances of the City of College Station, Texas, is hereby amended by amending subsection 12-2.2.D.2, "Recommendations", to read as follows:

**"2. Recommendations.**

The Planning and Zoning Commission shall review and make recommendations to the City Council subject to the terms and conditions set forth for such uses in this UDO for the following:

- a. Conditional use permits;
- b. Zoning map amendments (rezoning);
- c. Concept Plans for Planned Development Districts (PDD) and Planned Mixed-Use Districts (P-MUD);
- d. Text amendments;
- e. Comprehensive Plan amendments;
- f. Impact fee land use decisions;
- g. Capital Improvement Plan (CIP) priorities;
- h. Annexations; and
- i. Petitions to form a Municipal Utility District."

That Chapter 12, “Unified Development Ordinance,” Section 12-2.12, “Summary of Review Authority,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

**“Sec. 12-2.12. Summary of Review Authority.**

The following table summarizes the authority of the various review bodies and staff.

PROCEDURE	City Council	P&Z Comm.	Zoning Bd. of Adj.	Design Rev. Bd.	Land. Comm.	Bike, Ped. & Grnwy	Admin.	Building Official	Dev. Engr.
<b>CITY COUNCIL (CC)</b>									
Oversize Participation	D								RR
Development Agreement	D						RR		R
Conditional Use permit	D	R					RR		
Zoning Map Amendment	D	R					RR		
Zoning Map Amendment (HP)	D	R			R		RR		
PDD/P-MUD Concept Plan	D	R					RR		
Text Amendment	D	R				R	RR		
Comp. Plan Amendment	D	R				R	RR		
Impact Fee/CIP Priorities	D	R				R			RR
Annexations	D	R					RR		
Municipal Utility Districts	D	R					RR		
<b>PLANNING &amp; ZONING COMMISSION (P&amp;Z)</b>									
Preliminary Plan		D					RR		R
Final Plat		D					RR		R
Development Plat		D					RR		R
Waiver of Subdivision Standard		D					RR		R
Development Exaction Appeal	A	D							RR
<b>ZONING BOARD OF ADJUSTMENT (ZBA)</b>									
Variance			D				RR	R	RR
Administrative Appeal			D				RR		
Zoning Map Interpretation			D				RR		
<b>DESIGN REVIEW BOARD (DRB)</b>									
WPC District Site Plan		A		D			RR		R

WPC District Building/Sign Review		A		D			RR		
WPC Parking Waivers		A		D			RR		
NG Waivers				D			RR		
Non-Residential Arch. Stand. Waiver				D			RR		
Gateway Grants	A			D			RR		
<b>LANDMARK COMMISSION (LC)</b>									
Certificates of Appropriateness	A				D		RR		
Certificates of Demolition	A				D		RR		
<b>ADMINISTRATOR</b>									
Interpretation		A**	A				D		
Sign Permit			A				D		
Site Plan		A		A*			D		R
Administrative Adjustment			A				D		
WPC District Building or Sign, Minor			A				D		
Minor or Amending Plat		A					D		R
PD Concept Plan Minor Amend.		A					D		
Certificate of Appropriateness, Routine					A		D		
NG Roof Color Palette Amendment		A					D		
Alternative Parking Plans		A					D		
Determination of Plat Applicability		A					D		R
<b>BUILDING OFFICIAL (BO)</b>									
Building Permit								D	
Certificate of Occupancy							R	D	R
Certificate of Completion							R	D	R
<b>DEVELOPMENT ENGINEER (DE)</b>									
Development Permit									D
Driveway Application				A					D
Alternative Const. Material				A					D

\* Section 12-3.6.E. Site Plan Review Criteria and 12-3.7.E. Wolf Pen Creek Design District General Site Plan Review Criteria only.

\*\* Subdivision Regs. only. **KEY: A=Appeal R=Recommend D=Final Action/Decision RR=Review/Report**

That Chapter 12, "Unified Development Ordinance," Section 12-8.5.D, "Waiver from Lot Size," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

**"D. Waiver from Lot Size.**

With the exception of lots located within a City-authorized Municipal Utility District, a waiver to the minimum lot size provisions set out in the Extraterritorial Jurisdiction Standards contained in this UDO is prohibited."