

Highlights:

- Voted 4-3 to recommend passage by city council
 - Yes: Wright, Christiansen, Mirza, Guerra
 - No: Osbourne, Cornelius, Mather

.....

6.1: Public Hearing, presentation, discussion, and possible action regarding an ordinance amending Appendix A, “Unified Development Ordinance,” Section 1.10 “Transitional Provisions,” Section 3.3 “Zoning Map Amendment (Rezoning),” Section 4.1 “Establishment of Districts,” and Section 5.11 “Single- Family Overlay Districts” of the Code of Ordinances of the City of College Station, Texas, regarding the Restricted Occupancy Overlay (ROO). Case#ORDA2021-000003. (Final action on this item is scheduled for the April 19, 2021 Special City Council Meeting – subject to change).

Sponsors: Alyssa Halle-Schramm

Attachments: 1.Memo
2.Sec.1.10 Transitional Provisions Redline
3.Sec.3.3 Zoning Map Amendment (Rezoning) Redline
4.Sec.4.1 Establishment of Districts Redline
5.Sec.5.11 Single Family Overlay Districts Redline
6.ROO Process Handbook

- Presentation
 - Section 1.10 Transitional Provisions: Adds ROO as a new district
 - Section 3.3 Zoning Map Amendment: ROO rezoning application requirements
 - ROO application must include:
 - Original subdivision plat
 - Petition with 50+1%
 - Contact info for petition committee
 - Certificate of mailing for neighborhoods meetings
 - Neighborhood meeting sign in sheets
 - Neighborhood meeting minutes
 - Section 4.1: Establishment of Districts: Adds ROO to list of zoning districts
 - Section 5.11 Single Family Overlay Districts: ROO Standards and Legacy Clause
 - General Provisions
 - A petition committee would need to be formed to set the standards of a ROO
 - To be eligible to apply for a ROO, improvements must exist on at least 51 percent of the platted single-family lots in the original subdivision.
 - Legacy Clause:
 - Homes already having more than 2 unrelated people at the time a ROO is passed may continue to exist as a nonconforming use

- Can't see himself supporting ROO. Too many problems and too many unintended consequences. Will pit neighbor against neighbor and block against block
 - Dennis Christiansen
 - People are saying this is not legal. Can you comment?
 - City attorney: this does not run afoul of the law
 - Has 2 unrelated ever been taken to court?
 - City attorney: never to Texas state court, but yes in other states and yes in federal court. Belle Terre court case was their point of reference. States are split in how this is handled
 - Is a lawsuit a potential?
 - City attorney: possible, but not likely.
 - Timeline is very short. You dropped a 51 page ordinance 6 days ago and will likely pass it in a few more. How are you answering questions in such a short time frame?
 - Alyssa: a lot of calls and emails fielded. She's just trying her best.
 - Has a number of issues with the ordinance. This is not the solution to nuisance violations. A lot of good questions have been raised. The "may" language is deeply concerning. However, this probably would not cost the city too much money and it would not apply city-wide- only in successfully applied ROO neighborhoods.
 - Joe Guerra
 - For accessory dwelling units, in order to rent out ADU the property owner has to live on property. ROO does not specifically mention this. Why did you add in ROO?
 - Alyssa: Because ROO applies to main houses and ADUs.
 - Legacy Clause: where did you come up with the 50% structure renovation number?
 - Alyssa: From a previous ordinance
 - ROO would not be city wide. Adds a tool in the toolbox for neighborhoods
 - Bobby Mirza
 - Is the ROO handbook ready to be picked up from city hall?
 - Alyssa: no, the ROO has not passed yet.
 - For the ROO
 - Jason Cornelius
 - Concerns with the amount of complaints resolved with 4 unrelated. Seems low
 - Alyssa: 64 non-duplicate complaints issued for overoccupancy. 39 investigations completed. 6 were found guilty
 - Student Senate being against it concerns him too.
 - Public Comments
 - Jessica Williams (against)
 - Freshman student at A&M. Concerned with affordable housing. Does not have a "family" as defined by city and needs roommates. She is an LGBTQ person and has concerns there too. ROO is unnecessary
 - Andrew Scottsboro (for)
 - Renter in Dove Crossing. In favor of ROO. He and wife are looking to buy a home soon. Single family homes in his neighborhood are secret college dorms now. Parking is a nightmare. Parties being thrown and police don't show up to break them up
 - Keerthana Rameshbabu (against)
 - A&M student. Massive overreach of government. Makes college student's live much harder. This is a college town, its in the name. Young people are under a lot of stress

and adding a making it harder to find places to live is really frustrating. Hard to enforce.

- Donald Deere (against)
 - Rents out 14 single family homes. Against the ROO in general. 50+1 petition is way too low. We should allow students the same opportunities as we afford everyone else. Some students want quiet and want quiet neighborhoods
- Julie Schultz (against)
 - She was great of course
- Alexia Hernandez (against)
 - Student who resides in NG area. She chose A&M over UT in part because of more affordable housing. ROO would make that harder. Vast consensus of students is that they do not want this.
- Patricia McDermott (for)
 - Constantly barraged by investors wanting to buy her property (in the southside). The trash and parking are really bad in her area. Plenty of student housing is around. Students not around long enough to really be part of the soul of College Station. ROO won't work unless there is some real enforcement, which there is not.
- Donny Hall (for)
 - Supports balance. Owns a couple of homes that he rents out to families. Not everyone wants to live in cookie cutter ag shack dominated neighborhoods. Getting a ROO is a process that is lengthy enough that concerned people will have a say
- Shirley DuPriest (for)
 - Half of College Station are not students. There should be a few small areas where there are idyllic neighbors with small kids and where everyone knows everyone
- Elianor Vessali (against)
 - Really concerned with the fact that petition committee "may" be composed of neighborhood residents
- Carly Oldag (against)
 - A&M student. Student Senate passed a resolution expressing concerns with a ROO. She read the resolution verbatim to P&Z and did a great job.