

ORDINANCE NO. 2015-3720

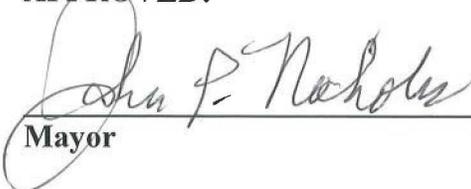
AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," ARTICLE 5 "DISTRICT PURPOSE STATEMENTS AND SUPPLEMENTAL STANDARDS," SECTION 12-5.8.B "NORTHGATE DISTRICTS (NG)," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, REGARDING THE PLACEMENT OF STREET TREES, LOCATION OF SIDEWALKS, AND THE SCREENING OF ELECTRICAL SERVICE EQUIPMENT, 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," Article 5, "District Purpose Statements and Supplemental Standards," Section 12-5.8.B.8, "Sidewalk Standards," Section 12-5.8.B.9.a "Street Trees", and Section 12-5.8.B.10, "Dumpster and Mechanical Equipment Standards", 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 affect 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 23rd day of November, 2015.

APPROVED:



Mayor

ATTEST:



City Secretary

APPROVED:



City Attorney



EXHIBIT "A"

That Chapter 12, "Unified Development Ordinance," Article 5, "District Purpose Statements and Supplemental Standards," Section 12-5.8.B, "Northgate Districts (NG)," of the Code of Ordinances of the City of College Station, Texas, is hereby amended to read as follows:

Sec. 12-5.8.B.8, "Sidewalk Standards"**8. Sidewalk Standards.**

Sidewalks shall be incorporated into all proposed development and redevelopment projects within any Northgate district. In the event that a sidewalk exists on a site prior to development or redevelopment and does not meet all sidewalk and streetscape standards outlined herein, the sidewalk must be upgraded to meet current standards (including American National Standards and Texas Accessibility Standards).

- a. Sidewalks shall be required along both sides of all rights-of-way.
- b. Sidewalks widths shall be as follows:
 - 1) Sidewalks shall be a minimum of twelve (12) feet in width on University Drive and South College Avenue.
 - 2) Sidewalks shall be a minimum of ten (10) feet in width on Church Street and College Main.
 - 3) Sidewalks shall be a minimum of eight (8) feet in width on all other streets in Northgate.
- c. Sidewalks shall be located directly adjacent to the back of curb. The Administrator may approve alternate locations to eliminate encroachments of streetscaping materials that would reduce the clear space of the sidewalk to less than six (6) feet. The Administrator may also approve alternate locations for sidewalks along South College Avenue and Wellborn Road to address public safety concerns.
- d. Sidewalks or parts of sidewalks that lie outside, but are located next to, the right-of-way shall be covered by a dedicated public access easement initiated by the property owner so that they will be dedicated for public use and maintenance.
- e. Sidewalks shall be constructed of colored brick pavers on the exterior (visible) layer as specified in the City of College Station Design Standards: Northgate.

Section 12-5.8.B.9.a, "Street Trees"**a. Street Trees.**

- 1) On University Drive, Church Avenue, Wellborn Road, South College Avenue, First Street, Boyett Street, College Main Avenue, and Nagle Street, installation of minimum four-inch caliper street trees shall be located in at-grade tree wells with tree grates (or raised tree wells or planters on University Drive and College Main Avenue only) and shall be spaced at a maximum of twenty-five (25) feet on center and located adjacent to the back of curb. Back of curb placement is not required along Wellborn Road and South College Avenue when an alternative location for the sidewalk is approved as provided for in Section 12-5.8.B.8.c above. On all other streets not listed above, installation of minimum three-inch caliper street trees shall be located in at-grade tree wells with tree grates [raised tree wells or planters may be used when eight (8) feet of clear space can be maintained on the sidewalk] and spaced at a maximum of twenty-five (25) feet on center and located adjacent to the back of curb.

Alignment of such street trees shall commence twenty (20) feet from street intersections. Spacing and location of street trees may be varied upon approval by the Administrator for the purpose of minimizing conflicts with other streetscape elements and utilities, minimizing conflicts with the required sight distance at street intersections, ensuring unobstructed views of traffic control devices, and ensuring adequate Fire Department access. In areas of concentrated retail activity, street trees may be placed at different intervals upon approval by the Administrator for the purpose of minimizing the obstruction of views of non-residential uses.

- 2) In locations where a healthy and mature canopy tree equal to four (4) inches in caliper or greater currently exists, the requirements for a new tree may be waived or modified by the Administrator. Such trees must be maintained, barricaded, and otherwise fully protected during the project's construction phase and shall be replaced with trees meeting the specifications herein if they are damaged or die.
- 3) All in-ground vegetated areas, trees, and above ground planters shall include an automated irrigation system. Irrigation will not be required for existing trees that are properly barricaded (see the Landscaping and Tree Protection section of this UDO) during construction.

Section 12-5.8.B.10, "Dumpster and Mechanical Equipment Standards"**10. Dumpster and Mechanical Equipment Standards.**

The following standards are in addition to the requirements of the Solid Waste section of the General Development Standards article of this UDO.

- a. Any dumpster and other waste storage area or container other than streetscape trash receptacles shall be located to the rear of the building served by the dumpster, area, and/or container. The Administrator may adjust this standard where a required entrance façade is located at the rear of the building or when parking is provided on the side of a building.
- b. Where feasible, consolidation of dumpsters may be required by the City.
- c. Solid waste storage areas, mechanical equipment, air conditioning, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof mounted, shall be screened from view from rights-of-way. Exterior screening materials shall be opaque and the same as predominantly used on the exterior of the principal building. Such screening shall be coordinated with the building architecture, colors, and scale to maintain a unified appearance. Acceptable methods of screening various equipment include encasements, parapet walls, partition screens, or brick walls. Screening may be omitted or modified upon approval of the Administrator for the purpose of complying with safe working clearances around electrical meters, electrical panels, transformers, and related electrical service equipment.
- d. Mechanical equipment shall be located to minimize noise intrusion off site.