

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: November 18, 2014		DATE SUBMITTED: October 21, 2014	
DEPARTMENT OF ORIGIN: Development Services		SUBMITTED BY: Martin Zimmermann	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input checked="" type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input checked="" type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input type="checkbox"/> STATUTORY		<input checked="" type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input checked="" type="checkbox"/> QUALITY OF LIFE
AGENDA ITEM DESCRIPTION: Consideration of an ordinance to amend the text of Bryan Code of Ordinances Chapter 62, Land and Site Development, establishing an exterior color palette for commercial buildings and a review process.			
SUMMARY STATEMENT: During its regular meeting on July 8, 2014, the City Council held public hearings to consider ordinances adopting building design standards for commercial and multi-family residential construction as well as establishing an exterior color palette for commercial buildings. Following the public hearings, the Council voted to postpone consideration of the ordinance establishing an exterior color palette for commercial buildings until the Planning and Zoning Commission considered and made a recommendation regarding a proposed amendment to the building design standards ordinance concerning the membership of a proposed Design Review Board.			
<p>The Planning and Zoning Commission has since considered the proposed ordinance amendment and recommends the Design Review Board be composed of five (5) board members. That proposed ordinance also is scheduled for consideration by the City Council during its meeting on November 11, 2014. The attached draft ordinance establishing an exterior color palette for commercial buildings is the same version as first recommended for City Council's approval by the Planning and Zoning Commission during the Planning and Zoning Commission meeting on December 1, 2011.</p> <p><u>Exterior Commercial Color Palette Background:</u></p> <p>In 2011, while the Planning and Zoning Commission was developing a set of building design guidelines, Commissioners began discussing the possibility of regulating exterior paint colors of commercial buildings to help prevent the use of harsh colors on buildings that could produce negative impacts on adjacent and nearby business properties and also be detrimental to overall community appearance. Unlike the proposed new building design standards, which are intended to be applicable only to properties along certain major corridors, the Commission recommends that the proposed new exterior building color regulations apply to all non-residential buildings in the City. The proposed ordinance will integrate an exterior commercial color palette and review processes into the City's Land and Site Development Ordinance (Bryan Code of Ordinances Chapter 62).</p> <p>Commissioners recommend that all standard colors (1000+ colors) from the Sherwin Williams color palette, or their match in other paint company palettes, are considered as approved commercial color palette options. Neon, fluorescent, high intensity colors and black tones (500+ colors) are proposed to be allowed on 5-15% of the building façade area. There are <u>no</u> colors prohibited from use in the proposed exterior commercial color palette. Single-family and multi-family residential construction, structures in historic preservation overlay districts, and temporary structures are specifically exempt from the recommended building color regulations. As proposed, the exterior commercial color palette will apply only to colors applied to commercial structures.</p>			

Procedurally, building color review is proposed to be an administrative review process that will become part of the building permit plan review. Applicants will be required to submit a list of proposed building colors to show compliance with the adopted color standards. No additional fees are proposed as part of this new process. Maintenance of current color schemes will be allowed, but changes to existing paint colors will trigger a requirement for compliance with this ordinance. A City Council appointed Design Review Board, which is proposed to be established in conjunction with the adoption of a set of proposed building design standards, will be charged with hearing appeals to administrative decisions regarding proposed building color, or to authorize variances from the adopted color standards.

City Council was briefed on the concept and work progress regarding the establishment of exterior paint color regulations during a joint meeting with the Planning and Zoning Commission on November 8, 2011. During its regular meeting on December 1, 2011, the Planning and Zoning Commission voted to recommend the adoption of exterior paint color regulations, by a vote of 5 in favor and 2 in opposition.

During its January 24, 2012, workshop meeting, following a presentation on proposed building design and building color regulations, City Council suggested the issue of disallowing unusual paint patterns be considered as part of the paint color regulations. Only a limited number of examples addressing that concern were discovered, and Commissioners opted not to amend the previously recommended color palette.

During its workshop meeting on April 3, 2014, by consensus, Commissioners directed staff to proceed with scheduling the previously recommended ordinance amendment for City Council consideration.

The color palette is proposed to become effective on February 2, 2015, to allow staff time to make preparations for the administration of the new regulations.

STAFF ANALYSIS AND RECOMMENDATION: Staff recommends approving the proposed text amendment to the Bryan Code of Ordinances concerning the establishment of an exterior paint color palette for commercial buildings. Staff believes adopting the proposed exterior paint color regulations may help accomplish the Planning and Zoning Commission’s stated goals to help encourage more aesthetically pleasing building construction, enhance overall community appearance, maintain property values, and encourage growth. The proposed ordinance creates a simple color matching system that allows a great variety of color choices. No colors in the Sherwin Williams paint palette (or their match in other paint company palettes) are proposed to be prohibited, though some colors, deemed less desirable, are limited to accents.

OPTIONS (In Suggested Order of Staff Preference):

1. approve ordinance amendment, as recommended by the Planning and Zoning Commission and staff;
2. approve ordinance amendment with modifications (which may require City Council consideration at a future City Council meeting); or
3. do not approve this ordinance amendment at this time.

ATTACHMENTS:

1. draft ordinance;
2. excerpt from the Planning and Zoning Commission regular meeting minutes of December 1, 2011;
3. excerpt from the Planning and Zoning Commission workshop minutes of April 3, 2014; and
4. excerpt from City Council regular meeting minutes of July 8, 2014.

FUNDING SOURCE: N/A

APPROVALS: Kevin Russell, 10-15-14; Joey Dunn, 10-21-14; Hugh R. Walker, 10/24/2014

APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 11-03-2014

APPROVED FOR SUBMITTAL: CITY MANAGER Joey Dunn for KR, 10-31-14

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING CHAPTER 62, LAND AND SITE DEVELOPMENT, BY ADDING ARTICLE X, DIVISION 3, SUBSECTIONS 62-680 THROUGH 62-688 OF THE CITY OF BRYAN CODE OF ORDINANCES, PROVIDING FOR THE ESTABLISHMENT OF AN EXTERIOR COMMERCIAL COLOR PALETTE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING A PENALTY CLAUSE; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THIS ORDINANCE WAS PASSED WERE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, As stated in the adopted 2006 Bryan Comprehensive Plan Update, urban form and community appearance influence social and economic opportunity and contribute heavily to civic identity; and

WHEREAS, the citizens of Bryan voted “community appearance” throughout the city as one of the Top 16 issues for the city to focus on in the 2006 Bryan Comprehensive Plan Update; and

WHEREAS, the purpose of this exterior commercial color palette is to promote community pride and general welfare of the City of Bryan; and

WHEREAS, these changes will help to safeguard the aesthetics of the City of Bryan’s commercial building stock; and

WHEREAS, an exterior commercial color palette will stabilize and improve commercial property values across the City of Bryan; and

WHEREAS, the City of Bryan Planning and Zoning Commission recommended approval of this ordinance at its December 1, 2011 regular meeting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

That the City Council finds and determines the foregoing recitals to be true and correct and hereby makes them part of this Ordinance.

2.

That Chapter 62, Land and Site Development of the City of Bryan Code of Ordinances is hereby amended to add the following article and division:

Article X. Building Design and Color

Division 3. Building Color

Sec. 62-680. Scope and Purpose.

- (a) *Purpose.* The purpose of this division is to establish an exterior color palette for commercial buildings, which is recognized as enhancing property values and is in the interest of the general welfare of the city.
- (b) *Scope and enforcement.*
- (1) The provisions of this division shall be administered by the Director of Development Services or designee.
 - (2) The standards and criteria contained within this section and the approved commercial color palette are deemed to be minimum standards and shall apply to all non-residential buildings within the city, with the exceptions listed below.
 - (3) All commercial building façades and roofs shall consist of only colors from the color palette approved by the City Council, as may be amended by the Design Review Board, and maintained in the Development Services office. All other colors shall be limited to accent colors and may be used on a percentage of the façade as determined below:
 - a. For any commercial building of 49,999 square feet or less, accent colors may be used on no greater than fifteen percent of the façade on which the accent color is applied.
 - b. For any commercial building of 50,000 square feet up to 149,999 square feet, accent colors may be used on no greater than ten percent of the façade on which the accent color is applied.
 - c. For any commercial building of 150,000 square feet or greater, accent colors may be used on no greater than five percent of the façade on which the accent color is applied.
 - (4) When utilizing brick, colors normally found in manufactured fired brick are permitted. All colors of natural stone are permitted.
 - (5) After the effective date of this ordinance, when any color change is proposed on the exterior of any existing commercial building, color samples shall be submitted for approval and the complete exterior color palette of that building shall be brought into compliance with this ordinance.
 - (6) Existing commercial buildings may continue to utilize colors in a manner not allowed by the provisions of this division provided that repainting is done for maintenance purposes only and the existing color is continued.
 - (7) Provisions of this division or the Building Design Guidelines shall not apply to the following:
 - a. Single family, two-family (duplex), or multi-family residential construction;
 - b. Structures in historic preservation or other overlay districts, if applicable design standards already exist for those districts and a conflict exists between those standards and this division; or
 - c. Temporary uses lasting no longer than six months.

Sec. 62-681. Conflicts.

- (a) *Conflicts with planned development district ordinances.* Where provisions of a planned development district ordinance specify exterior color requirements for a project, provisions of the planned development district control. Where a planned development district ordinance does not address exterior color requirements for a project, this division shall control.
- (b) *Conflicts with other ordinances.* All applicable provisions of the zoning ordinance, subdivision ordinance, building codes, and other ordinances shall apply. Unless exempted by section 62-680(b)(8) above, when provisions of other ordinances or guidelines conflict with this division or the approved commercial color palette, the more restrictive provision shall control.

Sec. 62-682. Commercial building colors application and approval.

(a) *Application.*

- (1) Along with the submission of an application for any building permit necessary for the development or redevelopment of property subject to the provisions of this article, the following must also be submitted to evaluate compliance with this division:

- a. A site plan showing the building footprint and all site elements in sufficient detail to demonstrate compliance with this division;
- b. Sample building materials and color details (including color samples);
- c. A table of vertical square footage and percentage of each building material or paint color for each facade; and
- d. All other information necessary to demonstrate compliance this division.

- (2) If the applicant has not submitted sufficient information to demonstrate conformance with the required standards, the application may be found to be administratively incomplete and the application will not be further reviewed until complete information is submitted.

- (b) *Approval process.* The design standards elements application shall be reviewed within 15 business days unless otherwise noted below.

Sec. 62-683. Variances.

- (a) When a property owner can show that a strict application of the terms of this division will impose upon him unusual and practical difficulties or particular hardship, including instances where an applicant has previously utilized exterior building colors in strict conformance with approved architectural and site standards plans and such approval was erroneously granted by the Director of Development Services or designee, a variance from the strict application of this division may be granted by the Design Review Board; provided that:

- (1) The variance requested is in harmony with the general purpose and intent of this division and the approved commercial color palette;
- (2) For franchises or chains, the applicant demonstrates that:

- a. The applicant is an established franchise or chain;
 - b. The proposed colors or materials are part of its corporate branding; and
 - c. The applicant provides all of the alternative color or material schemes the franchise or chain has used previously.
- (3) The board is satisfied that a granting of such variance will not merely serve as a convenience to the applicant, but will alleviate a demonstrable and unusual hardship or difficulty; and
- (4) The board is satisfied that there will be no adverse impact on surrounding property.
- (b) The applicant may appeal the decision of the Design Review Board to the City Council according to the procedures outlined below under appeal of decision.
- (c) *Findings.* Such findings of the Design Review Board, together with the specific facts upon which findings are based, shall be incorporated into the official minutes of the Design Review Board meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this division. Pecuniary hardship to the developer, standing alone, shall not be deemed to constitute undue hardship.
- (d) *Formal application.* All requested variances from this division shall be made in the form of a formal application prior to consideration by the Design Review Board. Submittal shall be made in the office of Planning and Development Services.

Sec. 62-684. Appeal of Staff interpretation.

An applicant may appeal staff's interpretation of this division by:

- (a) Submitting a written request to the director of development services for an appeal of interpretation.
- (b) Within 30 days, the Design Review Board will hear the appeal and review all related documentation submitted as part of the building color application. The applicant may be requested to submit additional information in support of the appeal.
- (c) After hearing the appeal, the Design Review Board will issue a final decision of approval or denial. If the Design Review Board denies the appeal, the applicant may appeal the decision of the Design Review Board to the City Council. The request for appeal must be made in writing within ten days of the Design Review Board's decision, according to the process listed below regarding appeal of decision.

Sec. 62-685. Appeal of Design Review Board decision.

- (a) *Request by applicant.* If applicant disagrees with the final decision of the Design Review Board, the applicant may appeal the decision to the City Council. The request for appeal must be made in writing within ten days of the Design Review Board's decision.
- (b) *City Council review.* Following the filing of a notice of appeal, the City Council shall, within 30 days, conduct a review of the decision of the Design Review Board. In its review of the decision of the Design Review Board, the City Council shall utilize the same criteria set forth for the consideration of the Design Review Board for review.

- (c) *Failure of City Council to act on appeal of variance decision.* An application for a variance is automatically granted if the City Council does not act on the variance appeal before the 46th day after the date the notice of appeal is filed. The applicant for the variance may waive the time deadline established by this subsection.

Sec. 62-686. Permitting and occupancy.

- (a) No building permit shall be issued for any development subject to the provisions of this division until color samples, which meet or exceed the standards set forth herein have been approved by the Director of Development Services or designee.
- (b) A certificate of occupancy shall not be issued for any development which is required to meet the provisions of this article, unless it is constructed in accordance with the requirements of this division.

Sec. 62-687. Noncompliance.

- (a) If at any time after the issuance of a certificate of occupancy the building exterior or site is altered in such a manner as to utilize colors in a manner not allowed by this division, the designee of the Director of Development Services shall issue a notice of noncompliance to the owner, citing the violation and describing action required to comply with this division.

(1) The owner, tenant, and/or agent shall, within 30 days of said notice:

- a. Submit revised exterior building color samples and plans, which meet standards outlined in this division; or
- b. Make reasonable progress toward restoring the building and site to its approved form, or, if no progress can be made within 30 days due to weather or other factors, receive a waiver from the director of development services for this requirement.

(2) If, within 90 days of the date of notice of noncompliance, full restoration in compliance with original or revised and approved plans has not been made, the owner, tenant, and/or agent shall be held in violation of this division.

Sec. 62-688. Commercial Color Palette.

- (a) All standard colors from the Sherwin Williams color palette, or their match in other paint company palettes, not listed as limited colors below are considered as approved commercial color palette options.
- (b) *Limited Colors.* The following colors may only be used on 5-15% of the building façade, depending on the building size.

Color Strip Number	Color Name	Paint Number	Color Strip Number	Color Name	Paint Number
81	Venus Pink	6560	87	Angelic	6602
	Teaberry	6561		Oleander	6603
	Irresistible	6562		Youthful Coral	6604
	Rosebay	6563		Charisma	6605

	Red Clover	6564		Coral Reef	6606
	Grandeur Plum	6565		Red Tomato	6607
	Framboise	6566		Rave Red	6608
82	Anemone	6567	88	Touching White	6609
	Lighthearted Pink	6568		Koral Kicks	6610
	Childlike	6569		Jovial	6611
	Haute Pink	6570		Ravishing Coral	6612
	Cyclamen	6571		Lei Flower	6613
	Ruby Shade	6572		Quite Coral	6614
	Juneberry	6573		Peppery	6615
83	Rosily	6574	89	Feather White	6616
	Priscilla	6575		Blushing	6617
	Azalea Flower	6576		Cosmetic Peach	6618
	Jaipur Pink	6577		Sockeye	6619
	Tuberose	6578		Rejuvenate	6620
	Gala Pink	6579		Emotional	6621
84	Cerise	6580	90	Hearty Orange	6622
	Verbena	6581		Teasing Peach	6623
	Impatiens Petal	6582		Peach Blossom	6624
	In the Pink	6583		Certain Peach	6625
	Cheery	6584		Sunset	6626
	Coming up Roses	6585		Emberglow	6627
	Heartfelt	6586		Robust Orange	6628
85	Valentine	6587	91		
	Diminutive Pink	6588		Posy	6630
	Alyssum	6589		Naïve Peach	6631
	Loveable	6590		Neighborly Peach	6632
	Amaryllis	6591		Inventive Orange	6633
	Grenadine	6592		Copper Harbor	6634
	Coral Bells	6593		Determined Orange	6635
86	Poinsettia	6594	92		
	Amour Pink	6595		Organza	6637
	Bella Pink	6596		Flattering Peach	6638
	Hopeful	6597		Avid Apricot	6639
	Dishy Coral	6598		Tangerine	6640
	Begonia	6599		Outgoing Orange	6641
	Enticing Red	6600		Rhumba Orange	6642
Tanager	6601	Yam	6643		

Color Strip Number	Color Name	Paint Number
93	Champagne	6644
	Frangipane	6645
	Orange Blast	6646
	Exciting Orange	6647
	Kumquat	6648
	Tango	6649

Color Strip Number	Color Name	Paint Number
99	Lemon Chiffon	6686
	Lantern Light	6687
	Solaria	6688
	Overjoy	6689
	Gambol Gold	6690
	Glitzy Gold	6691

	Marquis Orange	6650		Auric	6692
94	Cherish Cream	6651	100	Lily	6693
	Flan	6652		Glad Yellow	6694
	Delicious Melon	6653		Midday	6695
	Surprise Amber	6654		Quilt Gold	6696
	Adventure Orange	6655		Nugget	6697
	Serape	6656		Kingdom Gold	6698
	Amber Wave	6657		Crispy Gold	6699
95	Welcome White	6658	101	Daybreak	6700
	Captivating Cream	6659		Moonraker	6701
	Honey Blush	6660		Lively Yellow	6702
	Papaya	6661		Frolic	6703
	Summer Day	6662		Hep Green	6704
	Saffron Thread	6663		High Strung	6705
	Marigold	6664		Offbeat Green	6706
96	Gardenia	6665	102	Narcissus	6707
	Enjoyable Yellow	6666		Springtime	6708
	Afterglow	6667		Gleeful	6709
	Sunrise	6668		Mélange Green	6710
	Yarrow	6669		Parakeet	6711
	Gold Crest	6670		Luau Green	6712
	Curry	6671		Verdant	6713
97	Morning Sun	6672	103	Citrine	6714
	Banana Cream	6673		Lime Granita	6715
	Jonquil	6674		Dancing Green	6716
	Afternoon	6675		Lime Rickey	6717
	Butterfield	6676		Overt Green	6718
	Goldenrod	6677		Gecko	6719
	Sunflower	6678		Paradise	6720
98	Full Moon	6679	104	Enlightened Lime	6721
	Friendly Yellow	6680		Cucumber	6722
	Butter Up	6681		Jardin	6723
	June Day	6682		Mesclun Green	6724
	Bee	6683		Pickle	6725
	Brittlebrush	6684		Tailpot Palm	6726
	Trinket	6685		Houseplant	6727

Color Strip Number	Color Name	Paint Number
105	White Willow	6728
	Lacewing	6729
	Romaine	6730
	Picnic	6731
	Organic Green	6732
	Grasshopper	6733
	Espalier	6734
106	Minted	6735

Color Strip Number	Color Name	Paint Number
111	Bubble	6770
	Bathe Blue	6771
	Cay	6772
	Rapture Blue	6773
	Freshwater	6774
	Briny	6775
	Blue Nile	6776
112	Carefree	6777

	Jocular Green	6736		Aviary Blue	6778
	Kiwi	6737		Liquid Blue	6779
	Vegan	6738		Nautilus	6780
	Eco Green	6739		Jamaica Bay	6781
	Kilkenny	6740		Cruising	6782
	Derbyshire	6741		Amalfi	6783
107	Lighter Mint	6742	113	Bravo Blue	6784
	Mint Condition	6743		Quench Blue	6785
	Reclining Green	6744		Cloudless	6786
	Lark Green	6745		Fountain	6787
	Julep	6746		Capri	6788
	Argyle	6747		Blue Mosque	6789
	Greens	6748		Adriatic Sea	6790
108	Embellished Blue	6749	114	Lauren's Surprise	6791
	Waterfall	6750		Minor Blue	6792
	Refresh	6751		Bluebell	6793
	Larchmere	6752		Flyway	6794
	Jargon Jade	6753		Major Blue	6795
	Ionian	6754		Blue Plate	6796
	Starboard	6755		Jay Blue	6797
109	Crystal Clear	6756	115	Iceberg	6798
	Tame Teal	6757		Soar	6799
	Aqueduct	6758		Something Blue	6800
	Cooled Blue	6759		Regale Blue	6801
	Rivulet	6760		Jacaranda	6802
	Thermal Spring	6761		Danube	6803
	Poseidon	6762		Dignity Blue	6804
110	Retiring Blue	6763	116	Glass Bead	6805
	Swimming	6764		Rhythmic Blue	6806
	Spa	6765		Wondrous Blue	6807
	Mariner	6766		Celestial	6808
	Aquarium	6767		Lobelia	6809
	Gulfstream	6768		Lupine	6810
	Maxi Teal	6769		Honorable Blue	6811

Color Strip Number	Color Name	Paint Number
117	White Iris	6812
	Wishful Blue	6813
	Breathtaking	6814
	Awesome Violet	6815
	Dahlia	6816
	Gentian	6817
	Valiant Violet	6818
118	Minuet White	6819
	Inspired Lilac	6820
	Potentially Purple	6821

Color Strip Number	Color Name	Paint Number
123	Desire Pink	6852
	Fussy Pink	6853
	Impatient Pink	6854
	Dragon Fruit	6855
	Reverie Pink	6856
	Pink Moment	6857
	Zany Pink	6858
	Feverish Pink	6859
124	Cherry Tomato	6864
	Gypsy Red	6865

	Wisteria	6822
	Brave Purple	6823
	Forget-Me-Not	6824
	Izmir Purple	6825
	Whimsical White	6826
	Elation	6827
	Rhapsody Lilac	6828
	Magical	6829
	Kismet	6830
	Clematis	6831
119	Impulsive Purple	6832
	White Lilac	6833
	Spangle	6834
	Euphoric Lilac	6835
	Novel Lilac	6836
	Baroness	6837
	Vigorous Violet	6838
120	Kimono Violet	6839
	Exuberant Pink	6840
	Dynamo	6841
	Forward Fuschia	6842
	Hot	6843
	Eros Pink	6860
	Radish	6861
	Cherries Jubilee	6862
121	Lusty Red	6863
	Merry Pink	6844
	Child's Play	6845
	Prominent Pink	6846
	Ice Plant	6847
	Panache Pink	6848
	Partytime	6849
	Vivacious Pink	6850
122	Hibiscus	6851

	Heartthrob	6866
	Fireworks	6867
	Real Red	6868
	Stop	6869
	Ablaze	6870
	Positive Red	6871
	Gaiety	6872
	Coral Bead	6873
	Ardent Coral	6874
	Gladiola	6875
	Comical Coral	6876
	Inner Child	6877
	Animated Coral	6878
125	Daring	6879
	Energetic Orange	6880
	Cayenne	6881
	Daredevil	6882
	Raucous Orange	6883
	Obstinate Orange	6884
	Knockout Orange	6885
	Invigorate	6886
126	Navel	6887
	Pizzazz Peach	6888
	Stirring Orange	6889
	Osage Orange	6890
	Mandarin	6891
	Solé	6896
	Sundance	6897
	Social Butterfly	6898
127	Nasturtium	6899

Color Strip Number	Color Name	Paint Number
	Carnival	6892
	Kid's Stuff	6893
	Forceful Orange	6894
	Laughing Orange	6895
	Gusto Gold	6904
	Goldfinch	6905
	Citrus	6906
128	Forsythia	6907
	Optimistic Yellow	6900
129	Daffodil	6901

Color Strip Number	Color Name	Paint Number
	Aquatint	6936
	Tantalizing Teal	6937
	Synergy	6938
	Turquish	6939
	Workout Green	6984
	Green Jewel	6985
	Active Green	6986
133	Jitterbug Jade	6987
	Biscay	6940
134	Nifty Turquoise	6941

	Decisive Yellow	6902
	Cheerful	6903
	Fun Yellow	6908
	Lemon Twist	6909
	Daisy	6910
	Confident Yellow	6911
130	Glisten Yellow	6912
	Funky Yellow	6913
	Eye Catching	6914
	Citronella	6915
	Impetuous	6916
	Nervy Hue	6917
	Humorous Green	6918
	Fusion	6919
131	Center Stage	6920
	Electric Lime	6921
	Outrageous Green	6922
	Festival Green	6923
	Direct Green	6924
	Envy	6925
	Lucky Green	6926
	Greenbelt	6927
132	Green Vibes	6928
	Witty Green	6929
	Laudable Lime	6930
	Jolly Green	6931
	Spirited Green	6932
	Clean Green	6933
	Rally Green	6934
	Straightforward Green	6935

	Splashy	6942	
	Intense Teal	6943	
	Pool Blue	6944	
	Belize	6945	
	Surfer	6946	
	Tempo Teal	6947	
	135	Blue Bauble	6948
Slick Blue		6949	
Calypso		6950	
Cote D' Azur		6951	
Blue Click		6952	
Candid Blue		6953	
Resonant Blue		6954	
Impromptu		6955	
136		Blue Refrain	6956
		Undercoat	6957
	Dynamic Blue	6958	
	Blue Chip	6959	
137	Pulsating Blue	6964	
	Hyper Blue	6965	
	Blueblood	6966	
	Frank Blue	6967	
	Bewitching Blue	6960	
	Blue Beyond	6961	
	Dazzle	6962	
	Sapphire	6963	
	Hyacinth Tint	6968	
	Indulgent	6969	
Venture Violet	6970		
Morning Glory	6971		

Color Strip Number	Color Name	Paint Number
138	Joyful Lilac	6972
	Free Spirit	6973
	Plum Blossom	6974
	Lavish Lavender	6975
	Vanity Pink	6976
	Queenly	6977
	Drama Violet	6978
	Verve Violet	6979
139	Gutsy Grape	6980
	Passionate Purple	6981
	African Violet	6982
	Fully Purple	6983

Color Strip Number	Color Name	Paint Number	
143	Porcelain	53	
	Classic Light Buff	50	
	Classic Ivory	51	
	Classic Sand	56	
	Twilight Gray	54	
	Pearl Gray	52	
	Silver Gray	49	
	Light French Gray	55	
	144	Indian White	35
		Buckram Binding	36
Ruskin Room Green		42	
Peristyle Brass		43	
Morris Room Grey		37	

140	Chelsea Mauve	2
	Queen Anne Lilac	21
	Cabbage Rose	3
	Pewter Tankard	23
	Mulberry Silk	1
	Rose Brocade	4
	Patchwork Plum	22
	Deepest Mauve	5
141	Crewel Tan	11
	Wickerwork	10
	Curio Gray	24
	Empire Gold	12
	Eastlake Gold	9
	Decorous Amber	7
	Cajun Red	8
	Toile Red	6
142	Festoon Aqua	19
	Calico	17
	Peacock Plume	20
	Teal Stencil	18
	Majolica Green	13
	Sheraton Sage	14
	Gallery Green	15
	Billiard Green	16

	Roycroft Adobe	40
	Rembrandt Ruby	33
	Antiquarian Brown	45
145	White Hyacinth	46
	Hubbard Squash	44
	Roycroft Rose	34
	Portrait Tone	39
	Library Pewter	38
	Studio Blue Green	47
	Bunglehouse Blue	48
	Dard Hunter Green	41
146	Caen Stone	28
	Colonial Yellow	30
	Aristocrat Peach	27
	Rachel Pink	26
	Rosedust	25
	Acanthus	29
	Dutch Tile Blue	31
	Needlepoint Navy	32
147	Jazz Age Coral	58
	Studio Mauve	62
	Frostwork	59
	Blue Sky	63
	Salon Rose	61
	Alexandrite	60
	Blue Peacock	64
	Chinese Red	57

Color Strip Number	Color Name	Paint Number
148	Belvedere Cream	67
	Rose Tan	69
	Pink Shadow	70
	Orchid	71
	Copen Blue	68
	Cascade Green	66
	Vogue Green	65
	Deep Maroon	72
149	Sunbeam Yellow	78
	Appleblossom	76
	Pinky Beige	79
	Chartreuse	73
	Holiday Turquoise	75
	Radiant Lilac	74
	Classic French Gray	77
	Pink Flamingo	80
A	Bohemian Black	6988

	Domino	6989
	Caviar	6990
	Tricorn Black	6258
	Black Magic	6991
	Inkwell	6992
	Black of Night	6993
	Greenblack	6994

Sections 62-689-62-690. Reserved.

3.

That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed, to the extent of such conflict.

4.

That the Code of the City of Bryan, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

5.

That if any section, paragraph, sentence, clause, phrase or word of this ordinance is declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

6.

That it is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meetings was given.

7.

It is the intention of the City Council that this ordinance shall become a part of the Bryan City Code and it may be renumbered and codified therein accordingly

8.

That a person who violates any section of this ordinance is guilty of a misdemeanor and upon conviction is punishable in accordance with Section 1-14 of the City of Bryan Code.

9.

That the City Secretary is directed to publish this ordinance in a newspaper of general circulation in the City of Bryan in compliance with the provisions of the City Charter, which publication shall be sufficient if it contains the title of this ordinance, the penalty provided therein for violation thereof, and the effective date of the ordinance.

That this ordinance shall take effect from and after its final passage and publication as required by law. The effective date of this Ordinance will be February 2, 2015.

PRESENTED AND GIVEN first reading the 11th day of November, 2014, at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, PASSED AND APPROVED on the 18th day of November, 2014, by a vote of ____ ayes and ____ noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney

**EXCERPT FROM THE PLANNING AND ZONING COMMISSION'S DECEMBER 1, 2011
REGULAR MEETING MINUTES:**

7. Building Color Palette

M. Audenaert

A proposal to amend the text of Bryan Code of Ordinances Section 62, adding a new Article X, Division 2, Building Color, and adding Chapter 2, Article III, Section 2-410 establishing a Design Review Board.

Mr. Zimmermann presented background information.

Responding to a question from Commissioner Parks, Ms. Audenaert stated that staff will work with franchise applicants that have iconic colors. She stated that they would be required to bring in examples of their colors and materials used in other cities for the Design Review Board to see the full range of options. She stated a wide variety is allowed and that the limited color palette is allowed on 5% to 15% of the building façade, depending on the size of the building.

Responding to a question from Commissioner Gonzalez, Ms. Audenaert stated that a wide variety of colors were allowed by right. Several cities limit the high intensity colors and that the color palette allows acceptable alternatives. She stated that the option to apply for a variance is given to everyone, not just franchise businesses.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Parks moved to recommend approval to the City Council for the proposal to amend the text of Bryan Code of Ordinances Chapter 62, adding a new Article X, Division 2, Building Color, and adding Chapter 2, Article III, Division 16 establishing a Design Review Board as presented by staff. Commissioner Hickle seconded the motion.

Chairperson Beckendorf asked if there was any discussion.

Commissioner Parks stated that this color palette was a baseline to get the public aware. It is possible in the future to amend the color palette to include or exclude certain colors.

Commissioner Gutierrez stated that the color palette interfered with property rights.

Commissioner Gonzalez stated that the color palette was too strict.

Commissioner Hickle thanked staff for working on the color palette. He stated that the color palette was not intended to be negative and that there were between 700 and 800 allowed colors on the palette.

Commissioner Parks stated that this palette was not going to limit expression or creativity.

Chairperson Beckendorf stated that a small business might move because of a bad neighboring building color. He stated the color palette will protect a small business.

Commissioner Bond stated that the color palette will protect property values, stating that color can take away value from the property.

The motion to approve passed with a vote of five (5) in favor and two (2) in opposition. Commissioners Gonzalez and Gutierrez cast votes in opposition.

**EXCERPT FROM THE PLANNING AND ZONING COMMISSION'S APRIL 3, 2014
WORKSHOP MEETING MINUTES:**

- 5. STAFF PRESENTATION, DISCUSSION, AND POSSIBLE DIRECTION TO STAFF CONCERNING PROPOSED ORDINANCE AMENDMENTS PREVIOUSLY RECOMMENDED BY THE PLANNING AND ZONING COMMISSION ESTABLISHING BUILDING DESIGN GUIDELINES AND A BUILDING COLOR PALETTE.**

By consensus, Commissioners directed staff to proceed with scheduling previously-recommended ordinance amendments establishing building design guidelines and building color palette for Council consideration.

EXCERPT FROM THE CITY COUNCIL REGULAR MEETING MINUTES OF JULY 8, 2014:

9. AMENDMENT TO CHAPTER 62, “LAND AND SITE DEVELOPMENT” OF THE BRYAN CODE OF ORDINANCES

a. Public Hearing – Amend Chapter 62, “Land and Site Development” of the Bryan Code of Ordinances

Public comments were requested regarding an ordinance to amend the text of Bryan Code of Ordinances Chapter 62, Land and Site Development, by adding Article X, Division 3, Subsections 62-680 through 62-688, providing for the establishment of an exterior commercial color palette; providing penalties; providing for publication; providing an effective date. Staff recommended the Council not take action on this item until the previous agenda item recommendation was addressed by the Planning and Zoning Commission. Mr. Leo Gonzalez, 407 Crescent, expressed concern about an approved color palette as it related to property rights and small businesses. There were no other comments and the public hearing closed at 7:52 p.m.

b. First Reading of an Ordinance - Amend Chapter 62, “Land and Site Development” of the Bryan Code of Ordinances

Councilmember Owens moved to postpone consideration of the first reading of an ordinance of the City of Bryan, Texas, amending the text of Bryan Code of Ordinances Chapter 62, Land and Site Development, by adding Article X, Division 3, Subsections 62-680 through 62-688, providing for the establishment of an exterior commercial color palette, until the Planning and Zoning Commission considered the referred previous item. The motion was seconded by Councilmember Hughes and carried unanimously.