CITY OF BRYAN
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ACTION FORM
BRYAN CITY COUNCIL

Meeting Date (?) 08/23/2016

Subject Matter* (?) Chapter 130 R-NC text amendment
This must match rolling agenda entry

Department of Origin* DEVELOPMENT SERVICES

Submitted By* Martin Zimmermann

Type of Meeting* ○ BCD ○ Special ◉ Regular

Classification* ○ Public Hearing ○ Consent ○ Statutory ◉ Regular

Ordinance* ○ None ◉ First Read ○ Second Read ○ First & Only Read

Strategic Initiative* ☐ Public Safety ☐ Service ☐ Economic Development ☐ Infrastructure ☑ Quality of Life

Agenda Item Description* First reading of an ordinance to amend the text of Bryan Code of Ordinances Chapter 130, Zoning, specifically by amending Article I, “General,” Section 130-3 “Definitions,” removing unnecessary definitions, revising definitions of “Single-Family Dwelling Unit,” “Home Occupation,” “Multifamily (Residential) Development or Dwelling” and “Occupancy,” and adding definitions for “Detached Dwelling "Unit,” “Occupy,” “Guest,” “Unrelated Persons,” “Multi-Family Dwelling Unit,” “Detached Dwelling With No More Than Two Unrelated Persons,” “Detached Dwelling Units With No More Than Four Unrelated Persons,” “Occupant,” “Related Persons,” “Second Family,” “Single-Family Detached Dwelling Unit,” “Single-Family Attached Dwelling Units,” “Tenant” and “Unrelated Persons,” and by amending Article 2, “Zoning Districts,” to clarify the permitting of a second family on a temporary basis, and by amending Article 3, “Other Regulations,” Section 130-34, by adding a subsection to establish prima facie proof of occupancy and to amend Chapter 62, “Land and Site Development,” Section 62-1 “General Definitions” to revise the definition of “Multifamily (Residential) Development or Dwelling.”

Summary Statement *

During its workshop meeting on April 21, 2016, the Planning and Zoning Commission appointed a subcommittee (Commissioners Bush and Swearingen) to review, investigate, and report on possible changes to the regulations for the Residential – Neighborhood Conservation (R-NC) zoning district. During its second regular meeting on June 7, 2016, the City Council unanimously directed the City Attorney to have a draft ordinance of the previously discussed changes to the R-NC ordinance to the City Council by the last meeting in August 2016.

During the July 7, 2016, Planning and Zoning Commission workshop meeting, Commissioners received a report from the subcommittee. No action was taken at that meeting. During its regular meeting on July 21, 2016, the Commission voted to recommend approval of the following proposed amendments to the text of Bryan Code of Ordinances Chapters 130 and 62:

• delete the definition of Family and revising the definitions of Home Occupation, Multifamily (Residential) Development or Dwelling, Occupancy and Single-Family Dwelling Unit; and

• add definitions for Detached Dwelling Unit With No More Than Two Unrelated Persons, Detached Dwelling Units With No More Than Four Unrelated Persons, Guest, Multi-Family Dwelling Unit, Occupant, Related Persons, Second Family, Single-Family Detached Dwelling Unit, Single-Family Attached Dwelling Units, Tenant and Unrelated Persons; and

• clarify the permitting of a second family on a temporary basis; and

• add a subsection to establish prima facie proof of occupancy; and

• revise the definition of Multifamily (Residential) Development or Dwelling.

During its regular meeting on August 4, 2016, the Planning and Zoning Commission unanimously authorized Commissioners Bush and Swearingen to appear before the City Council on behalf of the Commission to provide information and answer questions regarding the proposed text amendments.

Staff Analysis & Recommendation *

During its meeting on July 21, 2016, the Planning and Zoning Commission voted to recommend approving these ordinance text amendments to Chapters 130 and 62.

• The proposed amendments codify the relationship of residents within a single-family detached dwelling unit and clarify when occupancy is short term.

• The attached draft ordinance will clarify certain existing zoning definitions.

• The proposed definition updates are consistent with state and federal law, reflect current interpretations and applications, and have consistent terminology among various Code sections.

Options *

(In Suggested Order of Staff Preference)
1. approve ordinance;
2. approve ordinance with modifications (which may require City Council consideration at a future City Council meeting); or
3. do not approve this ordinance at this time.

Funding Source *

N/A

Attachments

ATTACHMENTS CAF RNC Text Amendment.docx 180.14KB

Please detail attachments and note attachments available for viewing in City Secretary's Office:
Note: all attachments are in a single Word document
1. draft ordinance; and
2. excerpt from April 21, 2016, Planning and Zoning Commission workshop meeting minutes; and
3. excerpt from June 7, 2016, City Council second regular meeting minutes; and
4. excerpt from July 7, 2016, Planning and Zoning Commission workshop meeting minutes; and
5. excerpt from July 21, 2016, Planning and Zoning Commission regular meeting minutes.

Dept. Head Signature

Deputy City Manager Signature	
City Manager Signature	
City Attorney Signature	