

ORDINANCE NO. 2501

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS, AMENDING THE TEXT OF THE BRYAN CODE OF ORDINANCES CHAPTER 38 – ENVIRONMENT, CHAPTER 62 – LAND AND SITE DEVELOPMENT, CHAPTER 98 – SIGNAGE, AND CHAPTER 130 – ZONING, BY REMOVING REFERENCES TO, AND REGULATIONS FOR, THE SOUTH COLLEGE – BUSINESS DISTRICT (SC-B), SOUTH COLLEGE – RESIDENTIAL DISTRICT (SC-R), AND SOUTH COLLEGE OVERLAY DISTRICT (SC); ADDING REFERENCES AND REGULATIONS FOR, THE MIDTOWN – CORRIDOR DISTRICT (MT-C) AND THE MIDTOWN – HIGH DENSITY DISTRICT (MT-HD); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan has adopted Chapter 130, Zoning, of the City of Bryan Code of Ordinances, which provides regulations and districts made in accordance with adopted guiding principles for the purpose of promoting health, safety, morals, and the general welfare of the city; and

WHEREAS, the Bryan City Council recognizes the need from time to time to amend these regulations to clarify requirements and create new and innovative ways to guide and regulate property development for the benefit of the community; and

WHEREAS, following an 18-month long planning process, the Bryan City Council adopted the Midtown Area Plan on May 12, 2020, with Ordinance No. 2420; and

WHEREAS, the adopted Midtown Area Plan determined future needs and plans for development of underutilized properties within the Midtown Area; and

WHEREAS, the adopted Midtown Area Plan recommends major revisions to property development standards and the official zoning map in the Midtown Area; and

WHEREAS, the City Council finds that the current regulatory arrangement for property development in the Midtown Area is inadequate and not suited to the current needs of the community; and

WHEREAS, the City Council desires to establish a new regulatory framework that intends to support the strategies of the adopted Midtown Area Plan; and

WHEREAS, the City of Bryan mailed over 1,300 notification letters and postcards to property owners affected by these proposed changes to property development regulations, indicating where to find more information, how to ask questions, and how to give public input; and

WHEREAS, the Bryan Planning and Zoning Commission was receptive to changes to the proposed regulations based on the input and feedback from citizens who spoke their concerns during the planning process; and

WHEREAS, the Bryan Planning and Zoning Commission, during its regular meeting on August 5, 2021, recommended approval of the proposed amendments to Chapter 38 – Environment, Chapter 62 – Land and Site Development, Chapter 98 – Signage, and Chapter 130 – Zoning, of the City of Bryan Code of Ordinances, by removing references to, and regulations for, the South College – Business District (SC-B), South College – Residential District (SC-R), and South College Overlay District (SC), and adding in

references to and regulations for the Midtown – Corridor District (MT-C) and the Midtown – High Density District (MT-HD); and

WHEREAS, the City Council has held a public hearing concerning the proposed ordinance text amendments for which notice was published at least fifteen (15) days prior to the hearing date.

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 Bryan Code of Ordinances, Chapter 38, Environment, Article II, Abandoned and Junked Vehicles, Division 4, Junked Vehicles, Section 38-119(2)(d), is hereby amended to read as follows:

Sec. 38-119. - Exceptions.

(2) That is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle stored by a motor vehicle collector in the back yard of the collector's property, if the vehicle or part, and the outdoor storage area, if any, are:

- d. Shall not be parked or stored in the front yard on any residential lot zoned AO, RD-7, RD-5, MT-C, and PD districts or on any premises which are used for one-family, two-family or multi-family dwelling purposes. For the purposes of this section, front yard shall mean the areas of a residential lot which are forward to the rear exterior wall of the building, including side yards.

3.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Article VIII – Corridor Overlay Standards, Division 1, Section 62-1, “General Definitions” is hereby amended, by adding the following definitions:

Sec 62-1. – General definitions.

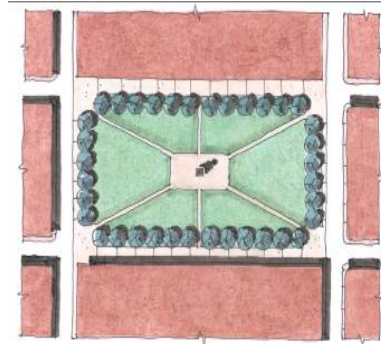
Alley shall have the meaning assigned in section 130-3 of the Zoning Ordinance.

Awning/canopy means an awning is a cantilevered, projected or suspended cover over the sidewalk portion of any public street. Awnings may also be roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain. Awnings shall have a minimum clear height of eight feet (8’) from the finished sidewalk in front of it.

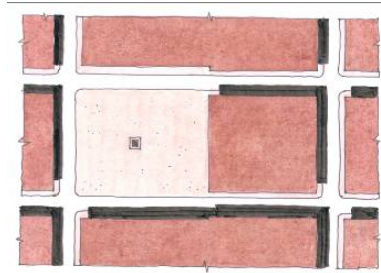
Civic space means publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. For all residential uses,

privately accessible open spaces such as courtyards may also be considered as Civic Space for the purposes of this ordinance.

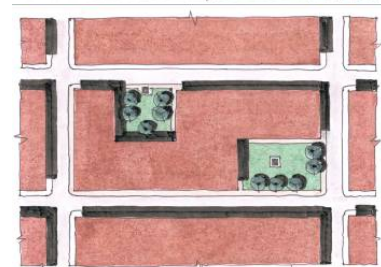
- (a) *Square* means a civic/open space available for unstructured recreation and civic purposes. A square is spatially defined by buildings. Its landscape shall consist of landscaping, hardscaping, water features, pathways, and pedestrian amenities arranged in formal and informal patterns. Squares shall be located at the intersection of important streets.



- (b) *Plaza* means a primarily hardscaped civic/open space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings.



- (c) *Playground* means a civic/open space designed and equipped for children's recreation. A playground shall be fenced and may include an open shelter. Playgrounds shall be located within residential areas and may be placed within a block as illustrated. They may be included in other open spaces.



Colonnade or arcade is a roofed or built structure, extending beyond the ground floor front façade of a building and over the sidewalk or civic space. A colonnade or arcade shall be open to the street except for supporting columns, piers, or arches.

Common lot line means a lot line shared by more than one lot shall be a common lot line.

Floor Area Ratio (FAR) shall mean the measurement of a building's floor area in relation to the size of the lot/parcel on which the building is located. FAR is expressed as a decimal number, and is derived by dividing the total area of the building by the total area of the parcel (building area ÷ lot area).

Live/Work Unit shall have the meaning assigned in Section 130-3 of the Zoning Ordinance.

Setback Range shall be the maximum and minimum setback lines within which the principal building's front façade should be built.

Stoop. A small porch about the size of a typical landing or set of steps at the front entrance of a house.



4.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Article IV – Building Setbacks and Lot Standards, Division 2, Section 62-170, “Corridor overlay district lot and setback standards” is hereby amended to read as follows:

Sec. 62-170. - Corridor overlay district lot and setback standards.

- (a) Refer to section 130-26, section 130-27 and section 130-28 for a complete list of development standards for the corridor overlays.
- (b) For lot development standards and setbacks in the Midtown Districts, refer to section 62-593.
- (c) The following standards apply to all other corridor overlay districts:

Corridor Overlays	W. Villa Maria	FM 2818	FM 158	Riverside Parkway/ SH 47
Front setback	25' (1)	25' (1)	25' (1)	50' (1)
Side setback adjacent to abutting property	10'	10'	10'	15'
Side setback adjacent to arterial street	25'	25'	25'	25'
Side setback adjacent to collector or local street	25'	25'	25'	25'
Rear setback adjacent to alley or abutting property	7.5'	7.5'	7.5'	15'
Maximum lot coverage	See Zoning Designation	See Zoning Designation	See Zoning Designation	70%
Minimum lot size	20,000 sf	20,000 sf	20,000 sf	65,000 sf
Minimum lot width	100'	100'	100'	250'

Corridor Overlays	W. Villa Maria	FM 2818	FM 158	Riverside Parkway/ SH 47
Minimum lot depth	200' (2)	200' (2)	200' (2)	250'
Maximum height	35' (3)	35' (3)	35' (3)	87.5' (3)

Notes:

- (1) Parking will not be allowed in the setback.
- (2) When fronting on the specified thoroughfare.
- (3) Allowed with additional setback of one foot per two feet in height over 35 feet.

5.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Article VI – Access and Off-Street Parking, Division 2, Section 62-297(i)(2), “Minimum parking requirements” is hereby amended to include the following:

Sec. 62-297. - Parking and circulation.

(i) Amount of parking required.

(2) Minimum parking requirements.

i. *Midtown – Corridor (MT-C) and Midtown – High Density (MT-HD) Districts*

1. For parking requirements within the Midtown Districts, refer to section 62-594.

6.

That Bryan Code of Ordinances, Chapter 62, Land and Site Development, Article VIII – Corridor Overlay Standards, Division 4, “South College Corridor Overlay District” shall be repealed in its entirety and that a new Division 4 “Midtown Zoning Districts” shall be added, to read as follows:

Division 4. – MIDTOWN ZONING DISTRICTS

Sec 62-592. – General Purpose and description.

The Midtown Districts’ development standards are established to provide the needed flexibility for development and redevelopment in the Midtown Area. These high-quality standards prioritize density and walkability in order to ensure high-functioning growth and development along a major corridor as well as the southern edge of Midtown. These standards, being similar in intent to those of Downtown Bryan, are expected to enhance the image of Midtown, and the City as a whole.

Sec 62-593 - Lot development standards.

- (a) The following table shall establish the development standards for the Midtown - Corridor District (MT-C).

Standard	Midtown– Corridor District (MT-C)
Setback ranges	<p>Front (South College Avenue and South Main Street) – 5’ minimum, 20’ maximum</p> <p>Front (all other streets) - 10' minimum, 30’ maximum</p> <p>Side (corner lot) – 5’ minimum, 20’ maximum</p> <p>Side (adjacent lot) (South College Avenue and South Main Street) – no setback minimum</p> <p>Side (Adjacent lot) (all other streets) – 5’ minimum</p> <p>Rear (alley) – 15’ minimum</p> <p>Rear (adjacent lot) – 5’ minimum</p>
Building frontage required <i>(amount of building required to be built within the setback range)</i>	<p>Minimum of 70% of the building façade on properties along South College Avenue and South Main Street should be built within the setback range</p> <p>Minimum of 30% of the building facades on properties along all other streets should be built to the setback range</p> <p>Buildings on corner lots should be built to the setback range for a minimum of 35’ from the corner of the lot edge along each street front</p>
Maximum building height <i>(transition requirements may apply; refer to section 62-600)</i>	<p>6 stories (70 feet) for properties that adjoin South College Avenue and South Main Street.</p> <p>3 stories (35 feet) for properties adjacent to all other streets.</p>
Maximum buildable area	<p>90% of the lot area may be impervious cover. Properties adjacent to South College Avenue and South Main Street are exempt from this limitation.</p>
Landscaping requirements	<p>Notwithstanding the requirements of Sec. 62-429(1)(a), an area equal to 10% of the developed area (building site) shall be required to be landscaped.</p> <p>Landscaping shall be located along the front and sides of the properties in those portions of the developed area facing a public right-of-way.</p> <p>Where street improvements are being made by a developer as part of a development project, irrigated landscaping and street trees installed in the right-of-way, may be permitted in lieu of landscaping requirements. This administrative allowance is determined by the SDRC Chair or his/her designee.</p>

(b) The following table shall establish the development standards for the Midtown - High Density District (MT-HD).

Standard	Midtown – High Density District (MT-HD)
Setbacks	There shall be no minimum setback requirements in this District. All separation requirements shall be established by the building code.
Floor Area Ratio	A floor area ratio (FAR) of 1.5 (150%) shall be required for all development within the MT-HD District.

Sec 62-594 –Access and Parking Standards.

- (a) The amount of required off-street parking spaces for properties in Midtown – Corridor District (MT-C) or Midtown – High Density District (MT-HD) shall be established in this section.
- (b) Off-street parking should only be located behind or to the side of buildings, as seen from the public right-of-way.
- (c) Nonconforming off-street parking arrangements that exist at the time of passage of this section may be preserved upon partial redevelopment of the subject tract. In cases of complete redevelopment of the property occurs, the design will conform to the provisions of the zoning district wherein it is located.
- (d) *On-street parking counted.* At the discretion of the City Engineer, new or existing on-street parking, where allowed in the public right-of-way and built to the following standards, may be counted towards the total off-street parking requirement for a project.
 - (1) On-street parking shall be prohibited in the following places as described by the Texas Transportation Code
 - i. In front of a public or private driveway;
 - ii. Within 15 feet of a fire hydrant;
 - iii. Within 20 feet of a crosswalk at an intersection;
 - iv. Within 30 feet on the approach to a flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;
 - v. Within 50 feet of a railroad crossing;
 - vi. Where an official sign prohibits parking.

(2) On-street parking shall be prohibited on a street with a functional classification of major collector or above, being as follows:

- i. South Sims Avenue;
- ii. South Bryan Avenue;
- iii. South Main Street;
- iv. West/East 29th Street;
- v. South Texas Avenue;
- vi. Beck Street;
- vii. Groesbeck Street;
- viii. Finfeather Road;
- ix. South College Avenue;
- x. East/West Dodge Street;
- xi. East Carson Street;
- xii. East/West Villa Maria Road;
- xiii. Old College Road;
- xiv. East North Avenue; and
- xv. Wellborn Road.

(3) On-street parking area design shall comply with the minimum standards set forth in the Parking Area Design section for commercial Parking and Circulation regulations found in the, Land and Site Development Chapter of the Bryan Code of Ordinances. Parking area design shall be consistent within a block and should be consistent between adjacent blocks.

(4) Pavement markings shall be required and shall comply with the Striping and marking requirements found in Article VI. – Access and Off-Street Parking, Section 62-297(c).

(5) Where a bike lane exists or is designated, a bike lane next to parking spaces shall be at least six (6) feet wide, unless there is a marked 18-inch separation between them.

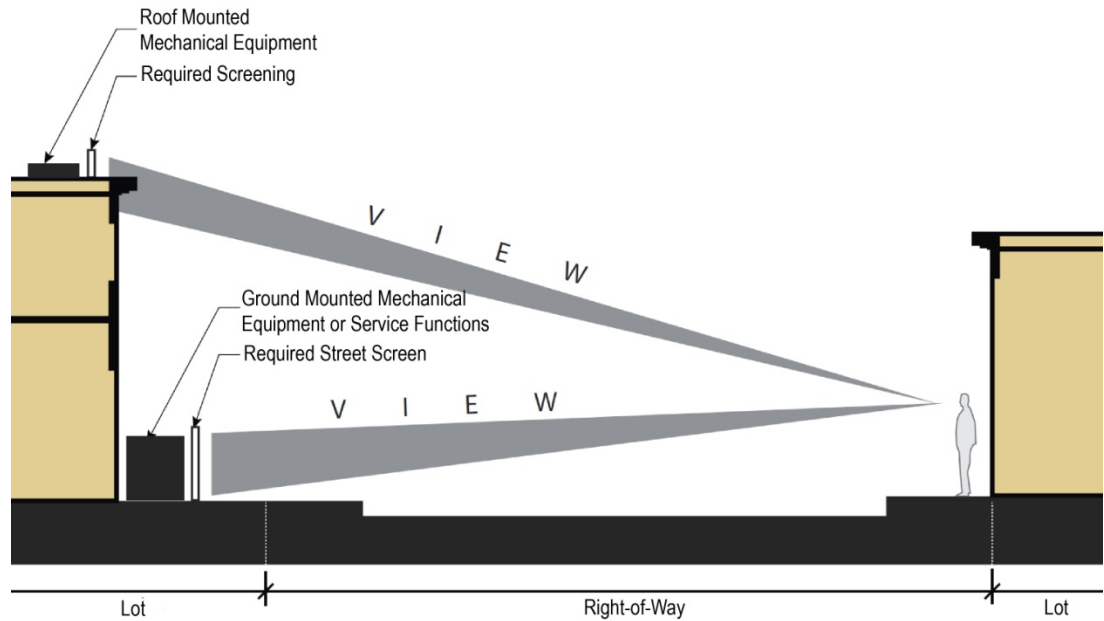
(6) Only on-street parking spaces located entirely in front of a subject property may be claimed towards the total off-street parking requirements for a project.

(e) *Off-street parking and minimum parking requirements.*

- (1) Any parking lot permitted along the side of buildings on lots adjacent to South College Avenue shall be no wider than sixty-five feet (65’).
- (2) *Entertainment, Retail, Restaurant, Civic, Service, and Office Uses (all non-residential uses)*. The number of parking spaces required shall be 1 space per 250 square feet of gross floor area.
- (3) *All non-residential uses*. Where all provided off-street parking is located behind or to the side of buildings, as seen from the public right-of-way, may reduce the amount of required parking by 25%
- (4) *Detached Residential*. A minimum of one (1) parking space shall be required for each bedroom.
- (5) *Lodging*.
 - i. Midtown – Corridor District (MT-C) - 1.0 spaces per lodging room
 - ii. Midtown – High Density District (MT-HD) - 1.5 spaces per lodging room.

Sec 62-595 – Screening.

- (a) In Midtown Districts, all buildings shall be designed such that no mechanical equipment (HVAC, etc.), except vents or stacks, is visible from a public right-of-way, whether the equipment is located on the ground, exterior walls, or a roof. The use of detached residential is excluded from this requirement.

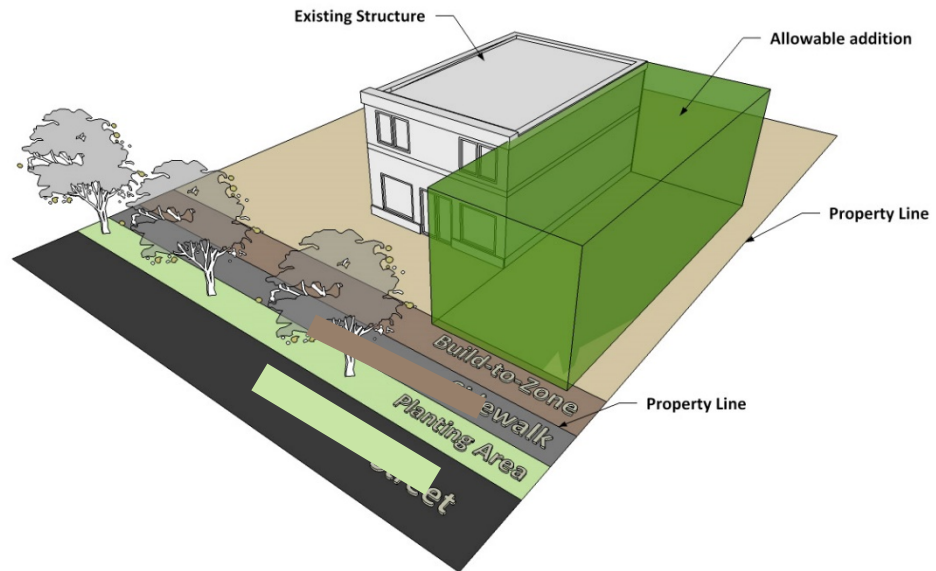


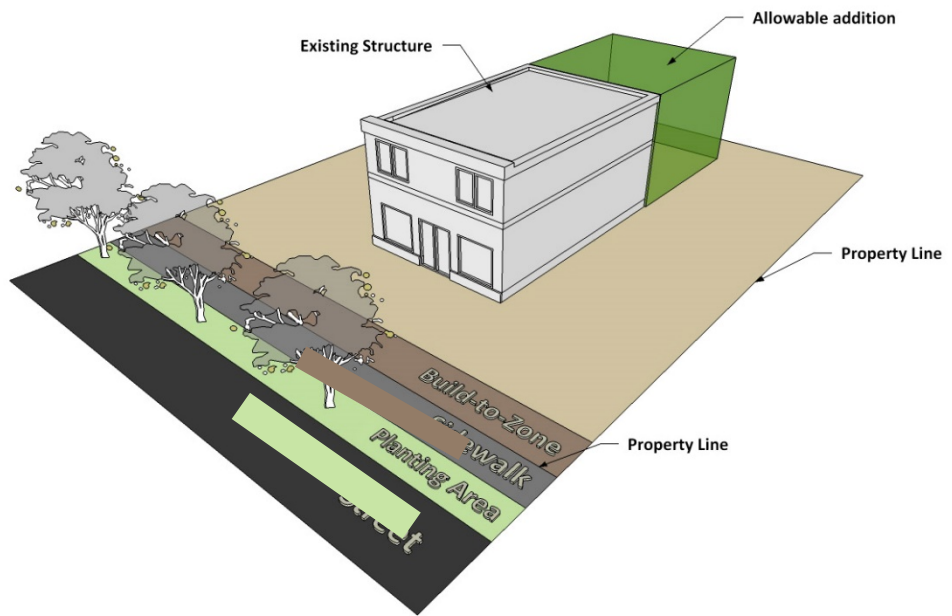
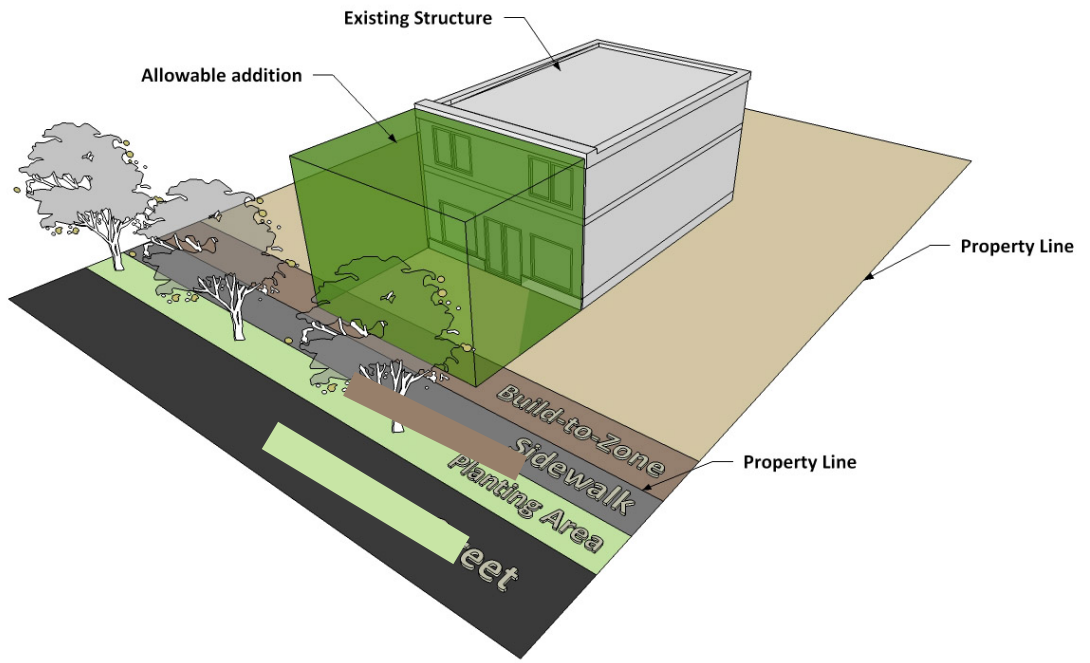
- (b) For land uses on lots adjacent to South College Avenue, South Main Street, and College Main, loading and maintenance/service areas shall be located at the rear of buildings utilizing an alley or private driveway.

Sec 62-596 – Building Design Standards and Design Guidelines.

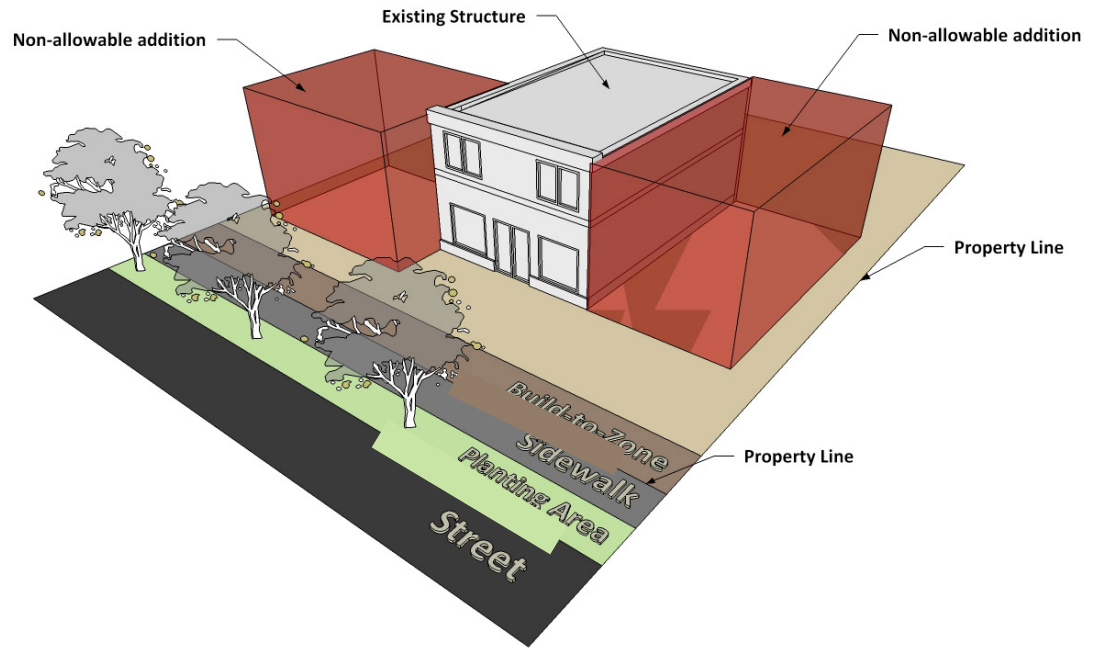
- (a) The building design guidelines and standards outlined in this section are primarily influenced by the concepts of form-based code. Form-based code is a land development regulation that fosters predictable built results and a high-quality public realm. This is achieved by using physical form rather than separation of uses as the organizing principle for the code. The guidelines below articulate key design principles represented in the remainder of this section. The intent is to establish high-quality standards for development in the Midtown – Corridor District. Buildings should be located and designed so that they provide visual interest and create enjoyable, human-scaled spaces.
- (1) New buildings and building facades should utilize design elements and details to support the aligning principles of the Midtown Area Plan (Ord. no. 2420 adopted on May 12, 2020 as amended).
 - (2) Compatibility is not meant to be achieved through uniformity, but by using variations in building elements to achieve individual building identity.
 - (3) Building facades should include architectural details and ornamentation, as, or similar to, generally defined below, to create variety and interest.

- (4) Buildings should be built to, or close to, the sidewalk, as outlined below, to define and enhance the pedestrian environment.
 - (5) Open space(s) and outdoor seating/dining is encouraged to be incorporated to provide usable public areas integral to the walkable environment.
- (b) The following illustrations shall provide guidance to developers on the allowed and prohibited modifications to structures and sites within the **Midtown – Corridor District (MT-C)** in existence before the adoption of this section.
- (1) *Allowable additions:* The following illustrations show examples of potential allowable additions to noncomplying structures and sites.





(2) *Non-allowable additions:* The following illustrations show examples of discouraged (non-allowable) additions to noncomplying structures and sites since the additions do not or cannot comply with the setback range standards of Sec. 62-593.



(c) *New and existing commercial buildings.* The following design standards and guidelines shall provide property owners, developers, city staff, and decision makers adequate design guidance for new and existing commercial and mixed-use buildings.

(1) *Location on the street.*

- i. All primary entrances should be oriented to a public sidewalk for ease of pedestrian access.

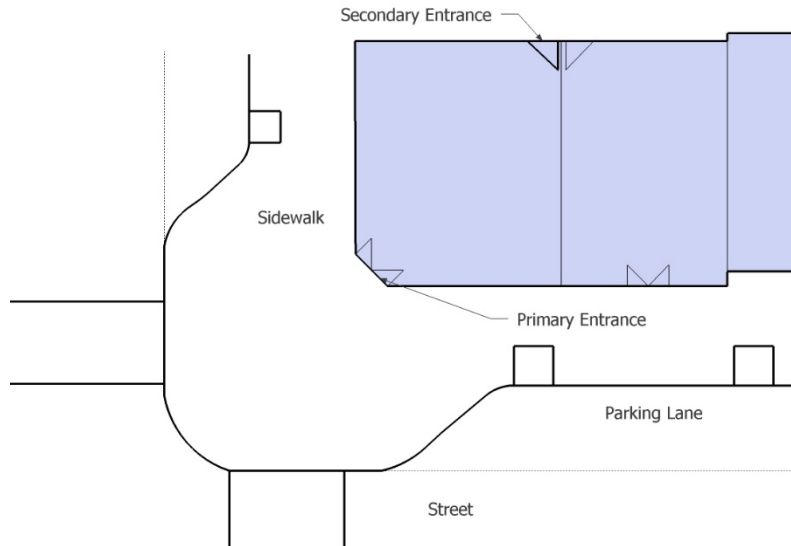


Image showing example of desired primary and secondary entrances to buildings in the Midtown – Corridor District (MT-C).

- ii. At intersections, buildings located on corner lots should utilize variations in building massing to emphasize street intersections as points of interest in the district. Maximum building heights are permitted to exceed by twenty-five percent (25%) for approximately twenty-five percent (25%) of the building frontage from the corner along each street façade.

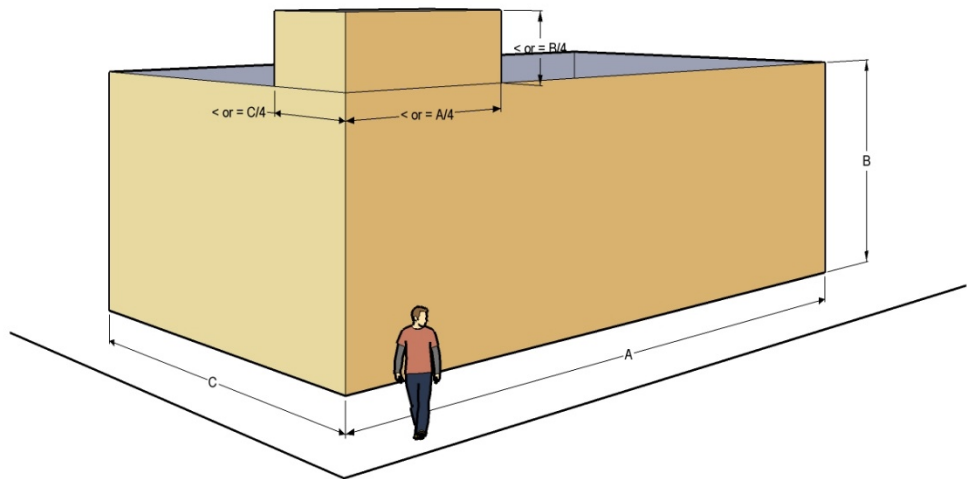


Image showing example of permitted massing of corner buildings within the Midtown – Corridor District (MT-C).

- (d) *Pedestrian-friendly building massing and scale.* A submittal representing how each criteria below is met shall be required upon submission of a site plan to the Site Development Review Committee, in addition to the requirements found in **Section 62-112.**

- (1) A building's massing should serve to emphasize entry points and help orient pedestrians.
- (2) Buildings and/or facades should emphasize, frame, or terminate important vistas.
- (3) Variations in the rhythms within individual building facades should be achieved within any block of building façades with architectural elements such as bays, columns, doors, windows, etc.
- (4) Breaks in the predominant rhythm may also be used to reinforce changes in massing and important elements such as building entrances, terminated vistas, or corner sites.
- (5) Porches, stoops, eaves, awnings, blade signs, arcades, colonnades and balconies should be used along commercial storefronts and they may protrude within the setback range, provided that they do not inhibit pedestrian movement within a sidewalk area or clear zone.
 - i. Balconies may have external bottom supports.
 - ii. Any encroachment into the public right-of-way must receive prior approval of a Special Use License, pursuant to Sec. 106-177, from the City of Bryan.

(6) Illustrative examples of standards above, are shown below:



Variations in building rhythm using architectural features



Building massing used to emphasize entrances



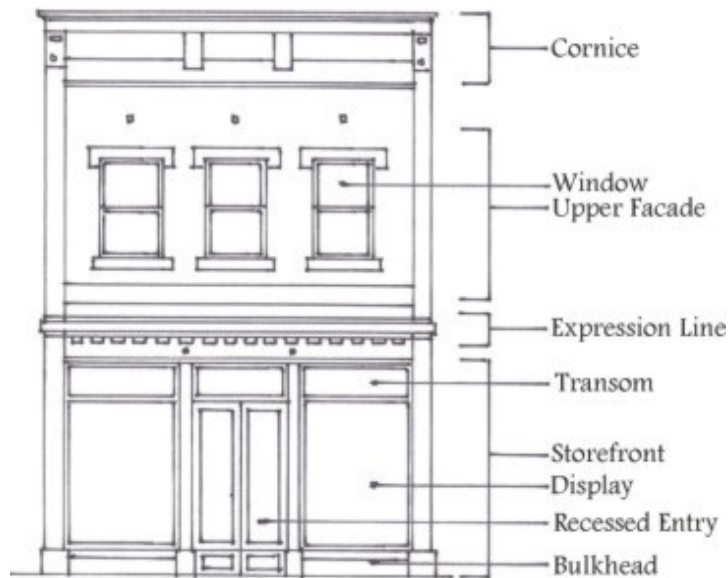
Allowed encroachments into the setback range



Retail buildings with balconies and architectural details that add interest along the streetscape. Not permitted against TxDOT maintained parts of South College Avenue

Sec 62-597 – Mixed-use and Non-residential Architectural Design.

- (a) Architectural elements should be designed to the appropriate scale and proportions of the developer-selected architectural style. For example, building designs based on an Art Deco style shall utilize architectural elements of a scale and proportion characteristic of that style.
- (b) An expression line or equivalent architectural element should delineate divisions between ground floor and upper floors of all buildings, and a cornice should delineate the tops of facades that do not utilize a pitched roof. These design elements are not required to be a traditional architectural style but are required to support human-scale design characteristics.



- (c) Building entrances should be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the developer selected architectural style, materials, colors, and details of the building. Entrances to upper level uses may be defined and integrated into the design of the overall building façade.
- (d) *Roofs.* Flat roofs enclosed by parapets or sloped roofs shall be used to screen rooftop mechanical equipment. Flat membrane-type roofs that are visible are prohibited.
- (e) *Doors and Windows.* Generally, doors and windows should be oriented vertically, and bay windows should have external bottom supports. Dormer windows should also be vertically proportioned and slightly shorter than the windows below.
- (f) *Transparency Required.* For all new mixed-use and non-residential construction and renovation, the ground level of buildings on properties along South College Avenue, South Main Street, College Main, and Wellborn Road shall have transparent storefront windows, with a Visible Transmittance (VT) of 0.4 or higher, covering no less than fifty percent (50%) of the façade area. Each floor of all building façades facing a street or plaza shall contain transparent windows covering at least fifteen percent (15%) of the façade area.
- (g) Ground floor retail building plate heights should be at least twelve feet (12') in height.
- (h) *Storefronts.* Retailers located at the street level should primarily use storefronts to orient and advertise merchandise to customers. Retail buildings should provide street-level pedestrian-oriented uses at the ground floor level. Storefronts on facade treatments that span multiple tenants, but are under one ownership, should use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
- (i) Illustrative examples of standards above, are shown below:



Retail storefronts with transparent windows



Vertically oriented windows with emphasis on corners and entrances.

(j) *Building materials.* See Chapter 62, Article X. Building Design and Color.

Sec 62-598 – Design of Structured Parking Facilities.

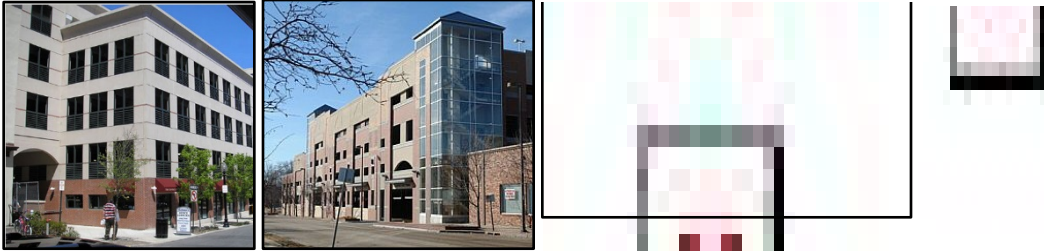
- (a) To the extent possible, the amount of street frontage devoted to a parking structure should be minimized by placing the shortest dimension(s) of the parking structure along the street edge(s).
- (b) Where above-ground structured parking is located at the perimeter of a building with street frontage, it shall be screened in such a way that cars on all parking levels are screened from view. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield lighting. Parking garage ramps shall not be visible from any street.



Illustrative Examples of Parking Garage Screening

- (c) Garage parking in a multi-story building shall be behind storefronts or residential units facing any street frontage in order to substantially inhibit and shield views of the garage from adjacent streets.
- (d) Ground floor façade treatment (building materials, windows, and architectural detailing) should be continued to the second floor of a parking structure along all streets.
- (e) When parking structures are located at street intersections, corner emphasizing elements (such as towers, pedestrian entrances, signage, glazing, etc.) should be incorporated.
- (f) Parking structures and adjacent sidewalks should be designed so pedestrians and cyclists are clearly visible (through sight distance clearance, signage, and other warning signs) to entering and exiting vehicles.
- (g) All frontages of parking structures located on properties along South College Avenue, South Main Street, College Main, or Wellborn Road should not have parking uses on the ground floor to a

minimum depth of 30 feet along the street frontage. Alternatively, the garage should be set back to a minimum of 30 feet in order to allow for a future building along the garage frontage.



Images showing examples of appropriate design of Structured Parking Facilities

Sec 62-599 – Design for Residential Buildings.

(a) The following design standards and guidelines are intended to provide property owners, developers, city staff, and decision makers adequate design guidance for new residential buildings:

(1) *Location on the street.*

- i. Garages generally should be located facing alleys at the rear of residential buildings if such alleys are available; Front entry garages are allowed if the garage door is set back behind the rear façade of the main structure a distance equal to 10% of the facade width
- ii. Front-loaded garages on residential lots less than fifty feet (50') wide shall not be allowed, and shall be loaded from rear parking or alleys only.
- iii. Townhomes and courtyard apartments shall utilize rear-loaded garages from an alley or rear parking.



Example of residential townhomes with primary entrances to the street



Example of live-work units with bay windows

(2) *Pedestrian-friendly building massing and scale.*

- i. On residential buildings, at least one of the following may be utilized: porches, stoops, bay windows, balconies, unit-masonry clad chimneys, attached pergolas or colonnades.
- ii. The base of a building may be delineated by a change in color, water table or different material for at least the first eighteen inches (18”) of the façade; or where feasible, the grade of the slab or first floor elevation may be elevated at least eighteen inches (18”) above the grade of the sidewalk.

(3) *Architectural elements.*

- i. Architectural embellishments that add visual interest to the roofs, such as dormers and chimneys may be included.



Examples of residential townhomes with stoops, dormers, and other architectural embellishments that add visual interest along the street.

(4) *Building materials.*

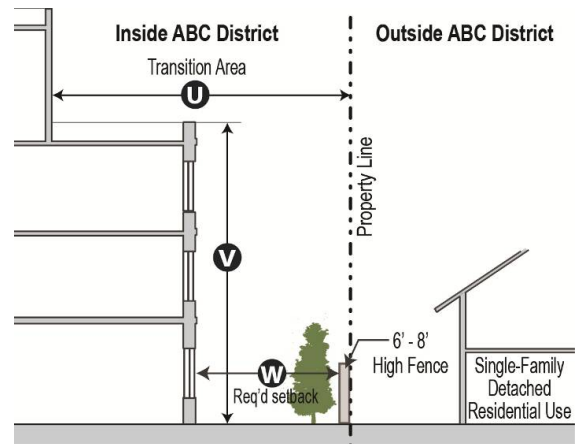
- i. The following are permitted finishes for street fronting facades of all residential buildings and live/work units:
 1. Cementitious-fiber clapboard (not sheet) with at least a twenty-five (25) year warranty.
 2. Masonry (brick; stone; man-made stone and stucco utilizing a three-step process).
- ii. The following are allowed up to twenty-five percent (25%) as an accent material:
 1. Wood (no plywood or pressboard).
 2. Architectural metal utilizing detailed finishes (not corrugated metal).

- 3. Or similar material over a cementitious base, rock, glass block, and tile.
- iii. Side and rear facades should be of finished quality and of the same color and durability of materials that blend with the front of the building.
- iv. Roofing materials, visible from any public right-of-way, may use copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass fiber shingles, or shingles of similar durability.
- v. An enclosed garage or carport must be designed and constructed of the same material as the primary structure.

Sec 62-600 – Transition Requirements.

(a) The following transition standards shall apply to all new building construction and all upper story additions to existing buildings located adjacent to a less intense zoning district.

Transition Area	20' min.	U
Max. Building Height at or within Transition Area	3 stories	V
Required setback	Min. 10'	W



- (b) A fully opaque screening fence (minimum six (6) feet and maximum eight (8) feet high) shall be required when adjacent to an existing less intense zoning district lot. The required fence shall not be chain link or vinyl.
- (c) When adjacent to a lot zoned to allow a detached residential land use by right, a 6-foot wide landscape buffer with evergreen shrubs planted at three (3) feet on center and six (6) feet minimum in height at maturity shall also be required to be planted within the landscape buffer a minimum of 3 feet wide parallel to the lot line.

7.

That Bryan Code of Ordinances, Chapter 98, Signs, Article VI, Downtown Historical District, shall reserve Sections 98-159 through 98-178, as follows:

Sec. 98-159 - 98-178. – Reserved

8.

That Bryan Code of Ordinances, Chapter 98, Signs, shall include a new “Article VII, Midtown Districts”, to read as follows:

Article VII – Midtown Districts

Sec. 98-179. – Purpose and intent.

The purpose of this article is to establish a comprehensive system of sign controls regarding the construction, installation, and maintenance of signs that will:

- (a) Promote and protect the health, safety, and welfare of Midtown by ensuring the compatibility of signs with surrounding structures and land uses.
- (b) Create a more attractive business and economic climate by enhancing and protecting the orderly and effective display of signs, and discourage sign clutter.
- (c) Protect the public from hazardous conditions that result from the indiscriminate use and placement of signs, structurally unsafe signs, signs that obscure the vision of pedestrians or motorists, and signs that compete or conflict with necessary traffic signals, government signs, and warning signs.

Sec. 98-180. – Definitions.

Awning/awning sign shall mean a roof-like cover designed for protection from the weather or as a decorative embellishment, which projects from a wall or roof of a structure over a window, walkway, or door, with no supports that extend to the ground. An awning sign is a sign printed or displayed upon an awning.



Banner shall mean a sign made of fabric or any non-rigid material with no enclosing framework.



Wall-Mounted Banner



Ground-Mounted Banner

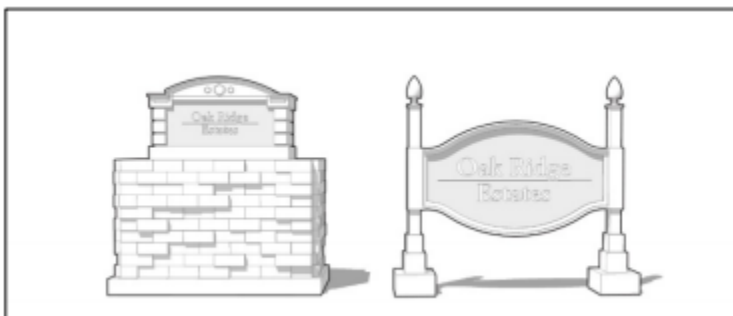
Blade sign shall mean a type of projecting sign that is attached to a building and oriented perpendicular to the face of the building which projects (vertically or horizontally) more than twelve inches (12") beyond the surface of the building to which it is affixed or supported.



Directory sign shall mean a permanent on-site attached wall sign providing direction to or identifying the buildings/suites in the development/building.



Ground sign shall mean a sign that is placed on or supported by the ground, independent of the principal structure on the lot, designed with a monument base that is an integral part of the sign structure.



Monument sign see ground sign

Pole sign see pylon sign

Portable sign shall mean any sign designed or constructed to be easily moved from one location to another and not permanently affixed to the ground or to a structure/building.



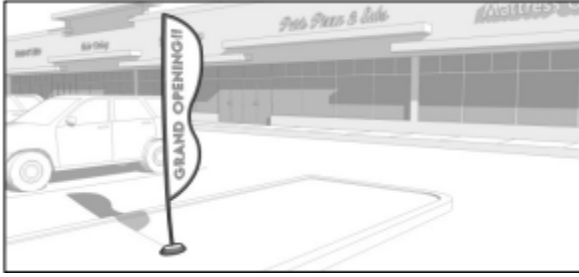
Pylon sign shall mean a type of ground sign that is affixed, attached, or erected on one (1) or more poles, uprights, or braces from the ground and not supported by a building or a base structure.



Roof sign shall mean any sign erected over or on the roof of a building.



Sail sign shall mean a temporary sign consisting of a self-supported, wing, feather, blade, cone, or rectangular vertically elongated shaped flag mounted on a flexible pole.



Wall sign shall mean a sign attached parallel to and extending not more than 12 inches from the wall of a building. The definition includes painted, individual letter, and cabinet signs, and signs on a mansard.



Window sign shall mean a sign installed inside a window and intended to be viewed from the outside made of wood, paper, paint, or vinyl and not illuminated.



Internally illuminated signs shall mean signs which are illuminated by an artificial source of light that is internal to the sign face. Internally illuminated signs are not permitted in the Midtown District.

Sec 98-181 - Sign regulations in Midtown Districts

- (a) For conforming uses and new signs for non-conforming uses, the standards in Table 3 shall apply and sign permits may be approved administratively unless specifically noted in this section. An applicant has the option to establish unique sign standards

including size, color, type, design, and location based upon specific performance criteria. Such sign standards shall be reviewed by staff and is subject to approval of the City Council.

Table 3 – Sign Standards
P (permitted) NP (not permitted) P/C (permitted with criteria)

Sign Type	P (Permitted) NP (Not Permitted) P/C (permitted with criteria)	Standard
(b) Wall Signs	P	<ul style="list-style-type: none"> • <input type="checkbox"/> For all ground floor commercial uses: One wall sign per occupancy, not to exceed one square foot in sign area for each linear foot of that occupancy's building frontage up to a maximum of 100 square feet; • <input type="checkbox"/> Upper floor commercial uses may also be permitted one upper floor wall sign per tenant space per public street frontage; One wall sign per occupancy, not to exceed one square foot in sign area for every two linear feet of that occupancy's building frontage up to a maximum of 100 square feet; • <input type="checkbox"/> The use of internally illuminated plastic signs are not permitted. • <input type="checkbox"/> Wall signs must not cover any window, window sill, transom sill, or significant architectural feature of the structure.
(c) Freestanding Signs	P	<ul style="list-style-type: none"> • <input type="checkbox"/> Freestanding signs (including ground signs, monument signs, pole signs, and pylon signs) One freestanding sign per property, not to exceed five feet tall and one square foot in sign area for each linear foot of lot frontage up to a maximum of 25 square feet;
(d) Window Signs	P	<ul style="list-style-type: none"> • <input type="checkbox"/> Limited to 25% of the window area and words are limited to no greater than 12 inches in height. • <input type="checkbox"/> Window signs do not require permit issuance but should follow these standards as described. • <input type="checkbox"/> The following shall be exempt from this limitation: <ul style="list-style-type: none"> ○ Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, menus and now hiring signs.

(e) Blade Signs	P	<ul style="list-style-type: none"> • <input type="checkbox"/> A blade sign may be used instead of any allowed wall sign, not to exceed a sign area of one square foot for each two linear feet of an occupancy's building frontage up to a maximum of 100 square feet. • <input type="checkbox"/> May encroach a maximum of 3' into a public right-of-way while maintaining a vertical clearance of 8' from the finished sidewalk. • <input type="checkbox"/> Blade signs may be attached to the building or hung under the soffit of an arcade or under a canopy/awning while maintaining a vertical clearance of 8' from the finished sidewalk. • <input type="checkbox"/> One blade sign per building is permitted. • <input type="checkbox"/> The use of internally illuminated plastic signs are not permitted.
(f) Roof signs	P/C	<ul style="list-style-type: none"> • <input type="checkbox"/> Roof signs are permitted with the following criteria: All roof signs shall be located at least 2,000 feet from any other existing roof sign.
(g) Banners	P	<ul style="list-style-type: none"> • <input type="checkbox"/> Banner signs may be no larger than 60 square feet. Permits must be obtained and are valid for a period of 14 days with a maximum of three permits within a 12 month period. The permits may be issued consecutively for a total of 6 consecutive weeks within a 12 month period.
(h) Portable signs	P	<ul style="list-style-type: none"> • <input type="checkbox"/> One portable sign per building or suite frontage is permitted for retail, service, or restaurant uses • <input type="checkbox"/> Limited to 8 square feet per storefront; • <input type="checkbox"/> A minimum of 4 feet of sidewalk shall remain clear when placed on sidewalk. • <input type="checkbox"/> Chalkboards may be used for daily changing of messages. • <input type="checkbox"/> Readerboards (electronic and non-electronic) are not permitted. • <input type="checkbox"/> Sign shall be removed every day after the business is closed. • <input type="checkbox"/> Shall only be located within 10 feet of building entrance. • <input type="checkbox"/> Plastic portable signs are not permitted. • <input type="checkbox"/> Portable signs do not require permit issuance but should follow these standards as described.

(i) Directory signs	P	<ul style="list-style-type: none"> • <input type="checkbox"/> Shall be allowed for all multi-tenant buildings only • <input type="checkbox"/> One directory sign per multi-tenant building limited to 6 sq. ft. in area • <input type="checkbox"/> Design of the sign shall be integral to the façade on which the sign is to be affixed. • <input type="checkbox"/> Directory signs do not require permit issuance but should follow these standards as described.
(j) Sail Signs	NP	<ul style="list-style-type: none"> • <input type="checkbox"/> Sail signs are not permitted.
(k) Awning Sign	P	<ul style="list-style-type: none"> • <input type="checkbox"/> Awning signs are permitted for multi-family dwellings and non-residential uses • <input type="checkbox"/> Awning signs must maintain a minimum vertical clearance of seven feet six inches. • <input type="checkbox"/> Awning signs may encroach into the public right-of-way but must be located at least two feet from the curb line. • <input type="checkbox"/> Awning signs must be made of a durable, weather-resistant material such as canvas, canvas-like material, nylon, vinyl-coated fabric, or permanent building material such as metal. • <input type="checkbox"/> Sign copy on any awning sign surface is limited to 25% of each surface area. A valance is considered a separate surface area. • <input type="checkbox"/> Solid awnings are permitted lettering attached to and located above the top of the awning to a maximum height of 24 inches. • <input type="checkbox"/> Awning signs may be externally illuminated and lighting must be focused on the printed area. • <input type="checkbox"/> Back-lit awnings are prohibited.

9.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article II – Zoning Districts, Section 130-3, “Definitions” is hereby amended to read as follows:

Residential district shall mean a district where the primary purpose is residential use and includes the RD-7, RD-5, R-NC, MF, DT-N, and MT-C Districts.

Live/Work Unit means a dwelling unit that is also used for work purposes, provided that the ‘work’ component is restricted to the uses of professional office, artist’s workshop, studio, or other similar uses and is located on the street level. The ‘live’ component may be located on the street level (behind the

work component) or any other level of the building. Separation of the “live” and “work” shall meet fire code separation requirements.

10.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article II – Zoning Districts, Section 130-8, “Zoning Districts Established” is hereby amended to read as follows:

Sec. 130-8. – Zoning Districts Established.

Abbreviated Designation	Zoning District Name
A-O	Agricultural-Open District
RD-7	Residential District - <u>7000</u>
RD-5	Residential District - <u>5000</u>
MF	Multiple-Family District
DT-N	Downtown - North District
DT-S	Downtown - South District
DT-C	Downtown - Civic District
MT-C	Midtown – Corridor District
MT-HD	Midtown – High Density District
C-1	Office District
C-2	Retail District
C-3	Commercial District
I	Industrial District

11.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article II – Zoning Districts, Section 130-20, “SC, South college districts” shall be repealed in its entirety and that a new Section 130-20 “Midtown Zoning Districts” shall be added, to read as follows:

Sec. 130-20. –MT, Midtown Districts.

The Midtown Districts are established to implement the recommendations of the Midtown Area Plan, adopted by the Bryan City Council on May 12, 2020. This plan sets goals and guidelines for development of all types within the Midtown Area. Not all parts of the Midtown Study Area are included in the Midtown Districts described below. Each District serves a different purpose towards the Plan’s envisioned goals in Midtown, but both encourage walkability and diversity of business and housing types.

12.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article II – Zoning Districts, Section 130-21, “SC-B, South college – business district” shall be repealed in its entirety and that a new Section 130-21 “MT-C, Midtown – Corridor District” shall be added, to read as follows:

Sec. 130-21. –MT-C, Midtown – Corridor District.

(a) *General purpose and description.* The Midtown – Corridor District (MT-C) is established to align with the Midtown Area Plan, adopted May 12, 2020. The intent of the Midtown – Corridor District is to allow new development and redevelopment to occur within certain design and development expectations established by the adoption of the Midtown Area Plan. The goal of the Midtown Area Plan and the resulting Midtown – Corridor District is to provide flexibility for mixed-use development to occur seamlessly and to set predictable design and development standards along major corridors within the Midtown – Corridor District.

(b) *Use Table.*

Permitted use (P): Designates a land use permitted by right in the Midtown – Corridor District.
 Non-permitted use (NP): Designates a non-permitted land use in the Midtown – Corridor District.
 Please note that land uses that do not appear in this table are considered to not be permitted.
 Permitted with criteria (P/C): Designates a land use permitted only when mandatory supplemental criteria are met. Please see use table for specific criteria.

<i>Land Use</i>	
Office & Retail Uses	
<ul style="list-style-type: none"> ▪ Retail Sales or Service including personal service shop or custom personal services, studio or photography studio, laundromats, plant nursesey, package liquor stores, and all incidental uses. <p>Excluded from this category are retail sales and services establishments geared towards the automobile, including motor fuel sales</p>	P
<ul style="list-style-type: none"> ▪ Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, 	P
<ul style="list-style-type: none"> ▪ Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc. 	P

Land Use	
▪□ Food Service Uses such as full-service restaurants, cafeterias, and snack bars, including café seating within a public or private sidewalk area with no obstruction of pedestrian circulation	P
Arts, Entertainment, and Recreation Uses	
▪□ Theater - Indoor	P
▪□ Nightclub or tavern (≤ 5000 square feet)	P
▪□ Museums and other special purpose recreational institutions	P
▪ Fitness, recreational sports, gym, or athletic club	P
▪□ Parks, greens, plazas, squares, and playgrounds	P
Educational, Public Administration, Health Care and Other Institutional Uses	
▪□ Schools, libraries, and community halls	P
▪□ Essential municipal uses	P
▪□ Medical facilities or clinics	P
▪□ Social and fraternal organizations	P
▪□ Charitable Use	P
▪□ Religious Institutions	P
Residential Uses	
▪□ Home Occupations	P
▪□ Live/Work units	P
▪□ Multi-family dwelling unit and/or condominiums	P
▪□ Upper floor residential uses	P
▪□ Attached residential dwelling unit (Townhome)	P/C (not permitted on lots adjoining South College Avenue or South Main Street)
▪□ Detached residential dwelling unit	P/C (not permitted on lots adjoining

Land Use	
	South College Avenue South Main Street, Old College, or Villa Maria Road)
▪ Pre-approved pattern buildings	P/C (per Overlay Districts)
Other Uses	
▪ Hotels	P
▪ Bed and breakfast establishments	P
▪ Parking, surface	P
▪ Parking, structured	P
▪ Farmer's market	P
▪ Veterinary clinic (no outdoor facilities for overnight storage of animals)	P

(c) *Other regulations.*

- (1) Establishments selling alcoholic beverages within the MT - C District shall be exempt from any regulations regarding their proximity to a public school, church, or a public hospital.
- (2) Where activity has ceased for one or more years on a property where the most recent land use is a permitted use in this district, a site plan shall be filed in accordance with the provisions of Chapter 62, before activity on the property may resume. Lots with detached residential use only on the lot are exempt from this provision.
- (3) No temporary structures, such as recreational vehicles, travel trailers, construction trailers, or mobile homes may be used for on-site dwelling purposes.
- (4) The following regulations are to control contamination of the air, water, or the environment and to safeguard the health, safety, and general welfare of the public. No machine, process or procedure shall be employed on any property in the city, in which:
 - a. Emission of smoke, smell, dust, noxious, toxic, or lethal gasses are detectable beyond the perimeter of the property.
 - b. Vibration is discernible beyond the property line.
 - c. Noise above the average intensity of street traffic is discernible beyond the property line.

- d. Materials are stored or accumulated in such a way that they may be carried by rainwater in natural drainage channels beyond the limits of the property, which are noxious, toxic, radioactive, or contain oil or grease.
 - e. *General Lighting Standards.*
 - o No flickering or flashing lights shall be permitted. No lighting, illuminated displays or signage that simulates movement or moving images shall be permitted.
 - f. *Outdoor lighting levels.* Outdoor lighting shall not exceed the following levels.
 - o 0.50 lumen at the property line if the subject property abuts a residential district or a lot containing a residential use; or
 - o 1.00 lumen at the property line if the subject property abuts a nonresidential district or lot containing a nonresidential use or at the right-of-way line.
 - g. Heights of outdoor lighting. Outdoor lighting shall not exceed the following heights.
 - o Light fixtures in parking lots shall not exceed a maximum height of 24 feet;
 - o Pedestrian walkway fixtures shall not exceed a maximum height of 12 feet.
- (5) Wireless telecommunications facilities shall be allowed only as provided for in section 130-35.

13.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article II – Zoning Districts, Section 130-22, “SC-R, South college – residential district” shall be repealed in its entirety and that a new Section 130-22 “MT-HD, Midtown – High Density District” shall be added, to read as follows:

Sec. 130-22. MT-HD, Midtown – High Density District.

(a) *General purpose and description.* The Midtown – High Density District (MT-HD) is established to create an area where increased residential and retail development density are encouraged. The demands and opportunities of this area identified in the Midtown Area Plan, adopted by the Bryan City Council on May 12, 2020, show retail and residential growth and their interconnections. The intent of the Midtown – High Density District is to mandate a more intense pattern of development than is currently present in this area. Creative solutions will be utilized to offer the flexibility necessary for the desired types of development.

(b) *Use Table.*

Permitted use (P): Designates a use permitted by right in the Midtown – High Density District.
 Non-permitted use (NP): Designates a non-permitted use in the Midtown – High Density District.
 Please note that uses left out of this table are considered non-permitted uses.

Permitted with criteria (P/C): Designates a use permitted only when the mandatory supplemental criteria are met. Please see use table for specific criteria.

<i>Land Use</i>	
Office & Retail Uses	
<ul style="list-style-type: none"> ▪ Retail Sales or Service including personal service shop or custom personal services, studio or photography studio, laundromats, plant nursey, package liquor stores, and all incidental uses,. <p>Excluded from this category are retail sales and services establishments geared towards the automobile, including motor fuel sales</p>	P
<ul style="list-style-type: none"> ▪ Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, 	P
<ul style="list-style-type: none"> ▪ Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc. 	P
<ul style="list-style-type: none"> ▪ Food Service Uses such as full-service restaurants, cafeterias, and snack bars, including café seating within a public or private sidewalk area with no obstruction of pedestrian circulation 	P
Arts, Entertainment, and Recreation Uses	
<ul style="list-style-type: none"> ▪ Theater - Indoor 	P
<ul style="list-style-type: none"> ▪ Nightclub or tavern (≤ 5000 square feet) 	P
<ul style="list-style-type: none"> ▪ Museums and other special purpose recreational institutions 	P
<ul style="list-style-type: none"> ▪ Fitness, recreational sports, gym, or athletic club 	P
<ul style="list-style-type: none"> ▪ Parks, greens, plazas, squares, and playgrounds 	P
Educational, Public Administration, Health Care and Other Institutional Uses	
<ul style="list-style-type: none"> ▪ Essential municipal uses 	P
<ul style="list-style-type: none"> ▪ Religious Institutions 	P
Residential Uses	
<ul style="list-style-type: none"> ▪ Home Occupations 	P
<ul style="list-style-type: none"> ▪ Live/Work units 	P
<ul style="list-style-type: none"> ▪ Multi-family dwelling unit and/or condominiums 	P
<ul style="list-style-type: none"> ▪ Upper floor residential uses 	P

▪□ Detached residential dwelling unit	NP
Other Uses	
▪□ Hotels	P
▪□ Parking, surface	P
▪□ Parking, structured	P
▪□ Farmer's Market	P
▪□ Veterinary clinic (no outdoor facilities for overnight storage of animals)	P

(c) *Other regulations.*

- (1) Establishments selling alcoholic beverages within the MT-HD District shall be exempt from any regulations regarding their proximity to a public school, church, or a public hospital.
- (2) Where activity has ceased for one or more years on a property where the most recent land use is a permitted use in this district, a site plan shall be filed in accordance with the provisions of Chapter 62, before activity on the property may resume. Lots with detached residential use only on the lot are exempt from this provision.
- (3) No temporary structures, such as recreational vehicles, travel trailers, construction trailers, or mobile homes may be used for on-site dwelling purposes.
- (4) The following regulations are to control contamination of the air, water, or the environment and to safeguard the health, safety, and general welfare of the public. No machine, process or procedure shall be employed on any property in the city, in which:
 - a. Emission of smoke, smell, dust, noxious, toxic, or lethal gasses are detectable beyond the perimeter of the property.
 - b. Vibration is discernible beyond the property line.
 - c. Noise above the average intensity of street traffic is discernible beyond the property line.
 - d. Materials are stored or accumulated in such a way that they may be carried by rainwater in natural drainage channels beyond the limits of the property, which are noxious, toxic, radioactive, or contain oil or grease.
 - e. *General Lighting Standards.*
 - o No flickering or flashing lights shall be permitted. No lighting, illuminated displays or signage that simulates movement or moving images shall be permitted.
 - f. *Outdoor lighting levels.* Outdoor lighting shall not exceed the following levels.
 - o 0.50 lumen at the property line if the subject property abuts a residential district or a lot containing a residential use; or
 - o 1.00 lumen at the property line if the subject property abuts a nonresidential district or lot containing a nonresidential use or at the right-of-way line.
 - g. Heights of outdoor lighting. Outdoor lighting shall not exceed the following heights.
 - o Light fixtures in parking lots shall not exceed a maximum height of 24 feet;
 - o Pedestrian walkway fixtures shall not exceed a maximum height of 12 feet.

14.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article II – Zoning Districts, Section 130-28, “SC, South College Corridor Overlay District” shall be repealed in its entirety.

15.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article III – Other Regulations, Section 130-34(m)(7), “Outdoor display and storage requirements”, is hereby amended to read as follows:

Sec. 130-34. - Special and supplementary regulations.

(m) Outdoor display and storage requirements.

(7) Outdoor display or storage shall be permitted in zoning districts as shown below:

	MT-HD	MT-C
Sidewalk Display	✓	✓
Outdoor Display	x	s
Limited Outdoor Storage	x	x
General Outdoor Storage	x	x
Industrial Outdoor Storage	x	x

16.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article III – Other Regulations, Section 130-35(b)(2), “Wireless telecommunications facilities siting matrix”, is hereby amended to read as follows:

Sec. 130-35(b)(2) Wireless telecommunications facilities siting matrix.

(2) *Wireless telecommunications facilities siting matrix.* Wireless telecommunication facilities are allowed, as indicated in the following table:

	A-O	RD-5 RD-7	MF	C-1 C-2 C-3	I	MU- 2	CO	HP/D	HP/E	MT-C	MT-HD
<i>P = Permitted as of right</i> <i>C = Conditional use permit required</i> <i>- = Prohibited</i>											
Minor Facility											
a. New transmission tower ≤ 35 feet (10.5 meters) in height	C	C	P	P	P	C	C	C	-	C	-
b. Parabolic antenna 1 meter or less	P	P	P	P	P	P	P	P	P	P	P
c. Parabolic antenna over 1 meter and under 2 meters	P	P	P	P	P	P	P	P	-	P	-
d. Omni-directional antenna (whip antenna) 6" in diameter or less and not extending 12' above support structure	P	P	P	P	P	P	P	P	P	P	P
e. Directional antenna 1 meter or less measured across the longest dimension	P	P	P	P	P	P	P	P	P	P	P
f. Direct-to-home service antenna and citizen's band radio	P	P	P	P	P	P	P	P	P	P	P
g. Stealth facility ≤ 35 feet (10.5 meters) in height	P	P	P	P	P	P	P	P	P	P	P
Intermediate Facility											
a. New transmission tower > 35 feet (10.5 meters) and ≤ 110 feet (33 meters) in height	C	C	C	C	P	C	C	C	-	C	-
b. Parabolic antenna over 2 meters	P	P	P	P	P	P	P	P	-	P	-
c. Omni-directional antenna (whip antenna) greater than 6" in diameter and/or extending 12' above support structure	P	P	P	P	P	P	P	P	-	P	-
d. Directional antenna over 1 meter measured across the longest dimension	P	P	P	P	P	P	P	P	-	P	-
e. Stealth facility > 35 feet (10.5 meters) and ≤ 110 feet (33 meters) in height	P	P	P	P	P	P	P	P	P	P	P
Major Facility											
a. New transmission tower > 110 feet (33 meters) and ≤ 200 feet in height	C	C	C	C	P	C	C	C	-	C	-
b. Stealth facility > 110 feet (33 meters) and ≤ 200 feet in height	C	C	C	C	P	C	C	C	C	C	C

CO = Villa Maria Corridor;
 HP/D = Downtown Historic District; and
 HP/E = Eastside Historic District;
 MT-C = Midtown - Corridor District; and
 MT-HD = Midtown - High Density District

17.

That Bryan Code of Ordinances, Chapter 130, Zoning, Article III – Other Regulations, Section 130-42(c), “Residential neighborhood conservation district rezoning”, is hereby amended to read as follows:

(c) Residential neighborhood conservation district rezoning.

- (1) Property owners may make application to the city council for a city initiated rezoning of an entire platted residential subdivision or a single phase/section of a platted residential subdivision or a historic preservation overlay district (HP) presently zoned residential district-7000 (RD-7) or residential district-5000 (RD-5) to residential - neighborhood conservation district (R-NC).
- (2) An application for a city initiated rezoning of an entire platted residential subdivision or a single phase/section of a platted residential subdivision or a historic preservation overlay district (HP) from residential district-7000 (RD-7000) or residential district-5000 (RD-5000) to a residential - neighborhood conservation district (R-NC) must include the residential - neighborhood conservation district rezoning petition verification response form.

18.

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

19.

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.

20.

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.

21.

That it is hereby found and determined that the meeting at which this ordinance was passed was 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 meeting was given.

22.

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

23.

That this ordinance shall take effect immediately upon its first and only reading and passage.

PASSED, ADOPTED and APPROVED the 10th day of August 2021, at a regular meeting of the City Council of the City of Bryan, Texas, by a vote of 5 yeses and 0 noes.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Buppy Simank, Mayor Pro Tem

APPROVED AS TO FORM:

Thomas A. Leeper, Interim City Attorney