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TOP STORY

Housing limits remain hot topic in College Station

If approved by city council, restricted occupancy overlay ordinance could limit homes to 2 unrelated tenants

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Eagle photo by Michael Miller

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The hotly debated subject of how many unrelated people can live in a single-family College Station home will be considered by the city council this week as residents remain divided on the topic.

If approved by council, the restricted occupancy overlay ordinance or ROO would allow original subdivisions to limit occupancy of a home to no more than two unrelated people if the majority of those property owners petition to do so. Thursday's city council meeting will be a workshop session in which council members will hear about recent city-led public input sessions. If council members say this week that they want to continue the process of creating the ROO, city-staff will take an ordinance back to be considered for an official vote at the end of the month or early April.

Opinions on both sides of the issue are nuanced, with many opposed to the ordinance citing concerns about restricting housing options for some groups, and others in favor of saying they hope to reserve parts of the community for families. While there is debate over how the ROO could impact things such as property values, taxes, businesses and housing availability, Long-Range Planning Administrator Alyssa Halle-Schramm said the council has not instructed the city staff to complete a market analysis that would determine to what extent these types of items would be influenced by the ROO.

Texas A&M University senior Brady Knubley said he has rented homes in Bryan and College Station throughout his time as a student. He is currently living in a Bryan home with three other roommates, but is planning to move back to College Station next year when he starts grad school.

Knubley said he prefers living in a house because it allows him to be more independent and save money. He added that he thinks implementing the restricted occupancy overlay would be unfair and cause major issues for mass numbers of students looking for a place to live.

"I don't want someone to tell me I can't live here because I am not related to the other people in the house," he said. "Not only will that affect my possible living arrangements, but it essentially will completely upend the city of College Station."

Southwood Valley home-owner Diana Wood said she thinks having an ordinance that could limit the number of unrelated people in homes of her subdivision would reduce traffic congestion that she frequently sees on her neighborhood streets. She added that she wants her area to have the “community feel” that accompanies single-family rentals and owner-occupied home areas, as opposed to high-density rental homes.

She said that the ROO would be a way for neighborhoods to decide for themselves what they want to see in their area.

“So it’s a really exciting exercise — going out and meeting your neighbors and getting together and having conversations,” she said of the opportunity to petition for an overlay. “And for me that’s really exciting and is one of the truest, most localized forms of democracy we can have.”

Since 1940, College Station has had a city-wide ordinance limiting the number of unrelated people in residential districts to a maximum of four.

The idea of restricting the number of unrelated residents in single-family neighborhood homes is a subject that has been discussed on and off in College Station for about two decades, Halle-Schramm said.

Most recently, a ROO ordinance was drafted and presented to the city council in June. When public input was gathered, people on both sides of the subject expressed concern about the way “family” and “related” was defined, so work on the ROO was put on hold and the city loosened its definition of family in December.

In January, city staff presented the city council with options to address occupancy-related concerns without restricting the number of unrelated people in a home. The alternatives were meant to address behavioral issues, such as parking problems, that are often associated with too many people living in a home, but ultimately most council members said they would prefer to pursue a restricted occupancy overlay.

While the draft ordinance was already written in June, key components like a grandfathering clause and the percentage of residents who would need to petition for the ROO in a given original subdivision must still be determined by the city council.

Community members had the chance to weigh in on these subjects in public input meetings and through an online poll.

The city of Bryan has a residential neighborhood conservation zoning district that functions similarly to how the ROO would, in that it restricts certain single-family subdivisions to permitting no more than two unrelated people from living there if 58% of that area's owners vote to implement the zoning.

Since 2006, when the zoning classification was first approved by Bryan city council, Planning Administrator Randy Haynes said 50 applications for the zoning have been submitted and approved. He said that means that about 3,000 houses in Bryan are in a residential neighborhood conservation zoning district.

Haynes said there were many concerns among community members when the zoning district was being considered, such as worries related to property values, but he said the city has not seen any such issues as a result of the zoning district.

Introducing the restricted occupancy overlay allows neighborhoods to exert control over their futures, argues Rich Woodward, president of College Station Association of Neighborhoods. Woodward said that the ROO could prevent neighborhoods from becoming dominated by high-density rental properties and help them avoid rapidly increasing property values.

“We have no shortage of places for students to live,” Woodward said. “What we have is a lack of middle income, mid-level housing opportunities for families, retirees, and young professionals. ... The ROO has the potential to protect some neighborhoods to satisfy that need and to fill in the middle of the housing market.”

Woodward added that data collected by CSAN shows that students would not be negatively impacted by the ROO, since areas with many students likely would not have enough support to have an overlay approved, but other places with mostly families looking to preserve their neighborhood are the subdivisions that could successfully petition for an overlay.

By CSAN's estimates, about 105 places near A&M's campus where students tend to live might be able to obtain an overlay if a 50% plus one policy was adopted, while about 90 would have a chance to do so if 58% was required.

Donald Deere and his wife have lived in College Station since the 1990s and have been renting out homes since 2009. They currently own 13 single-family homes that they rent out mostly to college students. Deere said the money he collects makes up a major part of he and his wife's financial support for retirement.

Deere said that 10 of the homes are in areas of town that he believes are at risk of having a restricted occupancy overlay placed on the subdivision if there is a 50% plus 1 standard in the ordinance.

While Deere said he can understand the concerns of some homeowners, he said that he hopes there is a middle ground that can be reached that "makes things better for them and not really make things much worse for us."

Aside from his concerns about how the ROO could impact his investments, Deere said he's also concerned that older homeowners could lose the right to sell their homes for maximum value and believes that the overlay could have a negative impact on houses available for students to rent.

Bryan-College Station Regional Association of Realtors also has concerns about the ROO, Association Executive Amy DuBose said, adding that the organization is always looking to ensure that policies are not put in place that could harm people's private property rights.

"We're very concerned about discrimination against low-income families, nontraditional families, LGBTQ families — for us, as a Realtor organization, it's extremely difficult to have such a strong code of ethics put into place because we have a very inclusive code of ethics as an organization overall, and have a city that's essentially going to force professionals to actively discriminate against people," she said. "That's a really very difficult situation to be in."

Several years ago, the McCulloch neighborhood became the first to successfully be granted a neighborhood conservation overlay, which is an overlay zoning district that allows for the conservation of certain physical characteristics in an original subdivision. McCulloch is one of the city's oldest neighborhoods. Residents pursued the overlay out of concern when homes in the area were being torn down and replaced with larger rental properties primarily used by students, according to a 2015 article in The Eagle.

Even so, McCulloch homeowners association president Carolyn Waldon said the subdivision was never given the opportunity to restrict the number of residents living in homes in the area. But Waldon said that if council approves the ROO, she wants to petition for one to be implemented in the McCulloch neighborhood.

Waldon said that she thinks the ROO could help her neighborhood combat things such as loud parties, traffic and increases in property taxes.

But the ROO may end up spreading out students, forcing them to bid up prices of the local housing stock according to the Bryan/College Station Habitat for Humanity website.

Charles Coats, director of homebuyer services, also added in a recent interview that the ROO could cause problems for people who rent out rooms in the homes they live in to save money. This could impact students, young professionals and low-income residents.

“We really believe that a property that someone owns really should be able to work for them if they choose that,” he said. “We’re interested in this from the low-income perspective. ... At the end of the day, we really put a lot of value in homeowners being able to create income from their land. We support the owner-occupied model.”

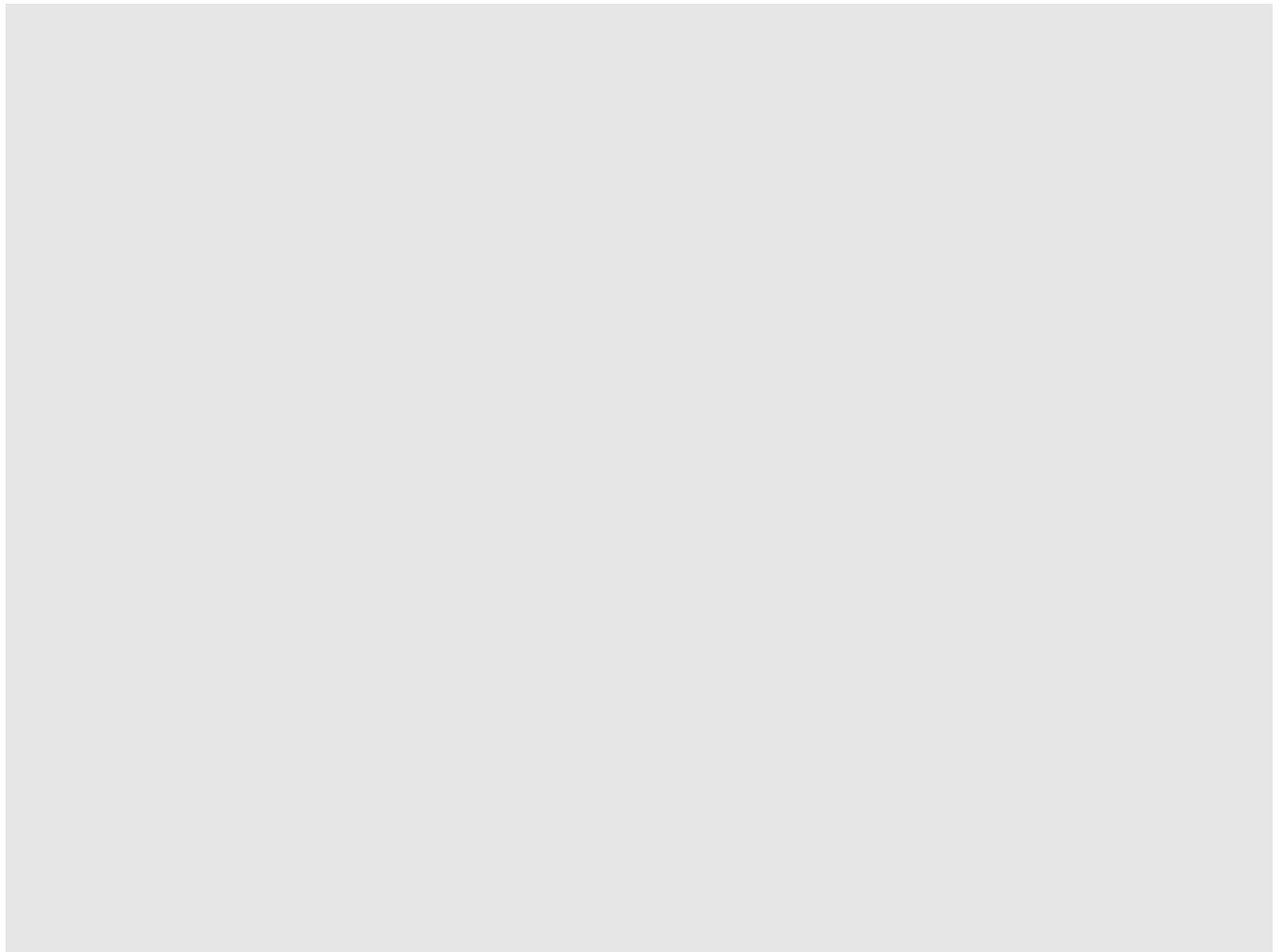
The College Station planning and zoning commission discussed the proposed ROO ordinance at its meeting last week. Commissioners were divided on the subject, with some concerned about promoting housing discrimination and others saying the ROO

is a way to protect investments that families make in their homes. While all commissioners agreed that a grandfathering clause is important, there was disagreement about how strong that component should be.

Go to cstx.gov/roo for instructions on how to speak at the Thursday city council meeting and learn more about the proposed ordinance.

Gallery: Empty Bowls Jr. at Allen Honda

Empty Bowls Jr.



Eagle photo by Michael Miller

Empty Bowls Jr.