



AGENDA MEMORANDUM

Public Hearing & First Reading for the City Council Meeting of 4/12/22
Second Reading for the City Council Meeting of 4/19/22

DATE: March 11, 2022
TO: Peter Zaroni, City Manager
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**Text amendments to the Unified Development Code (UDC) concerning
Wastewater Fee Exemptions and Refunds**

CAPTION:

Ordinance amending the Unified Development Code to delegate approval of wastewater lot or acreage fee exemptions to the Director of Development Services.

SUMMARY:

Currently the City Council authorizes wastewater fee exemptions and refunds. This amendment will authorize the Director of Development Services to exempt wastewater fees when the Planning Commission allows for a construction waiver, and issue refunds if public wastewater service has not been provided after 10 years but not more than 20 years of the plat filing. This will help streamline the development process.

BACKGROUND:

City Council asked staff to consider amending the Unified Development Code to allow the wastewater lot/acreage fee exemptions and refunds to be handled administratively, rather than taking the requests to City Council.

The proposed amendment to UDC Section 8.5.2.G. Exemptions will allow the Director of Development Services to exempt lot or acreage wastewater fee payments and issue refunds instead of City Council. The criteria for exemptions and refunds will remain the same:

Criteria for exemptions:

- Located outside of an area that will not receive service in 15 years.

Criteria for refunds:

- Property owner
- No wastewater lines from the City's wastewater system serve the property.
- Property is not likely to be served by public wastewater lines within five years.

According to §3.2.1 of the UDC, text amendments may be made from time to time in order to: (a) establish and maintain sound, stable and desirable development within the City or its ETJ; (b) correct textual errors; or (c) adjust the text of the UDC in response to changes in conditions either in a particular area or in the city in general. The effect of these proposed text amendments will be city-wide.

The ordinance also amends the City of Corpus Christi Code of Ordinances Section 14-1341 Unified Development Code fees to reflect the change to an administrative process.

ANALYSIS AND FINDINGS:

Per §3.2.3 of the UDC, in determining whether to approve, approve with modifications, or deny a proposed Unified Development Code text amendment, the applicable review bodies shall consider the following criteria:

1. The amendment promotes the purpose of this Unified Development Code as established in Section 1.2. The UDC was established to reflect the City's Comprehensive Plan and its goal to improve and protect public health, safety, and welfare.
2. The amendment is consistent with the Comprehensive Plan.
3. The amendments are consistent with other codes and ordinances adopted by the City and are otherwise internally consistent with other provisions of this Unified Development Code, or that any provisions with which the amendments are or may be inconsistent also are proposed to be modified. The effects of all such modifications shall meet the above criteria, promote the public health, safety, and welfare, and be consistent with any applicable federal and state requirements.
4. The fiscal impact on the City and the effect on taxpayers and ratepayers of the proposed amendment.

The proposed text amendment does not conflict with existing language in the UDC nor the Municipal Code. Additionally, the adoption of new state statutes is directly linked to the third condition of the review criteria listed above.

ALTERNATIVES:

Denial of an Ordinance amending the Unified Development Code to delegate approval of wastewater lot or acreage fee exemptions to the Director of Development Services.

FISCAL IMPACT: There are no fiscal impacts associated with this item.

RECOMMENDATION:

Planning Commission recommended approval on January 12, 2022. Staff recommends approval of the text amendment to the UDC.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Presentation