



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council meeting of 12-11-2012
Second Reading for the City Council meeting of 12-18-2012

DATE: November 26, 2012

TO: Ron L. Olson, City Manager

FROM: Pete Anaya, P.E., Director of Planning and Environmental Services
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Proposed Commercial Compatible and Industrial Compatible Districts

CAPTION: Ordinance amending the Unified Development Code (“UDC”) by establishing new section 4.8 “Compatible Districts” in Article 4 “Base Zoning Districts” and revising related provisions of the UDC to include the “Table of Contents” and subsections 1.11.2 “Abbreviations,” 1.11.3 “Defined Terms,” 7.4.3 “Allowed Outside Display, Sales and Storage,” 7.5.3.A “Single Tenant Freestanding Sign,” 7.5.3.C “Multi-Tenant (3 or more Tenants) Freestanding Sign,” and 7.9.5 “Zoning District Buffer Yard—New Development;” amending the Comprehensive Plan to account for any deviations; and providing for a repealer clause, severance, penalties, publication, and an effective date.

PURPOSE: Two new zoning districts are proposed for use under airport flight zones, or next to refineries or any other area that could pose potential hazards to adjacent uses. The Commercial Compatible and Industrial Compatible Districts do not permit any residential uses or uses that are likely to congregate large groups of people.

BACKGROUND AND FINDINGS: The City’s Joint Land Use Study, while not complete, has identified several critical land use and zoning issues that should be addressed as soon as possible. Navy use guidelines for land under flight zones recommend a limitation on residential uses or uses that would congregate large groups of people. Currently, the City does not have a commercial or industrial zoning district that restricts uses that could allow congregation of large groups of people. While the need for the districts originated with the Joint Land Use Study, the districts will be useful wherever there is a threat to public health and safety. (Airport flight zones, near refineries, near major water treatments facilities, manufacturing facilities, etc.) These two districts do not allow uses that are likely to congregate large groups of people including educational facilities, churches, bars, clubs, restaurants, or uses that are likely to have more than 50 people per acre.

Highlights from the two districts are:

- The intensity of Commercial and Industrial uses are controlled by a FAR (Floor Area Ratio) similar to the Navy AICUZ Guidelines. The FAR is the ratio of building area to lot area. In general, the allowed intensity is a FAR of 0.11 or about 1/3 of the normal floor area for a developed commercial or industrial property (FAR 0.33).

- Exceptions to the FAR of 0.11 include warehousing uses, which are encouraged with a 1.0 FAR.
- Height of structures is limited to two stories.
- It should be noted that many of the uses in the two districts are not shown as permitted in the Navy Guidelines. Therefore, the use list should be considered a compromise between what the Navy would like and what is normally permitted in a commercial or industrial district.
- The variety of uses in the two districts is not unprecedented, as staff used the City of San Antonio use list in their Airport Overlay District as a model for developing the list of uses in the Commercial and Industrial Compatible Districts.

ALTERNATIVES: Adoption of the Navy Use Guidelines was considered as some areas around the country have adopted the Navy Use Guidelines (See Attached Navy Guidelines). However, where the Navy Use Guidelines have been adopted verbatim, the areas are rural areas and not urban areas such as in Corpus Christi.

OTHER CONSIDERATIONS:

Joint Land Use Technical Advisory Group recommended approval on August 31, 2012.

Staff and Planning Commission recommended approval of the Compatible District amendments on September 26, 2012. The proposed amendments to the Unified Development Code included billboards as a permitted use in the Industrial Compatible District.

After the Planning Commission had taken action the City's Joint Land Use Study Consultants (Matrix Design Group) and the Navy suggested that billboard signs be deleted from the Industrial Compatible District (Section 7.5.23). Matrix Design Group, indicated billboards are likely to pose a lighting and or height hazard in flight zones. The Matrix Design Group comment on billboards has been attached.

Staff is recommending that the City Council adopt an ordinance (see attached) that does not include billboards as a permitted use in the Industrial Compatible District consistent with the Matrix Design Group (City Consultants) and Navy suggestions.

The proposed Compatible Districts are the first of several actions concerning changes to City ordinances and codes related to airport protection and implementation of Joint Land Use Study recommendations.

CONFORMITY TO CITY POLICY:

Corpus Christi Policy Statements

AREAS SURROUNDING EXISTING PRIVATE, PUBLIC, AND MILITARY AIRPORTS SHOULD BE DEVELOPED IN A MANNER THAT IS COMPATIBLE WITH THE OPERATION OF THE AIRPORTS.

Airports are characterized by high levels of noise and the potential for accidents under the major flight patterns. Properties in the immediate vicinity of the airports should be required to develop in a manner that is sensitive to expected levels of noise and which will not subject residents to unreasonable risk due to possible accidents.

Adopted Flour Bluff Area Development Plan - Goals

Encourage sensible and appropriate development adjacent to Naval Air Station facilities. The presence of the Naval Air Station is important to the economy of Corpus Christi and every effort should be made to encourage their continued operation.

EMERGENCY / NON-EMERGENCY: Non-emergency, with two readings.

DEPARTMENTAL CLEARANCES:

The Development Services Department and the Planning and Environmental Services Departments recommend adoption of the attached ordinance which does not include billboards.

FINANCIAL IMPACT:

Operating Revenue CIP Not applicable

Fiscal Year: 2011-2012	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: NA

RECOMMENDATION: Staff recommends approval

LIST OF SUPPORTING DOCUMENTS:

- Air Installation Compatible Use Zone Map
- Air Installation Compatible Use Zone Guidelines (AICUZ)
- Matrix Design Group Comment
- Excerpt from Planning Commission Minutes
- PowerPoint Presentation
- Staff Recommended Ordinance (without Billboards)