



AGENDA MEMORANDUM

Public Hearing/First Reading Ordinance for the City Council Meeting of January 15, 2013
Second Reading/Action for the City Council Meeting of January 22, 2013

DATE: January 9, 2013
TO: Ronald L. Olson, City Manager
FROM: Mark Van Vleck, P.E., Interim Director for Development Services
MarkVV@cctexas.com
361.826.3246

Public Hearing – Unified Development Code Text Amendment
Amend Signs Partially Exempt from Code
to Allow Bus Bench Advertising

CAPTION:

PUBLIC HEARING – UDC TEXT AMENDMENT

Ordinance amending the Unified Development Code (“UDC”) by revising subsection 7.5.7.A.7. relating to signs partially exempt from the UDC; providing for severance, penalties, and publication.

PURPOSE:

This ordinance is presented as an effort to ensure compliance and improve the quality and effectiveness of the UDC.

BACKGROUND AND FINDINGS:

The UDC was adopted in July 2011. Since that time, staff has worked with the public and stakeholders groups to correct and amend the code as needed to ensure a safe and development friendly community.

This item proposes an amendment to Section 7.5.7.A.7., Signs Partially Exempt from Code, specifically signs installed by a transit company, such as the Regional Transportation Authority (RTA), with a franchise or other right to operate in the City of Corpus Christi (City).

The City and RTA executed an agreement on November 26, 1985, in which “the Authority and the City agree that the Authority shall be responsible for any and all advertising placed on passenger shelters, benches or bus stop signs located within public right-of-way or easements maintained by the City . . .” Currently, there is advertising on 847 of the 863 bus benches in the City. Under the UDC, however, these signs are considered off-premise and are not allowed. This proposed amendment will provide for the effectiveness of the current agreement between RTA and the City of Corpus Christi.

In the agreement between the City and RTA, the City receives one-third of the total advertising revenues that RTA receives. Below is a summary of the revenues received in the past three years.

2010	\$20,516
2011	\$51,100 (includes true up)
2012 (Jan-Nov)	\$31,305

On approval of this amendment, the implementation plan is as follows:

RTA will provide the City with:

- A map of all existing bus bench locations detailing which benches are used for advertising purposes;
- A database with adjacent addresses for all bus benches;
- An application for new bus bench locations to include a site plan for staff to verify that benches meet public safety requirements and the standard one-time sign permit fee (currently \$108; however, RTA would only be required to pay \$54, due to its entity status being exempt from paying ad valorem taxes);
- Like other sign permits, no annual fee would be assessed.

The City will regulate by:

- Verification that existing bus benches meet public safety requirements and issuance of a Certificate of Compliance, which are currently issued at no cost; and
- Maintenance of a database to track all bus bench locations with advertising.

ALTERNATIVES:

Disapproval of proposed text amendment and consideration to revise agreement between RTA and the City of Corpus Christi

OTHER CONSIDERATIONS:

Revising the agreement between the City and RTA would cause a loss in revenue and possibly increased costs to RTA.

CONFORMITY TO CITY POLICY:

Amendments to the UDC to ensure compliance improve the quality and effectiveness of the code.

EMERGENCY / NON-EMERGENCY:

This is a non-emergency item.

DEPARTMENTAL CLEARANCES:

This proposed amendment has been discussed with Neighborhood Services, Planning/Environmental Services, and the Legal Departments.

FINANCIAL IMPACT:

- Operating Revenue Capital Not applicable

Fiscal Year: 2012-2013	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments:

RECOMMENDATION:

Planning Commission and Staff's Recommendation: Approval of the proposed UDC text amendment as presented. An excerpt of the minutes from the Planning Commission meeting for this issue is attached. Staff's interpretation of how this change would be implemented is included in the background.

LIST OF SUPPORTING DOCUMENTS:

- Ordinance
- Excerpt from October 10, 2012, Planning Commission Minutes