

**Ordinance amending the Unified Development Code by revising subsections 3.1.7.C.1 and 3.1.7.C.4 - public notice requirements, subsection 3.3.3.C - City Council final action on rezonings, section 3.6 - special permits, subsection 3.18.4 - building permit expiration, subsection 3.24.1 – applicability of administrative adjustments, table 4.4.3.A - setbacks in two-family and townhouse zoning districts, table 4.4.3.B - setbacks in multifamily zoning districts, table 4.5.2 - permitted uses in commercial zoning districts, table 5.1.4.I - vehicle sales and service uses, subsection 5.3.1.J - accessory uses and structures, subsection 5.4.3.G - banners for temporary promotional events, subsection 7.5.13.E - institutional signs, and subsection 7.5.20.D - temporary and portable signs allowed in nonresidential districts; and providing for severance, penalties, and publication.**

**WHEREAS**, the Planning Commission has forwarded to the City Council its final report and recommendation regarding this amendment of the City’s Unified Development Code (“UDC”);

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, January 30, 2013, during a meeting of the Planning Commission, and on Tuesday, February 26, 2013, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the City Council has determined that this amendment to the UDC would best serve the public’s health, necessity, and convenience and the general welfare of the City and its citizens.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** Article 3, Section 3.1, subsections 3.1.7.C.1 of the Unified Development Code (“UDC”), entitled “Published Notice,” and 3.1.7.C.4 of the UDC, entitled “Content of Notice,” are amended by revising the text to read as follows:

**“Article 3. Development Review Procedures**

**“3.1 Common Review Procedures**

**“3.1.1 \* \* \***

**\* \* \* \* \***

**“3.1.7 Public Notice Requirements**

**“A. Summary of Public Notice Required**

**\* \* \***

\* \* \* \* \*

**C. All Other Procedures**

“Notice for all procedures identified in the chart in **paragraph 3.1.7.A** above, excluding a replat without vacation, shall comply with the following:

**1. Published Notice**

“a. For review procedures requiring published notice, such notice shall be printed at least once in a local newspaper of general circulation within the City prior to the final public hearing. ~~The notice shall contain the time and place of the hearing and a brief description of the agenda items to be considered or reviewed.~~”

“b. \* \* \*

\* \* \* \* \*

**4. Content of Notice**

**a. Published or Mailed Notice**

“Published or mMailed notices shall contain at least the following information:

“i. The general location of land that is the subject of the application ~~including a location map.~~ A location map shall be included in the mailed notice but not in the published notice.”

“ii. \* \* \*

“b. \* \* \*

\* \* \* \* \*

**SECTION 2.** Article 3, Section 3.3, subsection 3.3.3.C of the UDC, entitled “City Council Final Action,” is amended by revising the text to read as follows:

**“Article 3. Development Review Procedures**

**“3.1 \* \* \***

**\* \* \* \* \***

**“3.3 Zoning Map Amendment (Rezoning)**

**“3.3.1 \* \* \***

**\* \* \* \* \***

**“3.3.3 Review Process**

**\* \* \***

**“A. \* \* \***

**\* \* \* \* \***

**“C. City Council Final Action**

**“1.** Following notice in accordance with **Subsection 3.1.7**, the City Council shall hold a public hearing and approve, approve with conditions, or deny the Zoning Map amendment. If a proposed amendment has been recommended for disapproval by the Planning Commission or when the action taken by the City Council regarding a special permit is less restrictive as to use or density than the recommendation of the Planning Commission, ~~then~~ the amendment shall not become effective except by a favorable vote of at least three-fourths a majority plus one of the all City Council members whether or not all members are present and voting.”

**“2. \* \* \***

**“3.3.4 \* \* \***

**\* \* \* \* \***

**SECTION 3.** Article 3, Section 3.6 of the UDC, entitled “Special Permit,” is amended by revising the text to read as follows:

**“Article 3. Development Review Procedures**

**“3.1 \* \* \***

**\* \* \* \* \***

**“3.6 Special Permit**

**“3.6.1 Applicability**

**“A. \* \* \***

**\* \* \* \* \***

**“C.** ~~These Specific uses requiring a special permit are identified in the permitted uses sections in **Article 4** for each grouping of zoning districts.~~

**“D.** ~~An application for a special permit may not be made unless the use is identified as a special permit use in the relevant zoning district. When an application is submitted for a rezoning to a broader classification, a special permit may be granted in lieu of granting a rezoning to the broader classification when the applicant has plans of sufficient detail showing the full extent of the proposed use of the buildings, structures, and premises and including provisions for sufficient off-street parking facilities, screening walls or fences, landscaping, and open space so as to create a transition between a lesser, more restricted district and the proposed district.~~

**“E.** ~~A special permit may be requested by anyone in any district.~~

**“3.6.2 Review Process**

**“A. Concurrent Site Plan Submittal**

Application for a special permit shall occur in conjunction with the submittal of a site plan. The City Council may not approve, approve with conditions, or deny a special permit application until after the site plan has been reviewed by the Technical Review Committee in accordance with the procedure in **Section 2.7** and a recommendation is made by the Planning Commission. When a rezoning applicant

has provided a site plan of sufficient detail to show the full extent of the proposed uses, the site plan shall also be reviewed by the Technical Review Committee prior to the Planning Commission making its final recommendation.

“B. \* \* \*

\* \* \* \* \*

### “3.6.3 Review Criteria

“A. At a minimum, a site plan for a special permit shall include the following details:

“1. Dimensions, bearings, and street frontage of the property;

“2. Location of buildings, structures, and uses;

“3. Means of ingress and egress to the public/private street;

“4. Off-street parking and loading arrangements;

“5. Screening, buffer yards, lighting, and landscaping details;

“6. Dumpster location and screening;

“7. Open space calculation and design;

“8. Provisions for drainage;

“9. A traffic analysis in accordance with **Section 3.29.2** for rezoning applications; and

“10. Any other information the Assistant City Manager deems necessary for a complete review of the proposed development.

“A.B. In determining whether to approve, approve with conditions or deny a special permit, the applicable review bodies shall consider the following criteria:

“1. \* \* \*

\* \* \* \* \*

**8.** The development provides ample off-street parking and loading facilities.

**B.C.** The City Council may impose reasonable conditions upon the granting of a special permit consistent with the purposes stated in this Unified Development Code. The City Council may require additional conditions that shall be complied with before a certificate of occupancy or UDC compliance may be issued by the Building Official for such use of the buildings or improvements, but such conditions shall not be construed as conditions precedent to the granting of a special permit or the change in zoning of such property.

**3.6.4** \* \* \*

\* \* \* \* \*

**3.6.6** **Expiration**

**A.** The special permit shall expire 12 months after approval unless a complete building permit application has been submitted or, if no building permit is required, a certificate of occupancy or UDC compliance has been issued. A longer expiration date may be provided in the special permit at the time of granting of the same.

**B.** \* \* \*

\* \* \* \* \*

**3.6.7** **Extension**

“An extension of the expiration or termination of the special permit may be granted. All requests by an applicant for extensions shall be filed with the Assistant City Manager of ~~Development Services~~ prior to the expiration or termination of the use. Following the notice and review procedures in Section 3.3, the City Council may grant a maximum of two consecutive extensions ~~may be granted~~. Thereafter, the applicant shall apply for a new special permit.

**“3.6.8 Discontinuance**

“A special permit use that has been discontinued for more than six consecutive months shall be required to resubmit an application in accordance with this Section in order to reestablish the special use.

**“3.6.9 Uses Ineligible for Special Permits**

A special permit shall not be issued to allow:

**“A. The placement of portable signs where prohibited by the UDC;**

**“B. An increase in area or the number of signs beyond which is allowed as a matter-of-right; or**

**“C. The placement of a manufactured home or trailer where such home or trailer will be the main or accessory use on the property, provided however, that when a special permit is issued for an industrial use, the special permit may also allow the placement of a HUD-code manufactured home as an accessory use for resident watchmen or caretakers employed on the premises.**

\* \* \* \* \*

**SECTION 4.** Article 3, Section 3.18, entitled “Building Permit,” subsection 3.18.4 of the UDC, entitled “Expiration,” is amended by revising the text to read as follows:

**“Article 3. Development Review Procedures**

**“3.1 Common Review Procedures**

\* \* \* \* \*

**“3.18 Building Permit**

**“3.18.1 \* \* \***

\* \* \* \* \*

**“3.18.4 Expiration**

“A building permit shall expire ~~if the work described in the permit has not begun within six months from the date of~~

~~issuance in accordance with Chapter 14 of the Municipal Code. Any further action after the expiration shall require a new application and approval.~~

\* \* \* \* \*

**SECTION 5.** Article 3, Section 3.24, entitled “Administrative Adjustment,” subsection 3.24.1 of the UDC, entitled “Applicability,” is amended by revising the text to read as follows:

**“Article 3. Development Review Procedures**

**“3.1 Common Review Procedures**

\* \* \* \* \*

**“3.24 Administrative Adjustment**

**“3.24.1 Applicability**

**“A.** \* \* \*

**“B.** Except as provided in **Subsection 3.24.4**, the Assistant City Manager of ~~Development Services~~ shall have the authority to authorize an adjustment of up to 10% of any numerical standard set forth in ~~Article 4~~ of this UDC.

**“C.** \* \* \*

\* \* \* \* \*

**“3.24.2 \* \* \***

\* \* \* \* \*

\* \* \* \* \*

**SECTION 6.** Article 4, Section 4.4, subsection 4.4.3, entitled “Residential Development Standards,” Table 4.4.3.A of the UDC, entitled “Residential Development (Two-Family and Townhouse districts),” is amended by revising the text of the table to read as follows:

**“Article 4. Base Zoning Districts**

**“4.1 \* \* \***



\* \* \* \* \*

**“4.4 Multifamily Residential Districts**

**“4.4.1 \* \* \***

\* \* \* \* \*

**“4.4.3 Residential Development Standards**

**“A.** Development standards for the Two-Family and Townhouse zoning districts shall be based on housing type in accordance with the tables below.

**“Table 4.4.3.A Residential Development (Two-Family and Townhouse districts)**

<b>RS-TF DISTRICT</b>	<b>SF Detached</b>	<b>Zero Lot Line</b>	<b>Attached</b>	<b>Two-Family</b>
Min. Lot Area (sq. ft.)	6,000	6,000		
Min. Lot Width (ft.)	50	50		
Min. Site Area (sq. ft.) Per Site Per Dwelling Unit			6,000 3,000	6,000 3,000
Min. Site Width (ft)			50	50
Min. Yards (ft.)				
Street	20	20	20	20
Street (corner)	10	10	10	10
Side (single)	5	0	0	5
Side (total)	<del>10</del> 5	10	5	<del>10</del> 5
Rear	<del>15</del> 5	<del>15</del> 5	<del>15</del> 5	<del>20</del> 5
Min. Open Space	30%	30%	30%	40%
Max. Height (ft.)	35	35	35	45

<b>Townhouse DISTRICT</b>	<b>Townhouse</b>
Min. Site Area (sq. ft.)	20,000
Min. Area Per Dwelling Unit (sq. ft.)	
Front Access	2,600
Rear Access	2,200
Shared Parking	1,600
Min. Dwelling Unit Width (ft)	
Front Access	26
Rear Access	22
Shared Parking	16
Min. Yards (ft.)	
Street	10
Street (corner)	10
Side (single)	0
Side (total)	0
Rear	<del>15</del> 5
Min. Building Separation (ft.)	10
Min. Open Space	30%
Max. Height (ft.)	45

\* \* \* \* \*

**SECTION 7.** Article 4, Section 4.4, subsection 4.4.3, entitled “Residential Development Standards,” Table 4.4.3.B of the UDC, entitled “Multifamily Zoning Districts,” is amended by revising the text of the table to read as follows:

**“Article 4. Base Zoning Districts”**

**“4.1 \* \* \***

**\* \* \* \* \***

**“4.4 Multifamily Residential Districts”**

**“4.4.1 \* \* \***

**\* \* \* \* \***

**“4.4.3 Residential Development Standards”**

**“A. \* \* \***

**“Table 4.4.3.A \* \* \***

**“B.** The Multifamily zoning districts only shall be developed in conventional subdivisions. Development standards in the multifamily zoning districts shall be in accordance with the tables below.

**(TABLE INSERTED ON NEXT PAGE)**

**“Table 4.4.3.B Multifamily Zoning Districts**

Multifamily Districts	RM-1	RM-2	RM-3	RM-AT		
				PI/MI*/Corpus Christi-North Beach (1-2 Fam)	1-2 Fam	3+ Fam
Max. Density (units/acre)	22	30	36	18	9	60
Min. Open Space (% site area)	35%	30%	30%	25%	25%	10%
Min. Lot Area (sq. ft.)	6,000	6,000	6,000	5,000	10,000	10,000
Min. Lot Width (ft.)	50	50	50	50	85	85
Min. Yards (ft.)						
Street	20	20	20	20	20	20
Street (corner)	15	15	15	10	15	15
Side (1 fam & 2 fam)	5	5	5	5	40 5	
Side (3+ fam)	<del>20</del> 10 <sup>1</sup>	<del>20</del> 10 <sup>1</sup>	<del>20</del> 10 <sup>2</sup>			<del>20</del> 10 <sup>2</sup>
Rear	<del>45</del> 10 <sup>1</sup>	<del>45</del> 10 <sup>1</sup>	<del>45</del> 10 <sup>2</sup>	5	45 5	<del>45</del> 10 <sup>2</sup>
Min. Building Separation (ft.)	10	10	10			10
Max. Height (ft.) and comply with Section 4.2.8.C., 4.2.8.D., and 4.2.8.E.	45	60	60	See Sections 4.2.8.C., 4.2.8.D., and 4.2.8.E		

\*PI/MI = Padre Island/Mustang Island

<sup>1</sup> Regardless of single- or two-family adjacency, increase yard in accordance with Section 4.2.8.C.

<sup>2</sup> Regardless of single- or two-family adjacency, increase yard in accordance with Section 4.2.8.C., but yard shall not exceed a total of 30 feet if property is not adjacent to a single- or two-family use.

\* \* \* \* \*

**SECTION 8.** Article 4, Section 4.5, subsection 4.5.2 entitled “Permitted Uses,” Table 4.5.2 of the UDC, entitled “Permitted Uses (Commercial zoning districts),” is amended by revising the text to read as follows:

**“Article 4. Base Zoning Districts**

**“4.1** \* \* \*

\* \* \* \* \*

**“4.5 Commercial Districts**

**“4.5.1** \* \* \*

\* \* \* \* \*

**“4.5.2 Permitted Uses**

“The following principal uses are permitted by right, permitted subject to limitations, or require a special use exception or special permit in the commercial zoning district. Uses may be subject to additional limitations as

specified in **Section 6.5** when located inside a Navy Air Installation Compatible Use Zone (AICUZ) (which includes Clear and Accident Potential Zones 1 and 2).

**“Table 4.5.2 Permitted Uses (Commercial zoning districts)**

<b>COMMERCIAL DISTRICTS</b>												
P = Permitted Use L = Subject to Limitations SUE = Special Use Exception SP = Special Permit [blank cell] = Not Permitted	CN-1	CN-2	ON	CR-1	CR-2	CR-3	CG-1	CG-2	CI	CBD	BP	Standards
<b>Residential Uses</b>												
* * * * *												
<b>Public and Civic Uses</b>												
* * * * *												
<b>Commercial Uses</b>												
Commercial Parking Uses [5.1.4.A]	P	P	P	P	P	P	P	P	P	P	P	
* * * * *												
Vehicle Sales and Service Uses except:							P	P	P	P	P	
Auto rental				P	P	P	P	P	P	P	P	
Car wash, hand-operated or automated				L	L	L	P	P	P	L	P	5.2.21
Bicycle or watercraft rental				P	P	P	P	P	P	P	P	
Fuel sales	L	L		L	L	L	L	L	L	L	L	5.2.10
Vehicle service, heavy												
Vehicle service, limited	L	L		L	L	L	P	P	P	P	P	5.2.15
* * * * *												
<b>Industrial Uses</b>												
* * * * *												
<b>Other Uses</b>												
* * * * *												

\* \* \* \* \*

**SECTION 9.** Article 5, Section 5.1, subsection 5.1.4 entitled “Commercial Use Categories,” Table 5.1.4.I of the UDC, entitled “Vehicle Sales and Service,” is amended by revising the text to read as follows:

**“Article 5. Use Regulations**

**“5.1 Use Categories**

**“5.1.1** \* \* \*

\* \* \* \* \*

**“5.1.4 Commercial Use Categories**

**(Tables 5.1.4.A through 5.1.4.H not included here; the content in these tables remains unchanged by this text amendment.)**

**“5.1.4.I Vehicle Sales and Service**

<b>Characteristics:</b> Direct sales of and service to passenger vehicles, light and medium trucks, and other consumer motor vehicles such as motorcycles, boats, and recreational vehicles. Uses classified as Vehicle Service, General involve services provided while the customer waits, same day pick-up of the vehicle or customers leaving a vehicle on-site for less than 24 consecutive hours.		
<b>Principal Uses</b>	<b>Accessory Uses</b>	<b>Uses Not Included</b>
Alignment shop <del>Auto body shop</del> Auto detailing Auto rental <del>Auto service facilities</del> Auto upholstery shop Bicycle and watercraft rental Boat and recreational vehicle sales Camper shell sales and service Car wash, hand-operated or automated Fuel sales Manufactured home sales Repair and service of RVs, boats, and light and medium trucks Tire sales and service Towing service Vehicle sales or leasing facilities (including passenger vehicles, motorcycles and light and medium trucks) <u>Vehicle service, heavy</u> Vehicle service, limited	Ancillary indoor storage Associated office Fuel pump and island* Sale of parts Satellite dish antenna under 3.2 feet* Single-bay, automatic car wash Towing Vehicle storage	Bus barn (see Warehouse and Freight Movement) Junk, wrecking or salvage yard (see Waste-Related Service) Farm equipment and machinery sales and repair (see Wholesale Trade) Earth moving and heavy construction equipment sales and repair (see Wholesale Trade) Truck sales and repair (heavy load vehicles) (see Wholesale Trade) Vehicle and equipment maintenance facility (see Light Industrial Service) Vehicle parts sales as principal use (see Retail Sales and Service)

\*See additional standards in Subsection 5.3.2”

**(Table 5.1.4.J not included here; the content in this table remains unchanged by this text amendment.)**

\* \* \* \* \*

**SECTION 10.** Article 5, Section 5.3, subsection 5.3.1 of the UDC, entitled “General,” is amended by revising the text to read as follows:

**“Article 5. Use Regulations**

**“5.1 \* \* \***

**\* \* \* \* \***

**“5.3 Accessory Uses and Structures**

**“5.3.1 General**

\* \* \*

“A. \* \* \*

\* \* \* \* \*

“J. An A detached accessory building shall be located in ~~the rear portion~~ behind the front face of the main principal structure and shall not exceed 50% of the main principal structure total square footage.

“K. \* \* \*

“5.3.2 \* \* \*

\* \* \* \* \*

**SECTION 11.** Article 5, Section 5.4, subsection 5.4.3 of the UDC, entitled “Promotional Events,” is amended by revising the text to read as follows:

**“Article 5. Use Regulations**

“5.1 \* \* \*

\* \* \* \* \*

**“5.4 Temporary Use Standards**

“5.4.1 \* \* \*

\* \* \* \* \*

**“5.4.3 Promotional Events**

\* \* \*

“A. \* \* \*

“G. The Building Official may issue a permit for a freestanding banner within the required street yard for a promotional event. The permit shall be subject to the following conditions:

\* \* \* \* \*

“6. Banners shall not be located in ~~the street yard setback~~ a visibility triangle as defined in Subsection 1.11.3.”

\* \* \* \* \*

\* \* \* \* \*

**SECTION 12.** Article 7, Section 7.5, subsection 7.5.13.E of the UDC, entitled “Institutional Signs,” is amended by revising the text to read as follows:

**“Article 7. General Development Standards**

**“7.1** \* \* \*

\* \* \* \* \*

**“7.5 Signs**

**“7.5.1** \* \* \*

\* \* \* \* \*

**“7.5.13 Signs Allowed in the FR, RE, RS-15, RS-10, RS-6, RS-4.5, RS-TH, RS-TF, and RMH Districts**

**“A.** \* \* \*

\* \* \* \* \*

**“E. Institutional Signs**

**“1.** Any school, house of worship, recreation center or other institutional use permitted in the zoning district and fronts upon a designated arterial street or expressway, may have one freestanding sign, not to exceed 64 square feet in area and 20 feet in height. However, if the use fronts upon a designated local or collector street, the sign shall not exceed 40 square feet in area and 20 feet in height.

**“a.** This Institutional freestanding signs may include changeable copy signs, not to exceed 30% of the sign area.

**“b.** Institutional freestanding signs may be illuminated.

**“c.** Such use may also be allowed one wall sign for each public entrance to a building.

“d. Institutional wall signs may not exceed 40 square feet each and may not be illuminated.

“e. Such use may have three permits per calendar year at 30 days per permit for banners not exceeding 60 square feet in area. Banners shall not be located within a visibility triangle as defined in **Subsection 1.11.3.**”

“2. \* \* \*

\* \* \* \* \*

**SECTION 13.** Article 7, Section 7.5, subsection 7.5.20.D of the UDC, entitled “Other Generally,” is amended by revising the text to read as follows:

**“Article 7. General Development Standards**

“7.1 \* \* \*

\* \* \* \* \*

**“7.5 Signs**

“7.5.1 \* \* \*

\* \* \* \* \*

**“7.5.20 Temporary and Portable Signs Allowed in the Nonresidential Districts**

“A. \* \* \*

\* \* \* \* \*

**“D. Other Generally**

“Banners are prohibited except that banners are allowed in the following districts, subject to the standards of this subsection: CN, Neighborhood Commercial; CR, Resort Commercial; CG, General Commercial; CI, Commercial Intensive; CBD Downtown Commercial; IO, Island Overlay. In these districts only, three permits per calendar year at 30 days per permit are allowed for banners not exceeding ~~20~~ 60 square feet in area. Banners shall



not exceed a height nor width dimension greater than 20 feet nor be located within a visibility triangle as defined in **Subsection 1.11.3.**"

\* \* \* \* \*

**SECTION 14.** If, for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance is held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it may not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance be given full force and effect for its purpose.

**SECTION 15.** A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1, and Article 10 of the UDC.

**SECTION 16.** Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

The foregoing ordinance was read for the first time and passed to its second reading on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

The foregoing ordinance was read for the second time and passed finally on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Armando Chapa  
City Secretary

\_\_\_\_\_  
Nelda Martinez  
Mayor