

**Ordinance amending the Unified Development Code (UDC) §3.1.6 to adopt required application materials for plat applications and designating the Development Service Director to oversee the platting process and §3.1.7 to require notification to owners of nonconforming uses created by rezoning; and providing for 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**, a public hearing was held during a meeting of the Planning Commission when said Commission recommended approval of the proposed UDC amendments, and with proper notice to the public, an additional public hearing was conducted during a meeting of the City Council, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, amendments are to comply with the latest statutes passed by the State Legislature; and

**WHEREAS**, the City Council has determined that this amendment to the UDC would best serve the public's health, necessity, 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, THAT:**

**SECTION 1.** The recitals contained in the preamble of this Ordinance are determined to true and correct and are hereby adopted as a part of this Ordinance.

**SECTION 2.** UDC Article 3 "Development Review Procedures", Section 3.1.6 "Application Requirements", is amended by adding table 3.1.6.B.2.A and by adding the following language that is underlined (added) and deleting the language that is stricken (deleted) as delineated below:

**3.1.6. Application Requirements**

3.1.6.B Forms

1. Development applications required under this Unified Development Code shall be submitted on forms and in such numbers as required by the ~~Director Assistant City Manager~~ of Development Services and in compliance with Local Government Code 212.0081.
2. This subsection shall establish the required list of documents to determine land subdivision application completeness per plat type.

A.

<b>Items submitted with Plat Type</b> (Using the submittal portal, the following items are required for a complete Plat Type submittal)	<b>Master Prelim Plat</b>	<b>Preliminary Plat</b>	<b>Final &amp; Replat</b>	<b>Minor</b>	<b>Amending &amp; Vacating</b>
<b>I. APPLICATION-</b> <a href="https://dsforms.cctexas.com/">https://dsforms.cctexas.com/</a> Form 4010 or Form 4010A	x	x	x	x	x
a) A completed and signed application form must be submitted. Plats, Storm Water Quality Management Plans and Utility Plans shall be submitted in pdf format. See plat template for scale.	x	x	x	x	x

b) For OCL plats, in addition to a) above, provide hard copies of Plat, Utility Plan, Storm Water Quality Management Plan delivered to Development Services for Nueces County Public Works review along with submittal through portal. Plats are to be one original reproducible 18" x 24", scale 1":100' minimum, complete with all required certificates, volume and page information.	x	x	x	x	x
c) Pre-application meeting is required prior to submission of OCL plat. If owner plans or has petitioned for annexation, the plat will be reviewed based on city street standards.	x	x	x	x	
<b>II. OWNER AUTHORIZATION</b>	x	x	x	x	x
a) All items on the application must be filled out and application signed by owners. (See Authorization on Application). A letter or form acceptable for owner's signature is required for corporations and partnerships.	x	x	x	x	x
b) Provide owner name, acreage, legal description, and tax account number.	x	x	x	x	x
c) All ownership of the property must be listed on the application and matching Deed.	x	x	x	x	x
<b>III. DEED- Provide the latest recorded Deed(s) to the property.</b>	x	x	x	x	x
a) The owner's name must match the application and plat	x	x	x	x	x
b) The Deed's property description shall be included the plat's description.	x	x	x	x	x
<b>IV. ADDITIONAL ITEMS</b>	x	x	x	x	x
a) Tax Certificate(s) showing all taxes are paid up to the current tax year for all jurisdictions.			x	x	x
b) Peak Hour Traffic Form	x	x	x	x	
c) 100% Public/private improvement plans and specifications submitted through Development Services Portal noting Infor Number (if public or private improvements are deemed necessary). For OCL, hard copy of private/public improvement plans delivered to Development Services for Nueces County Public Works review along with submittal through portal. 18 x 24 inches ANSID size.			x		
d) For OCL plats, certificate of title or title insurance on the subdivision must be furnished showing ownership or property and all liens against sale.			x		
e) Letter from water utility provider affirming ability to provide service (if other than Corpus Christi Water).	x	x	x	x	
f) Utility Plan showing street addresses or assigning street addresses.			x	x	
g) Copy of plat to be vacated or plat with lots to be vacated (For Vacating Plats only)					x
<b>V. PLAT- Submittals shall conform to the prescribed Plat templates and Signature Blocks and shall adhere to "File Standards and Naming Conventions" (See Development Services website). Plat shall be drawn to scale that is legible when printed on sheets measuring 18 x 24 inches. (See I b) for OCL Plats.) Plats shall identify/depict the following items:</b>	x	x	x	x	x

a) Outline of boundary denoted by bold line with principle dimensions with proposed subdivision name, acreage, north point, scale (see templates), date and direction of prevailing breeze. Boundary survey with bearings and distances; point of beginning labeled on plat and described in field notes. Field notes tie to corner of original survey; survey tie across adjacent streets to determine right-of-way width. Monumentation. Benchmark description and elevation. Location map with scale not more than 800 feet to the inch with street names.	x	x	x	x	x
b) Proposed boundary of Phased subdivision, showing Zoning and proposed Zoning boundaries with streets, parks, open space, etc., with principle dimensions with a Legend providing description for the development for each Phase with the approximate time frame to be completed. Show general location of proposed land uses and provide a table showing proposed land uses and corresponding acreage.	x				
c) Location, width, description, and names of existing or recorded streets, right-of-way lines, easements, water courses, or drainage structures with principle dimensions within 200 ft. of plat boundary.	x	x	x	x	x
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d) Proposed plan of subdivision, showing streets with names, right-of-way lines, blocks, lots, alleys, easements, building lines, and water courses with principle dimensions. Lots and Blocks to be numbered. Show acreage/square footage of individual lots. Show dimensions of front lot line. Angular dimensions shown by bearing. Lot sizes to comply with City or County regulations.		x	x	x	
e) Location and size of existing and proposed infrastructure in adherence with the latest applicable Master Plans	x				
f) Proposed general plan of storm water drainage indicating location, direction of flow, and receiving waters.	x				
g) Location of FEMA Floodway Boundaries and FEMA Flood Zone Boundaries that encroach on the site (using current classifications).	x	x	x	x	x
h) Contours at 5-foot intervals or less in identified FEMA Flood Zones.		x	x	x	x
i) Any Air Installation Compatible Use Zones (AICUZ).	x	x	x	x	x
j) Future Park dedication, greenbelts, or other open spaces.	x	x	x		
k) Any existing or previous sanitary landfill, shooting range, or other environmentally sensitive areas.	x	x	x	x	x
l) Location of body of water including an intermittent or perennial stream.	x	x	x	x	x
m) Any area identified as providing Endangered/Protected Species Habitat.	x	x	x	x	x
n) Preliminary description of any area of the site that may be jurisdictional wetland. Contact US Army Corps of Engineers District Regulatory Office for assistance.	x	x			
o) Limits of any current jurisdictional wetland.			x	x	x
p) Preliminary determination of the location of any critical Dune Areas.	x	x			

q) Preliminary boundary line of any submerged lands belonging to the State of Texas.	x	x			
r) Boundary line of any submerged lands belonging to the State of Texas that adjoins the tract, based on a State-owned determination of the boundary between the State-owned lands and privately-owned property.			x	x	x
s) Location of any Critical Dune Areas as determined by the Land Commissioner under Texas Natural Resources Code 63.121.			x	x	x
t) All contiguous land under the same ownership.	x	x			
u) Receiving Waters with a plat note.	x	x	x	x	x
v) Name of property owner and engineer or surveyor, and proof of current registration.	x	x	x	x	x
w) Typical cross section of proposed streets and/or Mobility Plan facilities consistent with latest UDC and Infrastructure Design Manual (On Preliminary Plat and Final if not provided on a previous Preliminary plat).		x	x		
x) All appropriate standard plat notes (See "Most Common Technical Review Committee Comments" on Development Services website). For OCL preliminary and final plats, plat note for existing and proposed covenants, and plat note stating building setback will be in accordance with the Nueces County Subdivision Regulations and Platting Requirements.	x	x	x	x	x
y) Certification bearing the name, signature, seal, and date of signature of a public surveyor or engineer with active registration in the State of Texas attesting that all survey related items or engineering related items on the plat/plan are correct	x	x	x	x	x
z) OSSF notes and signature block (if septic is planned). If located in an area not served by a sanitary sewer system and septic tanks are to be used, a certificate of approval from the City-County Health Dept. is required.			x	x	x
<b>VI. SWQMP (Storm Water Quality Management Plan)- For Greater than 1 Acre of contiguous Property. Plan shall be sealed and identify/depict the following items:</b>	x	x	x	x	
a) Acknowledgment/note that increase in impervious surface or change in land condition makeup at site development will require further drainage review and mitigation may affect buildable area in site development OR is Titled "Preliminary Storm Water Quality Management Plan" if public/private improvements needed, or if impervious cover and/or land condition makeup may be modified.	x	x	x	x	
b) Titled "Storm Water Quality Management Plan" if public/private improvement plans are approved and released for construction by the City of Corpus Christi DS Engineer.			x	x	
c) Legend with applicable symbols used.	x	x	x	x	
d) Acreage, location, nearby drainage.	x	x	x	x	
e) Identify any FEMA Flood Zones (using current classifications).	x	x	x	x	
f) Existing and proposed drainage appurtenances.	x	x	x	x	
g) Maps showing route of the area covered to ultimate outfall(s).	x	x	x	x	

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h) Ultimate outfall(s) listed.	x	x	x	x	
i) Existing land use, soil type and conditions (shading for pervious and impervious areas).	x	x	x	x	
j) Land survey, topography, contours of land clearly shown to exhibit current and proposed drainage direction (arrows delineating direction).	x	x	x	x	
k) Pre-developed runoff determination for entire platted area, including appropriate determination and reference of rainfall intensity, runoff coefficient(s) (per existing land conditions, soil type and slope degree, showing contours if slopes change from pre to post development), drainage area(s), time of concentration (based on visual exit pathway of most remote location in drainage area/basin).	x	x	x	x	
l) Proposed layout of development with functioning hydraulics (shading for pervious and impervious areas).	x	x	x	x	
m) Post-developed runoff determination, including appropriate determination and reference of rainfall intensity, runoff coefficient (per proposed land conditions, soil type and slope, showing contours if necessary. If unknown, appropriate proposed zoning may be used to determine runoff coefficient), drainage area, time of concentration (based on visual exit pathway of most remote location in drainage area/basin).	x	x	x	x	
n) Proposed and existing comparison of flow and runoff rates for required storm events.	x	x	x	x	
o) If estimated post developed flows appear to exceed predeveloped flows (via calculation or increase in impervious area), mitigation to be addressed prior to final plat or site development.	x	x	x	x	
p) Confirm compliance with Drainage Master Plan and/or the need for a Master Plan Amendment.	x	x	x	x	
q) On-site storm water management facility, if applicable.	x	x	x	x	
r) Submit copy of TxDOT approval letter of SWQMP if adjacent to state designated ROW.	x	x	x	x	
s) Permanent measures to reduce pollution from runoff that relate to drainage.	x	x	x	x	
t) Wetlands, AICUZ, or other areas sensitive to drainage or flooding.	x	x	x	x	
<b>VII. UTILITY PLAN-</b> A separate labeled Utility Plan required. Plans shall identify/depict the following items:	x	x	x	x	
a) Titled "Preliminary Utility Plan" if public/private improvements needed.	x	x	x	x	
b) Titled "Utility Plan" if public/private improvement plans are approved and released for construction by the City of Corpus Christi DS Engineer.	x	x	x	x	
c) Legend with applicable symbols used.	x	x	x	x	

d) Location and size of existing and proposed infrastructure in adherence with the latest Master Plans. (including but not limited to Urban Transportation Plan, Water, Wastewater, Stormwater, Parks, ADA, etc.)	x	x	x	x	
e) Confirm and provide note that each lot has separately billed utilities and access to utilities.	x	x	x	x	
f) Proposed design properly connects property to utilities, and water lines are looped.	x	x	x	x	
g) Estimated water and waste water usage in gpd.	x	x	x	x	
h) Fire hydrant (existing and proposed) spacing.	x	x	x	x	
i) Service lines that are not connected to manholes.	x	x	x	x	
j) Easements match plat and are appropriately placed.	x	x	x	x	
k) Show proposed street addresses as per Addressing Policy available on DSD website.	x	x	x	x	
l) Proposed lighting plan per requirements set forth in the IDM.		x	x	x	
m) Deviations to include Waiver Request application.		x	x		
<b>VIII. WAIVER APPLICATION-</b>		x	x		
a) The completed waiver application, available on the DSD website, along with requested documentation shall be submitted for Plats for which a variance or deviation to the public improvement standard is proposed.		x	x		

[B. The required list of documents in this subsection shall be published on the City's website in compliance with Section 212.0081 of the Texas Local Government Code.](#)

3.1.6.E Application Completeness Review

1. A determination of whether a development application is complete shall be made by the ~~Director Assistant City Manager~~ of Development Services no more than five business days after submittal of the application.
2. An application that contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this Unified Development Code shall be deemed complete.
3. If an application is determined not to be complete, the ~~Director Assistant City Manager~~ of Development Services shall notify the applicant in writing within ten business days of the initial application. The notification shall list all missing or incomplete items and provide at least ten business days for the applicant to resubmit the material. The applicant may request an additional meeting for explanation of the missing or incomplete items. If the application is not resubmitted within the period specified, the application shall be deemed rejected and shall not be accepted for filing. After an application has been rejected, a new application and fee shall be required.
4. A determination of completeness does not preclude any negative final action and does not include any implied determination that the application successfully meets any review criteria or that during review additional clarification or information will not be needed.

5. Any time an incomplete application is erroneously deemed complete and later determined to be incomplete, the application shall be rejected and subparagraph 3.1.6.E.3 above shall apply.

**SECTION 3.** UDC Article 3 “Development Review Procedures”, Section 3.1.7 “Public Notice Requirements”, is amended by adding the following language that is underlined (**added**) and deleting the language that is stricken (**deleted**) as delineated below:

### **3.1.7 Public Notice Requirements**

#### **3. Mailed Notice**

- A.** For review procedures requiring mailed notice, a notice of public hearing shall be sent by United States mail to owners of record of property within 200 feet of the property under consideration, as determined by the most recent tax roll information from the appropriate Appraisal District. The notice shall be deposited in the mail before the 10th day before the public hearing date. For Zoning Map Amendments (Rezoning), a notice of Public Hearing shall be provided in compliance with Local Government Code 211.007.
- B.** For Zoning Map Amendments (Rezoning) where the adoption of or change to a zoning regulation or boundary creates a nonconforming use, a notice of public hearing shall be mailed by United States mail to each owner of real or business personal property where the proposed nonconforming use is located as indicated by the most recently approved municipal tax roll and each occupant of the property not later than the 10th day before the hearing date. A notice of Public Hearing shall be provided in compliance with Local Government Code 211.006.

#### **4. Content of Notice**

##### **a. Published or Mailed Notice**

Published or mailed notices shall contain at least the following information:

- i. The general location of land that is the subject of the application. A location map shall be included in the mailed notice but not in the published notice. (Ordinance 029770, 03/19/2013)
- ii. The legal description or street address;
- iii. A description of the action requested including, where applicable, a general description of the proposed development including the size of each element of the proposed development;
- iv. The time, date and location of the public hearing;
- v. A phone number to contact the Development Services office; and
- vi. A statement that interested parties may appear at the public hearing.
- vii. Mailed notices for the purpose of notifying a nonconforming use must be done in compliance with Section 211.006 of the Texas Local Government Code.

**SECTION 4.** 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 5.** 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.

**SECTION 6.** This Ordinance shall become effective upon publication.

Introduced and voted on the \_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED and APPROVED on the \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Paulette Guajardo, Mayor

\_\_\_\_\_  
Rebecca Huerta, City Secretary