



AGENDA MEMORANDUM

Public Hearing/First Reading Ordinance for the Joint City Council and
Planning Commission Meeting: 8/9/22
Second Reading Ordinance for the City Council Meeting: 8/16/22

DATE: April 26, 2022

TO: Peter Zanoni, City Manager

FROM: Al Raymond, AIA, Director
Development Services Department
AlRaymond@cctexas.com
(361) 826-3575

<p>Amending the Unified Development Code (UDC) and corresponding UDC Zoning Map to adopt the Military Compatibility Area Overlay District</p>
--

CAPTION:

City Council will conduct a joint meeting with the Planning Commission to hold a Public Hearing and consider an Ordinance amending the Unified Development Code (UDC) and corresponding UDC Zoning Map to adopt Military Compatibility Area Overlay Districts for the areas of and surrounding Truax Field at Naval Air Station – Corpus Christi, Naval Auxiliary Landing Field Cabaniss, and Naval Auxiliary Landing Field Waldron to make land use compatible with Naval Air Station - Corpus Christi's military mission to include regulation of land use, density, intensity, noise, light, and vertical obstructions; and providing for penalty.

SUMMARY:

The Military Compatibility Area Overlay Districts (MCAOD) are designed to protect the health, safety, and welfare of civilians and military personnel by encouraging land use that is compatible with aircraft operations, to reduce noise impacts caused by aircraft operations, while meeting operational, training, and flight safety requirements, both on and in the vicinity of installations, to inform the public and seek cooperative efforts to minimize noise and aircraft accident potential impacts by promoting compatible development, and to protect installation investments by safeguarding the installation's operational capabilities. This ordinance will adopt the MCAOD and amend the zoning map.

BACKGROUND:

The United States Department of Defense (DOD) initiated the Air Installations Compatible Use Zones (AICUZ) Program in 1973 to assist governments and communities in identifying and planning for compatible land use and development near military installations. The goal of the AICUZ Program is to protect the health, safety, and welfare of the public while also protection the operational capabilities of the military. Today, the AICUZ Program is a vital tool the Navy uses to communicate with neighboring communities, government entities, and individuals regarding compatible land uses and development concerns. Mutual cooperation between installations and their neighboring communities is key to the AICUZ Program's success. The AICUZ Program

recommends that noise contours, accident potential zones (APZs), height obstruction criteria, and land use recommendations be incorporated into local community planning policies and activities to minimize impacts to the military mission and the residents in the surrounding communities. As the communities that surround an airfield grow and develop, the U.S. Department of the Navy (Navy) has the responsibility to communicate and collaborate with local governments on land use planning and mission impacts. As stakeholders in the community, installations provide the local community with an understanding of the military mission and operations in order to ensure the community's health, safety, and welfare. Installations also protect the mission of the Navy.

The 2020 AICUZ was prepared for Naval Air Station-Corpus Christi (NASCC), in accordance with federal regulations, guidelines, and Office of the Chief of Naval Operations Instruction (OPNAVINST) (referred to as AICUZ Instruction) and is an update to the 2009 AICUZ Study. The scope of this AICUZ Study includes Naval Outlying Landing Field (NOLF) Cabaniss and NOLF Waldron, which both support operations from NASCC. Since the 2009 AICUZ Study, there have been changes that necessitate an AICUZ update. These include changes to number of aircraft, types of aircraft, and operations, as well as changes in local land uses. Pursuant to Navy AICUZ Instruction, this 2020 AICUZ Study evaluates noise contours and accident potential zones (APZs) from the 2009 AICUZ Study, as well as the planning noise contours and APZs as a part of this 2020 AICUZ effort. Noise contours and APZs, together, are commonly called the "AICUZ footprint." The 2020 AICUZ footprint is based on total operations projected out to year 2030. Utilizing the 2020 noise contours and APZs, this AICUZ Study identifies areas of incompatible land use, and recommends actions to encourage compatible land use.

Additionally, in 2013 the City adopted the Joint Land Use Study (JLUS) done in partnership with the United States Navy involving the declaration of various zones including the Safety Subzones of Naval Air Station-Corpus Christi, Naval Outlying Landing Field (NOLF) Cabaniss, and NOLF Waldron and the Corpus Christi International Airport (CCIA). In 2011, with the adoption of the Unified Development Code (UDC), Section 6.5 Air Installations Compatible Use Zones (AICUZ) was created. This section of the UDC is currently used as a guideline during the rezoning process of what land uses are compatible with the Accident Potential Zones (APZs) of the AICUZ.

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 amendments do not conflict with existing language in the UDC nor the Municipal Code.

ALTERNATIVES:

1. Denial of the amendment the Unified Development Code (UDC) and/or the corresponding UDC Zoning Map amendment to adopt Military Compatibility Area Overlay Districts.

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

RECOMMENDATION: Staff recommends approval of the UDC text amendment and zoning map amendment.

LIST OF SUPPORTING DOCUMENTS:

Ordinance

Maps

Presentation