



AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of February 9, 2016
Second Reading for the City Council Meeting of February 16, 2016

DATE: January 18, 2016

TO: Ronald L. Olson, City Manager

FROM: Daniel McGinn, AICP CFM, Interim Director, Development Services Department
DanielMc@cctexas.com
(361) 826-3595

Public Hearing – Various Amendments to the Unified Development Code

CAPTION:

Ordinance amending the Unified Development Code by revising subsection 1.11.3 "Defined Terms", table 4.3.2 "Permitted Uses", table 4.3.3 "Residential Development Standards (Single-Family Districts)", table 4.3.4 "Housing Types", subsections 5.1.2.A "Household Living", 5.5.3.E.6 "Setbacks (for) Wireless Telecommunication Facilities", 7.5.3.A.1 "Single Tenant Freestanding Sign", 7.5.3.C.1 "Multi-tenant(3 or more tenants) Freestanding Sign", 7.5.27.D.10 "Definition (of) Legible", 8.2.1.B.3 "Street Right-of-Way Dimensional Standards", table 8.2.1.C "Non-Local Street Standards", and table 8.2.1.D "Rural Street Standards" providing for severance; providing for penalties; providing for publication; and providing for an effective date.

PURPOSE:

The purpose of this item is to update the regulations of the Unified Development Code (UDC) to improve its implementation.

BACKGROUND FINDINGS:

The Unified Development Code (UDC) became effective July 1, 2011. As part of the continued improvement of the UDC and to address the city's development needs, staff has presented several UDC text amendments that have been approved by the Planning Commission and City Council since the adoption of the UDC. Today, staff is proposing the following new text amendments:

1. Subsection 1.11.3 Defined Terms:

Changing the definition of **Developer** to mean a developer of any kind of project, not just 'new construction'.

Changing the definition of **Construction, New** because today it only addresses the insurance and FEMA definition and does not properly define new construction for general use in the UDC.

The definition of **Temporary Use** is being amended to be in accord with the same time frame stated in the other UDC sections, such as in 3.21.4 Temporary Use Permit and 5.4 Temporary Use Standards.

The definition of **Contractor** is being amended to reference the general term used throughout the UDC rather than someone who constructs only flatwork.

The definition of **Promotional Event** is being amended to encompass more activities and events as in 5.4.3 Promotional Events rather than only carnivals and circuses.

2. **Table 4.3.2:** Industrialized/Modular Housing and Manufactured Housing is being added to the Permitted Uses Table of the Single-Family Districts to clarify that Industrialized / Modular Housing is allowed while Manufactured Housing is not. Under group homes, the spelling of 'residents' is corrected.
3. **Table 4.3.3:** The total side setback in Residential Development for the RS-15 and RS-10 Single-Family Districts is being corrected. Two five-foot setbacks are required. The total side setback was added incorrectly.
4. **Table 4.3.4:** Industrialized/Modular Housing is being added to the description of a Single-Family Detached House to clarify where it is allowed and which standards must be followed.
5. **5.1.2.A:** Household Living Use Categories is being amended to include Industrialized/Modular Housing as a Principal Use and Manufactured Homes as a use not included. The purpose is to improve the readability of the UDC.
6. **5.5.3.E.6:** Wireless Communication Facilities Setbacks is being amended to correct the deciding board on setback variances from the City Council to the Board of Adjustments.
7. **7.5.3.A.1:** Single Tenant Freestanding Sign is being amended to correct verbiage about the size of the sign by adding 'square' to complete 'square feet'.
8. **7.5.3.C.1:** Multi-Tenant Freestanding Sign is being amended to correct verbiage about the size of the sign by adding 'square' to complete 'square feet'.
9. **7.5.27.D.10:** This section the definition of 'legible' is being amended to change the location of the driver's license mentioned in the description from Florida to Texas.
10. **8.2.1.B.3:** The dedication of all streets will change from 'fee simple' to 'the form of street right-of-way easements' to reflect the manner in which developers dedicate streets today and historically.

11. **Table 8.2.1.C and 8.2.1.D:** Non-local and rural street standards – Increasing the sidewalk width from four feet to five feet for minor residential collectors to be consistent with MobilityCC; adding corresponding abbreviations to the roadway types; and correcting the average daily trips to be consistent with Mobility CC and the Urban Transportation Plan.

ALTERNATIVES:

Denial or alteration of the proposed text amendments.

OTHER CONSIDERATIONS:

Not Applicable

CONFORMITY TO POLICY:

The proposed text amendments conform to City policy.

EMERGENCY /NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Legal and Planning Commission

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital ☒ Not applicable

Fiscal Year: 2015-2016	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

Comments: None

RECOMMENDATION:

Staff and Planning Commission recommend approval of the amendments.

LIST OF SUPPORTING DOCUMENTS:

Ordinance