

**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; 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**, with proper notice to the public, public hearings were held on Wednesday, January 13, 2016, during a meeting of the Planning Commission, and on Tuesday, February 9, 2016, 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, 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.** UDC Article 1, "General Provisions," section 1.11.3 "Defined Terms" is amended by revising the text to read as follows.

## **Article 1. General Provisions**

### **1.11 Definitions**

#### **1.11.3: Defined Terms**

**Developer:** Any non-taxing agency, person, partnership, firm, association, corporation, or entity who does or participates in platting a tract into improved properties within the intent, scope, and purview of this Code that will ultimately have the ability to obtain building permits for ~~new~~any construction. Any officer, agent, employee, servant or trustee acting on behalf of a developer shall be subject to the same requirements to the extent the person is acting in a representative capacity. The singular shall include the plural, and the plural shall include the singular.

**Construction, New:** ~~For the purpose of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. A structure designed, intended, constructed, erected, or moved for the structure's first occupant or tenant.~~

**Temporary Use:** A non-permanent use of land that lasts, or is permitted to last, for a set amount of time. ~~period equal to or less than 30 calendar days.~~

**Contractor:** Any person, firm, association or corporation engaged in the business of constructing buildings, either residences or commercial structures, including but not limited to any plumbing, heating, roofing, remodeling, excavating, paving, highway, infrastructure, and utility construction. ~~or altering walks, driveway approaches, curbs, gutters or pavements or appurtenances on public property.~~ This term shall also include those who represent themselves to be engaged in the business whether or not actually doing the work.

**Promotional event:** A planned social occasion or activity requiring advertising, publicity, or discounting an event including but not limited to ~~a~~ carnivals, circuses, fairs, sales events, concerts, functions, or any similar temporary event or amusement enterprise produced for a nonresidential use.

**SECTION 2. UDC** Article 4, "Base Zoning," section 4.3, "Single-Family Residential Districts," subsections/tables 4.3.2, 4.3.3, and 4.3.4 of the UDC, entitled "Permitted Uses" and "Housing Types" are amended by revising the text to read as follows:

## **Article 4. Base Zoning**

### **4.3 Single-Family Residential Districts**

#### **4.3.2. Permitted Uses**

Table 4.3.2 Permitted Uses (Single-family districts)

SINGLE-FAMILY DISTRICTS		FR	RE	RS-22	RS-15	RS-10	RS-6	RS-4.5	Standards
P = Permitted Use	SP = Special								
Permit L = Subject to Limitations	[blank								
cell] = Not Permitted									
SUE = Special Use Exception	Not Permitted								
Residential Uses									
Single-family detached house <u>except</u>	P	P	P	P	P	P	P		
<u>Industrialized / Modular Housing</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>4.3.7</u>
<u>Manufactured Homes</u>									<u>6.1.1</u>
Zero lot line house [RE provides for 1 acre lots whereby zero lot line configurations are not necessary.]		L	L	L	L	L	L	L	4.3.5
Traditional house			L	L	L	L	L	L	4.3.5
Semi-attached house					L	L			4.3.5
Group home [6 or fewer <u>residences-residents</u> ]	P	P	P	P	P	P	P	P	
Public and Civic Uses									

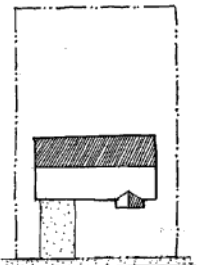
#### 4.3.3. Residential Development Standards (Single Family)

Table 4.3.3 Residential Development (single-family districts)

<b>SINGLE-FAMILY</b>	FR	RE	RS-22	RS-15	RS-10	RS-6	RS-4.5
Min Lot Area	5 ac.	1 ac.	22,000	15,000	10,000	6,000	4,500
Min. Lot Width (Ft.)	150	150	100	50	85	50	45
Min. Yards (ft.)							
Street	50	50	25	25	25	25	20
Street (corner)	25	25	See 4.2.10				
Side (single)	25	25	10	5	5	5	5
Side (total)	50	50	20	15	15	10	10
Rear	25	15	10	5	5	5	5
Min. Open Space			30%	30%	30%	30%	30%
Max. Height (ft.)	45	35	35	35	35	35	35

#### 4.3.4. Housing Types

Table 4.3.4 Housing Types

DESCRIPTION	ILLUSTRATION
<b>Single-Family Detached House</b> A dwelling unit located on a single lot with private yards on all four sides. <u>(Industrialized/Modular Housing is considered a single-family detached house. See Subsection 4.3.7)</u>	

**SECTION 3. UDC** Article 5, “Use Regulations”, subsections/table 5.1.2.A and 5.5.3.E.6; entitled “Household Living” and “Setbacks” are amended by revising the text to read as follows:

## Article 5. Use Regulations

### 5.1 Use Categories

#### 5.1.2.A. Household Living

<b>Characteristics:</b> Residential occupancy of a dwelling unit by a household on a month-to-month or longer basis in structures with self-contained dwelling units including kitchens.		
<b>Principal Uses</b>	<b>Accessory Uses</b>	<b>Uses Not Included</b>
Apartment Cottage Housing Development Manufactured homes or subdivisions Semi-attached house Single-family detached house <u>Industrialized/Modular Housing</u> Townhouse Traditional house Two-family house Upper-story residential unit Zero lot line house	Accessory dwelling unit* Accessory structure that does not involve the conduct of business on the lot Ancillary indoor storage Animal pen* Fenced pasture* Dock or pier (noncommercial) Children's play area or equipment Greenhouse or nursery, personal Home occupation* Off-street parking of occupants' registered vehicles Private garage*, barbecue pit, carport, tool or garden shed, storage unit, swimming pool Raising of domesticated pets Residential leasing office in an RM District Satellite dish antenna under 3.2 feet*	Assisted living facility (see Group Living) Bed and breakfast home or inn, hotel, motel, inn, extended-stay facility (see Overnight Accommodations) Boarding, rooming or lodging house (see Group Living) Fraternity or sorority (see Group Living) Nursing home (see Group Living) <u>Manufactured homes (See section 6.1.1)</u>

\*See additional standards in Subsection 5.3.2

### 5.5 Wireless Telecommunication Facilities

#### 5.5.3.E : Setbacks

**6. ~~The City Council~~ The Board of Adjustment** may allow the construction of wireless telecommunication facility that is adjacent to a residential dwelling within the setback required by this subsection if the tower including any antennas and other devices installed on the tower, are built to substantially higher wind load standards. The setback from the nearest residential structure may be reduced to the minimum required yard setbacks if the tower will withstand a sustained wind speed of 130 mph, which is equal to the highest recorded sustained wind speeds experienced within the City.

**SECTION 4.**UDC Article 7, “General Development Standards”, section 7.5 “Signs”, subsections 7.5.3.A, 7.5.3.C, and 7.5.27.D entitled “Single Tenant Freestanding Sign”, “Multi-tenant (3 or more tenants) Freestanding Sign”, and “Definitions of Specific Words” are amended by revising the text to read as follows:

## **Article 7: General Development Standards**

### **7.5 Signs**

#### **7.5.3.A Single Tenant Freestanding Sign**

1.Freestanding signs placed within this minimum front yard depth as specified in [Article 4](#) are not to exceed 64 square feet in area ~~or and~~ 20 feet in height. Such sign located within the front yard shall not overhang or project into the public right-of-way nor utilize or incorporate flashing illumination. In the event two front yards overlap at a corner, the area of overlap shall be designated as only one front yard.

#### **7.5.3.C Multi-tenant (3 or more tenants) Freestanding Sign**

1.Freestanding signs placed within the minimum front yard depth as specified in [Article 4](#) are not to exceed 64 square feet in area ~~or and~~ 20 feet in height. Such sign located within the front yard shall not overhang or project into the public right-of-way nor utilize or incorporate flashing illumination. In the event of two front yards overlap at a corner, the area of overlap shall be designated as only one front yard.

#### **7.5.27.D Definitions of Specific Words**

**10. Legible.** A sign or message is “Legible” when it can be understood by a person with an eighth-grade education (or more). Where this Section requires a determination of “visibility” or “legibility,” the standard may be based on the eyesight of an adult eligible to receive a ~~Florida~~ Texas driver’s license (wearing any corrective lenses required by such license). Where the height of the person is material to the determination, the person may be presumed to be more than 5 feet and less than 6 feet tall.

**SECTION 5.** UDC Article 8,” Subdivision Design and Improvements,” subsection/tables 8.2.1.B.3, 8.2.1.C, and 8.2.1.D, entitled “Street Right-of-Way Dimensional Standards” are amended by revising the text to read as follows:

## **Article 8 Subdivision Design and Improvements**

### **8.2 Design Standards**

#### **8.2.1.B.3**

The dedication of all streets shall be in ~~fee simple. the form of street right-of-~~ way (ROW) easements.

**Table 8.2.1.C Non-Local Street Standards Table**

	ROW Width (ft.)	BB Width (ft.)	Through Lanes	Median/ Turn Lane	Spacing (miles)	Sidewalk** (ft.)	Back of Curb to Property Line (ft.)	Avg. Daily Trips
Non-local Streets*								
Minor Res. Collector <u>(C1)</u>	60	40	2	No	0.25 to 0.50	<del>4</del> 5	10	1,000 - 3,000
Secondary Collector <u>(C2)</u>	65	41	3	Center turn	0.25 to 0.50	5	12	2,000 - <del>5,250</del> <u>5,500</u>
Primary Collector <u>(C3)</u>	75	50	4	No	0.25 to 0.50	5	12.5	<del>4,000 - 8,250</del> <u>8,500</u>
Parkway Collector <u>(P1)</u>	80	40	2	--	0.25 to 0.50	5	14.5 to 25.5	<del>1,000 - 3,000</del> <u>5,250</u>
Minor Arterial <u>(A1)</u>	95	64	4	Center turn	1.0 to 1.5	5	15.5	<del>15,000 - 24,000</del>
Secondary Arterial <u>(A2)</u>	100	54	4	Median	1.0 to 1.5	5	15	<del>20,000 - 32,000</del> <u>26,500</u>
Primary Arterial <u>(A3)</u>	130	79	6	Median	1.0 to 1.5	5	17.5	<del>30,000 - 48,000</del> <u>36,000</u>
Freeway <u>(FR)</u>	400	Varies	4-10	Median	--	No	19	-- <del>60,000 - 200,000</del>
*Non-local streets contain curb, gutter and underground drainage. **Sidewalks are not required in industrial areas.								

**Table 8.2.1.D Rural Street Standards**

	ROW Width (ft.)	Pavement Width (ft.)	Lanes	V-Ditch or Left Turn	Bikeway Capable	Sidewalk*	Roadside Ditch Width
Local rural Streets	60	26	2	--	No	No	34
Minor Rural Arterial <u>(RA1)</u>	125	44	2	--	No	No	40.5
Secondary Rural <u>(RA2)</u>	150	82	4	Center turn	No shoulder	No	41.5
Primary Rural Arterial <u>(RA3)</u>	250	76	4	Median v-ditch	No shoulder	No	48
* Sidewalks are not required in industrial areas.							

**SECTION 6.** If for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance is held invalid or unconstitutional by final judgement 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 7.** 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 8.** 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.

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

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

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

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

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

ATTEST:

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

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