

Ordinance amending the Unified Development Code by revising subsection 4.2.5.B “Types of Yards”, table 4.6.2 “Permitted Uses (Industrial Districts)”, table 4.6.3 “Nonresidential Use (Industrial Districts)”, subsection 5.3.2.D “Garages, Private”, subsection 7.9.5 “Zoning District Buffer Yard-New Development”, subsection 7.9.6 “Zoning District Buffer Yard- Redevelopment”, subsection 9.5.2. “Authority to Utilize for Single-Family Residence”, subsection 9.5.3 “Regulations for Single-Family Use of Nonconforming Lots” and subsection 3.25.2 “Review Process”; 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, July 27, 2016, during a meeting of the Planning Commission, and on Tuesday, August 23, 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: Permitted Uses (Industrial Uses): UDC Article 4 “Base Zoning Districts”, table 4.6.2 “Permitted Uses (Industrial Districts)” is amended as stated below.

Article 4 Base Zoning Districts

4.6 Industrial Districts

4.6.2 Permitted Uses

Table 4.6.2 Permitted Uses (Industrial districts)

| INDUSTRIAL DISTRICTS | | | |
|--|---|--------------|-------------------|
| P = Permitted Use SUE = Special Use Exception [blank cell] = Not Permitted | L = Subject to Limitations SP = Special Permit | IL | IH |
| Standards | | | |
| Commercial Uses | | | |
| Commercial Parking Uses [5.1.4.A] | P | | |
| Fairgrounds | P | | |
| Office Uses [5.1.4.C] | P | | |
| Restaurant Uses [5.1.4.F] | P | P | 5.2.11 |

SECTION 2: Setback Regulations: UDC Article 4 “Base Zoning Districts”, subsection 4.2.5.B “Types

of Yards”, table 4.6.3 “Nonresidential Uses (Industrial Districts)”, and Article 5 “Use Regulations”, subsection 5.3.2.D “Garages, Private”, are amended as stated below.

Article 4 Base Zoning Districts

4.2 Measurements

4.2.5 Yards

4.2.5.B Types of Yards

4. Private garages and carports detached or attached to the main building, which are entered from the street ~~or alley~~, shall maintain a minimum setback of 20 feet in front of the garage or carport from such street.

4.6 Industrial Districts

4.6.3 District Development Standards

Table 4.6.3 Nonresidential Use (Industrial District)

| INDUSTRIAL DISTRICTS | IL | IH |
|---------------------------------------|---------------------|-----------------|
| Min Lot Area (sq. ft.) | | |
| Min. Lot Width (ft.) | | |
| Min. Yards (ft.) | | |
| Street | 20 | 20 |
| Street (corner) | 20 | 20 |
| Side (single) | 5 0 | 5 0 |
| Side (total) | 10 0 | 10 0 |
| Rear | 10 0 | 10 0 |
| Side and rear, abutting res. district | 40 | 40 |
| Max Height (ft.) | See Section 4.2.8.C | |

Article 5 Use Regulations

5.3 Accessory Uses and Structures

5.3.2 Specific Accessory Uses and Structures

5.3.2.D Garages, Private

~~1. [Administrative Note: This section was deleted by Ordinance 029376, passed 02/21/2012.]~~

~~2. The standard in subparagraph 5.3.2.D.1 shall not apply to:~~

~~a. A garage facing an alley;~~

~~b. A garage set back an additional 4 feet from the street yard;~~

~~c. A detached garage located behind the rear of the principal structure; or~~

~~d. A side-loaded garage not located on a corner lot.~~

31. A private garage that faces a public right-of way, not including an alley, shall conform to the required street yards for the zoning district, but in no case shall it be less than 20 feet.

~~4.2.~~ Garages for single family residences must not exceed 49% of the main building. If there is a garage attached to the main principal structure, the garage is included as part of the main building for the calculation of the 49%.

5 3. A private garage that faces an alley shall be set back a minimum of 3 feet.

SECTION 3: Buffer Yards: UDC Article 7 “General Development Standards” subsection 7.9.5 “Zoning District Buffer Yard for New Development”, and subsection 7.9.6 “Requirements-Redevelopment” are amended as stated below.

Article 7 General Development Standards

7.9 Required Zoning District Buffer Yards

7.9.5 Zoning District Buffer Yard for New Development

A. Requirements – New Development

The following table shall be used to determine the type of zoning district buffer yard required between adjacent zoning districts. The subject property, excluding those zoned IC, IL, or IH, shall not be required to buffer from a public or civic use.

7.9.6 Zoning District Buffer Yard – Redevelopment

A. Requirements– Redevelopment

The following table shall be used to determine the type of zoning district buffer yard required between adjacent zoning districts. The subject property, excluding those zoned IC, IL, or IH, shall not be required to buffer from a public or civic use.

SECTION 4: Nonconforming Lots of Record: Article 9 “Nonconformities”, subsection 9.5.2 “Authority to Utilize for Single-Family Residence” and subsection 9.5.3 “Regulations for Single-Family Use of Nonconforming Lots” are amended as stated below.

Article 9 Nonconformities

9.5 Nonconforming Lots on Record

9.5.2 Authority to Utilize for Single-Family Residence

In any district in which single-family detached dwellings are a permitted use, notwithstanding the regulations imposed by any other provisions of this Article, a single-family detached dwelling that complies with the restrictions of this subsection may be erected on a non-conforming lot that: ~~is not less than 25 feet in width or less more than 45 feet, and that:~~

A. Has less than the required minimum lot area or width with a minimum of but is not less than 2,500 2,000 square feet in area and less than 5,000 square feet in area and a minimum of 25 feet in width;

9.5.3 Regulations for Single-family Use of Nonconforming Lots

C. Except for lots with a width equal to or greater than 45 feet , ~~the~~ the sum of the widths of the two side yards shall not be less than the smaller of:

1. 25% of the width of the lot; or
2. The minimum total for both side yards prescribed by the development standards of the applicable zoning district.

SECTION 5. Board of Adjustment: Article 3 “Development Review Procedures” subsection 3.25.2 “Review Process” is amended as stated below.

Article 3 Development Review Procedures

3.25 Variance

3.25.2. Review Process

A. Staff Review

The Assistant City Manager of Development Services shall review the application and, considering the review criteria in **Subsection 3.25.3**, may make a recommendation to the Board of Adjustment.

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 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 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.

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 | _____ | Brian Rosas | _____ |
| Rudy Garza | _____ | Lucy Rubio | _____ |
| Michael Hunter | _____ | Mark Scott | _____ |
| Chad Magill | _____ | Carolyn Vaughn | _____ |
| Colleen McIntyre | _____ | | |

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

| | | | |
|------------------|-------|----------------|-------|
| Nelda Martinez | _____ | Brian Rosas | _____ |
| Rudy Garza | _____ | Lucy Rubio | _____ |
| Michael Hunter | _____ | Mark Scott | _____ |
| Chad Magill | _____ | Carolyn Vaughn | _____ |
| Colleen McIntyre | _____ | | |

PASSED AND APPROVED this the _____ day of _____, 20_____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor