



## AGENDA MEMORANDUM

Public Hearing and First Reading for the City Council Meeting of March 26, 2019  
Second Reading for the City Council Meeting of April 9, 2019

**DATE:** March 5, 2019

**TO:** Keith Selman, Interim City Manager

**FROM:** Nina Nixon-Mendez, FAICP, Director,  
Development Services Department  
NinaM@cctexas.com  
(361) 826-3276

Ordinance amending the Unified Development Code regarding  
specific standards relating to bars, taverns or pubs

### **CAPTION:**

Ordinance amending the Unified Development Code regarding specific standards relating to bars, taverns or pubs.

### **PURPOSE:**

The purpose of this item is to amend the requirements regarding the distance required between a bar, tavern or pub, and a place of worship or school as required per Section 5.2.7 "Bar, Tavern, or Pub" of the Unified Development Code (UDC).

### **BACKGROUND AND FINDINGS:**

Section 3.23.3.B of the Unified Development Code (UDC) states that on an annual basis, written interpretations of the UDC shall be summarized in a report to the Planning Commission, Board of Adjustment and City Council. Based on the report, City Council shall authorize such UDC text amendments as it deems appropriate, to be processed in accordance with Section 3.2 of the UDC. At its July 25, 2018 meeting, Planning Commission recommended approval of said text amendments. At the September 11, 2018 City Council meeting, Council tabled the item regarding distances to bars, taverns, or pub to allow time for public outreach.

- **Distance from a Bar, Tavern, or Pub, to Churches, Schools, Daycare centers and Public Hospitals.** To make the UDC consistent with the Municipal Code, this amendment reduces the distance required between a bar, tavern or pub, and a place of worship or school, from 1,000 feet, to 300 feet. It uses the more general term, "public or private school" as used in the Municipal Code. It also adds "public hospital" as a category of use that must also be buffered from a bar, tavern or pub, to make the UDC consistent with the Municipal Code. Staff also recommends, as an amendment from the floor, that the text be changed from "Day Care use" to "daycare

center,” again, so that the UDC is consistent with the Municipal Code.

**ALTERNATIVES:**

A recommendation of denial or alteration of proposed text amendments.

**OTHER CONSIDERATIONS:**

The draft ordinance is posted on Development Services website for comment. Notice of a public hearing was published in the Corpus Christi Caller Times on Monday, March 11, 2019. Additionally as part of the public outreach campaign, several hundred letters were sent to all churches and bars in the City of Corpus Christi notifying of the proposed text amendment. City staff received four phone calls inquiring further information concerning the text amendment. One formal letter of opposition was received from Lindale Baptist Church.

**CONFORMITY TO CITY POLICY:**

The proposed text amendment conforms to City policy.

**EMERGENCY / NON-EMERGENCY:**

Non-Emergency

**DEPARTMENTAL CLEARANCES:**

Legal and Planning Commission

**FINANCIAL IMPACT:**

☐ Operating      ☐ Revenue      ☐ Capital      ☒ Not applicable

| <b>Fiscal Year: 2018-2019</b> | <b>Project to Date Expenditures (CIP only)</b> | <b>Current Year</b> | <b>Future Years</b> | <b>TOTALS</b> |
|-------------------------------|--|---------------------|---------------------|---------------|
| Line Item Budget              |  |                     |                     |               |
| Encumbered / Expended Amount  |  |                     |                     |               |
| This item                     |  |                     |                     |               |
| BALANCE                       |  |                     |                     |               |

Fund(s):

**Comments:** None

**RECOMMENDATION:**

A public hearing was held on Wednesday, July 25, 2018 and Planning Commission recommended approval. Staff recommends approval of the amendments.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

LINDALE BAPTIST CHURCH  
610 Glazebrook  
Corpus Christi, Texas 78404  
November 4, 2018

Nina Nixon-Mendez, FAICP  
Director, Development Services  
City of Corpus Christi,  
2406 Leopard St.  
Corpus Christi, Texas 78403

Dear Ms. Nixon-Mendez:

Thank you for your letter of October 24, 2018, concerning the change in Section 5.2 of Section 3. UDC Article 5 "Use Regulations" to allow a bar, tavern or pub to be located within 300 feet from a place of worship, or public or private school, daycare center, child-care facility or public hospital.

Corpus Christi is a unique city in that it is one of the few cities whose land mass wraps around the bay with the same name, which as you know, means the Body of Christ. We are one of the very few cities which has preserved the scenic view of the bay to be enjoyed by the public.

As your letter states, the reason for the change in the ordinance is for the purpose of bringing The City's Unified Development Code (UDC) requirements in line with the requirements in the City's Municipal Code. If we understand correctly, this is something the staff of the City of Corpus Christi is recommending to benefit the Marina Arts district to allow bars, taverns and pubs in that area which still could be covered in the variance process.

Your letter states that a number of other Texas cities include the 300 feet variance in their ordinances. This fact does not concern our group. As previously stated, Corpus Christi is a unique city. We would like to see the uniqueness continued as we value our churches, schools, private or public, daycare centers, child-care facilities or public hospitals from being near a facility that could cause harm. It only takes a second for a child to dart from a mother's protection to be run over by a car driven by someone not fully alert.

We, therefore, wish to state our strong opposition to the proposed change in the ordinance.

Thank you for the opportunity to state our opinion.

Very truly yours,

  
Andy Sprinkle, Deacon  
Lindale Baptist Church

