

Ordinance amending the Unified Development Code pursuant to the annual review process to only require a Certificate of Appropriateness if modifications are occurring to the exterior of a building that is designated a historic landmark; and providing for penalty.

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, September 4, 2019, during a meeting of the Planning Commission when the Planning Commission recommended approval of the proposed UDC amendments, and on September 17, 2019, 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 3 "Development Review Procedures", Section 3.15 "Certificate of Appropriateness", Subsection 3.15.1 "Applicability" is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below:

3.15.1 Applicability

A. A certificate of appropriateness shall be required in the following circumstances before the commencement of development within or work upon any designated landmark or contributing structure located within an Historic Overlay:

~~1. Whenever such work or development requires a building permit or certificate of occupancy; or~~

1. ~~2.~~ Whenever such work includes the erection, moving, demolition, reconstruction, restoration or alteration of the exterior of any landmark or structure.

SECTION 2. 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 3. 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 or Section 1-6 of the Corpus Christi Code of Ordinances.

SECTION 4. Publication shall be made in the City's official publication as required by the City's Charter.

SECTION 5. This ordinance takes effect upon publication.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2019, by the following vote:

Joe McComb	_____	Michael Hunter	_____
Roland Barrera	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette M. Guajardo	_____	Greg Smith	_____
Gil Hernandez	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2019, by the following vote:

Joe McComb	_____	Michael Hunter	_____
Roland Barrera	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette M. Guajardo	_____	Greg Smith	_____
Gil Hernandez	_____		

PASSED AND APPROVED on this the _____ day of _____, 2019.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor