

**Ordinance amending the Corpus Christi Unified Development Code by adding a new Section 6.6 entitled, “Development Concept and Special Overlay Zoning Districts”, relating to the establishment and use of specific development concept overlays and special overlay zoning districts; Amending conflicting provisions of the City’s Comprehensive Plan; Repealing conflicting ordinances; Providing for severance, penalties, publication and an effective date.**

**WHEREAS**, the Corpus Christi Comprehensive Plan directs the City to promote infill development on vacant tracts or lots and improve the economic viability of infill development through incentives that will attract private investors;

**WHEREAS**, the Corpus Christi Comprehensive Plan recognizes that traditional land use regulations are not always conducive to development on problematic sites and can prevent innovative design, therefore valid innovations in land planning are encouraged;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 3, 2011, during meetings of the Planning Commission, and on Tuesdays, October 11, 2011 and December 13, 2011, during meetings of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this amendment to the Unified Development Code (UDC), would best serve the general welfare of the City and its citizens by providing a regulatory base for more sustainable communities by ensuring compatibility in development; maintaining consistency and character; and ensuring growth in an orderly and desirable manner that will preserve the public health and safety;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI:**

**SECTION 1.** That the Corpus Christi UDC is amended by adding a new Section 6.6 entitled, “Development Concept and Special Overlay Zoning Districts” to read as follows:

**§ 6.6 Development Concept and Special Overlay Zoning Districts.**

**6.6.1 Purpose.**

The purpose of this Section is to provide for alternative development standards to address unique site characteristics and to address development opportunities which can exceed the quality of standard developments, by:

**A. Establishing authority to adopt property-specific development standards for increasing minimum**

requirements of the code on individual sites; and

- B.** Establishing Development Concept Overlay and Special Overlay Districts with alternative standards for special areas designated by the City's Comprehensive Plan, Area Development Plans, or by adoption by the City Council.

### **6.6.2**

#### **Application.**

This Section authorizes the City of Corpus Christi to increase development standards or limit uses on specific properties beyond the general requirements of the Unified Development Code through property-specific development standards, and to carry out Comprehensive Plan and Area Development Plan policies through Development Concept Overlay and Special Overlay Districts which supplement, modify, or expand the range of the underlying Zoning District standards and the standards of the Unified Development Code, through different uses, design, or density standards or review processes. Development Concept Overlay and Special Overlay Districts shall be applied in the following manner:

**A.** **Development Concept Overlay.**

A Development Concept Overlay District or Zone may be established to implement a development concept with specific design and development standards as a By-Right permitted use or through the rezoning process.

**1.** **By-Right Use.** Where design and development standards of an Development Concept Overlay District or Zone are compatible with the underlying Zoning District and neighboring uses, the Development Concept Overlay District standards may be applied as a By-Right/Permitted Use. The specific zoning districts for which the By-Right Use applies must be listed within the standards of the Development Concept Overlay District.

**2.** Where the standards of the Development Concept Overlay District have the potential to negatively affect the neighboring uses through increased densities, inadequate transitioning between differing densities or uses, lack of adequate onsite infrastructure for development, or similar factors, the applicant shall be required to rezone the property to one of the more suitable Zoning Districts listed as a By-Right permitted District. The Development Concept Overlay standards must include a list or statement of the specific Zoning Districts for which rezoning is required for the application of the standards.

**B. Special Overlay Districts.**

Special Overlay Districts are generally established in order to apply specific development designs and concepts within a specific area to promote infill or redevelopment of an area. Special Overlay Districts may also utilize special financing techniques, including but not limited to, tax abatements, block grants, housing grants, tax increment financing, or other financial or developmental incentives to meet a specific development goal.

**1. Council Approval.** Special Overlay Districts are established through the City Council review, public hearing, and approval process. The City Council may assign a Special Overlay District designation to any area it feels shall be “targeted” to receive special development consideration in the planning and development or redevelopment of an area.

**2.** The established Special Overlay District may include development incentives or concepts that are applied as a By-Right/Permitted Use within the Special Overlay District. By-Right/Permitted Uses under a Special Overlay District must be compatible with the surrounding neighborhood and uses.

**C.** Unless specifically modified, provided for, and permitted under the provisions of this section and the standards of each Development Concept Overlay or Special Overlay District Ordinance, the standard requirements and regulations of the underlying Zoning District and Unified Development Code shall govern the remaining development and land uses within a Development Concept Overlay or Special Overlay District Zone.

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures found at next page.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 11<sup>th</sup> day of October, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

<b>EFFECTIVE DATE</b>
<u>12/19/11</u>

029329

**Ordinance amending the Corpus Christi Unified Development Code by adding a new Section 6.7 entitled, “Clustered Development Overlay District”, relating to the use, regulations, and review standards for clustered development; Amending conflicting provisions of the City’s Comprehensive Plan; Repealing conflicting ordinances; Providing for severance, penalties, publication and an effective date.**

**WHEREAS**, the Corpus Christi Comprehensive Plan supports a range of densities to improve the affordability of housing, increase the cost effectiveness of services, and offer citizens a desired quality of life;

**WHEREAS**, the Corpus Christi Comprehensive Plan directs the City to promote infill development on vacant lots and improve the economic viability of infill development through incentives that will attract private investors;

**WHEREAS**, the Corpus Christi Comprehensive Plan encourages a contiguous, compact growth pattern in areas where services already exist or can be economically provided, thereby requiring minimal improvements to the existing utility system;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 3, 2011, during meetings of the Planning Commission, and on Tuesdays, October 11, 2011 and December 13, 2011, during meetings of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this amendment to the Unified Development Code (UDC), would best serve the general welfare of the City and its citizens by providing a regulatory base for more sustainable communities by ensuring compatibility in development; maintaining consistency and character; and ensuring growth in an orderly and desirable manner that will preserve the public health and safety;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI:**

**SECTION 1.** That the Corpus Christi Unified Development Code is amended by adding a new Section 6.7 entitled “Clustered Development Overlay District” to read as follows:

**§ 6.7. Clustered Development Overlay District.**

**6.7.1 Purpose.**

It is the purpose of this ordinance to permit residential compact or clustered development in order to:

- A. Encourage creative and flexible site design.**

- B.** Promote cost savings in infrastructure installation and maintenance by such techniques as reducing the distance over which utilities, such as water and sewer lines, need to be extended or by reducing the width or length of streets.
- C.** Decrease or minimize nonpoint source pollution impacts by reducing the amount of impervious surfaces in site development.
- D.** Protect environmentally sensitive areas of a development site and preserve open space, natural features, and prime agricultural lands on a permanent basis.
- E.** Provide opportunities for social interaction, walking, and hiking in open space areas.

### **6.7.2 Allowances.**

- A.** The clustered development standards under this ordinance are applied as an “overlay zone” and subject to the rules of the underlying Zoning District, in addition to the rules of the Overlay District standards established under this Ordinance.
  - 1.** Development under this Ordinance applies to new development and requires platting of individual lots within the development.
  - 2.** Where a conflict exists between the standards of the underlying Zoning District and the Clustered Development Overlay District, the standards established under the Clustered Development Overlay District Ordinance shall take precedence.
  - 3.** The standards provided under this Ordinance may only be applied to a clustered development platted, developed, and constructed in accordance with this Ordinance.
  - 4.** Commercial use of dwelling units in a clustered development for commercial leasing purposes (i.e. leased for a period of under 30 days) must comply with the International Building Codes (IBC) and the City’s Fire Department Codes, and is only permitted in the “RM-AT”, “CR-2”, and “CR-3” Zoning Districts.

**B. Permitted Districts.**

- 1.** A clustered development consisting of multiple single-family attached, single-family detached or two-family dwelling units shall be a permitted use (not requiring rezoning) in the RS-6, RS-4.5, RS-TF, RM-1, RM-2, RM-3, RM-AT, ON, CN-1, CR-2, CR-3, and CG-2, when platted, developed, and constructed in accordance with this Ordinance.
- 2.** All principal uses authorized in the applicable residential zoning district(s) shall be allowed in the clustered development.

**C. Minimum Acreage.** A residential clustered development consisting of 1 acre or greater shall be permitted in any zoning district allowing for residential uses pursuant to the standards outlined under this ordinance.**D. Density.**

- 1.** When platted under the standards of this Ordinance, a clustered development may not exceed the maximum density permitted within the underlying zoning district.
- 2.** When platted under the standards of this Ordinance, a clustered development may not exceed a maximum density of 9.68 dwelling units per acre in any zoning district.
- 3.** The minimum density permitted within a clustered development is 4 dwelling units per acre.
- 4.** The maximum density permitted under Section 6.7.2(D)(1) and (2) above may be exceeded if the developer agrees to implement one or more of the density bonus techniques outlined under Section 6.7.6 below.
- 5.** A Clustered Development may not exceed 139 acres without including a transitioning mixed-use, commercial, neighborhood/town center consisting of 3 to 5 acres located within the development boundaries, and in accordance with Traditional Neighborhood Development Ordinance.

**6.** Multiple clustered developments located within 500 feet of each other and consisting of more than 139 acres shall include a transitioning mixed-use, commercial, neighborhood/town center consisting of 3 to 5 acres, and shall be developed as part of a Master Planned Community and approved through the Planning Commission and City Council public hearing process.

**E.** **Impervious Coverage Allowance.**

The maximum impervious coverage of the entire clustered development cannot exceed 65% of the development boundaries, which includes parking areas, unless the parking areas consist of pervious surfaces.

**F.** **Infrastructure.**

Clustered developments are only permitted in areas served by public sewer and water, except when the proposed development is part of a comprehensive development plan providing for adequate infrastructure through phased development.

- 1.** The developer must provide evidence that adequate infrastructure facilities and capacity exist to sustain the higher densities of a proposed clustered development.
- 2.** If adequate infrastructure and capacity does not exist on the proposed development site, the developer must provide a plan of action indicating what services will be provided to meet the densities of the development.

**G.** **Stormwater Management.**

- 1.** To compensate for higher densities and increased impervious surfaces within a clustered development project, the project design must include onsite stormwater management techniques acceptable under the Best Management Practices (BMP) Manual.
- 2.** Onsite stormwater management techniques may be included in the required common open space calculations to the extent outlined under Section 6.7.4(F)(4).

**6.7.3** **Platting Restrictions.**

New development of sites consisting of 1 acre or greater can be platted, or replatted, as small lot clustered developments for single-family attached, detached, or two-family dwelling units as follows:

- A.** All lots within the proposed cluster development must be platted.

- B.** Each clustered development must have a Home Owner's Association or another designated managing entity approved by the City for the maintenance of common facilities, drives, alleys, pedestrian paths, open space, parking areas, and stormwater maintenance onsite.
- C.** Proposed deed restrictions must be submitted with the plat and must state that individually platted lots and common open spaces within the clustered development will not be further divided into smaller tracts. The deed restrictions must be noted on the plat and recorded, and are enforceable through the Home Owner's Association or another assigned managing entity approved by the City.
- D.** Where a Home Owner's Association, or other assigned managing entity approved by the City, is assigned as the managing entity of the development, the covenants, conditions, and restrictions of the development will be automatically renewable at the end of the established term unless 51% of the members agree to dissolve the association and the dissolution of the association is approved by the City.
- E.** Platting or replatting of lots must not create flag lots or inaccessible lots within the development. The portion of the common open space that is inaccessible by a street or lane shall be permitted, provided that the common open space portion of the lot is shown and labeled on the plat, and noted that the common area shall not be developed for anything other than a community building or common recreational use.

#### **6.7.4** **Required Common Open Space.**

- A.** Not less than 35% of the site shall be conveyed as common open space and shall be applied to the entire development site rather than to any individual lot:
- B.** Forty percent of the total square footage or acreage required for common open space may consist of active recreational features (i.e. swimming pools, tennis courts, playgrounds), while the remaining 60% must consist of pervious surfaces for passive recreational use (Fig. 6.7.4.B).

**Figure 6.7.4.B. Passive Recreational Use.**

- C.** Common open space may include undevelopable areas such as wetlands, creeks, and onsite vegetated stormwater dry detention basins planned for the site, as outlined under Section (F) below.
- D.** The required common open space must be continuous, shaped for passive or active recreation, and must not measure less than 5 feet for a maximum distance of 20 linear feet, with exception of extraordinary circumstances such as the use of a walking bridge to cross a stormwater ditch or other unusual topographical situations onsite, in which case the minimum width/maximum distance requirement may be extended.
- E.** Parking areas, impervious surfaces, impervious right-of-ways, impervious driveways, right-of-way yard setbacks, individual lot yard setbacks, and spaces between buildings of 10 feet or less in width do not qualify as common open space.
- F.** **Alternative Compliance Options.** Compliance with the common open space requirement can be met by implementing one or more of the following options:
- 1.** **Exclusive Use by Residents.** The required common open space onsite (e.g., private trails, passive and active recreational areas) can be dedicated to a Home Owner's Association who will be responsible for the maintenance of the common grounds.

**2. Public Recreational Use.** The common open space provided within the development boundaries may be contributed toward the Community Enrichment Fund land dedication and fees required by the City for new development, provided that the common open space provides at least one recreational element (i.e. green space/small park, jogging or walking trails, etc.) that is available to the public and maintained by the Home Owners' Association or other designated managing entity.

**3. Wetlands as Open Space.**

**a.** Non-jurisdictional wetlands, i.e. those for which impacts would not require a USACE permitting process, may be counted in a 2:1 ratio (i.e. 2 acres of open space credit for every 1 acre of wetland preserved) up to 50% of the total open space requirement if incorporated into the design of the clustered development property boundaries.

**b.** Preservation of jurisdictional wetlands (those for which impacts would require USACE permitting) can be used in a 1:1 ratio to offset up to 50% of the total open space requirement if incorporated into the design of the development property boundaries.

**4. Stormwater and Wastewater Management Techniques.**

**a.** Vegetated stormwater bioswales, rain gardens, (or other preferable infiltration-based or retention-based systems, designed and sized in accordance with, and acceptable under, the Best Management Practices Manual) planned onsite may be counted towards the common open space requirement using a 1:1 ratio to offset up to 50% of the total open space requirement, if incorporated into the design of the clustered development property boundaries.

**b.** Construction plans detailing the construction of the Best Management practices proposed onsite, including target side slopes, depths, retention time, proposed plant species, and a long-term maintenance plan must be pre-approved by the Development Services Department ACM or their designee.

**5. Plazas & Courtyards.**

Where pedestrian (non-vehicular) plazas or courtyards are incorporated into the design of the project, the square footage of plaza or courtyard areas that incorporate at least three of the features listed below may be contributed toward up to 100% of the common open space required onsite:

- a.** Special interest planting with a wide range of plant materials including perennials and drought tolerant flowering shrubs. A minimum of 50% of the plant material used shall provide seasonal flower and/or foliage color.
- b.** Pedestrian scale, bollard, or other accent lighting in accordance with the Illuminating Engineering Society of North America's (IESNA) "Guideline for Security Lighting for People, Property, and Public Spaces".
- c.** Special porous paving, such as colored/stained pervious concrete, pervious brick, or elevated decks constructed over earthen ground (not over slab), and utilizing methods that allow rainwater to reach and infiltrate into the ground below (Fig. 6.7.4.F).

**Figure 6.7.4.F. Common Courtyard.**



- d.** Seating, such as benches, tables, or low seating walls.

**G. Maximum Common Open Space Alternative Compliance.**

- 1.** Where the common open space in a residential cluster development is conveyed by one, or through a combination of the methods above, no more than 50% of the common open space can be achieved utilizing these methods (excluding the plazas and courtyards listed above, or buffers required between two zoning districts, which can contribute up to 100% of the requirement).
- 2.** A deed restriction enforceable by the Homeowner's Association or another designated managing entity, shall be recorded that provides that the common open space shall be kept in the authorized condition(s), and not be developed for principal uses, accessory uses, parking or roadways. Failure to keep the common open space in its authorized condition shall be considered to be in violation of the City's Unified Development Code.

**6.7.5****Residential Development Standards.**

The following provisions shall apply to any residential lot within a clustered development, regardless of the general requirements of the applicable residential zoning district:

- A.** The single-family and two-family dwelling units listed under Section 6.14 shall be permitted units when developed in accordance with the development standards listed under that section for each unit.
- B.** No minimum width or depth of a lot shall apply.
- C.** A minimum separation of 8 feet shall be provided between all principal buildings and structures, separation footage shall increase by 1 foot for each additional story added.
- D.** There must be a minimum eave separation of 6 feet, with an additional 1 foot separation between eaves added for each additional story.
- E.** Front and rear yard setbacks for individual unit lots must equal a minimum of 15 feet combined, and must not be less than 5 feet for either yard.

- F.** Buildings located along a public street at the entrance to a clustered development shall not be located within 10 feet from the front property line of the project site along the public street (i.e. street yard). This standard does not apply to the individual dwelling units within the project site located on private alleys or local collector streets.

### **6.7.6 Density Bonuses.**

- A.** The City's Development Services Department may approve an increase in the maximum number of dwelling units allowed within a compact or clustered development (based on the maximum impervious coverage allowance onsite) through one of the following options:
- 1.** For each dwelling unit constructed as a fully accessible unit in accordance with the Texas Accessibility Standards, one additional dwelling unit shall be permitted, up to a maximum of 15 % increase (above the underlying Zoning District allowance) in the number of dwelling units.
  - 2.** For each affordable housing unit (i.e. affordable to families earning 80% of the Area Median Income) provided within the development boundary, one additional dwelling unit shall be permitted, up to a maximum of 15% increase (above the underlying Zoning District allowance) in the number of dwelling units.
    - a.** Affordable housing must be made available on approximately the same schedule as the balance of housing in the proposed development and may not be deferred until the final phases.
    - b.** The bedroom mix of affordable housing units must be roughly proportional to the bedroom mix of the market rate homes in each proposed development.
    - c.** Affordable housing units are expected to vary from the market rate offerings in each development due to smaller sizes and fewer interior amenities; however, these variations must not adversely affect the energy efficiency of the affordable housing units.

- d.** Affordable housing units must be complimentary in exterior design and materials and must be dispersed throughout each development when planned.
  - e.** Affordable housing units must be sold or rented only to qualified households as defined by the City of Corpus Christi.
  - f.** Affordable housing units used as the basis for approving a density bonus shall be subject to a deed restriction and a mortgage lien to ensure that newly constructed low- and moderate-income sales and rental units remain affordable to low- and moderate-income households for a period of not less than 30 years, which period may be renewed.
- B.** Where any of the above methods are approved by the City's Development Services Department, the approved density bonus may not be applied to more than 15% of the gross area designated as the common open space area onsite.
- C.** Where pervious paving techniques (i.e. the use of pervious concrete, porous pavers, pervious asphalt, etc.) is utilized in the design of clustered development, the pervious areas will not count towards the 65% maximum impervious cover allowance on a site. The impervious surface area from which runoff is collected can be deducted from the maximum allowable impervious surface allowance, provided that the applicant is able to demonstrate the assimilation capacity and the runoff from the impervious surface areas being directed into vegetated green space within the site, on the site plan.

**6.7.7**

**Sidewalks.**

Access and connectivity of sidewalks provided for each residential dwelling, office, or commercial building must be developed in accordance with the City's Building Code and the Texas Accessibilities Standards.

**6.7.8**

**Fences.**

All fences proposed within a clustered development shall comply with the following guidelines:

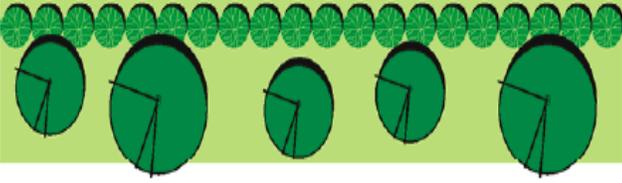
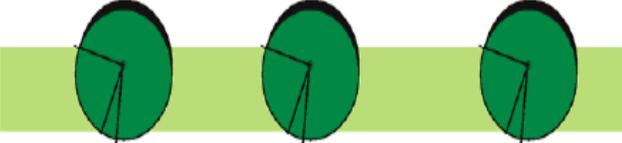
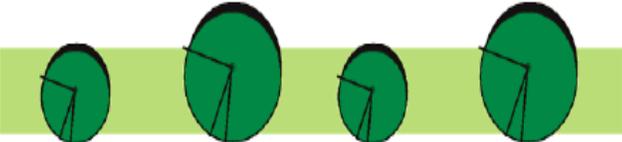
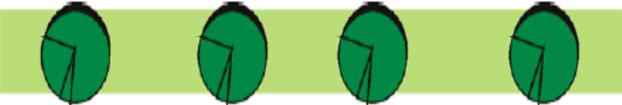
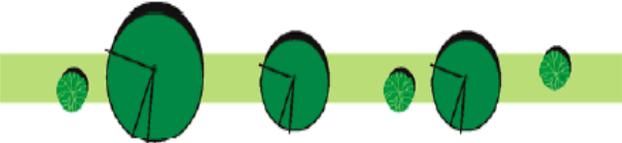
- A.** **Lot Interior front and side yard fencing.** All fencing on individual unit lots located in any front or side yard forward of the front wall of the dwelling unit façade, may not be more than 48 inches in height.

1. Front fencing must be picket, split rail, iron, or any decorative fencing that provides a minimum of 50% transparency.
  2. Wire, chain-link, or solid fencing is prohibited along the side or front property lines forward of the front wall façade of the dwelling unit, with the exception of low stone walls no higher than three feet, if a part of the Developers design scheme for the project.
  3. Fencing shall not be placed in a right-of-way, shall not be located closer than 1 foot from an existing sidewalk, or not closer than 6 feet from the right-of-way where a sidewalk does not currently exist.
- B.** **Lot Rear yard fencing.** Provided that fencing is not constructed any closer to the front of a dwelling unit lot than the rear façade or back wall of the dwelling unit, fencing may be constructed along the rear and rear side yard property line of a dwelling unit lot as follows:
1. The height of the fencing constructed along a rear or rear-side property line may not exceed 6 feet in height.
  2. Wire or chain-link fencing along the rear or rear-side yard property line, and rearward of the front dwelling unit wall is prohibited.
- C.** **Development Site Fencing.** When a clustered development is located adjacent to a single-family development, a screening fence of up to 6 feet in height must be provided along the property lines of the development as a visual buffer, and is not required to be solid; the fence may be an alternating picket or decorative iron design, provided that the fence does not provide more than 30-40% transparency.
1. Fencing is not required when the clustered development site that is located 100 yards or greater from the property line of neighboring single-family, multiple-family, or commercial uses.
  2. Fencing as a visual buffer between clustered developments and adjacent undeveloped, vacant lots is not required.
  3. Fencing is required when the clustered development is located adjacent to oil and gas wells or telecommunication facilities or structures.

**6.7.9 Buffers.**

- A.** Where a proposed clustered development developed under this Ordinance is located adjacent to an RE or RS Zoning District, the applicant is required to provide a minimum buffer between the two differing densities in accordance with the standards of Section 7.9.5.
- B.** Where the buffer includes walkways, pathways, seating areas, pedestrian or other passive recreation amenities (i.e. those activities that do not include development or alteration of the site other than the creation of hiking, biking, and horseback riding trails, picnic areas, etc.), the square footage of the landscaped area providing the amenities may be contributed towards the common open space requirement onsite.
- C. Street Buffers.**
- 1.** All development located along a street designated as a Freeway, Arterial, or Collector Street on the Urban Transportation Plan Map or Text shall be required to provide one of the following buffers (listed under Table 6.7.9.C below) along the entire street frontage abutting the right-of-way, and no vegetation shall interfere with a required clear sight triangle at a driveway or intersection.
  - 2.** Parking visible from any public street shall include a continuous evergreen hedge or wall for the entire linear extent of the vehicular use area visible from the right-of-way.
    - a.** The height of the hedge or wall shall be a minimum of 18 inches and a maximum of 36 inches as measured from the elevation of the vehicular use area or the street curb, whichever is higher.
    - b.** Such hedge or wall may be substituted for any individual shrubs that may be required in the street buffer.
- D. Utility Lines.** No trees under utility lines shall have a natural height over 25 feet.

**Table 6.7.9.C.**

Street Buffer Width	Plant Material Illustration	Plants/100 Ln. Ft.
<b>Freeway Buffer</b>		
20 ft		1 four-foot continuous evergreen hedge 3 canopy trees
20 ft		1 four-foot continuous evergreen hedge 2 canopy trees 3 understory trees
<b>Arterial or Collector Street Buffer</b>		
10 ft		3 canopy trees
10 ft		2 canopy trees 2 understory trees
10 ft	<p style="text-align: center;"><b>Utility Line Option</b></p> 	4 understory trees
<b>Local Access Street Buffer</b>		
6 ft		1 canopy tree 1 understory tree 7 shrubs
6 ft		1 canopy tree 2 understory tree 3 shrubs

**6.7.10 Site Plan.**

The preliminary and final site plan for a residential clustered development shall include, but shall not be limited to, the following information:

- A.** The maximum number and type of dwelling units proposed.

- B.** The areas of the site on which the dwelling units are to be constructed or are currently located and their size (this may take the form of the footprint of the dwelling unit or a building envelope showing the general area in which the dwelling unit is to be located) and the lot setbacks.
- C.** Illustrations showing the areas of the site designated for common open space and buffers and their dimensions and square footage/acreage.
- D.** The areas of the site designated for parking and the dimensions of individual spaces.
- E.** The number and percentage of dwelling units, if any, that are proposed to be accessible and/or affordable housing units.
- F.** The location of sidewalks, trails, and bike paths.
- G.** Locations and dimensions of planned right-of-ways, alleys, and onsite stormwater and wastewater features.
- H.** Landscaping and Lighting Plans required or proposed for all vehicular, common open space, buffer, street yards, and right-of-way areas.

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 11<sup>th</sup> day of October, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

<b>EFFECTIVE DATE</b>
<u>12/19/11</u>

029330

**Ordinance amending the Corpus Christi Unified Development Code by adding a new Section 6.8 entitled, “Mix Use Overlay District”, relating to the use, regulations, and review standards for mixed use development; Amending conflicting provisions of the City’s Comprehensive Plan; Repealing conflicting ordinances; Providing for severance, penalties, publication and an effective date.**

**WHEREAS**, the Corpus Christi Comprehensive Plan recognizes that well-planned commercial and residential activities in the same or adjacent buildings may enhance the quality of life in an area by providing needed service activities and by encouraging pedestrian rather than vehicular movement;

**WHEREAS**, the Corpus Christi Comprehensive Plan and Area Development Plans recognize mixed-use development as a preferred alternative and method of development within areas of the City targeted for infill development and redevelopment;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 3, 2011, during meetings of the Planning Commission, and on Tuesdays, October 11, 2011 and December 13, 2011, during meetings of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this amendment to the Unified Development Code (UDC), would best serve the general welfare of the City and its citizens by providing a regulatory base for more sustainable communities by ensuring compatibility in development; maintaining consistency and character; and ensuring growth in an orderly and desirable manner that will preserve the public health and safety;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI:**

**SECTION 1.** That the Corpus Christi Unified Development Code is amended by adding a new Section 6.8 entitled “Mixed-Use Overlay District” to read as follows:

**§ 6.8**            **Mixed-Use Overlay District.**

**6.8.1**            **Purpose.**

The purpose of the Mixed Use Overlay District is to provide standards for mixed use development that includes residential uses to promote compatibility between new and existing development and ensure that mixed uses compatibly co-exist, and foster a variety of small, entrepreneurial, and flexible home-based businesses. Mixed residential uses encourage live, work, shop, and recreational environments, and more pedestrian-oriented social and economic neighborhood centers, which are conducive to transit

use and can reduce dependence on automobiles for single-purpose trips, by locating residents, jobs, hotels, and transit services near each other.

This Ordinance hereby recognizes Mixed Use as an independent land use designation to be included within the City's Future Land Use Map.

**6.8.2** **Preapplication Conference.**

Required. Prior to submitting an application, and site plan review and approval for a residential mixed use project, the applicant shall request a "preapplication conference" meeting with the City's Development Services Department.

**6.8.3** **Allowances.**

A mixed-use development consisting of a single building on a single lot, or multiple buildings and lots, and incorporating residential uses, shall be a permitted use in the RM-AT, ON, CR-3, CN-1, CN-2, CR-1, CR-2, CG-1, CG-2, CI, and CBD Zoning Districts, when constructed in accordance with the standards of this Ordinance. Proposed residential mixed use development may not be appropriate within areas designated as a Naval Air Installation Compatibility Use Zone (AICUZ), and are not assured approval upon development review.

**6.8.4** **Application of Standards.**

The standards under this Ordinance shall be applied to all mixed use development within the City limits that includes a residential use or uses as follows:

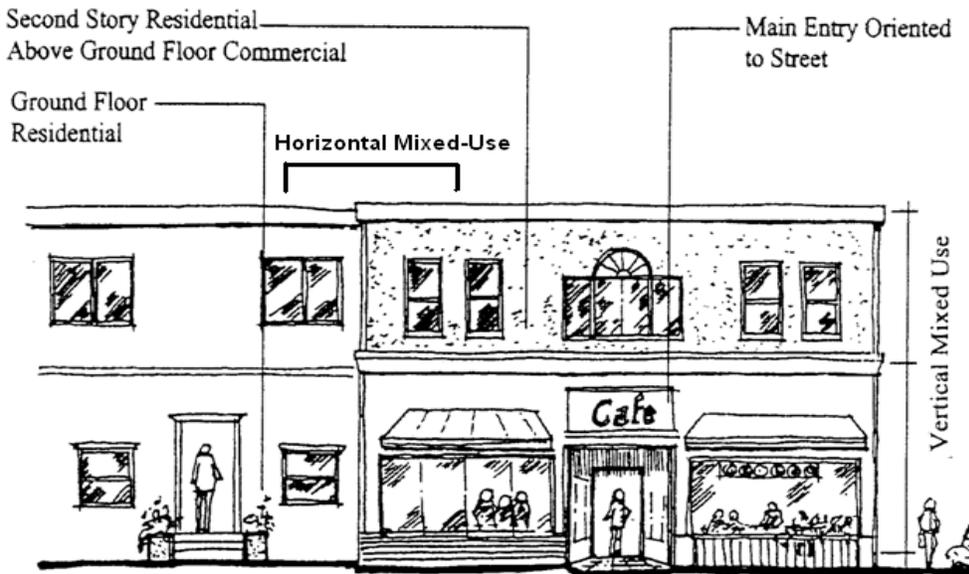
- A.** Where a conflict exists between the standards of the underlying district or the UDC and the Mixed-Use Overlay District standards, the standards established under the Mixed Use Overlay District Standards Ordinance shall prevail.
- B.** The standards provided under this Ordinance may only be applied to mixed-use development that is platted, developed, and constructed in accordance with this Ordinance.
- C.** Mixed use development that does not include a residential use or uses shall not be bound by the standards of this ordinance.
- D.** Where a mixed-use development is constructed under the standards of this Ordinance, the City's Land Use Maps shall be changed to designate the property as being utilized for mixed-uses.

**6.8.5** **Development Overview.**

Mixed use developments for the purpose of this ordinance, consist of two or more different uses which include a residential use, and occupy the same or adjacent buildings that are planned together, and shall be combined in the following manner;

- A.** Vertically in the same building where separate uses are on different floors (for instance, retail on the ground floor and office and/or residential uses on the second and/or third floors); or
- B.** Horizontally in multiple buildings where separate uses are placed next to each other, planned as a unit, (e.g. an apartment, single or two-family, or multiple-family residential dwelling building that is adjacent to a neighborhood commercial business or professional office building) planned together; or
- C.** Through a combination of the two (Fig. 6.8.5.C).

**Figure 6.8.5.C. Vertical & Horizontal Mixed Use.** Commercial use on 1st floor, residential or office space located “vertically” above. Residential use “horizontally” adjacent to the commercial or office use.



- D.** All floors and uses within a mixed use development must be constructed in accordance with the City’s current Building and Fire Department Codes.

- E.** At least 20% of the total land area within the residential mixed use project boundaries must be vertical mixed uses, and whether within a single building or multiple buildings on a development site, a minimum of 10% of the building or development shall be non-residential and a minimum of 20% of the development shall be residential. This percentage shall be calculated by determining the percent of net acres devoted to each type of use.
- F.** The maximum total square footage of a non-residential use in a non-residential/residential mixed use building may not exceed 50% of the mixed use building, to ensure an appropriate scale.
- G.** Within a vertical mixed use building, the use on the ground floor shall be a commercial, professional office, civic, tourist, or religious use, and must be different from a use on an upper floor or floors; at least one of the floors within a vertical mixed use building shall contain residential dwelling unit(s).
- H.** Within horizontal mixed use buildings the non-residential use may not occupy more than 50% of the total ground floor area or frontage of the mixed use building, and at least one of the uses must be for residential purposes. The division of lots cannot be used to subvert the 50% residential requirement for horizontal mixed use.
- I.** Commercial/office strip malls consisting of contiguous single-use, single-story structures are not considered a mixed-use development for the purposes of this Ordinance.
- J.** Stand-alone big box commercial or warehouse stores are not permitted within a mixed-use development, unless planned and constructed as a Planned Unit Development (PUD) that includes residential uses.

**6.8.6** **Lot Area and Density Requirements.**

The minimum lot area and maximum density permitted within a mixed-use development shall be based on the requirements of the zoning district in which the proposed mixed use development is located, unless otherwise stated under a Development Concept or Special Overlay District Ordinance.

**6.8.7** **Maximum Building Square Footage.**

The maximum building square footage requirements for a mixed-use development shall be the same as the zoning district in which the proposed mixed use development is located, with the exception of the minimum building square footage requirements provided for the residential uses within a mixed-use development, which are

listed within the Section 6.14.4.A Table, or under a Development Concept or Special Overlay District Ordinance.

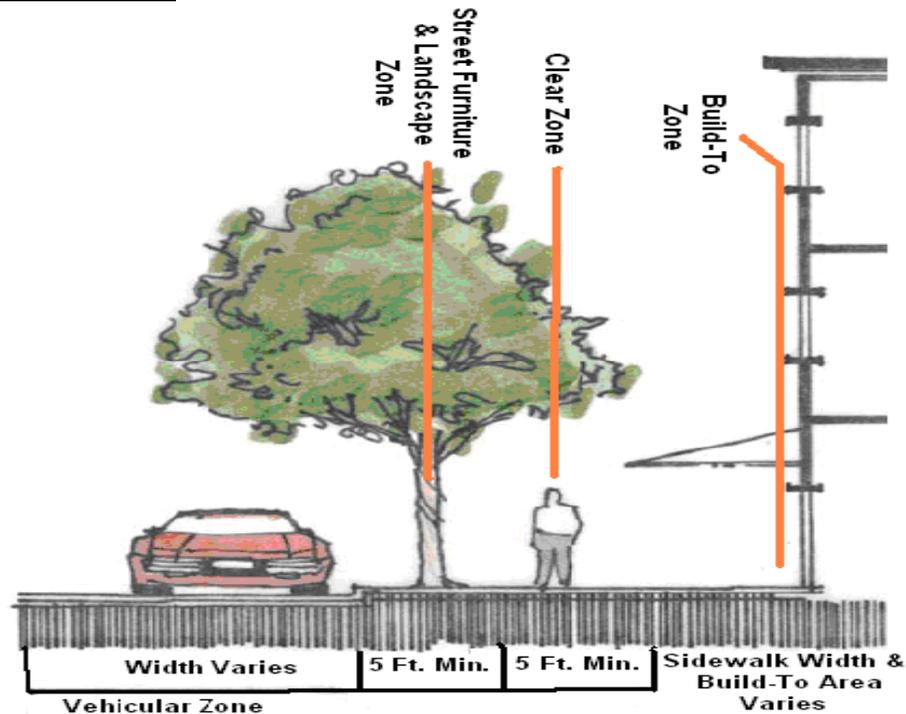
**6.8.8 Minimum Lot Widths.**

- A.** For proposed horizontal mixed use developments consisting of non-residential/residential uses, the minimum lot width shall be 50 feet for the entire mixed use building.
- B.** For proposed vertical mixed-use developments, the minimum lot width shall be 25 feet.
- C.** Mixed Use development consisting of multiple-family residential uses (where permitted) shall have a minimum lot width of 50 feet, as listed within Table 6.14.4.A.

**6.8.9 Setbacks.**

- A.** “Build-To” Zones. The “build-to” zone shall be defined for the purposes of this Ordinance, as the front, side, or rear setback area measured from the property line to the building façade or “build-to line” (Fig. 6.8.9.A).

**Figure 6.8.9.A**



- B. Front Setbacks:** Minimum of from 0-10 feet measured from the property line.
  - 1.** Multiple non-residential/residential mixed-use buildings (including Live-Work units) shall, to the greatest extent

possible, be “built-to” the property line, or zero “built-to” line.

2. Multiple Live-Work units designed around a courtyard are not required to be built-to the zero “built-to” line.
3. In order to establish the “built-to” line for new mixed-use development where sidewalks are not yet established, the “built-to” line shall be the property line and must take into consideration the width of the sidewalk proposed for the site by the City’s Urban Transportation Plan.
4. The front-yard/”built-to” line for multiple residential dwelling units that are part of a horizontal mixed-use development (located adjacent to the nonresidential portion of the mixed use), may be used and increased in depth to provide space for privacy, landscaping, private courtyards, open areas, entryways, and similar amenities between the property line and the residential structure(s) (Fig. 6.8.9.B.4).
5. A single residential dwelling unit (listed under Section 6.14 constructed on a single lot, and part of a larger mixed use project, shall provide a front yard setback that is located within 0 to 10 feet from the “built-to” line, as measured from the property line.

**Figures 6.8.9.B.4. Courtyards Located Rearward of the “Build-To” Line.**



**C. Side Setbacks:**

- 1. Multiple Contiguous Attached Buildings.** No interior side yards shall be required, when attached buildings are constructed in accordance with the adopted City Building Codes.
- 2. Multiple, individual, non-contiguous buildings or detached structures without a constructed firewall shall require the following:**
  - a. A minimum 4-foot side yard for single-story structures, with one additional foot added to each side yard for each additional story.**
  - b. A 6-foot minimum eave separation.**
  - c. A minimum 8-foot separation between building walls.**
- 3. Side yards abutting a side street shall require a minimum side yard of 10 feet, which can include the 5 or 10-foot sidewalk where required.**

**D. Rear Setbacks:** Minimum of 5 feet.

**6.8.10**

**Heights.**

Heights for mixed use buildings must follow the same standards established for the zoning districts for which they are located.

**6.8.11**

**Permitted Non-Residential Uses.**

**A. Bars, Taverns, Clubs, and Alcoholic Beverage Sales.**

- 1. The proposed development of a mixed-use structure incorporating a bar, tavern, nightclub, or liquor store in conjunction with a non-transient (i.e. over 30 days of residency) residential use shall be permitted in the zoning districts allowing for their use.**
- 2. The proposed development of a mixed-use structure incorporating a restaurant with alcoholic beverage sales in conjunction with a residential use is permitted in the zoning districts where a restaurant with alcoholic beverage service is permitted.**
- 3. The proposed development of a mixed-use structure incorporating alcoholic beverage sales or service in conjunction with a Live-Work unit shall be prohibited in all zoning districts.**

- B.** Drive-through windows for any purpose are not permitted within a mixed use development, unless located behind the principle structure with access to and from the drive-through area provided from the rear of the lot.
  
- C.** The non-residential uses permitted in each mixed-use development category are limited to the following uses:

**Table 6.8.11.C. Permitted Non-Residential Mixed-Uses.**

<u>Adult Day-Care Centers</u>
<u>Art Studios, Artists and Artisans</u>
<u>Bakeries, Patisseries, Chocolates, are allowed when the primary use is Retail Sales</u>
<u>Banks (drive-throughs see Section 6.8.11(B) above)</u>
<u>Beautician Salons &amp; Barbers (excluding nail care)</u>
<u>Bed &amp; Breakfast Homes (no allowance for special events)</u>
<u>Bicycle Rentals</u>
<u>Boarding, Rooming, Lodge Houses</u>
<u>Cafes and Bistros</u>
<u>Child Care Centers</u>
<u>Civic/Government Office Uses</u>
<u>Community Gardens-Limited Agricultural Uses</u>
<u>Computer Software and Multimedia Related Professionals</u>
<u>Convention or Special Events Centers</u>
<u>Drycleaners (drop-off, pick-up only)</u>
<u>Farmers Market Retail Stand</u>
<u>Fashion, Graphic, Interior and Other Designers</u>
<u>Florist</u>
<u>Funeral Home or Parlor (no crematorium)</u>
<u>Health Spas, Fitness Centers</u>
<u>Home Occupations</u>
<u>Ice Cream Parlors</u>
<u>Laundromats</u>
<u>Liquor Store (except in AT District)</u>
<u>Mail &amp; Packaging Centers</u>
<u>Marina</u>
<u>Medical Offices &amp; Clinics</u>
<u>Museums</u>
<u>Neighborhood Market (groceries only)</u>
<u>Neighborhood Pharmacy</u>
<u>Non-Medical Offices</u>
<u>Nutritional Sales</u>
<u>Physical Fitness Gyms, Dance, Martial Arts Studios</u>
<u>Printing, Publishing, Engraving</u>
<u>Professional Services (including, attorneys, accountants, insurance sales, barbers, travel agency, consultant firms, engineers, architectural</u>

<u>firms, and similar uses)</u>
<u>Real Estate Offices</u>
<u>Recreational Centers (Indoors, including arcades)</u>
<u>Recreational Centers (Outdoors, miniature golf, sports fields, amusement piers)</u>
<u>Repair &amp; Sales/Services, conducted entirely within a building; (television, computer, plumbing, locksmith, shoe repair, but not including auto repair, detailing, tire service, auto body painting, home appliance repair, or similar uses)</u>
<u>Restaurants, Food &amp; Beverage Service, (sit-down or take-out services permitted, without alcohol service)</u>
<u>Restaurants, Food &amp; Beverage Service, (sit-down or take-out services with alcohol service permitted in districts allowing for the use)</u>
<u>Retail Sales (including Boutiques, Delicatessens, Video/Game Rentals, Musical Instrument Sales/Repair, Fruits &amp; Vegetables Sales, Automotive Parts (no service of vehicles or bays onsite), Crafts, Hardware, Home Décor, News &amp; Books, Jewelry/Repair &amp; Sales, Paint, Sporting Goods, Optical, Office Supplies, Greeting Cards, Antiques)</u>
<u>Schools</u>
<u>School Tutoring Services</u>
<u>Senior Activity Centers</u>
<u>Senior Assisted Living</u>
<u>Tailor/Seamstress/Dressmaking</u>
<u>Utility Offices (no outdoor storage)</u>
<u>Veterinary Clinics (no outside runs)</u>

**6.8.12**

**Required Open Space.**

Mixed-use projects located in the RS-6, RS-4.5, RS-TH, RS-TF, RM-1, RM-2, RM-3, RM-AT, ON, CN-1, CN-2, CR-1, CR-2, CG-1, CG-2, CI, and CBD Zoning Districts must provide open space equaling a minimum of 10% of the combined floor area of all residential units.

**A. Outdoor Open Space.** Half of the open space required shall be provided as passive or active recreation outdoor open space (plaza, courtyard, roof-top terrace, or similar space (Figs. 6.8.12.A).

**Figures 6.8.12.A. Common Courtyards as Open Space.**



- 1.** The square footage of balconies, porches and patios, or terraced and landscaped rooftops, may count toward half of the outdoor open space requirement, provided that:
  - a.** The space provided is oriented to the household use.
  - b.** The space provided is sufficient space for the enjoyment of the occupants.
  - c.** The space provided is either useable by all the residents of the building or is provided for each residential unit in the structure.
  
- 2.** Outdoor pedestrian-oriented open space for projects must include:
  - a.** Visual and pedestrian access (including barrier-free access) to the abutting structures from the public right-of-way or a non-vehicular courtyard.
  - b.** On-site or building mounted lighting, providing at least 0.6 foot-candles (average) on the ground in accordance with the lighting standards of the Illuminating Engineering Society of North America’s (IESNA) “Guideline for Security Lighting for People, Property, and Public Spaces”.
  - c.** Outdoor pedestrian-oriented space shall not include asphalt or gravel pavement, adjacent unscreened parking lots or chain link fences, adjacent “blank walls”, adjacent dumpsters, outdoor storage or retail sales that do not contribute to the pedestrian environment.

- d.** The adaptive reuse of an existing building may not be required to meet the 10% open space requirement, see Section 7.12.7 of the Adaptive Reuse Ordinance.
  - e.** Paved walking surfaces provided shall consist of either concrete, pervious concrete or asphalt, porous pavers, or other approved unit of paving, in areas intended for foot traffic, made fully accessible under the requirements of the Americans with Disability Act (ADA) standards.
  - f.** Seating provided shall measure at least 3 feet in length (bench, ledge, planter walls, fixed or individual street furniture, etc.), or one individual seat per 60 square feet of plaza area or open space.
  - g.** Roof-top terrace areas provided as open space may not include service areas, outdoor storage or retail sales areas.
  - h.** Landscaping provided to enhance the area shall provide at least 30% of a plaza or courtyard shaded by a structure or tree canopy coverage (at 10 years after planting), the shade landscaping points provided may be doubled when counted toward the required landscaping points onsite.
  - i.** Half of the 10% open space requirement may be met for the mixed-use development where the development is connected to an improved public park located within 1,300 feet of the mixed-use building, by a continuous sidewalk.
- B.** **Indoor Open Space.** Half of the 10% open space required must be provided inside the mixed use project and may include the following:
- 1.** Indoor swimming pools.
  - 2.** Gymnasiums or fitness rooms.
  - 3.** Landscaped indoor atriums or courtyard areas with seating (e.g. as seen in many Omni Hotels).
  - 4.** Community recreational space.
- C.** Within the downtown and uptown CR-1, CI, and CBD Districts, the square footage of outdoor swimming pools may be counted toward the outdoor open space requirement.

**6.8.13 Building Orientation, Massing, and Façade Appearance.**

- A.** All properties with frontage on public and private streets shall upon development of a mixed use building have the building or buildings facing the public street.
- B.** Building facades may “step back” on the upper floors to reduce the bulk (Figs. 6.8.13.B).

**Figures 6.8.13.B. Buildings “step-back” on the upper floors.**



- C.** Each sequential building or block of new construction shall attempt to contain a unique building facade (e.g. contrasting building materials or textures, variations in rooflines along a single block face, variations in color, etc.) so as to encourage architectural variety within large projects with multiple buildings (Fig. 6.8.13.C).

**Figure 6.8.13.C.**



- D.** For every 100 feet of building façade length, the building shall incorporate modulated and articulated building wall planes through use of projections, recesses and reveals expressing structural bays, changes in color or graphical patterns, changes in texture, additional display windows, or changes in building material.

- E. No permanently installed burglar bars shall be visible from any public street. The ground floor portion of a mixed use building may install fully retractable metal security screening or storm shutters that secure windows and doors when the nonresidential portion of the mixed use building is not open for business, and must not be visible during business hours. (See Section 6.13.1(E)(5), Figs. 8-11).
- F. With the exception of (E) above, the adaptive reuse of a historical structure is exempt from the remaining requirements of this section (6.8.13).

**6.8.14 Building Entrances.**

- A. Building entrances may include entrances to individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyard entrances to a cluster of spaces.
- B. On corner lots, buildings and their entrances shall be oriented to the street corner as feasible (Figs. 6.8.14.B); however the Adaptive Reuse of a historical structure shall be exempt from this requirement.

**Figures 6.8.14.B.**



- C. Alternatively, a building entrance may be located away from the corner when the building corner is beveled or incorporates other detailing to reduce the angular appearance of the building at the street corner.
- D. A building may have an entrance facing a side yard when a direct pedestrian walkway is provided between the building entrance and the street right-of-way.
- E. Every dwelling unit with a front façade facing the street in a pedestrian retail or storefront area, if provided, shall to the maximum extent possible have its primary entrance face the street.

- F.** Prominent, visible, illuminated, and safe entrances shall be provided that lead to upper floor residential and ground floor commercial.
- G.** The primary public entry to the building shall be clearly defined, and building entrances shall incorporate elements that provide shade from the sun and weather protection for pedestrians, through the use of awnings, arcades, porticos, or marquees which shall be a permitted use for all mixed-use development through a Use Privilege Agreement with the City.

**6.8.15** **Streetscape Zone.**

A Streetscape Zone in accordance with the standards of Section 6.13 shall be provided for all mixed-use projects located on an Arterial or Collector Street.

**6.8.16** **Access and Driveways.**

- A.** Access to parking areas shall be provided from the rear or side of the mixed-use building, unless the mixed-use building is part of an Adaptive Re-use project in which case the standards of Section 7.12 shall apply.
- B.** All other access drive dimensions for the lot or development must be in compliance with the City of Corpus Christi's Manual of Driveway Design and Construction Standards.
- C.** **Mid-Block Pedestrian Pass-throughs.**
  - 1.** Where a proposed large-scale Mixed Use Special Overlay development project includes coverage of a block area of 400 linear feet or more, a mid-block pedestrian pass-through or galleria shall be provided (Figs. 6.8.16.C.1).

**Figures 6.8.16.C.1. Pedestrian Pass-Throughs.**





- 2.** The pass-through shall be lighted and designed to be safe and visually interesting for pedestrians, incorporating such features as display windows or artwork.
- 3.** Mid-block pedestrian pass-throughs must be designed so they cannot be enclosed or locked.
- 4.** The pedestrian pass-through can be used to connect separate buildings, or link customer parking located behind buildings to the front of buildings.

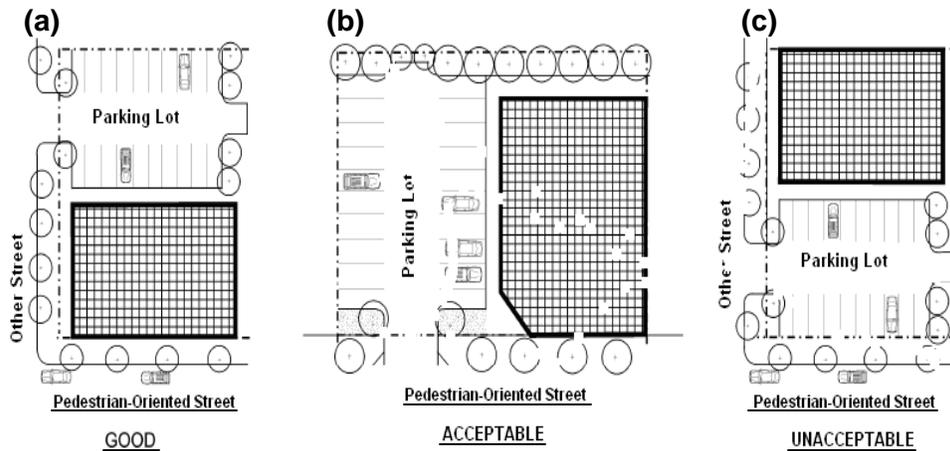
### **6.8.17**

#### **Parking.**

The requirements of this Section supersede the parking requirements of Section 7.2 “Off-Street Parking, Loading and Stacking” regulations of the City’s Unified Development Code; however, all other requirements of Section 7.2 shall apply.

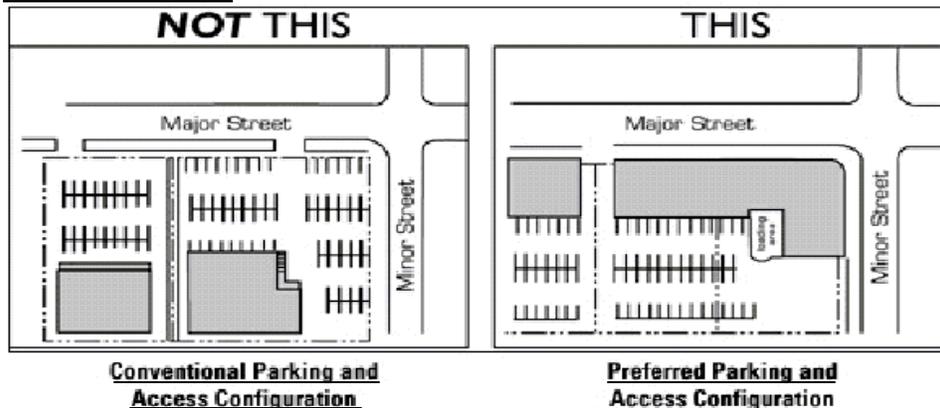
- A.** All new off-street parking lot areas must be oriented to a side- or rear-yard (Fig. 6.8.17.A).

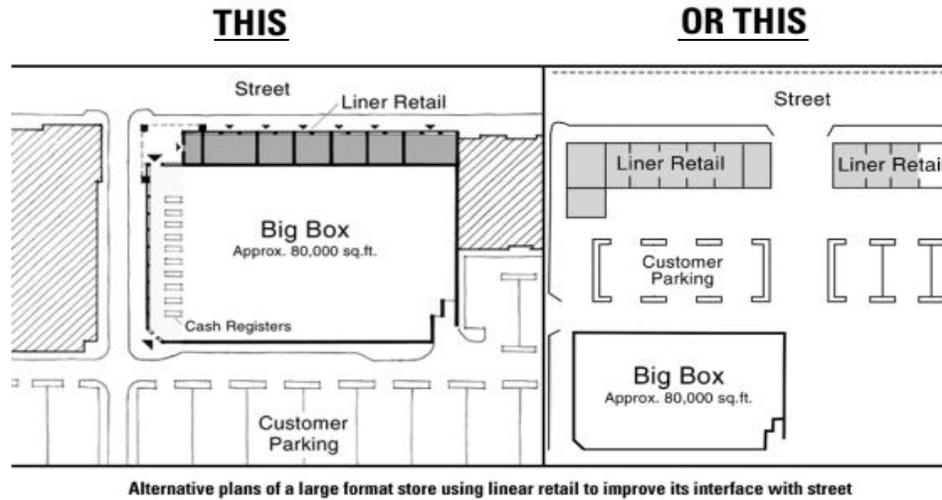
**Figure 6.8.17.A**



- B.** New parking lot areas cannot be located on a corner lot fronting a pedestrian-oriented street.
- C.** New parking lot areas may not be located between a pedestrian-oriented street (i.e. Streetscape Zone, Freeway, Arterial, or Collector Street) and the primary building.
- D.** Parking lot areas on adjoining neighborhood commercial lots shall be connected, whenever practicable.
- E.** Landscape screening is required between a side yard parking lot and a pedestrian sidewalk (Fig. 15 (b) above), unless located adjacent to an alley, or located behind the principal building (Fig. 15(a) above), and must include shade trees acceptable under the City’s Landscaping Ordinance.
- F.** **Rear Parking Allowance.** Parking for non-residential uses fronting a Freeway, or Arterial right-of-way shall make every attempt to locate the new required parking spaces behind the rear façade of the principal building (Figs.6.8.17.F).

**Figures 6.8.17.F.**





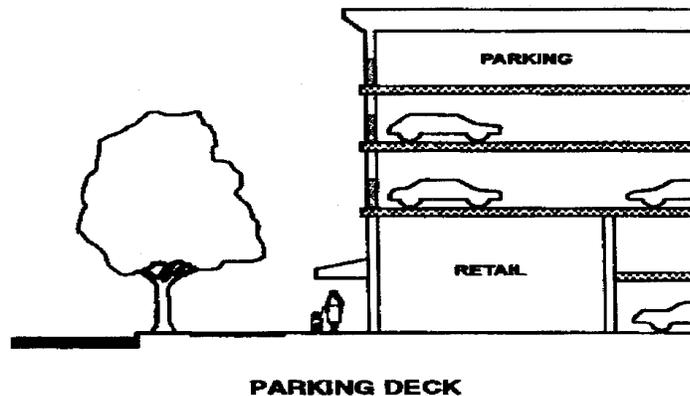
1. Off-street surface parking areas constructed and located behind the principal buildings which are screened from the view of the Freeway or Arterial Street by the principal building shall be exempt from the parking lot landscape screening requirements of the City's Landscaping Ordinance, except along the rear property line when a residential development is located across a street or abuts the rear parking lot.
  2. For every parking space provided behind a principal building fronting a Freeway or Arterial right-of-way, one parking space may be deducted from the total minimum number of parking spaces required onsite for the use (1:2 ratio, one rear parking space provided for every two spaces required onsite).
  3. Where parking is provided behind the principal structure on Freeways or Arterial Streets, the front yard setback for the business or office may be reduced to a minimum of 10 feet, regardless of the requirements for the district in which it is located, provided that the front 10-foot yard of the business or office is supplied with a 10-foot pedestrian-friendly sidewalk.
  4. All parking areas provided behind the principal use must be provided with safety lighting, in accordance with the lighting standards of the Illuminating Engineering Society of North America's (IESNA) "Guideline for Security Lighting for People, Property, and Public Spaces" and shall be shielded.
- G.** At a minimum, the following parking shall be provided for a mixed use development:

1. Parking for medical, non-medical, retail, commercial, or professional office space shall be in accordance with the parking requirements of Section 7.2.2.D
2. Townhomes, brownstones, duplexes, live/work units and each apartment within a mixed-use building shall require a minimum of one off-street parking space per dwelling unit, with a maximum of two off-street parking spaces per unit, unless other requirements are provided under a Special Overlay District or other Development Concept Overlay District.

**H. Parking Garage Structures.** Where off-street parking facilities in above-grade structures are proposed within a Mixed Use Special Overlay development, the above grade structures shall comply with the following standards:

1. Where above-ground parking structures must front on an Arterial or Collector retail or commercial street, a continuous street-fronting ground level commercial, office, or institutional spaces and uses shall be provided, except at ingress and egress points into the structure and any required ventilation (Fig. 6.8.17.H.1).

**Figure 6.8.17.H.1.**



2. Parking structures shall be visually similar in character and scale to adjacent buildings.
3. Except on sides abutting an alley or Collector Street, all floors above the ground floor of the parking structure shall have architecturally articulated facades designed to screen the view of parked cars (Fig. 6.8.17.H.3), or be designed as an enclosed structure above and along the retail, commercial, or professional office Arterial frontage.

**Figure 6.8.17.H.3.**

- 4. Design of Entries/Access.** Vehicle entries to off-street parking structures shall be oriented away from the primary Arterial Street frontage.

**6.8.18 Loading Areas.**

Loading and service areas shall be located in interior side yards or rear yards only. The number of loading spaces required for a mixed use development shall be based on the square footage of the Commercial or Professional Office use alone and in accordance with the standards of Section 7.2.

**6.8.19 Servicing and Solid Waste Collection.**

In order to preserve the pedestrian orientation of the storefront or pedestrian retail area, all servicing, loading, and solid waste collection shall take place off-street away from pedestrian walkways, generally in dumpsters or individual receptacles provided in an alley, or rear access drive, and shall not be directly viewed from a public sidewalk. Solid waste containers located within direct view of a public sidewalk may require screening or relocation. Screening structures shall be designed so they complement and blend with the design of the main building. All trash receptacles and areas shall follow the standards of Sections 7.10.2 and 7.10.3.

**6.8.20 Fencing.**

- A. Prominent facades on street-facing units may not be concealed behind high walls, solid fencing, or privacy fences that provide less than 50% transparency, forward of the front façade of the building (Figs. 6.8.20.A).**

**Figures 6.8.20.A.**



**B.** Residential units consisting of courtyards and entrances located rearward of the “build-to” line may not be concealed behind high walls, solid fencing, or privacy fences that provide less than 50% transparency (Fig. 6.8.20.B).

**Figure 6.8.20.B.**



**C.** Lower solid fencing, solid landscaping, and walls not exceeding 4 feet in height, or decorative iron fences no greater than 7 feet in height are acceptable (Fig. 6.8.20.C).

**Figure 6.8.20.C.**



**6.8.21**      **Accessory Structures.**

- A.**      Accessory dwelling units are not permitted within a mixed-use development.
- B.**      Detached or attached garages are permitted for residential uses, provided the footprint square footage of the garage is included in the total square footage of the lot and does not impose upon the open space requirements of the underlying Zoning District or the requirements of Section 6.8.12 where required.
- C.**      Common garages are permitted and encouraged in a mixed-use development and the footprint square footage of the garage must be included in the total square footage of the lot and must not exceed the open space requirement of the underlying Zoning District or the requirements of Section 6.8.12 where required.
- D.**      All accessory structures permitted within the applicable Zoning District shall be permitted within a mixed-use development, with the exception of billboards, off-premise signs, and telecommunication facilities/structures.

**6.8.22**      **Application Requirements.**

In addition to the requirements that generally apply to development applications, the applicant for mixed use development shall also provide the following information when submitting a site plan for the development:

- 1.**      Pedestrian connection plan (sidewalk dimensions).
- 2.**      Streetscape improvements, dimensions, and additions where required.
- 3.**      A plan for any revision of the interior circulation.
- 4.**      Landscaping plan.
- 5.**      Open space locations and calculations.
- 6.**      Density and building dimension calculations.
- 7.**      Labeling of residential, commercial, professional office, and Live-Work units where applied.
- 8.**      The locations of all setbacks.
- 9.**      Lighting plan.
- 10.**     Signage Plan.

**6.8.23**      **Procedures and Criteria for Alternative Compliance.**

Alternative compliance is a procedure that allows development to occur where the intent of the Unified Development Code and the design standards for mixed use are met through an alternative design. It is not a general waiver of regulations. Rather, it permits a site-specific plan to incorporate an alternative design that is equal to or better than the strict application of a design standard in

meeting the intent of both the zoning district and the applicable standard.

If a concept plan or development plan is to include a request for approval of alternative compliance, a pre-submittal conference is required to determine the preliminary response from the City's Development Services Department ACM or designee. Based on that response, the application for a conceptual plan or development plan shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested.

A request for approval of alternative compliance may include proposed alternatives to one or more design standards. To grant a request for alternative compliance the following criteria must be met:

1. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard.
2. The proposed alternative achieves the mixed-use goals and policies in the Mixed-Use Overlay District Ordinance to the same or better degree than the subject standard.
3. The proposed alternative results and how they benefit the community and how they are equivalent to or better than, compliance with the subject design standard.

Alternative compliance shall apply to the specific site for which it is requested and does not establish a precedent for assured approval of other requests, or the entire development plan, or future developments.

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures on next page.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 11<sup>th</sup> day of October, 2011, by the following vote:

Joe Adame	<u>aye</u>	David Loeb	<u>aye</u>
Chris Adler	<u>aye</u>	John E. Marez	<u>aye</u>
Larry Elizondo, Sr.	<u>aye</u>	Nelda Martinez	<u>aye</u>
Kevin Kieschnick	<u>aye</u>	Mark Scott	<u>aye</u>
Priscilla Leal	<u>Absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>aye</u>	David Loeb	<u>aye</u>
Chris Adler	<u>aye</u>	John E. Marez	<u>aye</u>
Larry Elizondo, Sr.	<u>aye</u>	Nelda Martinez	<u>aye</u>
Kevin Kieschnick	<u>aye</u>	Mark Scott	<u>aye</u>
Priscilla Leal	<u>aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

**EFFECTIVE DATE**  
\_\_\_\_\_

029331

**Ordinance amending the Corpus Christi Unified Development Code by adding a new Section 6.11 entitled, “Uptown-Downtown Mixed-Use (MUS) Special Overlay District”, relating to the establishment of a mixed-use special overlay district promoting mixed-use development within the uptown and downtown areas of the City; Amending conflicting provisions of the City’s Comprehensive Plan; Repealing conflicting ordinances; Providing for severance, penalties, publication and an effective date.**

**WHEREAS**, the Corpus Christi Comprehensive Plan encourages high quality retail development within the Central Business District;

**WHEREAS**, the Corpus Christi Comprehensive Plan recognizes that high-density residential development is crucial to the continued redevelopment of the Central Business District and should be encouraged, along with hotel and motel development to help establish a core residential population that will serve to support further commercial growth and redevelopment in the Central Business District;

**WHEREAS**, the Corpus Christi Comprehensive Plan recognizes that the installation of unique signage and street furniture can create an ambience in the Central Business District that will draw people into the area, and help to establish the Central Business District area as a gathering space;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 3, 2011, during meetings of the Planning Commission, and on Tuesdays, October 11, 2011 and December 13, 2011, during meetings of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this amendment to the Unified Development Code (UDC), would best serve the general welfare of the City and its citizens by providing a regulatory base for more sustainable communities by ensuring compatibility in development; maintaining consistency and character; and ensuring growth in an orderly and desirable manner that will preserve the public health and safety;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI:**

**SECTION 1.** That the Corpus Christi Zoning Ordinance is amended by adding a new Section 6.11 entitled “Uptown-Downtown Mixed-Use (MUS) Special Overlay District” to read as follows:

**§ 6.11 Uptown-Downtown Mixed-Use (MUS) Special Overlay District.**

**6.11.1 Purpose.**

This Ordinance shall hereby establish a Mixed Use Special Overlay District and boundary within the Uptown and Downtown areas of the City of Corpus Christi. All mixed-use development incorporating residential or tourist mixed uses within the established district shall be developed and constructed and afforded the permitted uses in accordance with the Mixed Use Overlay District Standards of Section 6.8.

**6.11.2 Application.**

The standards of this Section shall apply to all mixed-use development incorporating residential or tourist mixed uses and proposed within the Uptown and Downtown boundary outlined below, where a residential mixed-use or tourist mixed-use development is proposed.

**A. Uptown-Downtown Mixed Use Special Overlay District Boundary.** For the purpose of this Ordinance, the standards provided for the Uptown and Downtown areas shall apply to the areas and lots located within the following boundaries (See Fig. 6.11.2.A, “Map of the Uptown-Downtown Mixed Use (MUS) Special District Boundary”):

**Northern-most Boundary:** Land south of the Ship Channel

**Eastern Boundary:** Corpus Christi Bay

**Southern Boundary:** Furman Avenue, west to Water Street

**Western Boundary Line:** (From South to North) From Furman Avenue north on Tanchua Street to Park Avenue, west on Park Avenue to Staples Street, north on Staples Street to Laredo Street; west on Laredo Street to Highway 286/Crosstown Expressway; North on Highway 286/Crosstown Expressway to Lipan Street; West on Lipan Street across Highway 286/Crosstown Expressway west to North Port Avenue; North on North Port Avenue to Interstate 37 Freeway; following Interstate 37 east and north (and including areas to the south of Interstate 37) to U.S. Highway 181; North on U.S. Highway 181 to the Ship Channel.

**B. Light Industrial (IL) Zoning Districts located within the Uptown- Downtown Special Mixed-Use Overlay boundaries may be considered for development as a residential-mixed use or tourist mixed use under this Ordinance, if rezoned to a district allowing for less intensive uses ( i.e., commercial, Office, or residential uses).**

**Figure 6.11.2.A. Uptown-Downtown (MUS) Overlay District Boundary Map.**

**Uptown - Downtown (MUS) Overlay District Boundary**



Printing Date: Wednesday, November 9, 2011  
File: K:\DevelopmentSvcs\SHARED\GIS Projects\4Jeremy\Uptown - Downtown\Uptown-DowntownOverlayDistrictBoundary2.mxd  
Prepared By: jeremym  
Coordinate System:  
NAD 1983 StatePlane Texas South FIPS 4205 Feet  
Operating System: Microsoft Windows XP Professional  
ArcMap Build Number: 10.0  
© 2011 City of Corpus Christi, TX

**6.11.3**

**Uptown-Downtown (MUS) Special Overlay District Standards.**

Mixed-use development incorporating residential uses and proposed within the Uptown-Downtown MUS Special Overlay District boundaries shall follow the Mixed-Use Overlay District Development Standards of Section 6.8, with the following additional requirements, exceptions, and incentives:

- A.** The establishment of awnings, arcades, porticos, marquees, and streetscape furniture (i.e. public, not privately-owned furniture) within the Uptown-Downtown MUS Special Overlay District boundary shall be permitted under a Use Privilege Agreement with the City; However, the annual Use Privilege Agreement Fee for awnings, arcades, porticos, marquees and streetscape furniture provided and located within the boundaries of this District shall be waived.
- B.** Awnings must be constructed in accordance with the standards outlined under Section 6.13.1(D), and in compliance with the standards outlined under the awning definition provided under Section 1.11.3 of the Unified Development Code.
- C.** A Streetscape Zone in accordance with the standards outlined under Section 6.13 shall be provided for all new development of a residential mixed-use or tourist mixed-use development proposed within the Uptown-Downtown MUS Special Overlay District boundaries located on an Arterial or Collector Street.
- D.** Although the new parking area location standards of Section 6.8.17 shall apply for all residential mixed-use development, no additional parking above what is currently present onsite shall be required for residential mixed-Use development proposed within the Uptown-Downtown (MUS) Special Overlay District, provided that any existing available parking onsite is not reduced;
- E.** Where the underlying zoning district requires fewer parking spaces for uses proposed within the mixed-use building, the parking space areas above what is required by the underlying zoning district may be used in the development of the mixed-use building.
- F.** In no case shall the required number of accessible parking spaces constructed in accordance with the Americans with Disabilities Act construction standards be reduced.
- G.** There shall be no minimum lot area for a residential mixed-use development within the Uptown-Downtown Special

Mixed Use District boundary, provided that the remaining minimum lot widths, required yard dimensions, and the minimum open space standards of Section 6.8.8 and 6.8.9 of the Mixed Use Overlay District Ordinance are met.

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures on next page.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 17<sup>th</sup> day of October, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

By Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

<b>EFFECTIVE DATE</b>
<u>12/19/11</u>

**Ordinance amending the Corpus Christi Unified Development Code by adding a new Section 6.12 entitled, “Target Area Redevelopment Special (TARS) Overlay District”, relating to the use, regulations, and review standards promoting infill and redevelopment of designated targeted areas within the City limits; Amending conflicting provisions of the City’s Comprehensive Plan; Repealing conflicting ordinances; Providing for severance, penalties, publication and an effective date.**

**WHEREAS**, the Corpus Christi Comprehensive Plan promotes the rehabilitation of deteriorating housing which will promote better quality living environments and enable older neighborhoods to remain viable;

**WHEREAS**, the Corpus Christi Comprehensive Plan promotes infill development of vacant lots to improve economic viability through incentives to attract private investors;

**WHEREAS**, the Corpus Christi Comprehensive Plan recognizes that although some City business districts have declined due to decentralization or relocation of business, some still have a strong market potential to compete effectively if renovated or rehabilitated;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 3, 2011, during meetings of the Planning Commission, and on Tuesdays, October 11, 2011 and December 13, 2011, during meetings of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this amendment to the Unified Development Code (UDC), would best serve the general welfare of the City and its citizens by providing a regulatory base for more sustainable communities by ensuring compatibility in development; maintaining consistency and character; and ensuring growth in an orderly and desirable manner that will preserve the public health and safety;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI:**

**SECTION 1.** That the Corpus Christi Unified Development Code is amended by adding a new Section 6.12 entitled “Target Area Redevelopment Special (TARS) Overlay District” to read as follows:

**§ 6.12      Target Area Redevelopment Special Overlay District.**

**6.12.1      Purpose.**

The purpose of the standards of this Ordinance is to provide for alternative development options within areas of the city which have been “targeted” for rehabilitation and redevelopment through the

adoption of Area Development Plans, Destination Node Plans, and the City's Comprehensive Plan. Designated Target Areas may utilize any of the alternative development concepts offered under Section 6.12.3 below to promote revitalization of economically distressed neighborhoods while providing additional employment opportunities for residents within those neighborhoods, thereby decreasing dependence on the automobile and promoting energy efficiency and natural resource conservation goals.

### **6.12.2 Target Areas Defined.**

- A.** Target Areas, (which may also be referred to as Target Zones or Destination Nodes), are areas defined within the City's Comprehensive Plan, adopted Area Development Plan (ADP), or designated as a planned redevelopment area by the City. The planned area must include specific street or neighborhood boundaries outlined, and intended as a focal area for rehabilitation or redevelopment. Target Areas chosen for rehabilitation or redevelopment must detail the area boundaries through maps and description in order to be utilized as a Target Area.
- B.** Target Area Boundaries shall be designated through review and appointment by the City Council. The City Council may designate an area as a Target Area, Target Zone, or Destination Node, anywhere within the City limits where redevelopment, infill development, or specific development concepts or techniques are determined to promote such development.
- C.** Areas previously designated as a redevelopment area within the Comprehensive Plan or an Area Development Plan must be re-designated as a Target Area by the City Council, following a review of a specific area, planning of the area through the public charrette or planning committee process, and the development of a conceptual site plan for the area.
- D.** Rehabilitation and redevelopment of a Target Area may, and should, include financial incentives for funding through Neighborhood Block Grants, Tax Increment Financing, Tax Abatement, Tax Incentives, or any other Local, State or Funding options available.
- E.** An applicant interested in taking advantage of the financial incentives within any of the City's established Target Areas should contact the City's Development Services Department for assistance in identifying the Target Areas currently established within the City limits.

**6.12.3 Development within a Target Area.**

- A.** When any of the following development concepts are applied to a Target Area, Target Zone, or Destination Node, the development incentives and standards listed under each development concept shall be applied to the development or redevelopment area:
- 1.** Mixed-Use Overlay District Development (§ 6.8)
  - 2.** Neighborhood Mixed-Use Development (§ 7.11)
  - 3.** Adaptive Re-Use Development (§ 7.12)
  - 4.** Clustered Development Overlay District (§ 6.7)
  - 5.** Traditional Neighborhood Development Overlay District (§ 6.9)
  - 6.** Transit-Oriented Development Overlay District (§ 6.10)
  - 7.** Cottage Housing District Development (§ 4.7)
- B.** Development or redevelopment under one of the development concepts above must follow the standards of the Ordinance established for each development concept. Where a conflict exists between the standards and incentives of one of the development concepts listed above and an underlying zoning district or other standards of the Unified Development Code, the incentives and standards adopted within a Development Concept Overlay or Special Overlay District Ordinance shall prevail and be utilized.

**6.12.4 Target Area Development Criteria.**

In order for an area to be approved as a Target Development or Redevelopment Area, the Council must find that the proposed Target Area meets a minimum of 4 of the Goals listed below:

- A.** **Goals.** Four or more of the following Goals shall be met by the proposed area in order to be considered and designated as a Target Redevelopment Area or a designated Destination Node:
- 1.** The area is considered a blighted area consisting of deteriorated buildings and/or infrastructure.
  - 2.** The area consists of public health or safety threats to the physical well-being of area residents and visitors, such as areas with high incidents of personal or property crimes, or fire hazards.

3. The area has been identified as an area with unmet housing needs, with the potential of a net gain in affordable and/or accessible housing units.
4. The area lacks shopping opportunities and personal services to meet the needs of the residents of the area.
5. The area is considered an environmental health hazard, or brownfield.
6. The area has the potential to induce private investment in surrounding properties resulting in a significant number of new, quality jobs for lower-income residents of the project area, and improve income/wage levels in the community.
7. The area and future development will maximize the leveraging of redevelopment funds with private debt and equity, and other governmental funds.
8. The area or future development will establish recapture of redevelopment investment through:
  - a. Increase in property values
  - b. Increase sales tax revenue
  - c. Repayment of redevelopment funds over time
9. The area will have a direct impact on, and increase tourism, especially those projects that will increase off-peak and mid-week visits.
10. The project(s) will promote City Council-adopted community priorities, or enhance a prior City investment.

**B. Objectives.** Development projects proposed within an established Target Redevelopment Area or Destination Node shall, at a minimum, meet one of the objectives listed below:

1. The proposed development is comprised of a mix of uses in a variety of building sizes and heights, and if a larger project, offer a “village” or “lifestyle center” site and building design.
2. The revitalization plan includes a strong urban design component providing a “sense of place” and ensures that buildings front on the street, and connect the street to activities inside. Such elements may include, but are

not limited to, street-oriented storefronts, outdoor eating and dining areas, and outdoor public amenities, such as artwork, fountains, plazas and seating. (Projects with the greatest mix of uses, i.e., retail/service, residential, lodging, and office space will be given priority).

3. The proposed development is Transit-Oriented Development in design and concept, and either in proximity to a transit center, or proposes to provide connection between an area and an existing or proposed transit center.
4. The proposed development is a mixed use Traditional Neighborhood design and concept, promoting a pedestrian-oriented development.
5. The redevelopment of the area will include the Adaptive Reuse of structures that will reduce vacancy rates in a commercial, industrial, or residential structure.
6. The development provides a minimum of 10% of the development as affordable and/or accessible housing.
7. The development includes training services and/or provides additional social services for the community.
8. The development will include sustainable projects that incorporate LEED certified building materials, energy efficient appliances, alternative energy sources, or energy-efficient building techniques to conserve energy within the project boundaries or area.
9. The development proposes stormwater management techniques onsite in accordance with Best Management Practices to offset a minimum of 75% of the post-development stormwater runoff associated with the development of the project.

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures found at next page.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 11<sup>th</sup> day of October, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

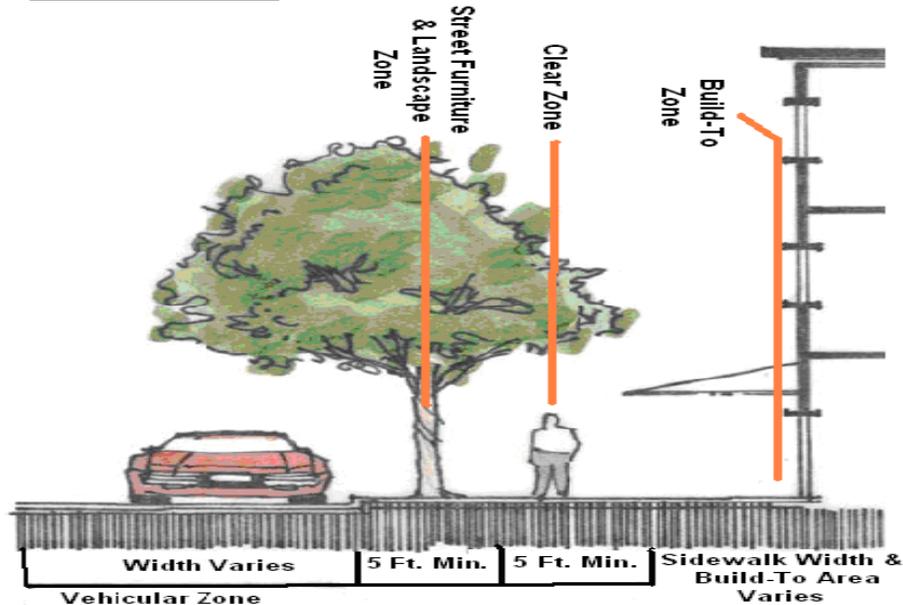
By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

<b>EFFECTIVE DATE</b>
<u>12/19/11</u>



- A. Building Setbacks.** To encourage pedestrian-friendly streets by bringing buildings close to pedestrian sidewalks and streetscapes, there shall be a 0-foot “build-to” line for development requiring a Streetscape Zone. Structures shall be built to the property line (0-foot build-to line), except as necessary to allow room for outdoor seating, outdoor dining areas, outdoor sales and displays, landscaping, entryways, and similar pedestrian and customer amenities.
  
- B. Sidewalks.** Sidewalks are required as part of a Streetscape Zone as follows:
  - 1.** A continuous minimum 10-foot pedestrian walkway shall be provided along all building walls located adjacent to an Arterial or Collector Street.
  
  - 2.** Sidewalks on all lesser classified streets must have a minimum width of 5 feet.
  
  - 3. Clear Zone.** A minimum “Clear Zone” of 5 feet shall be provided for all public sidewalks and shall remain unobstructed for pedestrian use (Fig. 6.13.1.B.3).

**Figure 6.13.1.B.3.**



- 4.** All sidewalks must be compliant with the Americans with Disabilities Act construction standards.
  
- 5.** Sidewalks shall keep as much as possible to the natural path of travel parallel to the improved roadway (but do not need to be perfectly straight), and ideally align with the crosswalk.

- 6.** Additional sidewalk widths may be required at mail boxes, street light poles, at drop-off and pick-up points, etc., in order to conform to the requirements of the Americans with Disabilities Act or other public safety requirements.

**C. Street Furniture/Landscaping Zone.**

- 1.** The Street Furniture/Landscape Zone of the pedestrian walkway includes the width of the back of the curb, and is defined as the area between the roadway curb face and the front edge of the 5-foot Clear Zone walkway (Fig. 6.13.1.B.3.).
- 2.** The Street Furniture/Landscaping Zone buffers pedestrians from the adjacent roadway and is the appropriate location for street furniture, art, and landscaping. The zone is also the preferred location for street trees, and other elements such as pedestrian lighting, transit shelters, transit signage, benches, litter receptacles, and pedestrian scaled lighting (Figs. 6.13.1.C.1.).

**Figures 6.13.1.C.1. Street Furniture, Planters, and Lighting.**



**Solar Tree Lamps**



**D. Awnings.**

- 1. Where non-residential buildings are located along the first floor of an Arterial or Collector Street, canopies, awnings, marquees, or porticos shall be provided (Figs. 6.13.1.D.1)**

**Figures 6.13.1.D.1**



**2.** Awnings shall require a Use Privilege Agreement with the City and must be compliant with the standards of the definition of an “awning” provided under Section 1.11.3.

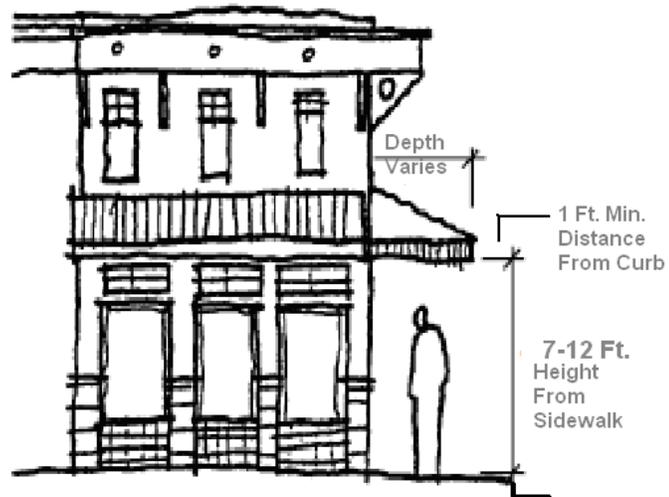
**3. Awning Dimensions.**

**a. Depth.** The awning canopy may not extend any further than within 1 foot measured from the face of the curb.

**b. Awning supports may not be located within 5 feet measured from the face of the curb.**

**c. Height.** The vertical dimension between the underside of a canopy or awning and the sidewalk shall be at least 7 feet and no more than 12 feet (Fig. 6.13.1.D.3).

**Figure 6.13.1.D.3**



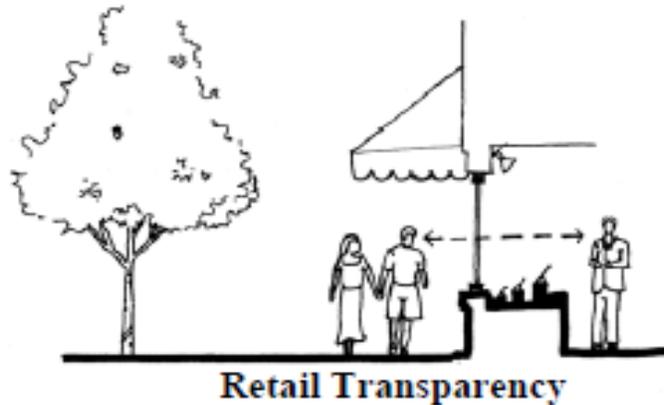
**4.** The total signage on an awning or umbrella shall not exceed 20% of the area of the awning or umbrella.

**E. Windows.**

**1.** Ground level non-residential uses shall provide large display windows along a minimum of 40% of their horizontal length (black, mirrored, or other opaque surfaces cannot be used).

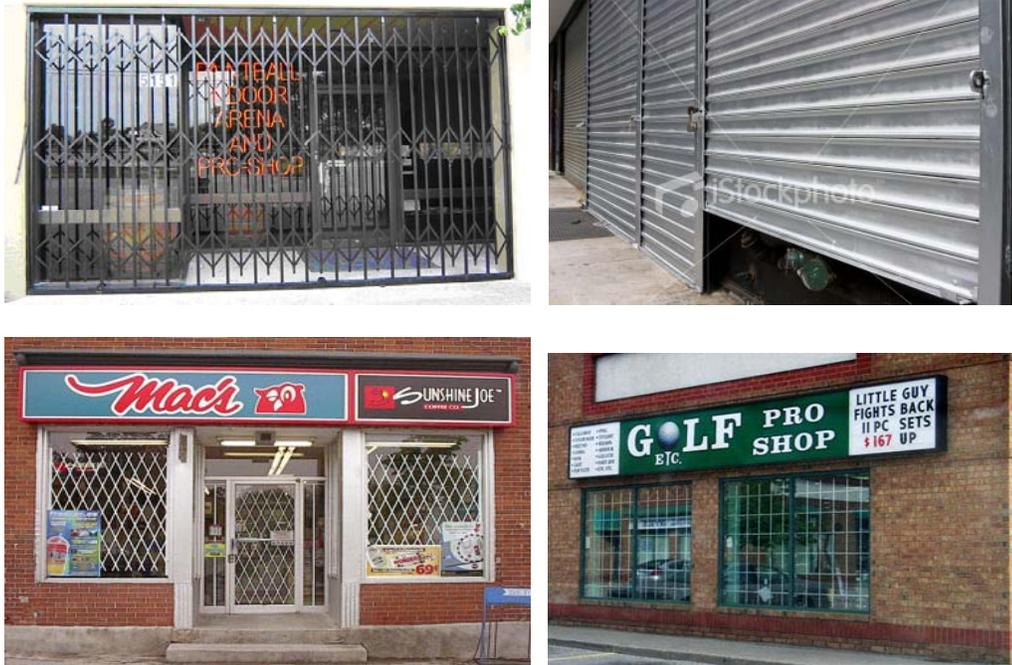
- 2.** Display windows located on the front facade of a ground floor non-residential use shall be transparent to the extent that the window allows views into and out of the interior (Fig. 6.13.1.E.2).

**Figure 6.13.1.E.2.**



- 3.** On facades greater than 100 feet in length, measured horizontally, which face an Arterial or Collector Street, no horizontal wall shall extend for a distance greater than three times its height without a change in elevation of a minimum of 15% of such height. This height change shall continue for a minimum of 20% of the length of either adjacent plane. The adaptive reuse of an existing building shall not be required to adhere to this requirement, and the locations of existing windows shall be permitted to remain.
- 4.** At no time shall any windows within a building located along a required Streetscape Zone be boarded up, except for in preparation of a declared weather emergency.
- 5.** No permanently installed burglar bars shall be visible from any public street. The ground floor nonresidential portion of a mixed use building may install fully retractable metal security screening or storm shutters that secure windows and doors when the nonresidential portion of the mixed use building is not open for business, and must not be visible during business hours. (Figs. 6.13.1.E.5.)

**Figures 6.13.1.E.5. Permitted Security Screening.**



**F. Outdoor Dining Areas.**

1. Outdoor dining areas are permitted through a Use Privilege Agreement and fee with the City on public sidewalk areas when adjacent to, and directly abutting a restaurant located in a building, provided that the outdoor dining area may not reduce the public sidewalk width to less than 5 feet or obstruct the required Clear Zone (Fig. 6.13.1.F.1).

**Figure 6.13.1.F.1.**



2. The front building line of any commercial use may be extended further within the property line boundary to incorporate an outdoor dining use, provided that the minimum 5-foot public sidewalk Clear Zone is maintained.

- 3.** Tables, chairs, umbrellas, and similar items that are not permanently installed structures shall be stored in the interior of the restaurant or in similar enclosed area so that a minimum Clear Zone of 5 feet is unobstructed when the outdoor dining area is not in use due to inclement weather, or when the restaurant is closed.

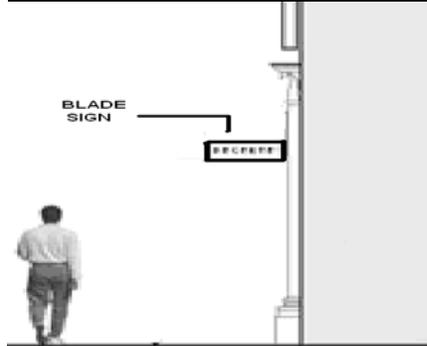
**G. Displays and Equipment.**

- 1.** Outdoor displays, sales, and service (in connection with a vegetable stand, news stand, a permitted vendor, farmers market, café, or restaurant) may take place on an outdoor patio or sidewalk, provided that no display or sales shall be allowed to block the required 5-foot Clear Zone of the sidewalk.
- 2.** The outdoor displays, sales, and service outlined under (G)(1) above shall require a Use Privilege Agreement with the City.
- 3.** All booths, stalls, carts, outdoor display items or other equipment utilized for outdoor display, sales, or food and beverage service at the close of business each day shall be removed or immobilized and secured so as to prevent it from becoming a public safety hazard, nuisance or security risk.
- 4.** **Roof-mounted equipment.** Roof-mounted equipment shall be completely screened from public views from the ground elevation.

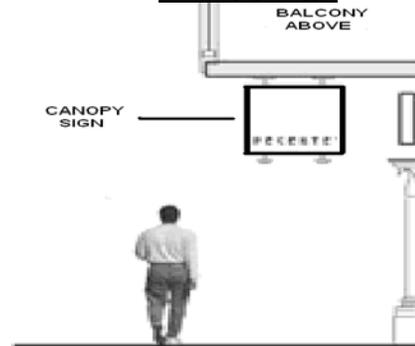
**H. Signs.** Signs shall be designed for visual communication and orientation to the pedestrians and slow-moving vehicular traffic crossing pedestrian sidewalks as follows:

- 1.** Hanging or Blade signs are permitted and shall be placed perpendicular to the façade, located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks (Figs. 6.13.1.H.1.).
- 2.** Canopy signs are permitted and shall be oriented perpendicular or parallel to the façade, typically located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks.

**Figures 6.13.1.H.1. Blade Sign**



**Canopy Sign**

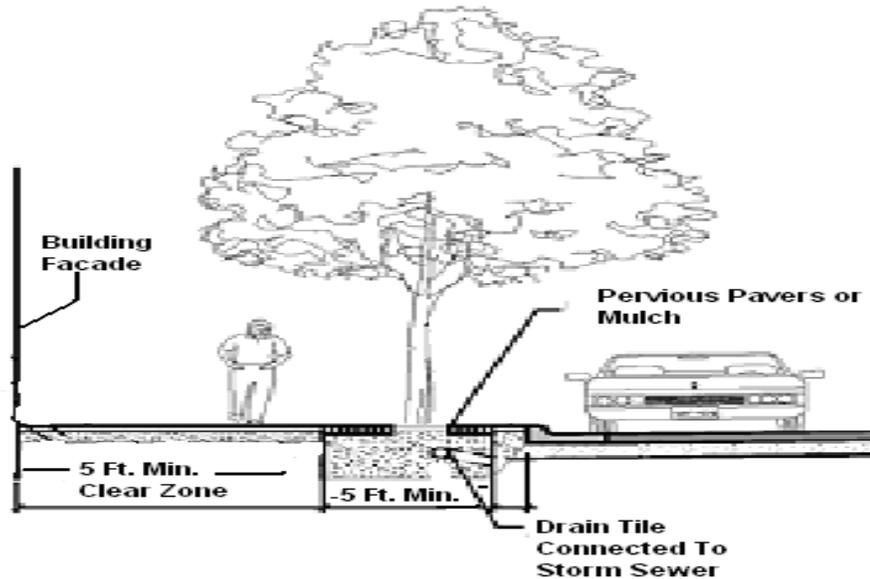


- 3.** Signs shall project no more than 4 feet from the building or one-third of the sidewalk width, whichever is less.
- 4.** All signs shall maintain a minimum clearance of 7 feet above sidewalk level to the bottom of the sign.
- 5.** Pole-mounted signs are prohibited within a Streetscape Zone and may only be used for public traffic, safety, transportation, and directional information purposes.
- 6.** Billboards shall not be permitted within, or attached to, any structure located within Streetscape Zone.
- 7.** Sandwich signs are permitted on sidewalks, provided that they are located adjacent to the building and are not located in, or block the sidewalk Clear Zone.
- 8.** With the exception of the sign standards outlined under this section, all signs must meet the criteria and compliance of the standards of Section 7.5 of the City's Unified Development Code.

**I. Street Tree Planting Requirements.** Where existing or planned sidewalks measure at least 10 feet in width, street trees shall be required as part of a Streetscape Zone along the entire building line fronting an Arterial or Collector Street, except along alleys, as follows:

- 1.** Street trees shall be drought tolerant or semi-tolerant species and planted within the Street Furniture/Landscaping Zone area, at a maximum of 40 feet on-center and outside of the 5-foot pedestrian Clear Zone.
- 2.** The dimension of a tree well may be a minimum of a 5-foot radius extending into the walk from the inside edge of the curb, forming a semi-circle or a 5' x 5' square tree well. The tree shall be a minimum size of 15 gallons in preference to boxed specimens which tend to be root bound (Fig. 6.13.1.I.2.).

**Figure 6.13.1.I.2. Tree Trench and Tree Pit Section.**



- 3.** Sidewalks that do not currently measure 10 feet in width and are planned for less than 10 feet in width (as indicated under the Urban Transportation Plan) shall be provided raised bed planters or isolated planters with drought tolerant flowering plants or evergreens at a maximum of 15 feet on-center. Small ornamental trees, low shrubs and perennials are also appropriate planting material for raised planting beds (Fig. 6.13.1.I.3.).

**Figures 6.13.1.I.3. Raised Planting Bed Options.**



- 4.** A street wall/planter may also be used to meet street tree planting requirements and provide seating opportunities (Fig. 6.13.1.I.4.).

**Figure 6.13.1.I.4.**



- 5.** **Street Tree Planting Location Considerations.**
  - a.** Planning and design of proposed tree planting sites shall take into consideration the location of overhead and underground utilities and ensure that traffic signals, signs, intersections, and vehicles are highly visible to avoid conflicts with pedestrians.
  - b.** Street tree location and placement shall take into consideration adjacent parallel parking spaces and possible damage from car doors.
- 6.** All planting and landscaping materials shall meet the criteria of the City's Landscaping Ordinance for commercial uses.

**J. Lighting.**

- 1. All Streetscape Zones and parking lot areas must be sufficiently lighted in accordance with the Illuminating Engineering Society of North America's (IESNA) "Guideline for Security Lighting for People, Property, and Public Spaces".**
- 2. Prohibited lighting includes mercury vapor, low pressure sodium, high pressure sodium, searchlights, and flashing or changing light sources.**

**K. Screening and Fencing.**

- 1. Solid fence screening shall be prohibited within a Streetscape Zone.**
- 2. Decorative fence screening is permitted provided that the screening fence provides no less than 50% transparency (Fig. 6.13.1.K.2.).**

**Figure 6.13.1.K.2.**

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures found at next page.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 1<sup>st</sup> day of October, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

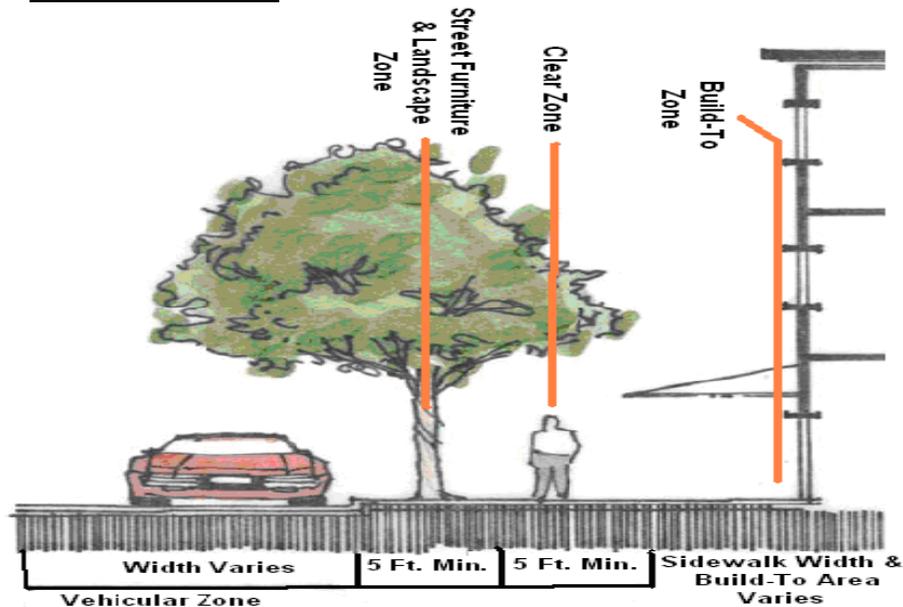
By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

<b>EFFECTIVE DATE</b>
<u>12/19/11</u>



- A. Building Setbacks.** To encourage pedestrian-friendly streets by bringing buildings close to pedestrian sidewalks and streetscapes, there shall be a 0-foot “build-to” line for development requiring a Streetscape Zone. Structures shall be built to the property line (0-foot build-to line), except as necessary to allow room for outdoor seating, outdoor dining areas, outdoor sales and displays, landscaping, entryways, and similar pedestrian and customer amenities.
  
- B. Sidewalks.** Sidewalks are required as part of a Streetscape Zone as follows:
  - 1.** A continuous minimum 10-foot pedestrian walkway shall be provided along all building walls located adjacent to an Arterial or Collector Street.
  
  - 2.** Sidewalks on all lesser classified streets must have a minimum width of 5 feet.
  
  - 3. Clear Zone.** A minimum “Clear Zone” of 5 feet shall be provided for all public sidewalks and shall remain unobstructed for pedestrian use (Fig. 6.13.1.B.3).

**Figure 6.13.1.B.3.**



- 4.** All sidewalks must be compliant with the Americans with Disabilities Act construction standards.
  
- 5.** Sidewalks shall keep as much as possible to the natural path of travel parallel to the improved roadway (but do not need to be perfectly straight), and ideally align with the crosswalk.

- 6.** Additional sidewalk widths may be required at mail boxes, street light poles, at drop-off and pick-up points, etc., in order to conform to the requirements of the Americans with Disabilities Act or other public safety requirements.

**C. Street Furniture/Landscaping Zone.**

- 1.** The Street Furniture/Landscape Zone of the pedestrian walkway includes the width of the back of the curb, and is defined as the area between the roadway curb face and the front edge of the 5-foot Clear Zone walkway (Fig. 6.13.1.B.3.).
- 2.** The Street Furniture/Landscaping Zone buffers pedestrians from the adjacent roadway and is the appropriate location for street furniture, art, and landscaping. The zone is also the preferred location for street trees, and other elements such as pedestrian lighting, transit shelters, transit signage, benches, litter receptacles, and pedestrian scaled lighting (Figs. 6.13.1.C.1.).

**Figures 6.13.1.C.1. Street Furniture, Planters, and Lighting.**



**Solar Tree Lamps**



**D. Awnings.**

- 1. Where non-residential buildings are located along the first floor of an Arterial or Collector Street, canopies, awnings, marquees, or porticos shall be provided (Figs. 6.13.1.D.1)**

**Figures 6.13.1.D.1**



**2.** Awnings shall require a Use Privilege Agreement with the City and must be compliant with the standards of the definition of an “awning” provided under Section 1.11.3.

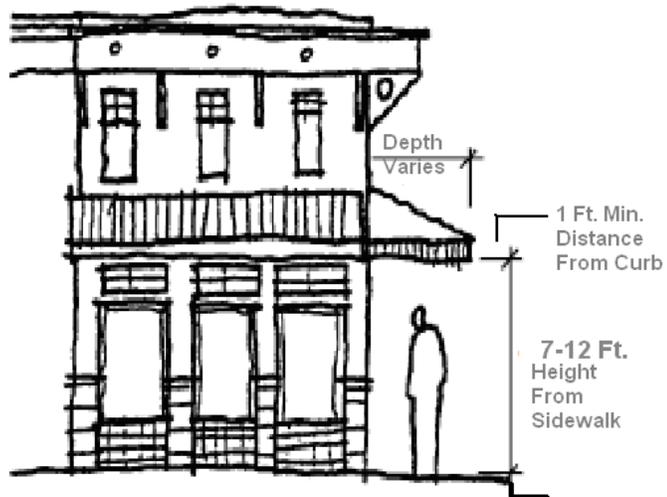
**3. Awning Dimensions.**

**a. Depth.** The awning canopy may not extend any further than within 1 foot measured from the face of the curb.

**b. Awning supports may not be located within 5 feet measured from the face of the curb.**

**c. Height.** The vertical dimension between the underside of a canopy or awning and the sidewalk shall be at least 7 feet and no more than 12 feet (Fig. 6.13.1.D.3).

**Figure 6.13.1.D.3**



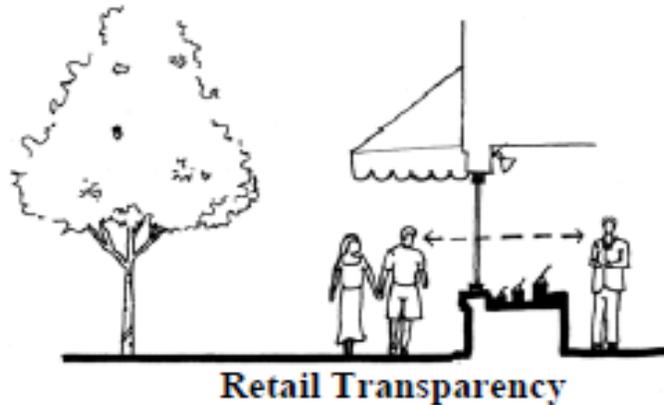
**4.** The total signage on an awning or umbrella shall not exceed 20% of the area of the awning or umbrella.

**E. Windows.**

**1.** Ground level non-residential uses shall provide large display windows along a minimum of 40% of their horizontal length (black, mirrored, or other opaque surfaces cannot be used).

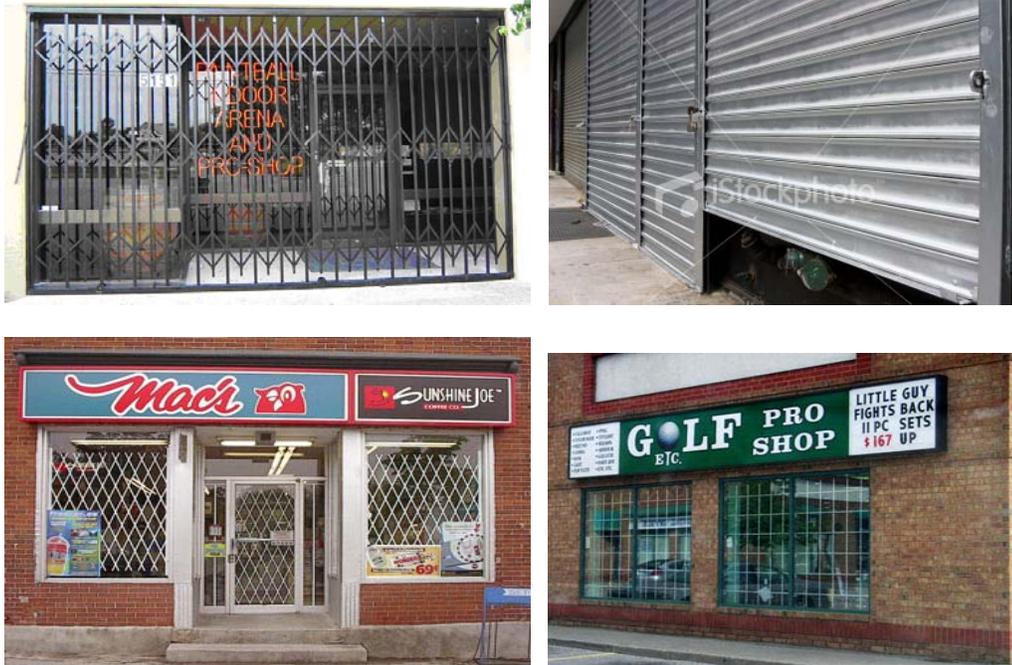
- 2.** Display windows located on the front facade of a ground floor non-residential use shall be transparent to the extent that the window allows views into and out of the interior (Fig. 6.13.1.E.2).

**Figure 6.13.1.E.2.**



- 3.** On facades greater than 100 feet in length, measured horizontally, which face an Arterial or Collector Street, no horizontal wall shall extend for a distance greater than three times its height without a change in elevation of a minimum of 15% of such height. This height change shall continue for a minimum of 20% of the length of either adjacent plane. The adaptive reuse of an existing building shall not be required to adhere to this requirement, and the locations of existing windows shall be permitted to remain.
- 4.** At no time shall any windows within a building located along a required Streetscape Zone be boarded up, except for in preparation of a declared weather emergency.
- 5.** No permanently installed burglar bars shall be visible from any public street. The ground floor nonresidential portion of a mixed use building may install fully retractable metal security screening or storm shutters that secure windows and doors when the nonresidential portion of the mixed use building is not open for business, and must not be visible during business hours. (Figs. 6.13.1.E.5.)

**Figures 6.13.1.E.5. Permitted Security Screening.**



**F. Outdoor Dining Areas.**

1. Outdoor dining areas are permitted through a Use Privilege Agreement and fee with the City on public sidewalk areas when adjacent to, and directly abutting a restaurant located in a building, provided that the outdoor dining area may not reduce the public sidewalk width to less than 5 feet or obstruct the required Clear Zone (Fig. 6.13.1.F.1).

**Figure 6.13.1.F.1.**



2. The front building line of any commercial use may be extended further within the property line boundary to incorporate an outdoor dining use, provided that the minimum 5-foot public sidewalk Clear Zone is maintained.

- 3.** Tables, chairs, umbrellas, and similar items that are not permanently installed structures shall be stored in the interior of the restaurant or in similar enclosed area so that a minimum Clear Zone of 5 feet is unobstructed when the outdoor dining area is not in use due to inclement weather, or when the restaurant is closed.

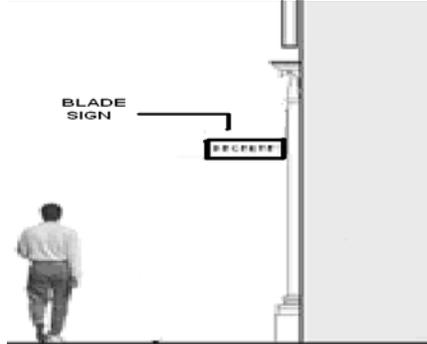
**G. Displays and Equipment.**

- 1.** Outdoor displays, sales, and service (in connection with a vegetable stand, news stand, a permitted vendor, farmers market, café, or restaurant) may take place on an outdoor patio or sidewalk, provided that no display or sales shall be allowed to block the required 5-foot Clear Zone of the sidewalk.
- 2.** The outdoor displays, sales, and service outlined under (G)(1) above shall require a Use Privilege Agreement with the City.
- 3.** All booths, stalls, carts, outdoor display items or other equipment utilized for outdoor display, sales, or food and beverage service at the close of business each day shall be removed or immobilized and secured so as to prevent it from becoming a public safety hazard, nuisance or security risk.
- 4.** **Roof-mounted equipment.** Roof-mounted equipment shall be completely screened from public views from the ground elevation.

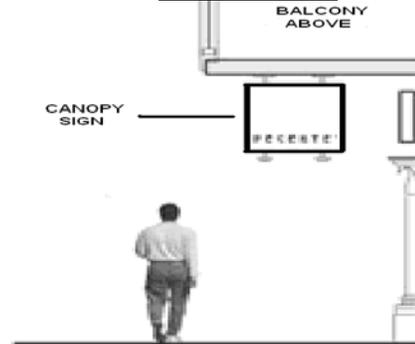
**H. Signs.** Signs shall be designed for visual communication and orientation to the pedestrians and slow-moving vehicular traffic crossing pedestrian sidewalks as follows:

- 1.** Hanging or Blade signs are permitted and shall be placed perpendicular to the façade, located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks (Figs. 6.13.1.H.1.).
- 2.** Canopy signs are permitted and shall be oriented perpendicular or parallel to the façade, typically located above or adjacent to the entrance and visible to pedestrian circulation on adjacent sidewalks.

**Figures 6.13.1.H.1. Blade Sign**



**Canopy Sign**

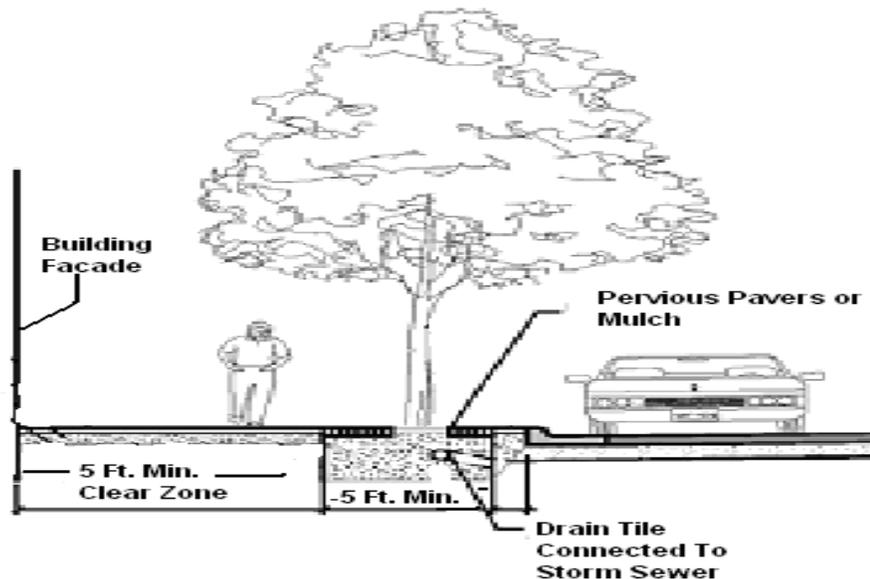


- 3.** Signs shall project no more than 4 feet from the building or one-third of the sidewalk width, whichever is less.
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- 5.** Pole-mounted signs are prohibited within a Streetscape Zone and may only be used for public traffic, safety, transportation, and directional information purposes.
- 6.** Billboards shall not be permitted within, or attached to, any structure located within Streetscape Zone.
- 7.** Sandwich signs are permitted on sidewalks, provided that they are located adjacent to the building and are not located in, or block the sidewalk Clear Zone.
- 8.** With the exception of the sign standards outlined under this section, all signs must meet the criteria and compliance of the standards of Section 7.5 of the City's Unified Development Code.

**I. Street Tree Planting Requirements.** Where existing or planned sidewalks measure at least 10 feet in width, street trees shall be required as part of a Streetscape Zone along the entire building line fronting an Arterial or Collector Street, except along alleys, as follows:

- 1. Street trees shall be drought tolerant or semi-tolerant species and planted within the Street Furniture/Landscaping Zone area, at a maximum of 40 feet on-center and outside of the 5-foot pedestrian Clear Zone.**
- 2. The dimension of a tree well may be a minimum of a 5-foot radius extending into the walk from the inside edge of the curb, forming a semi-circle or a 5' x 5' square tree well. The tree shall be a minimum size of 15 gallons in preference to boxed specimens which tend to be root bound (Fig. 6.13.1.I.2.).**

**Figure 6.13.1.I.2. Tree Trench and Tree Pit Section.**



- 3. Sidewalks that do not currently measure 10 feet in width and are planned for less than 10 feet in width (as indicated under the Urban Transportation Plan) shall be provided raised bed planters or isolated planters with drought tolerant flowering plants or evergreens at a maximum of 15 feet on-center. Small ornamental trees, low shrubs and perennials are also appropriate planting material for raised planting beds (Fig. 6.13.1.I.3.).**

**Figures 6.13.1.I.3. Raised Planting Bed Options.**



- 4.** A street wall/planter may also be used to meet street tree planting requirements and provide seating opportunities (Fig. 6.13.1.I.4.).

**Figure 6.13.1.I.4.**



- 5.** **Street Tree Planting Location Considerations.**
  - a.** Planning and design of proposed tree planting sites shall take into consideration the location of overhead and underground utilities and ensure that traffic signals, signs, intersections, and vehicles are highly visible to avoid conflicts with pedestrians.
  - b.** Street tree location and placement shall take into consideration adjacent parallel parking spaces and possible damage from car doors.
- 6.** All planting and landscaping materials shall meet the criteria of the City's Landscaping Ordinance for commercial uses.

**J. Lighting.**

- 1. All Streetscape Zones and parking lot areas must be sufficiently lighted in accordance with the Illuminating Engineering Society of North America’s (IESNA) “Guideline for Security Lighting for People, Property, and Public Spaces”.**
- 2. Prohibited lighting includes mercury vapor, low pressure sodium, high pressure sodium, searchlights, and flashing or changing light sources.**

**K. Screening and Fencing.**

- 1. Solid fence screening shall be prohibited within a Streetscape Zone.**
- 2. Decorative fence screening is permitted provided that the screening fence provides no less than 50% transparency (Fig. 6.13.1.K.2.).**

**Figure 6.13.1.K.2.**



**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures found at next page.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 1<sup>st</sup> day of October, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

<b>EFFECTIVE DATE</b>
<u>12/19/11</u>



City's Zoning Districts through the use of Development Concept Overlays and Special Overlay Districts.

**6.14.2 Residential Use Allowances.**

**A.** The development of the optional housing types listed under Section (B) below shall be a permitted use within the following development concepts, when developed and constructed in accordance with the standards outlined under this section and the standards listed under the ordinance for each Development Concept Overlay or Special Overlay listed:

- 1.** Mixed Use (MU) Overlay District.
- 2.** Uptown-Downtown Mixed Use (MUS) Special Overlay District.
- 3.** Target Area Redevelopment (TARS) Special Overlay District.
- 4.** Adaptive Reuse Development Project located within the Uptown-Downtown Mixed Use Special Overlay
- 5.** Adaptive Reuse Development Project located within a Target Area Redevelopment Special Overlay District.
- 6.** Clustered Development Overlay District.
- 7.** Traditional Neighborhood Development (TND) Overlay District
- 8.** Transportation-Oriented Development (TOD) Overlay District.

**B.** The following residential housing types shall be a permitted use when developed as part of one of the development concepts listed under (A) above, and within the districts listed under Tables 6.14.3.1 through 6.14.3.5 below:

- 1.** Single-family attached or detached Brownstone units.



**2. Single-family attached or detached Townhomes.**



**3. Single-family Rowhomes.**



**4. Two-family vertical Duplexes.**



**5. Two-family horizontal Duplexes.**



**6. Single-family attached or detached Live-Work dwelling units.**



**7. Multiple-family Lofts / Mezzanine Units.**



**6.14.3. Alternative Housing Permitted Districts.**

The residential housing types listed above shall be a permitted use in the Zoning Districts listed in Tables 6.14.3.1 through 6.14.3.5 below for each Development Concept or Special Overlay listed above, when developed in accordance with the standards listed under this Section (other:

**Table 6.14.3.1**

MIXED USE DEVELOPMENT								
	Conventional Single-Family Detached	1 or multiple One-Family Brownstone	1 or multiple One-Family Townhome	Multiple One-Family Rowhouses	1 or multiple Horizontal Duplex (same or separate lots)	1 or multiple Vertical Duplex (same lot, 1 duplex per lot)	1 or multiple Live/Work Units	1 or multiple Loft Units
RM-AT	X	X	X	X	X	X	X	X
ON	X	X	X	X	X	X	X	X
CN-1	X	X	X	X	X	X	X	X
CN-2	X	X	X	X	X	X	X	X
CR-1	X	X	X	X		X	X	X
CR-2	X	X	X	X	X	X	X	X
CR-3	X	X	X	X	X	X	X	X
CG-1	X	X	X	X	X	X	X	X
CG-2		X	X	X	X	X	X	X
CI		X		X	X	X	X	X
CBD		X		X	X	X	X	X

**6.14.3.2**

NEIGHBORHOOD MIXED USE		
	1 Vertical Duplex (same lot, 1 duplex per lot)	Live/Work Unit
RS-6	X	X
RS-4.5	X	X
RS-TF	X	X
RM-1	X	X
RM-2	X	X
RM-3	X	X
ON	X	X
CN-1	X	X
CN-2	X	X
CR-2	X	X
CR-3	X	X

**6.14.3.3**

Uptown-Downtown MU Special District			
Housing Type	District		
	CR-1	CI	CBD
1 or Multiple One-Family Brownstone Units	X	X	X
1 or Multiple One-Family Townhome Units	X		
Multiple One-Family Rowhome Units	X	X	X
1 or Multiple Vertical Duplex Units (same lot, 1 duplex per lot)	X	X	X
1 or Multiple Live-Work Units	X	X	X
Multiple Apartments or Loft Units	X	X	X
Courtyard Homes	X		X

**Table 6.14.3.4**

TRADITIONAL NEIGHBORHOOD OVERLAY DISTRICT				
UNIT TYPE	T2	T3	T4	T5
House Lot, Villa, Estate	X			
Zero Lot-Line	X	X	X	
Cottages, Bungalows		X	X	
Brownstone (attached)			X	X
Brownstone (detached)			X	X
Rowhome, Townhome (attached)			X	X
Townhome (detached)			X	
Live-Work (attached)		X	X	X
Live-Work (detached)		X	X	X
Horizontal Duplex		X		
Vertical Duplex		X	X	
Apartment House			X	
Apartment, Loft, Condo Building			X	X
Courtyard Building			X	X
T-Court Homes		X		
Accessory DU		X	X	

**Table 6.14.3.5**

CLUSTERED DEVELOPMENT OVERLAY DISTRICT						
UNIT TYPE	Brownstone or Townhome	1 or multiple Horizontal Duplex (same or separate lots)	1 or multiple Vertical Duplex (same lot, 1 duplex per lot)	1 or multiple Live/Work Units	Zero Lot Line	T-Court Homes (Detached)
RS-6	X	★	★	★	X	X
RS-4.5	X	★	★	★	X	X
RS-TF	X	X	X	X	X	X
RM-1	X	X	X	X	X	X
RM-2	X	X	X	X	X	X
RM-3	X	X	X	X	X	X
RM-AT	X	X	X	X	X	X
ON		X	X	X		
CN-1	X	X	X	X		X
CR-2	X	X	X	X		X
CR-3	X	X	X	X		X
CG-2	X	X	X	X		

\* Must be able to show that the location of the proposed units provide a logical density transition between a Single-Family or lesser density development, and a higher density development or district (such as commercial or multiple-family development).

**6.14.4 Minimum Development Standards for Residential Uses.**

- A. Dwelling Unit (DU) Floor Area, Lot Size, and Density Requirements.** Alternative housing uses are limited to the minimum and maximum floor, lot, or site coverage per dwelling unit established under Table 6.14.4.A. below, unless a less restrictive standard is provided for under a Development Concept or Special Overlay District.
- B. Floor area calculations shall not include hallways or other common areas, or rooftops, balconies, terraces, fire escapes, or other projections or surfaces exterior to the walls of the building.**

**Table 6.14.4.A. Residential Use Standards.**

Dwelling Unit (DU) Type	Floor Area (Heated)		Minimum Lot Dimensions		Density
	Min. (Sq. Ft.)	Max. (Sq. Ft.)	Lot Size (Sq. Ft.)	Lot Width (Ft.)	Max. Density per Acre
<b>Permitted Dwelling Units</b>					
<b>Attached and Detached Single-family and Two-Family Dwellings (Townhouses, Brownstones, Rowhouses, Vertical and Horizontal Duplex Dwelling Units)</b>	500 per unit	As Per the Zoning District or Overlay District Standards	None	50' Except on Non-Conforming Lot	12-18 DUs
<b>Live-Work Units (Residential Portion of Unit)</b>	500 per unit	800	None	25' per unit	20-30 DUs
<b>Loft Units</b>	500 per unit	No Limit	None	25' per unit	30-40 DUs
<b>Multiple-Family Units</b>	500 per unit	No Limit	6,000	50' per building	30-40 DUs

**6.14.5 Duplex Dwelling Unit Requirements.**

Single-family attached and two-family duplex dwelling units may be permitted in a residential zoning district that does not otherwise allow two-family attached dwelling units, under a Development Concept Overlay or Special Overlay, and developed according to the standards of this Article:

- A.** Where vertical or horizontal duplex units (Figs. 6.14.5.A) are proposed on the same lot, the lot and both units within the duplex must be owned by the same owner, and the owner must reside within one of the two units within a duplex unit.

**Figures 6.14.5.A. Vertical Duplex Units.**



- B.** Duplex dwelling units located on separate lots may be owned separately.
- C.** A maximum density of one vertical or horizontal duplex dwelling unit per lot is permitted.
- D.** The conversion of an existing home to a horizontal duplex is prohibited, unless it is part of a Neighborhood Mixed Use/Live-Work unit project located and developed in accordance with the Neighborhood Mixed Use standards of Article 7.11.
- E.** Duplex and Live-Work units are only permitted in the RS-6 and RS-4.5 districts under one or more of the following conditions:
  - 1.** The development of a duplex unit is an infill project on a nonconforming lot.
  - 2.** It can be demonstrated that the proposed location of a duplex unit(s) will provide a “transitional density buffer” between a higher density use and a single-family home use.

3. The duplex or Live-Work unit is part of a larger development concept listed under Section 6.14.2.A above.

**F.** **Duplex Design Standards.** All two-family attached duplex dwelling units should be constructed to have an outside appearance similar to a single-family home, and must be constructed as follows:

1. The heights of proposed vertical duplex dwelling units located within a flood zone may be increased, to measure no more than 28 feet at the ridge (two stories), as measured from the point designated as 1 foot above the Base Flood Elevation (BFE).
2. The height of the two units within a horizontal duplex unit must measure within 4 feet of each other.
3. The predominant roof pitch of each unit of the duplex unit must be the same, and roof eaves must project the same distance from the building wall.
4. The exterior finish material of each dwelling unit within the duplex must be the same, or visually match in type, size and placement, and trim must be the same in type, size, and location for each unit.
5. Windows for each duplex dwelling unit must match in proportion and orientation.
6. **Required Porches.** For horizontal and vertically-constructed duplexes, at least one covered front porch must be provided along the front façade of a unit to equal a minimum of 50% of the length of the front façade.
  - a. Horizontal duplex units may provide a shared front porch.
  - b. Horizontal duplex units located on a corner must provide a covered front porch for both unit entrances when fronting different streets.

**G.** **Duplex Corner Lot Design.** On corner lots, each unit of a horizontal duplex must have its address, and front door oriented to a separate street frontage, and side yard facades of duplexes shall maintain the architectural design consistent with the front facade (Fig. 6.14.5.G).

**Figure 6.14.5.G**



**H. Duplex Second-Story Access.**

- 1.** Exterior stairs that provide access to an upper level duplex dwelling unit are not permitted on the front facade of the building, but can be provided through a side or rear staircase entrance, provided that the side staircase is located a minimum of 10 feet rearward of the front façade wall of the dwelling structure.
- 2.** Fire escapes or any additional accesses to a second floor unit must be constructed behind the dwelling unit.

**6.14.6 Brownstone, Townhome, and Rowhome Requirements.**

- A.** Multiple (more than one unit) Brownstones, Townhomes, and Rowhomes proposed as a mixed use project in the Downtown and Uptown Special Mixed Use Overlay District areas (located within the boundary map of Figure 1 under Section 6.11.2) must be developed in accordance with the standards of this Ordinance.
- B.** Brownstone dwelling units may be attached or unattached units.
- C.** Attached Brownstones, Townhomes, and Rowhouses, must be constructed so that each unit within the attached units is placed on its own platted lot, and there shall be no minimum to the number of dwelling units required for development.
- D.** Townhomes and Rowhomes shall not exceed two stories in height, Brownstone units may not exceed three stories in height.

**6.14.7** **Live-Work Unit Requirements.** A Live-Work unit combines in one space, a work space and residential living quarters. Kitchen facilities, a bathroom, and a sleeping area must be provided. The following standards shall apply to the development of all Live-Work units within a development:

- A.** Multiple Live-Work units are ideally situated around a central courtyard/green space to provide recreational amenities for the residents inhabiting the units. Not more than 5 Live-Work units may be planned within the same City block without providing open space behind the units (either individually platted yards or a common courtyard) consisting of a minimum of 20% of each lot.
- B.** The Commercial, Professional Office, Institutional, or Civic uses within the Live-Work units may not be divided from the residential area of the unit through sale, rent, or leasing. The Live-Work unit shall be considered one unit.
- C.** Each Live-Work unit shall contain at least one tenant that resides onsite and operates a business within that unit.
- D.** No more than two additional employees (other than the onsite residents) residing outside the Live-Work unit may be employed on the premises per shift for the nonresidential use of the building.
- E.** The residential portion of a Live-Work unit may not exceed 60% of the unit's total floor area, and the nonresidential portion of a Live-Work unit must not comprise more than 50% of the total square footage of the unit.
- F.** The minimum size for each residential space in a Live-Work unit is 500 square feet. The residential space within a single Live-Work may not exceed 800 square feet. The floor area of both the living space and the work space shall be combined to determine the size of joint living and work quarters, and may not exceed 1,600 square feet.
- G.** Residential areas within a Live-Work unit must be constructed above the non-residential use, unless the entire unit is constructed as an accessible unit, in which case the residential area of the unit may be constructed behind, and attached to, the non-residential use area with adequate accessible access and parking provided behind the unit.

- H.** The nonresidential portion of the mixed use building may not be used purely for storage. Storage of supplies may not occupy more than 10% of the non-residential space in the mixed use building.
- I.** The ground floor entrance must be clearly designated as a business entrance, and a visitor traveling through the business entrance shall not be required to pass through any residential floor area in order to enter into the nonresidential area of the unit.
- J.** The Live-Work unit setbacks shall be the same setback standards outlined under Section 6.8.9.
- K.** One parking space per unit plus one additional unassigned visitor or employee parking space shall be provided for every Live-Work unit.
- L.** Applications and building permit plans for the construction or establishment of Live-Work unit(s) shall clearly state that the proposal includes Live-Work units and labeled as such.
- M.** **Non-Residential Live-Work Unit Allowances.** Live-Work units are primarily developed as an alternative housing option for Commercial and Professional Office uses that do not generate high degrees of foot or auto traffic, and are located within an area served by mass transit, decreasing the need for additional parking. For this reason, the non-residential portion of a Live-Work unit is limited to the following uses:

**Table 6.14.7.M Permitted Live-Work Non-Residential Uses.**

<u>Accountant Office /small firm</u>
<u>Antique Furniture Sales</u>
<u>Architect Office / small firm</u>
<u>Art Studios, Artists and Artisans and Associated Retail Sales (excluding tattoo parlors)</u>
<u>Attorney Office / small firm</u>
<u>Bakeries (when the primary use is Retail Sales and Services)</u>
<u>Beautician or Barber Shop (excluding nail care)</u>
<u>Computer Software and Multimedia Professionals</u>
<u>Consultant Office / small firm</u>
<u>Drycleaners (drop-off, pick-up only, excluding drive-thru)</u>
<u>Engineering Office</u>
<u>Fashion, Graphic, Interior, and other Designer Shop</u>

<u>Florist Shop</u>
<u>Greeting Card Sales</u>
<u>Insurance Agent Office / small firm</u>
<u>Internet Café (minimal snack and beverage sales)</u>
<u>Jewelry Repair &amp; Sales</u>
<u>Mailing &amp; Packaging Center</u>
<u>Military Recruiting Office</u>
<u>Nutritional Sales</u>
<u>Optical Lens and Frames Sales (no physician onsite)</u>
<u>Real Estate Agent Office / small firm</u>
<u>School Tutoring Service (2 or fewer students at a time)</u>
<u>Shoe Repair</u>
<u>Tailor/Seamstress/Dress Maker</u>
<u>Title Agent Office / small firm</u>
<u>Travel Agent Office / small agency</u>

**6.14.8 Residential Access, Garages, and Driveway Standards.**

**A. Driveway Requirements.**

- 1. The maximum driveway width on an individual lot with frontage access is 10 feet, or 12 feet if the driveway is shared with a neighboring dwelling unit (Figs. 6.14.8.A.1).**

**Figures 6.14.8.A.1. Shared Drives**



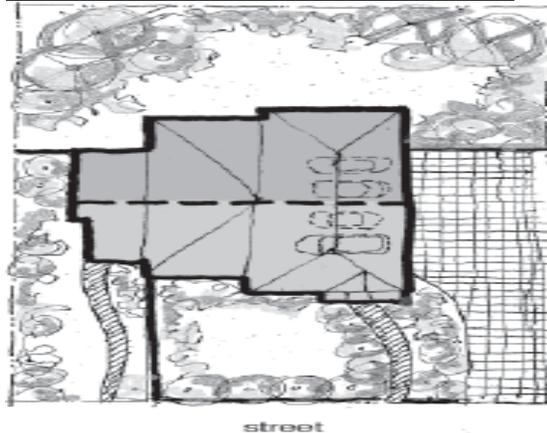
- 2. Impervious driveways must be included within the 70% maximum allowable impervious coverage requirement of the site (80% on non-conforming lots).**

3. Driveways constructed on properties utilizing access from the front of the lot must be a minimum of 20 feet in length as measured from the front property line, except where a Parking Court is implemented, in which case the standards of Section 6.14.9.E shall apply.
4. Driveway apron widths may be increased up to 22 feet in width within 10 feet of the garage door.

**B. Private Garages.** Private single and two-car garages are permitted on individually platted lots, provided that no more than two single car garages or one two-car garage is provided per each dwelling unit on a lot, and provided that:

1. Garages may not exceed 49% of the dwelling unit square footage on an individual lot.
2. The garage footprint must be included within the 70% maximum allowable impervious coverage requirement of the site when an impervious coverage percentage is not provided under a Development Concept Overlay or Special Overlay ordinance.
3. Garages may not be converted to dwelling units.
4. Detached garages must always be located behind the rear façade of the principal building.
5. Garages may not be located in a street corner yard (i.e. between a public street and the dwelling unit).
6. Garages may not be located within the required side yard setback, and a minimum of three feet from any common alley where provided.
7. Two-car garages must be located behind the rear façade of the dwelling unit, or recessed within the dwelling unit (Fig. 6.14.8.B.7).

**Figure 6.14.8.B.7. Recessed Parking**



- 8.** Single car garages may be located behind, adjacent to, or recessed within a dwelling unit, provided that the garage does not extend forward of the front façade of the dwelling unit (Figs. 6.14.8.B.8).

**Figures 6.14.8.B.8. Recessed Garages.**



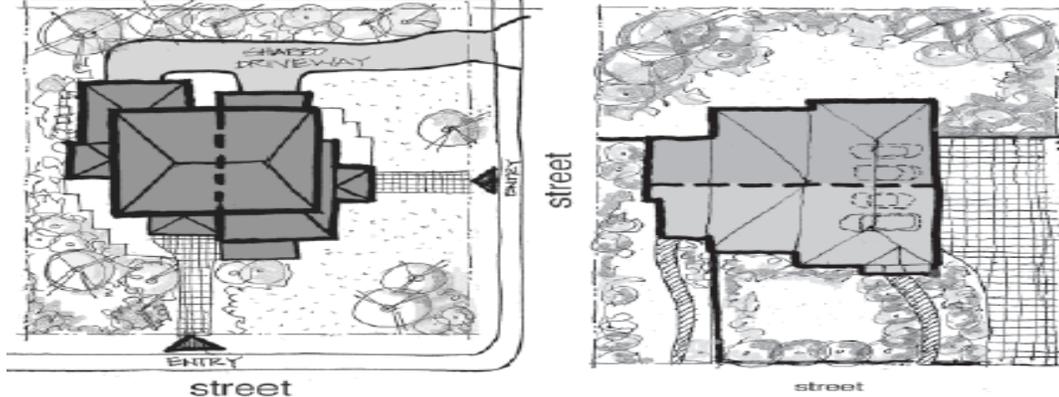
**C. Common Garages.**

- 1.** Shared common garages, parking areas, and driveways are permitted in all new developments of attached and detached single-family and two-family dwelling units.
- 2.** Common garage structures are prohibited within 20 feet of a public street.

**D. Duplex Garages.**

- 1.** All parking and garages in the development of a duplex dwelling unit on a single lot must be located behind the duplex dwelling units.
- 2.** No more than two single-car garages or one two-car garage is permitted on a lot per duplex unit.
- 3.** Garages for corner lot duplexes must be located behind or to the side of the dwelling unit, or recessed within the units.
- 4.** Duplexes may incorporate a shared drive, as shown in Figures 6.14.8.D.4.

**Figures 6.14.8.D.4. Shared Drives**

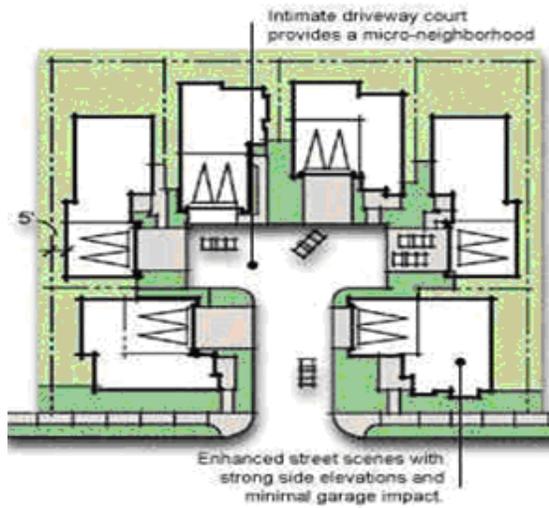


**6.14.9 Additional Parking Standards and Options.** With the exception of the number of parking spaces required provided for Live-Work units above, the following shall apply for all residential uses:

- A.** The required number of parking spaces per dwelling unit shall be consistent with the requirements of Article 7.2; However, in all cases, a maximum of 2 parking spaces per dwelling unit shall be permitted.
- B.** Parking is not permitted in any front yard, side yard, or in any front street yard setback, with the exception of when parking is approved through the use of a driveway located within a front yard, or side yard located between two dwellings.
- C.** Parking may be in a structure, under a structure, or outside a structure.

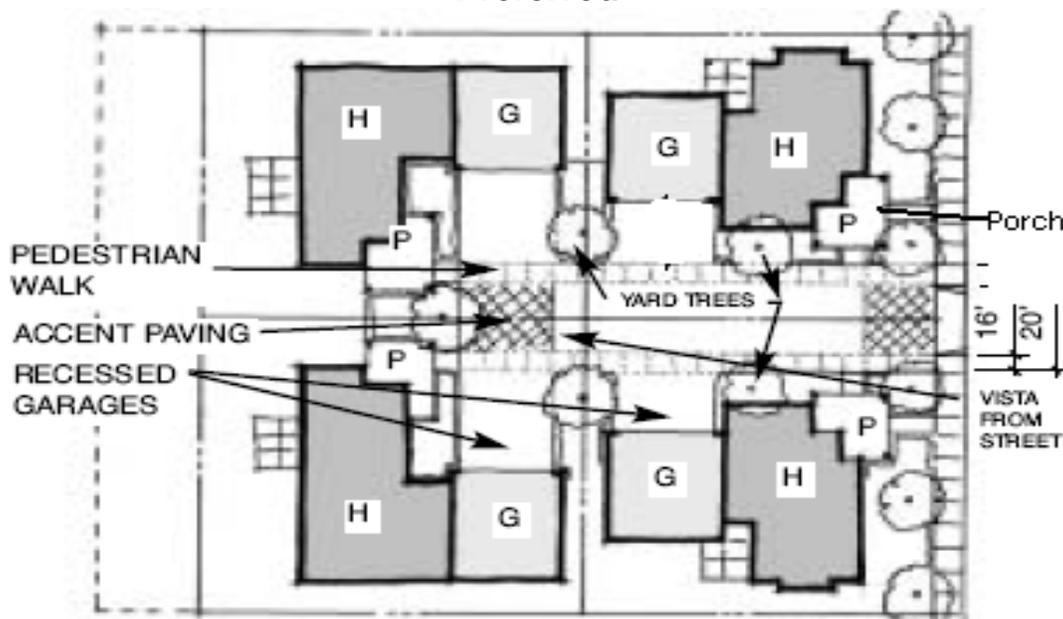
- D.** Tandem parking shall be permitted, provided that a minimum driveway length of 35 feet is provided, or 18 feet is provided if the driveway serves a private garage on the lot where the second car can be placed. Where tandem parking is utilized, no vehicle may obstruct, overhang, or be located in, a private or public alley, right-of-way, pedestrian path, walkway, or sidewalk.
- E.** **Parking Courts.** Parking Courts (or “T-Courts”, Figs. 6.14.9.E) are also an option for use when developed under one of the Development Concept Overlays or Special Overlays. Parking Courts shall be developed as follows:
- 1.** The maximum depth of a Parking Court drive is 100 feet and the maximum number of single family detached or attached dwelling units it can serve is six.
  - 2.** The minimum driveway width for a Parking Court is 10 feet for one-way access; the maximum two-way access width shall be 24 feet, except as required by the City’s Fire Code.
  - 3.** Where pervious concrete, pervious asphalt, and porous pavers, or other pervious paving technologies are utilized to construct a Parking Court, the square footage of pervious surfaces will not count toward the maximum allowable impervious surface on the site, provided they are installed to industry specifications.
  - 4. Parking Court Drive Ownership and Maintenance.**
    - a.** Half of the total width of a Parking Court drive must be provided for vehicle access from properties on each side of the proposed drive.
    - b.** The private easement right-of-way dedication of the parking court drive shall be required at the time of partition or subdivision plat approval, and shall be recorded on the plat.

**Figures 6.14.9.E. Parking Courts.**



**Figure 6.14.9.E. Parking Court Configuration.**

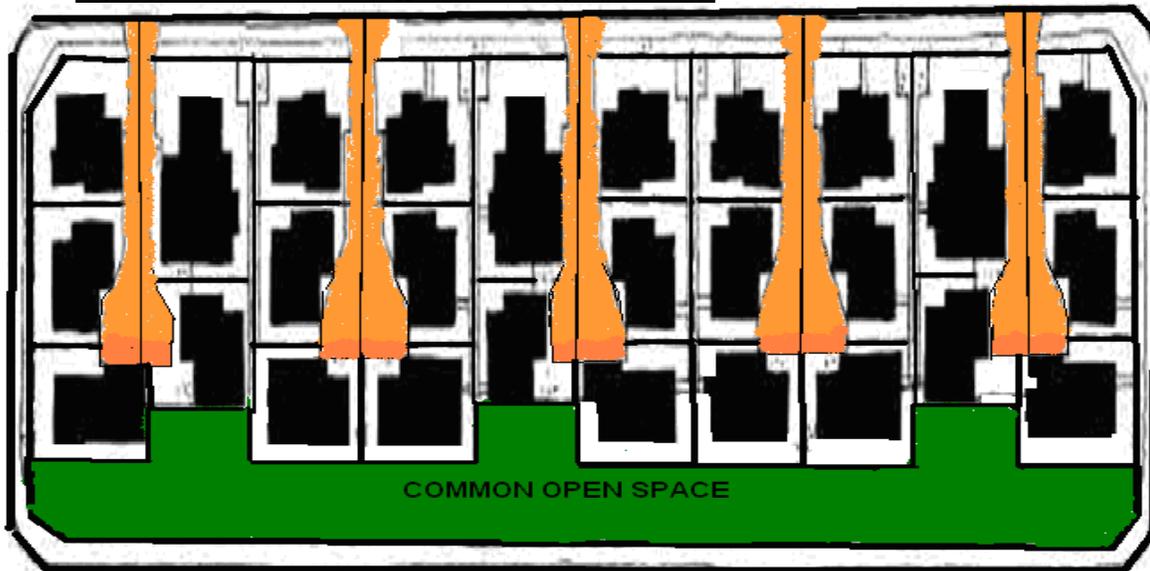
**Preferred**



**Desirable: Parking Court Emphasizing Entries**

*Preferred Parking Courtyard Design Elements and Configuration. Garages are recessed and entries are enlarged and used to accent corners and interior vista.*

**Figure 6.14.9.E. Parking Court Neighborhood.**



**6.14.10 Zero Lot Line Development.**

- A. Zero lot line development is permitted within the Development Concept or Special Overlays, and with the exceptions provided under this Section, shall be developed in accordance with Section 4.3.5:
  1. The setbacks required and where provided for under a Development Concept Overlay or a Special Overlays shall take precedence over the requirements of Section 4.3.5. Where setback requirements are not provided for, the setback requirements of Section 4.3.5 shall prevail.
  2. Windows shall be permitted on the zero line side of dwelling units under a Development Concept Overlay or a Special Overlay, provided that the windows are not capable of being opened, and provided that the placement supports the privacy of the neighboring occupants on the abutting lot. The privacy standard must be met by through one or more of the following techniques:

- a.** Through strategic placement and spacing of the windows on the zero lot line side of the structure/building, by placing ground-floor windows along zero setback property lines above sight lines, or placed where the windows face a wall of the neighboring building, without direct views into adjacent dwelling units and windows.
- b.** Window panes must be designed to provide semi- or complete opaqueness (block glass, stained glass, frosted glass), in order to provide some privacy from direct views into neighboring buildings through the spacing of windows (Figs. 6.14.10.A.2.b).
- c.** All windows located along the zero lot line wall must meet the City's Building and Fire Department Codes.

**Figures 6.14.10.A.2.b. Block Glass & Stained Glass Windows.**



- B. Fences.** Fencing for Zero Lot-Line Development shall be accordance with requirements of Section 9.5.9.

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures page follows.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 11<sup>th</sup> day of October, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

<b>EFFECTIVE DATE</b>
<u>12/19/11</u>

**Ordinance amending the Corpus Christi Unified Development Code by adding a new Section 7.12 entitled, “Adaptive Reuse Development Standards”, relating to the use, regulations and review standards for Adaptive Reuse and redevelopment of existing and historical structures; Amending conflicting provisions of the City’s Comprehensive Plan; Repealing conflicting ordinances; Providing for severance, penalties, publication and an effective date.**

**WHEREAS**, the Corpus Christi Comprehensive Plan promotes the rehabilitation of deteriorating housing which will promote better quality living environments and enable older neighborhoods to remain viable;

**WHEREAS**, the Corpus Christi Comprehensive Plan promotes infill development of vacant lots to improve economic viability through incentives to attract private investors;

**WHEREAS**, the Corpus Christi Comprehensive Plan recognizes that although some City business districts have declined due to decentralization or relocation of business, some still have a strong market potential to compete effectively if renovated or rehabilitated;

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 3, 2011, during meetings of the Planning Commission, and on Tuesdays, October 11, 2011 and December 13, 2011, during meetings of the City Council, in the Council Chambers, at City Hall, in the City of Corpus Christi, during which all interested persons were allowed to appear and be heard;

**WHEREAS**, the City Council has determined that this amendment to the Unified Development Code (UDC), would best serve the general welfare of the City and its citizens by providing a regulatory base for more sustainable communities by ensuring compatibility in development; maintaining consistency and character; and ensuring growth in an orderly and desirable manner that will preserve the public health and safety;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI:**

**SECTION 1.** That the Corpus Christi Unified Development Code is amended by adding a new Section 7.12 entitled “Adaptive Reuse Development Standards” to read as follows:

**§ 7.12 Adaptive Reuse Development Standards.**

**7.12.1 Purpose.**

The purpose of the Adaptive Reuse Development Standards is to revitalize areas of the City’s downtown areas (and any other pre-determined or targeted area) by facilitating the conversion of older, economically distressed, or historically significant buildings consisting of residential or tourist uses mixed with Commercial,

Professional Office, Civic uses, including apartments, Live-Work units, multiple-family residences, and tourist-based facilities. This will help to reduce vacant space as well as encourage the development of a residential community downtown and other blighted areas of the City, thus creating a more balanced ratio between housing and jobs in the region's primary employment centers.

### **7.12.2**

#### **Application of Standards.**

The standards under this Ordinance shall be applied as follows:

- A.** Where a conflict exists between the standards of the underlying zoning district and the Adaptive Reuse development standards, the standards established under the Adaptive Reuse Standards Ordinance shall apply.
- B.** The standards provided under this Ordinance may only be applied to Adaptive Reuse development that is platted, developed, and constructed in accordance with this Ordinance.
- C.** When an adaptive reuse project is approved as an eligible building and proposed within the Uptown-Downtown Mixed Use Special Overlay District, 50% of any Zoning fees required shall be waived.
- D.** The standards of this Ordinance do not apply to remodeling or reconstruction of a single-family or two-family home, or an addition to a structure for any use when the building is currently in use, but shall be applied in the adaptive re-use of an existing vacant structure for the development of a multiple-family structure, or single-family Live-Work mixed-use structure.
- E.** Historical buildings are not required to include residential uses in an Adaptive Reuse development.

### **7.12.3**

#### **Applicable Zoning Districts.**

For the purpose of this Ordinance, the standards of this Ordinance shall apply to proposed adaptive reuse of a vacant building to a mixed residential or mixed tourist use, and located in the RM-1, RM-2, RM-3, RM-AT, CN-1, CN-2, ON, CR-1, CR-2, CR-3, CG-1, CG-2, CI, CBD, and BP Zoning Districts. Light Industrial (IL) Zoning Districts may be included as an adaptive reuse project under this Ordinance if rezoned to one of the districts listed under this Section.

### **7.12.4**

#### **Permitted Uses.**

- A.** An adaptive reuse project is the conversion and change of use within all or a portion of a vacant eligible building, to

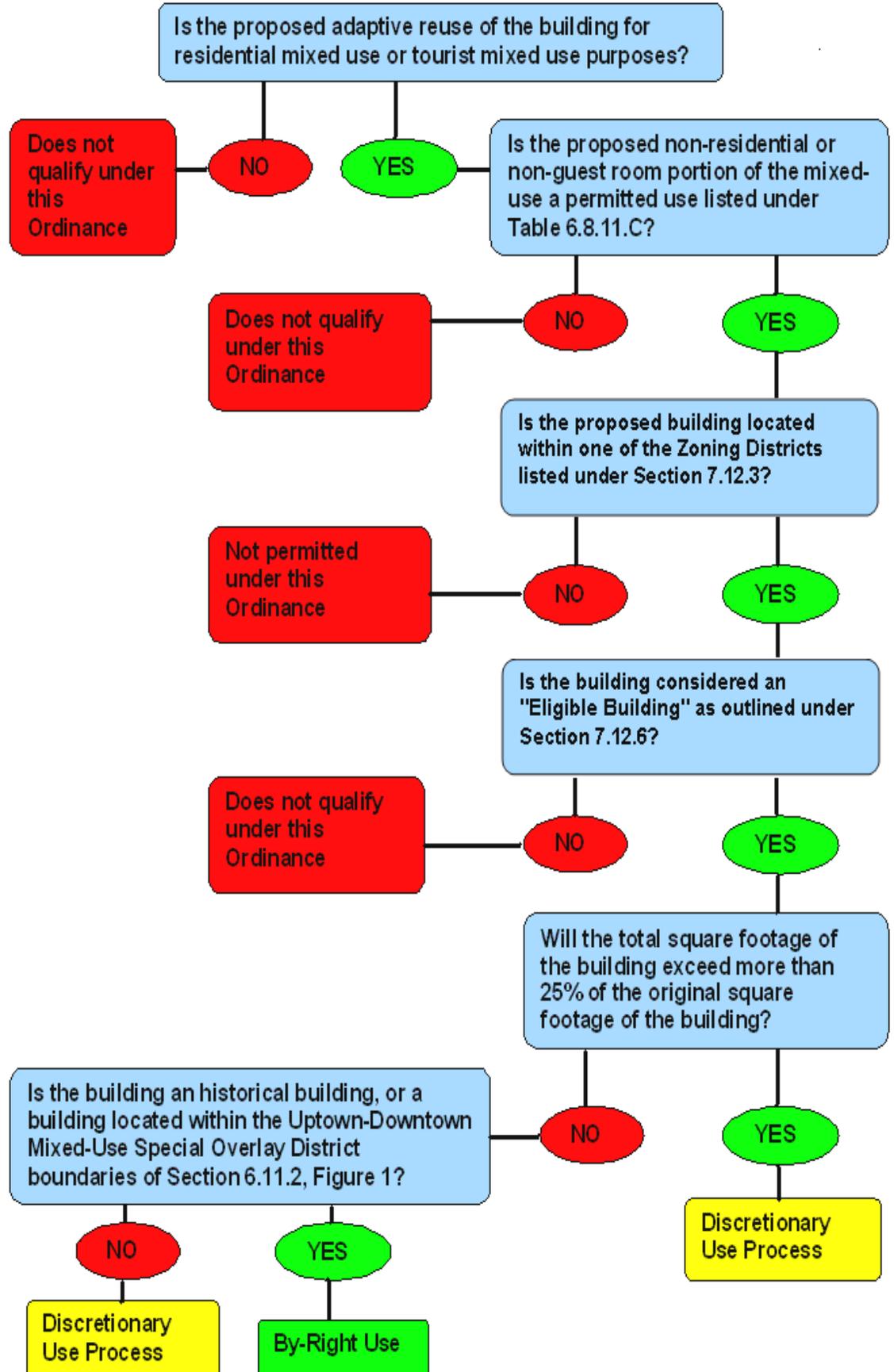
include one or more, or any combination of the following new residential uses:

1. Dwelling units (apartments, condos, lofts, single and two-family dwelling units, see Section 7.12.2.D).
  2. Joint living and work quarters (Live-Work units mixed with a restricted mix of small Commercial, Professional Office, or Civic uses) in accordance with the development standards of Section 6.14.7.
  3. Mixed Uses (as constructed in accordance with Section 6.8 or 7.11, but eligible for the exceptions and provisions under this Ordinance).
  4. Guest rooms (in hotels, including a toilet and bathing facilities).
  5. Bed and breakfast lodging establishments where permitted under a development concept or special overlay district ordinance.
  6. As part of a Traditional Neighborhood or Transit-Oriented development in accordance with Sections 6.9 or 6.10.
- B.** Commercial, Professional Office, Civic or Institutional uses may be used in combination with the residential uses stated above when developed as, and in accordance with, the Mixed-Use Development Ordinance Standards of Section 6.8.

### **7.12.5 Review Process.**

An abbreviated version of the review process of a proposed adaptive reuse building under this Ordinance is provided in the following flowchart (Fig. 7.12.5), the detailed review process follows the flowchart:

**Figure 7.12.5. Adaptive Reuse Review Process**



**7.12.6****Eligible Buildings.**

Eligible buildings are defined as those structures that have been vacant for a period of at least 5 years, and the building was constructed in accordance with building and zoning codes in effect 5 years prior to the date that an application is made. A Certificate of Occupancy, building permit, utility bill, or other suitable documentation may be submitted as evidence to verify the date of occupancy. Eligible buildings for adaptive reuse reconstruction shall either be considered a By-Right Use or Discretionary Use, as determined by the following:

**A. By-Right Use.**

1. To be considered as a By-Right use, the existing structure may not increase the building footprint greater than 25% of the original square footage of the structure being re-used.
2. As a By-Right use, any non-conforming and existing floor area, lot area, lot line setbacks, and heights, are “grandfathered in” and a variance, special permit, or public hearing is not required.
3. **Historical Buildings.** Historically significant buildings (i.e. buildings listed on the National Register of Historic Places, Texas Historical Commission, or any locally established register of historic sites or buildings) are always considered eligible buildings under this Ordinance, and adaptive reuse of the historical structure shall be a By-Right/permitted use. Although the historical structure may not require review through a public hearing process, it may require review by the City’s Landmark Commission prior to approval.
4. Structures in the Uptown-Downtown Special Mixed Use Overlay District: A structure located within the boundaries shown on the map provided under the Uptown-Downtown Special Mixed Use District Ordinance, (Section 6.11.2, Figure 1) shall be considered an eligible By-Right building.

**B. Discretionary Use.** Any other proposed adaptive reuse of a vacant structure in which new floor area or height is proposed to be added that **exceeds** 25% of the original floor area, or a change has occurred in the yard setbacks 5 years prior to the date that an application is made, or not classified as an Eligible Building under Section 7.12.6(A) above, may be considered as a Discretionary Use. In order to be classified as a Discretionary Use and qualify for the

exceptions and provisions of this Ordinance, the proposed building for reuse must meet the following requirements:

1. The building must have been continuously vacant for at least 5 years (as evidenced by a valid Certificate of Occupancy); and
2. The Development Services Department ACM or designee must determine that the building is no longer economically viable in its current use. In making this finding, the Development Services Department ACM or designee shall consider the building's past and current vacancy rate, existing and previous uses, and real estate market information, and any adverse relationship with adjacent uses.
3. The Development Services Department ACM or designee has the following options in reviewing a proposed adaptive reuse as a Discretionary Use:
  - a. Approve the application;
  - b. Approve the application with conditions;
  - c. Deny the application;
  - d. Require the project to go through a public noticing period (for which the applicant will be required to pay for the advertisement fee). Following the required noticing and advertisement period, if no opposition to the project has been received, the ACM or designee may approve the application administratively. If the proposed development does receive opposition during the noticing period, the applicant shall be required to attend a public hearing before the Planning Commission and City Council for review and approval.

### **7.12.7 Construction Standards.**

All structures proposed for adaptive reuse require a Building Permit Application, applicable building permits and inspections, and are required to meet the City's current adopted Building Codes. Approved By-Right and Discretionary Use Adaptive Reuse projects are entitled to construct the project without having to apply for a variance, special permit, or further participation in a public hearing process if the project is constructed as follows:

#### **A. Density.**

1. Uptown-Downtown MUS Special Overlay District. There is no limit to the number of apartments, live/work units, or guest rooms permitted in an adaptive reuse project, provided that no more than 25% of the existing floor area is added as new floor area (New floor area

shall be defined and refers to any change in use to an existing eligible building proposed for adaptive reuse, located within the confines of the existing interior portion of the exterior walls and roof).

**2. All Other Areas.**

**a.** Existing floor area which exceeds that permitted by the current Zoning District or any other land use regulation shall be permitted, provided no additional floor area is added.

**b.** Where increased density is proposed and does not currently exceed the maximum limits for the Zoning District, the proposed increase in density must not exceed the density limits established by the Zoning District for which it is located.

**B. Minimum Lot Area and Lot Width.**

1. The minimum lot area and lot width required shall not be less than the limits established by the underlying zoning district for which the proposed development is located.

2. The minimum lot area and width of a lot and structure proposed within the Uptown and Downtown Mixed Use Boundary area for adaptive reuse shall not be limited, provided any yards required for the underlying district are met, where required.

**C. Height.** Existing heights which exceed that permitted by the current Zoning District or any other land use regulation shall be permitted to remain, provided no additional height is added above the maximum heights permitted by the zoning district in which the development is located.

**D. Yards.** Existing observed yards which do not meet the yards required by the current Zoning District or any other land use regulation shall be permitted, provided that the proposed floor area of the adaptive reuse does not further encroach into the existing yards.

**E. Mezzanines.** New construction to accommodate loft spaces in an existing story is permitted, provided that the new loft area may not exceed 33% of the floor area of the room or space on lower floors. New mezzanines constructed of one-third the floor area of the floor below or less shall not be counted as floor area (Figs. 7.12.7.E).

**Figures 7.12.7.E. Mezzanine Lofts.****F. Off-Street Parking.**

- 1.** New parking spaces shall not be required for an adaptive-reuse project, provided that all existing on-site spaces are maintained and not reduced in the adaptive reuse of the site (unless the proposed use requires less parking for the proposed use or by the City's Unified Development Code). The existing parking may be used for any onsite or off-site use (For example, the parking may be reserved exclusively for onsite residential tenants, or it may be utilized for public parking).
- 2.** The adaptive reuse of a structure located within the boundaries of the Uptown-Downtown Mixed Use Special Overlay District shall not require any additional parking.
- 3.** The location and construction of new parking areas for an adaptive reuse project must be designed and located in accordance with the requirements of Section 6.8.17.
- 4.** Parking may be located between a pedestrian-oriented street and the primary building if the parking area already exists and the project proposes to renovate only the interior of an existing building where adequate parking for the use currently exists. Redevelopment of a parking lot in connection with the adaptive reuse of a structure shall provide the needed parking behind the adaptive reuse structure.
- 5. Commercial Parking.** The adaptive reuse of a lot for the purposes of creating a commercial or public parking lot is permitted, provided that the proposed parking lot is located in compliance with standards of Section 6.8.17.
  - a. Exception to Strict Application of Section 6.8.17.** Where it can be proven that a proposed commercial or public parking site is currently and

actively being used for commercial or public parking uses, and not located in accordance with the standards of Section 6.8.17, the proposed commercial or public parking use shall be permitted to remain, provided that the total square footage of the original parking area is not increased and the landscape and vehicular screening requirements of Section 6.8.17 and the City's Landscaping Ordinance are applied.

**6.** Where off-street surface parking areas are constructed or located behind, under, or above the principal building which screens the parking area from the direct view of the right-of-way, the vehicular screening requirements shall be waived.

**7.** **Vehicular Screening Exceptions.** In order to encourage infill and adaptive reuse on constrained sites containing no more than 1 acre and bordered by developed land along the entire perimeter (excluding intervening public streets), the following exceptions to the City's Landscaping Ordinance vehicular screening requirements are available to infill and adaptive reuse projects occurring within an older/established area:

**a.** The Development Services Department ACM or designee may waive up to 50% of the parking lot/vehicular screening landscaping requirements of the City's Landscaping Ordinance, provided that tree canopy planted along the site perimeter also serves to screen and shade the interior of the parking lot within 10 years of planting; or

**b.** The Development Services Department ACM or designee may waive up to 50% of the parking lot/vehicular screening landscaping requirements if a low decorative wall or fence of a minimum height of not less than 42 inches is installed along the parking area perimeter that also serves to screen the parking area from public view. Where fencing is utilized, fencing shall not be solid or chain-linked, and must provide a minimum of 50% transparency.

**c.** The vehicular screening exceptions under this Section do not apply to the screening requirements for commercial or public parking lots not associated with the adaptive reuse of a building.

- G. Loading Spaces.** Where an existing loading space is provided, the loading space shall be required to remain, but may also be used as additional parking space when deliveries are not scheduled. Adequate signage shall be provided listing the hours of deliveries and designating when the spaces cannot be used for public or private parking. If no loading spaces exist, then a loading space shall not be required in conjunction with the development of an adaptive reuse project.
- H. Access and Driveways.** Existing access and driveways shall be permitted to remain, provided that the proposed development site is not located within a City-planned or funded Capitol Improvement Project or Texas Department of Transportation (TXDOT) proposed project area that may require altering the location of the existing access or drive.

### **7.12.8 Additional Adaptive Reuse Development Requirements.**

- A. Open Space.** An adaptive reuse project must provide open space equaling a minimum of 10% of the combined floor area of all residential or tourist lodging units. The open space requirement can be met through, but is not limited to, the following methods:
- 1. The square footage of common plazas and courtyards, swimming pools, or recreational amenities provided onsite may be counted towards the open space requirement on the site (Figs. 7.12.8.A.1).**

**Figures 7.12.8.A.1 . Courtyards & Adaptive Reuse with Courtyard.**





- 2.** The Development Services Department ACM or their designee may approve a reduction in the amount of open space required for the residential component of an adaptive reuse building when it finds that all reasonable attempts to fulfill the requirements have been exhausted and the open space is not able to be accommodated due to the urban infill characteristic of the development site.
- 3.** The adaptive reuse of a historical structure for purposes other than residential uses shall be exempt from the open space requirement.

**B. Building Orientation and Design Standards.**

- 1.** When an adaptive reuse project includes the alteration, reconstruction or remodeling of the exterior walls or facades of a building, the building orientation and design standards of Section 6.8.13 and 6.8.14 shall apply to the greatest extent possible. Deviation from the strict application of one or more of the orientation and design standards may be considered and approved by the Development Services ACM or designee when it is determined that strict application of the standard(s) would not be feasible.
- 2. Historical Structures.** Strict application of the building orientation and design standards shall not be required in the adaptive reuse of historical structures; however, the renovation and remodeling of a historical structure must not destroy or obscure essential architectural features, and to the greatest extent possible, enhance the architectural features of the structure.

**C. Sidewalks and Streetscape Zones.**

- 1.** The applicant of the adaptive reuse project shall have the option of providing either a Streetscape Zone in accordance with the standards of Section 6.13, or provide the landscaping requirements of the City's Landscaping Ordinance.
- 2.** Sidewalks shall be provided for all adaptive reuse projects that are located adjacent to an Arterial or Collector Street, and constructed in accordance with the Americans with Disabilities Act construction standards, and the sidewalk widths proposed under the Urban Transportation Plan.
- 3.** Where the interior renovation and adaptive reuse of an existing building is situated on an existing sidewalk that does not meet the minimum 10 foot width requirement, the minimum sidewalk width and Streetscape Zone width may be reduced to the actual width of the existing sidewalk, but must not be less than 5 feet in width, unless the proposed project is located within a City planned streetscape design area, in which case the requirements of the planned streetscape design shall be required.

**D. Fencing.**

- 1.** Prominent facades on street-facing units may not be concealed behind high walls, solid fencing, or privacy fences that provide less than 50% transparency, forward of the front façade of the building.
- 2.** Residential units consisting of courtyards and entrances located rearward of the "build-to" line may not be concealed behind high walls, solid fencing, or privacy fences that provide less than 50% transparency (Figs. 7.12.8.D.2)

**Figures 7.12.8.D.2.**

**3.** Lower solid fencing, solid landscaping, and walls not exceeding 4 feet in height, or decorative iron fences no greater than 7 feet in height are acceptable.

**E.** Adaptive reuse development must also comply with the following additional standards listed under the following Sections:

**6.8.19** Servicing and Solid Waste Collection.

**6.8.21** Accessory Structures.

**6.13.1(D)** Awnings.

**SECTION 2.** That the UDC and corresponding Zoning Map of the City of Corpus Christi, Texas, effective July 1, 2011, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 3.** That to the extent that this amendment to the UDC represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the UDC, as amended by this ordinance.

**SECTION 4.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be 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 hereof be given full force and effect for its purpose.

**SECTION 6.** A violation of this ordinance or requirements implemented under this ordinance constitutes an offense punishable as provided in Section 1.10.1 and/or Article 10 of the UDC.

**SECTION 7.** That 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.

**SECTION 8.** This Ordinance shall take effect upon and after publication of this Ordinance.

Signatures on following page.

That the foregoing ordinance was read for the first time and passed to its second reading on this the 11<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>absent</u>		

That the foregoing ordinance was read for the second time and passed finally on this the 13<sup>th</sup> day of December, 2011, by the following vote:

Joe Adame	<u>Aye</u>	David Loeb	<u>Aye</u>
Chris Adler	<u>Aye</u>	John E. Marez	<u>Aye</u>
Larry Elizondo, Sr.	<u>Aye</u>	Nelda Martinez	<u>Aye</u>
Kevin Kieschnick	<u>Aye</u>	Mark Scott	<u>Aye</u>
Priscilla Leal	<u>Aye</u>		

PASSED AND APPROVED this the 13<sup>th</sup> day of December, 2011.

ATTEST:

Armando Chapa  
Armando Chapa  
City Secretary

Joe Adame  
Joe Adame  
Mayor

APPROVED as to form only: this the 30<sup>th</sup> day of November, 2011.

For Carlos Valdez, City Attorney

By: Deborah Walther Brown  
Deborah Walther Brown  
Assistant City Attorney

**EFFECTIVE DATE**  
12/19/11