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.

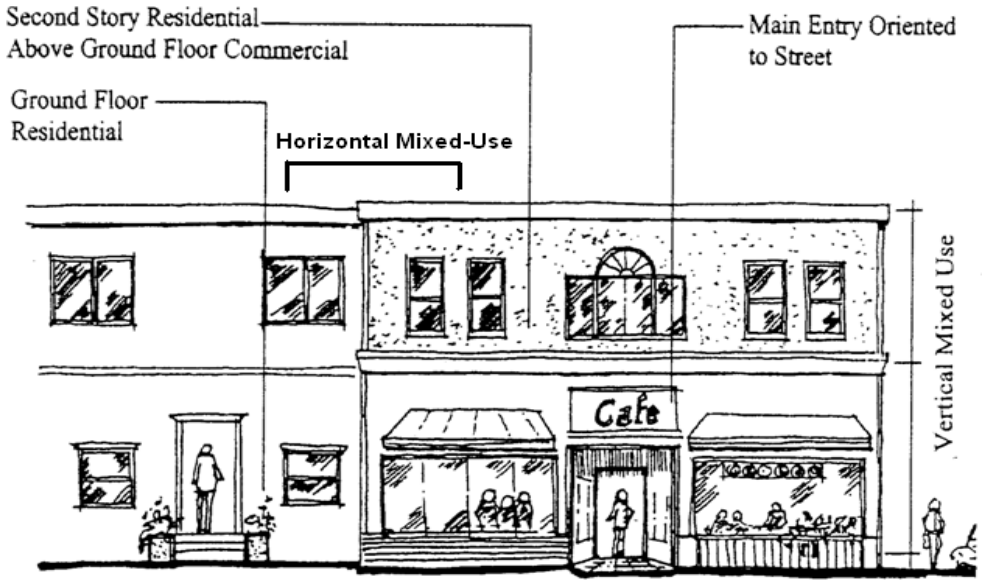
Mixed use developments for the purpose of this ordinance, consist of two or more different uses which include a residential use, and occupy the same or adjacent buildings that are planned together, and shall be combined in the following manner;

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 locate, 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.

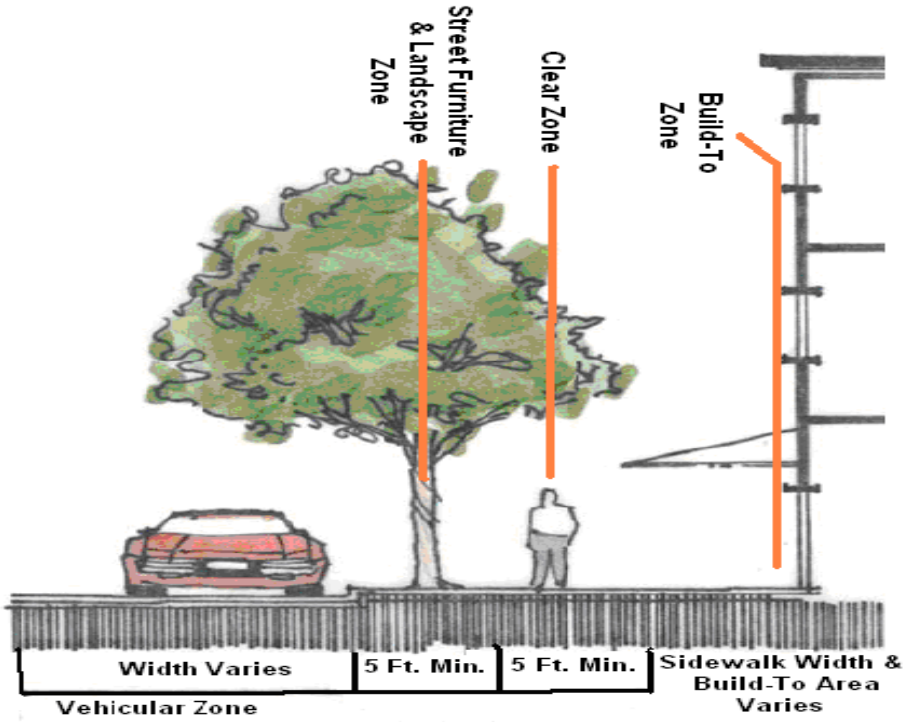
B. For proposed vertical mixed-use developments, the minimum lot width shall be 25 feet.

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 “build-to” line.

2. Multiple Live-Work units designed around a courtyard are not required to be built–to the zero “build-to” line.

3. In order to establish the “build-to” line for new mixed-use development where sidewalks are not yet established, the “build-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/”build-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.

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

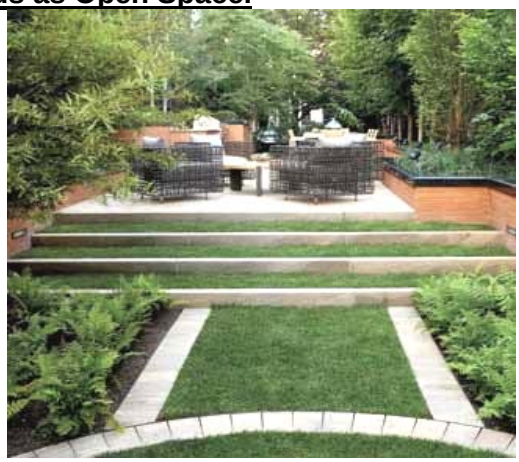
firms, and similar uses)
Real Estate Offices
Recreational Centers (Indoors, including arcades)
Recreational Centers (Outdoors, miniature golf, sports fields, amusement piers)
Repair & Sales/Services, conducted entirely within a building; (television, computer, plumbing, locksmith, shoe repair, but not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

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.

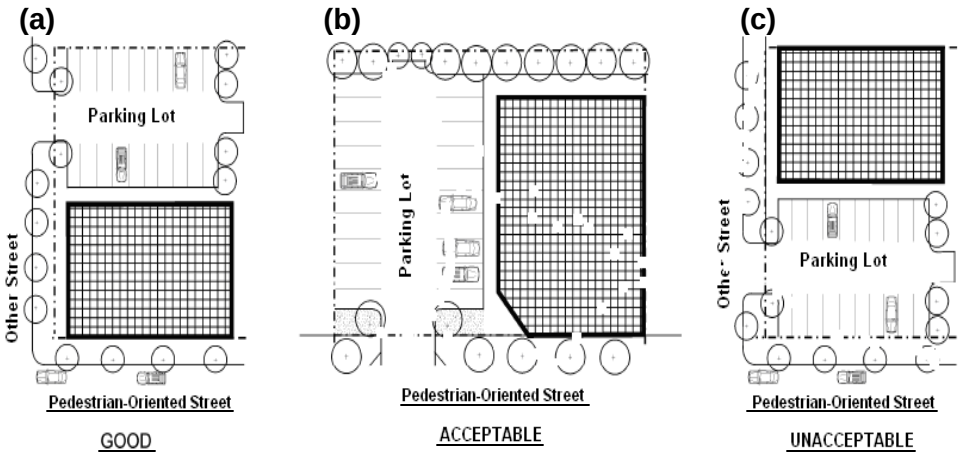
4. The pedestrian pass-through can be used to connect separate buildings, or link customer parking located behind buildings to the front of buildings.

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.

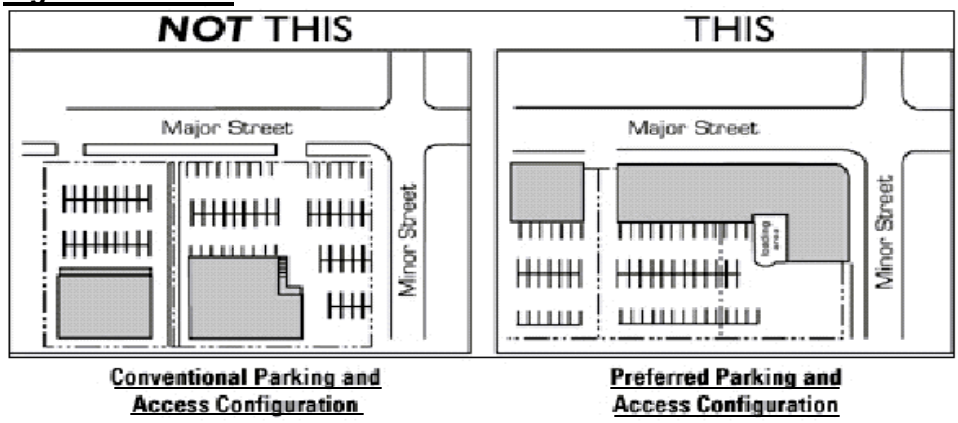
C. New parking lot areas may not be located between a pedestrian-oriented street (i.e. Streetscape Zone, Freeway, Arterial, or Collector Street) and the primary building.

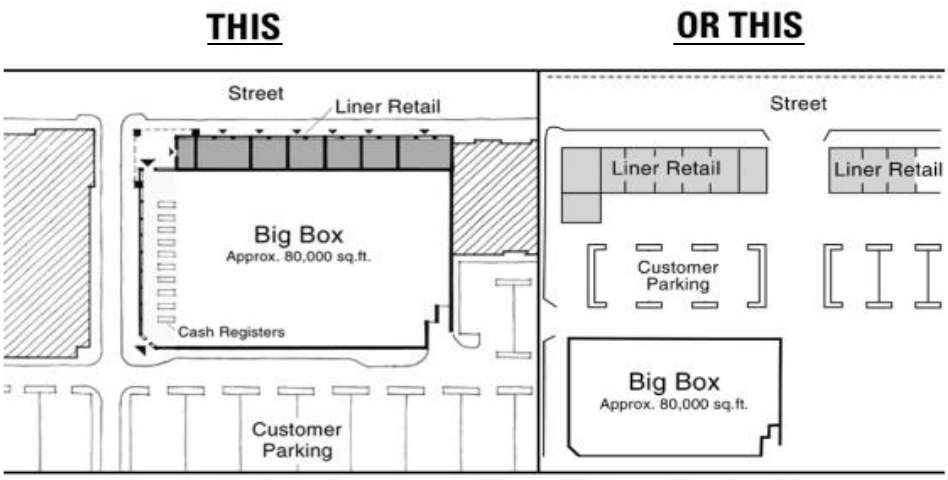
D. Parking lot areas on adjoining neighborhood commercial lots shall be connected, whenever practicable.

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.





Alternative plans of a large format store using linear retail to improve its interface with street

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:

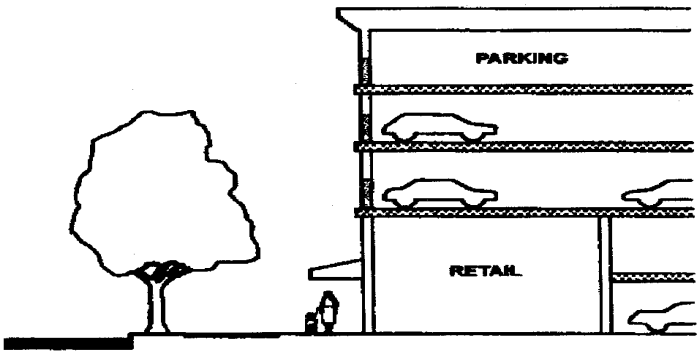
1. Parking for medical, non-medical, retail, commercial, or professional office space shall be in accordance with the parking requirements of Section 7.2.2.D

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.



PARKING DECK

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 it 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 11th day of October, 20 11, by the following vote:

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

That the foregoing ordinance was read for the second time and passed finally on this the 13th day of December, 20 11, by the following vote:

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

PASSED AND APPROVED this the 13th day of December, 20 11.

ATTEST:

Armando Chapa
City Secretary

Joe Adame
Mayor

APPROVED as to form only: this the 30th day of November, 20 11.

For Carlos Valdez, City Attorney

By: Deborah Walther Brown
Deborah Walther Brown
Assistant City Attorney

EFFECTIVE DATE

029331