

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
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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 17th 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 13th 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 13th day of December, 2011.

ATTEST:

Armando Chapa
Armando Chapa
City Secretary

Joe Adame
Joe Adame
Mayor

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

For Carlos Valdez, City Attorney

By Deborah Walther Brown
Deborah Walther Brown
Assistant City Attorney

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