

Ordinance amending the Corpus Christi Unified Development Code by adding a new Section 6.13 entitled, "Streetscape Zone Standards", relating to the use, regulations and review standards for creation of streetscape zones; 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 an active street life atmosphere through the incorporation of unique signage and street furniture in the Central Business District;

WHEREAS, the Corpus Christi Comprehensive Plan recognizes the need to rejuvenate streets, by providing sidewalks, lighting, landscaping and street furniture for both safe passage and visual relief; as well as the use of pedestrian amenities such as trash containers, informational signs and crosswalks to encourage maximum use of pathways;

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 6.13 entitled "Streetscape Zone Standards" to read as follows:

§ 6.13

Streetscape Zone Standards.

6.13.1

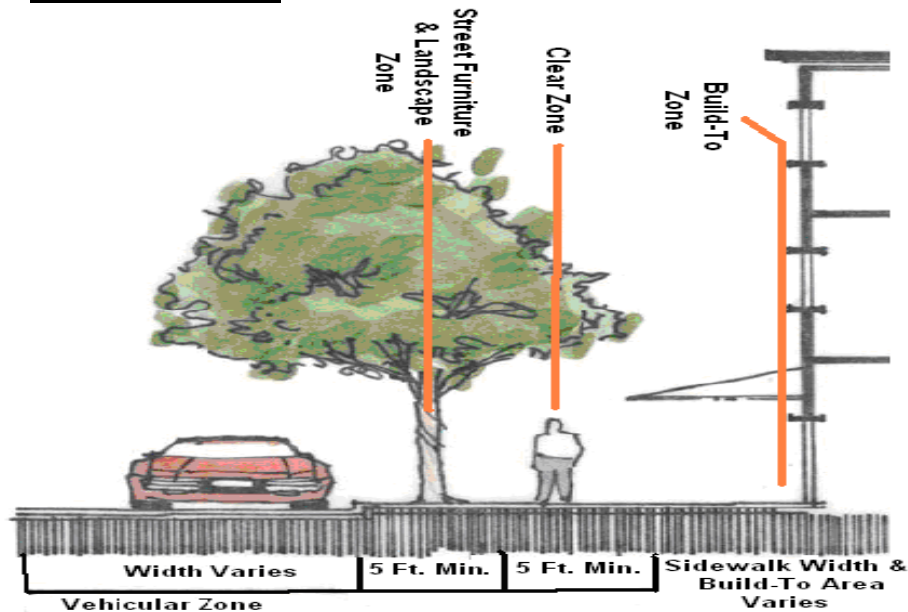
Streetscape Zone and Pedestrian Amenities.

Where a Streetscape Zone is required for a proposed development, the following standards shall be incorporated into the project design:

- 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.

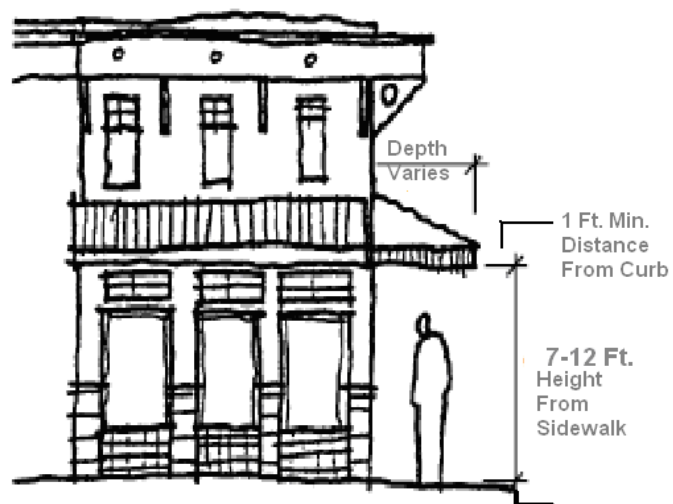
3. Awning Dimensions.

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



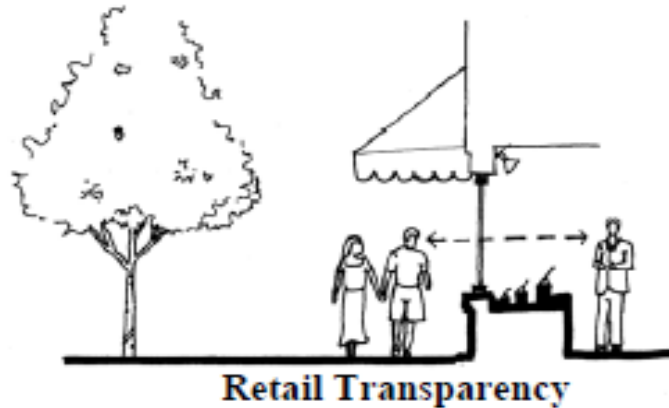
4. The total signage on an awning or umbrella shall not exceed 20% of the area of the awning or umbrella.

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.

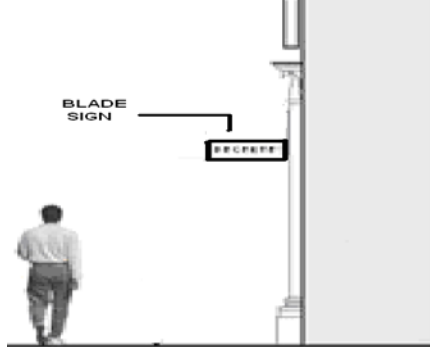
G. Displays and Equipment.

- 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.

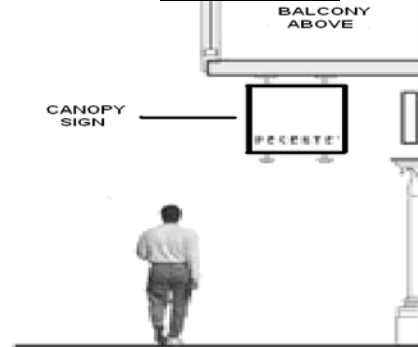
H. Signs. Signs shall be designed for visual communication and orientation to the pedestrians and slow-moving vehicular traffic crossing pedestrian sidewalks as follows:

- 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

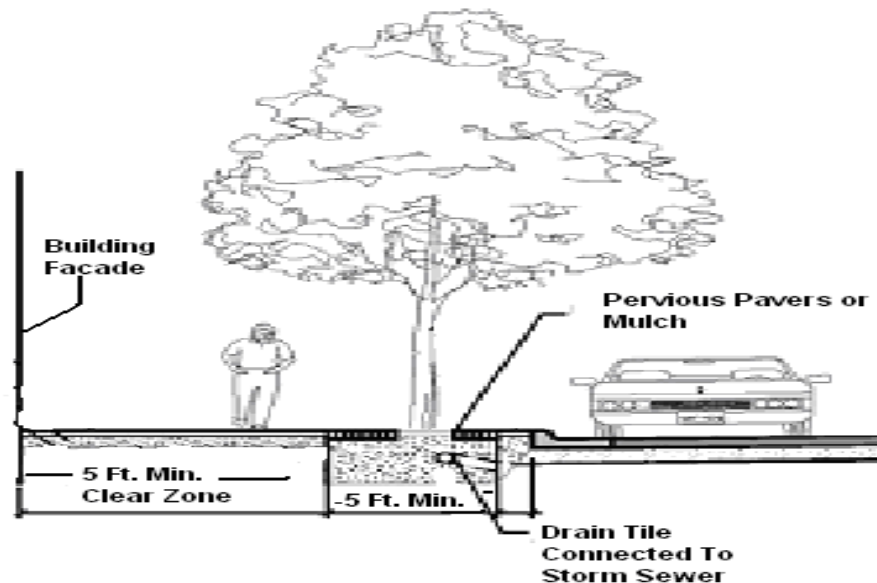


- 3.** Signs shall project no more than 4 feet from the building or one-third of the sidewalk width, whichever is less.
- 4.** All signs shall maintain a minimum clearance of 7 feet above sidewalk level to the bottom of the sign.
- 5.** Pole-mounted signs are prohibited within a Streetscape Zone and 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 1st 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>