

**Ordinance amending Articles 1 and 8 of the Unified Development Code relating to design standards, criteria, and requirements for design; requiring compliance with design standards issued by the City Engineer; and providing for severance, penalties, and publication.**

**WHEREAS**, the Planning Commission has forwarded to the City Council its reports and recommendations regarding this amendment of the Unified Development Code ("UDC");

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, October 23, 2013, during a meeting of the Planning Commission, and on Tuesday, November 19, 2013 and Tuesday, December 12, 2013, during meetings of the City Council, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, the City Council has determined that this amendment to the UDC would best serve the public's health, necessity, and convenience and the general welfare of the City and its citizens.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:**

**SECTION 1.** Article 1, General Provisions, Subsections 1.11.2 - "Abbreviations"; and Subsection 1.11.3 - "Defined Terms" of the UDC are amended by adding the abbreviations "IDM" and "HCM"; adding definitions for "Infrastructure Design Manual" and "Highway Capacity Manual"; revising the definition for "City Engineer"; and revising the definition for "Manual of Uniform Traffic Control Devices (MUTCD)" as shown:

**Article 1. General Provisions**

\* \* \* \* \*

**1.11.2 Abbreviations**

Abbreviation	Term
-H	Historic Overlay District
<b>IDM</b>	<b>Infrastructure Design Manual</b>
IL	Light Industrial

\* \* \*

Abbreviation	Term
IC	Industrial Compatible District
<b>HCM</b>	<b>Highway Capacity Manual</b>
HUD	Department of Housing and Urban Development

\* \* \* \* \*

**"1.11.3 Defined Terms**

\* \* \*

**"City:** The City of Corpus Christi, Texas.

**City Engineer:** The person the City Manager designates as City Engineer or the person who holds the position of Director of Engineering Services for the City of Corpus Christi.

**Cladding:** The building materials covering the exterior of a structure."

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**"Impervious Surface:** Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks and other paved areas.

**Infrastructure Design Manual (IDM):** The document issued and published by the City Engineer that describes the Design Standards required for infrastructure and public improvements.

**Intersection:** The common area embraced between the projected lines of the right of way of two or more roadways, which join at any angle whether or not one such roadway cross each other."

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**"Highest Adjacent Grade:** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Highway Capacity Manual (HCM):** A publication of the Transportation Research Board of the National Academies of Science containing concepts, guidelines, and computational procedures for computing the capacity and quality of service of various highway facilities, including freeways, highways, arterial roads, roundabouts, signalized and unsignalized intersections, and rural highways.

**Historic Structure:** Any structure that is:

1. Listed individually in the National Register of Historic Places maintained by the . . ."

\* \* \*

**"Lowest Floor:** The lowest floor of the lowest enclosed area, including a basement; provided . . . Section 60.3 of the National Flood Insurance Program regulations.

**Manual on Uniform Traffic Control Devices (MUTCD):** The Manual on Uniform Traffic Control Devices or MUTCD, latest edition, published by the Federal Highway Administration (FHWA) under 23 Code of Federal Regulations (CFR), Part 655, Subpart F, which defines the required standards to install and maintain traffic control devices on all streets,

highways, bikeways, and roads, ~~published by the Federal Highway Administration (FHWA) under 23 Code of Federal Regulations (CFR), Part 655, Subpart F.~~

**Manufactured Home:** A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development . . . recreational vehicles.”

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**SECTION 2.** Article 8 - “Subdivision Design and improvements,” Section 8.1, “General Provisions,” of the UDC is amended to revise Subsections 8.1.9. – “Alternative Compliance”; 8.1.11.A. – “Traffic Engineering Department acceptance requirements”; and 8.1.12.A. – “Traffic Engineering Department acceptance requirements” as shown:

**Article 8. Subdivision Design and Improvements**

\* \* \* \* \*

**8.1. General Provisions**

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**“8.1.9. Alternative Compliance”**

- A. The subdivision improvement requirements, including exceptions to existing utility master plans, may be modified by the Technical Review Committee upon a finding that a modification would ~~will~~ meet the requirements of the Design Standards; that such modification would ~~will~~ be consistent with the purpose of this Unified Development Code, this Article and the Comprehensive Plan; that such modification would not adversely affect the land use compatibility or public interest, and that the subject parcel complies with one or more of the following criteria:
  - 1. The assumptions upon which the existing utility master plan are based do not match existing conditions or current engineering best practices; or
  - 2. The adopted standards of another regulatory agency cannot be met while complying with the standards of this Article.”
- B. Financial hardship due to meeting the requirements of this Article shall not be sufficient justification for alternative compliance.
- C. Any modification must meet the requirements of the Design Standards. This Article does not authorize the Technical Review Committee to modify a requirement,

standard, or criteria ~~that~~ if the modification would will not comply with the Design Standards.

- A. The requirement of improvements and payment of fees not specifically contained in this Unified Development Code shall be subject to appeal and review by the Planning Commission in accordance with Subsection 3.8.3."

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**"8.1.11.A. Traffic Engineering Department acceptance requirements:**

1. All traffic control devices and signs shall be installed per project specifications and approved subdivision construction plans, including:

- a. Sign pipe support material, placement, height, and mounting base are in accordance with approved plans and specifications.
- b. Sign foundations are in place, and at proper elevation.
- c. Markers/barricades are in place on dead-end streets.
- d. ~~Street Department~~ installation of regulatory signs is complete."

\* \* \*

**"8.1.12.A. Traffic Engineering Department acceptance requirements:**

1. All traffic control devices and signs shall be installed per project specifications and approved subdivision construction plans, including:

- a. Sign pipe support material, placement, height, and mounting base are in accordance with approved plans and specifications.
- b. Sign foundations are in place, and at proper elevation.
- c. Markers/barricades are in place on dead end streets.
- d. ~~Street Department~~ installation of regulatory signs is complete.
- e. Temporary barricades are removed.
- f. Street name sign assembly materials and installation are in accordance with approved plans and specifications."

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**SECTION 3.** Article 8 - "Subdivision Design and Improvements," Section 8.2. - "Design Standards" of the UDC is amended by revising Subsections 8.2.1. - "Streets"; adding Subsection 8.2.1-A. - "Traffic and Signal Design"; revising Subsections 8.2.6. - "Water," 8.2.7. - "Wastewater," and 8.2.8. - "Stormwater" as shown:

**Article 8. Subdivision Design and Improvements**

\* \* \*

**"8.2. Design Standards**

If another regulatory agency has authority within the City limits or ETJ, the more stringent design standards shall apply.

**A. City Engineer Authority.** The City Engineer is authorized to determine and issue the required design standards and design and installation criteria for public infrastructure and improvements, referred to herein as the "Design Standards."

**B. Incorporation by Reference.** The most current version of the Infrastructure Design Manual, containing the most recently issued Design Standards, is incorporated by reference into this Article. Copies of tThe Design Standards will be published in the Infrastructure Design Manual, which will be kept on file at the Department of Engineering Services, on file at the Department of Development Services, and online on the City's website."

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**8.2.1. Streets**

All streets shall, at a minimum, be designed and installed in accordance with the Comprehensive Plan, applicable area development and master plans, the approved Mobility Plan, and the Design Standards.

1. Streets shall be designed for a 30-year life in accordance with the American Association of State Highway Transportation Officials (AASHTO) Guide for Design of Pavement Structures ("the AASHTO Design Guide") 1993 Edition and supplements, unless a later edition of the AASHTO Design Guide is required by the Design Standards under the latest edition of the Infrastructure Design Manual and supplements. Design Standards.
2. Streets shall be designed and installed in accordance with the approved Mobility Plan.

3. Streets shall be designed and installed to meet the requirements of the Design Standards.
4. In the event of any conflicts between the Design Standards and any edition or supplement to the AASHTO Design Guide, the Design Standards prevail.

**8.2.1-A. Traffic and Signal Design**

1. The design and layout of traffic control devices shall comply with the Texas Manual on Uniform Traffic Control Devices (TMUTCD), latest edition.
2. New and existing Intersections shall be designed to meet, at a minimum, a Level of Service "D" as defined by the Highway Capacity Manual (HCM), latest edition, for the horizon year for the project, as approved by the Director of Development Services."

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**"8.2.6. Water**

- A. If an approved, treated water supply system of sufficient capacity as determined by adopted City water distribution standards is available within 1 mile of the property being platted, each lot within the subdivided area shall be provided with access to such water supply regardless of whether or not such subdivision is inside or outside the City limits. The water system shall be designed in accordance with Subchapter "D" of Chapter 290, Texas Administrative Code (TAC); "Rules and Regulations for Public Water Systems"; all other applicable rules and regulations of the Texas Commission on Environmental Quality (TCEQ) or its successor agency; and the Design Standards issued and published by the City Engineer in the latest edition of the Infrastructure Design Manual and supplements. ~~the distribution system standards published by the Water Department in effect at the time of commencement of water system construction.~~
- B. All taps, meter services, and meter sets on existing public utility water lines of the City shall be made and installed under the supervision and direction of the Water Director."

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**"8.2.7. Wastewater**

- A. Every lot within a proposed subdivision shall be provided with access to an approved wastewater collection and treatment

system of sufficient capacity as determined by adopted City wastewater standards and master plans. The wastewater system improvements shall be designed in accordance with Subchapter "C" of Chapter 217, Texas Administrative Code (TAC): "Design Criteria for Domestic Wastewater Systems"; all other applicable rules and regulations of the Texas Commission on Environmental Quality (TCEQ) or its successor agency; and the Design Standards issued and published by the City Engineer in the latest edition of the Infrastructure Design Manual and supplements. ~~the design standards published by the City Engineer in effect at the time the final plat for the subdivision is approved.~~

- B. Requests for a waiver from these requirements shall be submitted to the Assistant City Manager of Development Services and administered in accordance with **paragraph 3.8.3.D** waivers."

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**"8.2.8. Stormwater**

- A. A proposed subdivision must connect to an approved storm water drainage system of sufficient capacity as determined by adopted City storm water standards and master plans. The storm water system improvements shall be designed in accordance with the City Engineer-issued Design Standards in effect at the time the final plat for the subdivision is approved.

- B. The Design Storm Events shall be as follows:

Type of Facility	Design Event (Years)
Protection of Habitable Structures	100
Residential (Local) Streets	5
Collector Streets	5
Arterial Streets	25
Conveyance Systems (not in streets)	
Open Channels:	
Minor Drainage System	5
Intermediate Drainage System	25
Major Drainage System	25

Underground:	
Minor Drainage System	5
Intermediate Drainage System	25
Major Drainage System	25

\*Design Year is reflective of the annual probability of the specific event happening.\*

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**SECTION 4.** If, for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance is held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it may not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance be given full force and effect for its purpose.

**SECTION 5.** A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1, and Article 10 of the UDC.

**SECTION 6.** 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.



The foregoing ordinance was read for the first time and passed to its second reading on this the 19<sup>th</sup> day of November, 2013, by the following votes:

Nelda Martinez	<u>Aye</u>	Chad Magill	<u>Aye</u>
Kelley Allen	<u>Aye</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>Aye</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>Aye</u>	Mark Scott	<u>Aye</u>
David Loeb	<u>Aye</u>		

The foregoing ordinance was read for the second time and passed finally on this the 10<sup>th</sup> day of December, 2013, by the following votes:

Nelda Martinez	<u>Aye</u>	Chad Magill	<u>Aye</u>
Kelley Allen	<u>Aye</u>	Colleen McIntyre	<u>Aye</u>
Rudy Garza	<u>Aye</u>	Lillian Riojas	<u>Aye</u>
Priscilla Leal	<u>Aye</u>	Mark Scott	<u>Aye</u>
David Loeb	<u>Aye</u>		

PASSED AND APPROVED this the 10<sup>th</sup> day of December, 2013.

ATTEST:

Rebecca Huerta  
Armando Chapa  
City Secretary

Nelda Martinez  
Nelda Martinez  
Mayor

**EFFECTIVE DATE**  
12/16/13