

## ARTICLE 6: OVERLAY DISTRICTS

### § 6.1 Overlay Districts Introduction

#### 6.1.1 Purpose

The purpose of this Section is to provide for alternative development standards to address unique site characteristics and development opportunities that 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.
- B. Establishing overlay districts with alternative standards for special areas designated by the City's Comprehensive Plan, Area Development Plans, and/or by adoption by the City Council.

#### 6.1.2 Application

##### A. Generally

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 overlay districts which supplement, modify, or expand the range of the underlying zoning district standards and the standards of this Code, through different uses, design, and/or density standards, or review processes.

##### B. Overlay Districts

Overlay districts are established to apply specific development designs and concepts within a specific area. Overlay districts are established through the City Council review, public hearing, and approval process. An established overlay district may include development incentives or concepts that are applied as a by-right/permitted use within the overlay district.

##### C. Base District Controls

Unless specifically modified, provided for, and permitted under the provisions of this Section and the standards of each overlay district, the standard requirements and regulations of the underlying zoning district and Unified Development Code shall govern the remaining development and land uses within an overlay district.

### § 6.2 PUD Planned Unit Development Overlay District

#### 6.2.1 Purpose

A. The PUD Planned Unit Development Overlay District encourages the unified design of a mix of residential, commercial, office, professional, retail, and/or institutional uses. It is further the intent of this Section to provide for:

1. A maximum choice in the types of environments and living units available to the public.
2. An integration of open space and recreation areas with new development.
3. A pattern of land development that, to the greatest extent possible, preserves natural vegetation and trees, respects natural topographic and geologic conditions, and refrains from adversely effecting flooding, soil, drainage, and other natural ecologic conditions.
4. A creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of this Code.
5. Developments designed that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of zoning standards.
6. Facilitate the implementation of adopted City land use policies, particularly with respect to areas planned for potential redevelopment.

7. An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing a maintenance costs, without material, adverse impact on public costs.
8. An environment of stable character in harmony with surrounding development.
9. The development of vacant property within developed urban areas.
10. The production of a higher level of amenities.

**B.** The planned unit development concept is a recognition that at times greater quality of development can be achieved by permitting modification of established zoning regulations and that when property is planned a developed as a unit, modification to standard regulations is possible without endangering the health, safety, and welfare of the public.

### **6.2.2 Applicability**

The standards of this Section establish provisions that apply to all PUD Planned Unit Development Overlay Districts created in accordance with Section 3.5.

### **6.2.3 Required Enhanced Design**

The applicant must demonstrate enhanced design to be granted approval of a PUD Overlay District. Design characteristics and amenities to be considered in this determination include, but are not limited to, the following:

- A.** Sustainable design, including reduction of impervious surfaces, innovative rainwater systems, green building certification or demonstration of eligibility for certification, and on-site alternative energy production.
- B.** Low-impact development. Low-impact development is defined by the US Environmental Protection Agency (EPA) as “systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat.”
- C.** Preservation of historic features.
- D.** Adaptive reuse of existing buildings.
- E.** Affordable/workforce and/or senior housing set-asides.
- F.** Preservation of wetlands and floodplains above that required by other codes or ordinances.
- G.** Additional landscape installed above that required by this Code or other ordinances.
- H.** Community amenities, including public plazas, formal gardens, and public art.
- I.** Enhanced connectivity, such as bicycle, transit, and/or pedestrian facilities and public access to existing adjoining public trails.

### **6.2.4 Compatibility with Base Zoning District**

A planned unit development is designed to be used in conjunction with a base zoning district. An application for planned unit development shall specify the base zoning district and the uses proposed. If no base zoning exists, the base zoning shall be that zoning designation that is most similar to or compatible with the uses proposed for the planned unit development. Any uses not permitted in the base zoning district shall be specifically identified. Upon approval of the planned unit development, the standards and requirements of the base zoning district shall apply unless specifically superseded by the standards and requirements of the ordinance establishing the planned unit development.

### **6.2.5 Compliance with Applicable City Codes**

The granting of a Planned Unit Development Overlay District shall not relieve the applicant from responsibilities of complying with all other applicable sections of this Unified Development Code, and other codes and ordinances the City unless such relief is specified in the approved development plan.

## 6.2.6 Approval Procedures

**EDITORS NOTE: New – may need modification to Section 3.8 for consistency.**

- A. A Planned Unit Development Overlay District shall be approved in accordance with this Section and Section 3.5 of this UDC.
- B. A PUD shall be reviewed under the review criteria of Section 6.2.1 above and the review criteria of Section 3.5.4.
- C. When subdivision of land is proposed in connection with a planned unit development, the applicant shall file an application for a preliminary plat of the proposed subdivision, including any waiver requests, simultaneously with the application for a planned unit development. Any subdivision waivers will be approved or denied as part of this approval of the subdivision preliminary plat. The planned unit development will then be considered by City Council following Planning Commission recommendation. City Council approval of the planned unit development may result in modifications that require amendment of the approved subdivision preliminary plat.

## 6.2.7 Development Plan

An application for the establishment of a Planned Unit Development Overlay Zoning District shall be accompanied by development plan meeting the standards of this Section which, when approved by the City Council, shall become a part of the ordinance zoning the land as a planned unit development.

- A. Development requirements for the Planned Unit Development Overlay District shall be set forth in the development plan which shall form the basis for the ordinance establishing the planned unit development.
- B. The development plan shall include, at a minimum, the purpose and intent of the planned unit development, use, density, building height, building setbacks, limits of construction, building elevations, parking, vehicular a pedestrian access, streets and circulation, screening and landscaping, environmental protection, signage, lighting, subdivision phasing or scheduling, and other elements the City Council may deem appropriate for the ordinance establishing the planned unit development. The plan shall be required to specify the extent to which deviation from otherwise applicable ordinance requirements is justified by unique characteristics of the site or other circumstances.
- C. The following information shall be shown on the development plan in a schematic form and at a scale satisfactory the Assistant City Manager of Development Services:
  - 1. Proposed land uses including uses to be prohibited.
  - 2. Existing natural features such as bluffs, sink holes, topography, drainage ways, 100 year floodplain, if applicable existing topography at a maximum of 5-foot contour intervals.
  - 3. Location of proposed buildings, building envelopes, or building setbacks.
  - 4. A tabulation of proposed dwelling unit density in residential areas.
  - 5. A tabulation of proposed gross floor area and maximum heights of proposed buildings.
  - 6. Proposed circulation systems, including preliminary street cross-sections.
  - 7. Proposed public parks, greenbelts, and other open space.
  - 8. Proposed public facilities, i.e. school sites, fire station, etc.
  - 9. Location and type of proposed landscaping including existing landscaping.
  - 10. A description of the enhanced design and/or amenities to be provided per Section 6.2.3 above.

## 6.2.8 Modifications of Approved Development Plan

Modifications to an adopted development plan shall be reviewed and approved following the procedures and requirements of Subsection 3.5.7.

## § 6.3 H Historic Overlay

### 6.3.1 Purpose

The H Historic Overlay preserves areas of historical or cultural significance, including areas and landmarks. Each individual overlay shall have the specific standards specified in this Section. The City Council hereby declares as a matter of public policy that the preservation, protection, perpetuation, and use of areas, places, buildings, structures, works of art, and other objects having a special historical, community, or aesthetic interest or value is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the people and that the demolition of such buildings, structures, works of art, and other objects would constitute a public nuisance. The purpose of this Section is to:

- A. Supplement Sections 2-204 through 2-214 of the Municipal Code regarding the Landmark Commission.
- B. Safeguard the heritage of the City by preserving sites and structures which reflect elements of the City's cultural, social, ethnic, political, archeological, and architectural history.
- C. Stabilize and improve property values.
- D. Strengthen the economy of the City.
- E. Protect and enhance the City's attractions to residents, tourists, and visitors, and serve as support and a stimulus to business and industry.
- F. Enhance the visual and aesthetic character, diversity and interest of the City.
- G. Foster civic pride in the beauty and notable accomplishments of the past.
- H. Promote the use and preservation of historic sites and structures for the education and general welfare of the people of the City.
- I. Take the necessary steps to safeguard the property rights of the owners whose property is declared to be landmark.

### 6.3.2 Zoning Designation

The H Historic Overlay is designed to be used in conjunction with a base zoning district. An application for an Historic Overlay shall indicate the underlying base zoning district designation. The zoning map shall reflect each H Historic overlay classification as a suffix to the underlying zoning district (e.g., CBD-H).

### 6.3.3 Designation of Existing Historic Sites

Any existing City-designated historic landmark at the time of adoption of this Unified Development Code is designated as a H Historic Overlay. Any special requirements or standards for such existing sites shall continue to apply to the Historic Overlay.

### 6.3.4 Certificates Required

- A. A Certificate of Appropriateness in accordance with Section 3.15 or a Certificate of Appropriateness for Demolition in accordance with Section 3.16 shall be required prior to any development or demolition in a H Historic Overlay.
- B. The City, in addition to other remedies, may institute any permissible action or proceedings to prevent any unlawful change, alteration, removal, demolition, or new construction and to restrain, correct, or abate such violation, or to prevent any illegal act, business, or maintenance in and about such premises.

### 6.3.5 Historic Overlay District Standards

All areas designated as a H Historic Overlay shall be subject to the following standards or requirements:

- A. Any regulations for a specific Historic Overlay shall apply to all properties or structures wholly or partially contained within the Historic Overlay.
- B. In case of any conflict between the regulations applicable in the underlying zoning district and the regulations of the Historic Overlay, the more restrictive regulations shall control.
- C. The findings adopted by the City Council for the establishment of a specific Historic Overlay shall define the scope of the City's interest in protecting the historic resource and shall provide the guidelines to be used by the Landmark Commission, along with the applicable regulations, in considering whether to approve, approve with conditions or deny a Certificate of Appropriateness or Certificate of Appropriateness for Demolition.

### 6.3.6 General Guidelines

In all of its determinations of architectural appropriateness and historical integrity in the design and construction of buildings, signs, and modifications in the Historic Overlay, the Landmark Commission shall use the book entitled, *The Secretary of the Interior's Standards for the Treatment of Historic Properties: With Guidelines for Preserving, Rehabilitation, Restoring and Reconditioning*, and the following criteria as guidelines:

- A. Every reasonable effort should be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally-intended purpose. The distinguishing original qualities or character of a building, structure or site and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- B. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.
- C. Changes that may have taken place in the course of time are evidence of history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- D. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
- E. Deteriorated architectural features are to be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- F. The surface clearing of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken without approval from the Landmark Commission.
- G. Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
- H. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural, or cultural material and when such design is compatible with the size, scale, color, and material, character of the property, neighborhood, or environment. Wherever possible, new additions or alterations to a structure shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

### **6.3.7 Supplemental Guidelines**

The Landmark Commission may develop and the City Council may approve such supplemental guidelines as it may find necessary to implement the regulations of a particular Historic Overlay or the findings applicable to the designation of a particular Historic Overlay. Such guidelines may include, but are not limited to, the following:

- A. Graphics or samples of acceptable materials for siding, foundations, roofs, or other parts of buildings.
- B. Illustrations of appropriate architectural details.
- C. Numerical specification of appropriate proportions.
- D. Specifications of appropriate relationships to streets, sidewalks, and other structures and buildings.
- E. Illustrations of appropriate porch treatments or entrances.
- F. Illustrations of appropriate signage or street furniture.

### **6.3.8 Properties to be Moved**

- A. Properties and/or structures with the Historic Overlay must obtain a Certificate of Appropriateness prior to being moved or relocated.
- B. Any structure or building moved retains the Historic Overlay designation and all requirements of that Historic Overlay designation

### **6.3.9 Preservation Against Decay**

All structures within an Historic Overlay and all designated landmarks shall be preserved against decay and deterioration and kept free from certain structural defects by the owner of the structure or landmark or such other persons who may have legal custody and control. Property owners or legal custodians must show proof of funding possibilities for preservation provided by the appropriate City Departments and presented to Landmark Commission. At the discretion of the Landmark Commission, City staff may be directed to inspect properties.

### **6.3.10 Deterioration**

If an owner allows a structure within a Historic Overlay or a designated landmark to deteriorate to the extent that the Building Standards Review Board determines that the structure or landmark shall be demolished as a public safety hazard, after all proper notifications have been presented to the owner by the City, no application for a permit for a project, nor for a driveway approach needed for the operation of a surfaced or unsurfaced parking area may be considered for a period of up to 365 days from the date of demolition of the landmark as determined by the Director of Development Services.

## **§ 6.4 IO Island Overlay**

### **6.4.1 Purpose**

The IO Island Overlay Zoning District promotes quality development on Padre Island as viewed from public rights-of-way. This zoning district is designed to create a distinctive quality of life of the area by promoting building design characteristic of a resort area. These special regulations will preserve the characteristic nature of a barrier island of scenic and economic importance to the City.

### **6.4.2 Zoning Designation**

The Island Overlay Zoning District is designed to be used in conjunction with a base zoning district. An application for the Island Overlay Zoning District shall indicate the underlying base zoning district designation. The Zoning Map shall reflect each Island Overlay zoning district classification as a suffix to the underlying zoning district (e.g. CR-2-IO).

### **6.4.3 Use Regulations**

The uses allowed are those of the underlying base zoning district.

#### **6.4.4 Off-Street Parking and Loading Regulations**

Off-street parking shall be provided in accordance with Section 7.2. It is the intent of this section to encourage parking to the rear or side of businesses to promote storefronts adjacent to Park Road 22 and S.H.361. The off-street loading regulations are also contained in Section 7.2.

- A. When 100% of the required off-street parking is located behind the building, the applicant shall receive a 10% credit on the total site parking requirements.
- B. Decorative brick, stamped concrete pavers, or the equivalent shall be used as an entry feature for pedestrian access areas from the entry driveway to the front building line.

#### **6.4.5 Development Standards**

The development standards of the underlying base zoning district apply.

#### **6.4.6 Landscaping Requirements**

Except as provided in this Section, the landscaping requirements in Section 7.3 shall apply.

- A. Extensive landscaping shall be required to provide a lush landscape. All landscaping shall be maintained in a healthy, growing condition. The use of drought-tolerant plant species is encouraged.
- B. Permitted signs may be placed in any landscape area adjacent to street rights-of-way provided that the sign does not obstruct the visibility triangle area required in Subsection 4.2.9 or any utility easement.
- C. Shrubs shall be a minimum of 18 inches in height at installation and maintained at no more than 3 feet in overall height.
- D. Palm trees shall be a minimum crown height at installation of eight feet.
- E. Palm trees with a minimum crown height of eight feet shall be planted and spaced on 30 foot centers, five feet inside the property line along all arterial roads. Spacing inside the property line may be lengthened or shortened in order to accommodate overhead utilities.

#### **6.4.7 Sign Requirements**

This Section provides uniform sign standards which promote the safety of persons and property, provide for the efficient transfer of information in sign messages, and protect the public welfare by enhancing the appearance and economic value of the landscape. Except as provided in this Section, the sign requirements in Section 7.5 shall apply.

##### **A. Permitted Signs**

Wall signs and monument signs, as defined in Section 7.5, shall be the only permanent signs permitted in the IO Overlay District and shall meet the following standards.

##### **1. Walls Signs**

Wall signs shall have an allowable total sign area as provided in Section 7.5.

##### **2. Monument Signs**

- a. A monument sign shall be no higher than eight feet as measured from natural or average finished grade. The maximum overall square footage for a monument sign is 32 square feet.
- b. One monument sign per freestanding building and one additional monument sign per 200 feet of street frontage shall be permitted.
- c. Monument signs are to be finished with similar materials to structure and should reflect the design theme of the building style.

**B. Prohibited Signs**

The following signs or types of signs are prohibited:

1. Off-premise signs: An off-premise sign as defined in Section 7.5 shall be prohibited.
2. Can or cabinet sign: A sign that contains all of the text and logo symbols within a single enclosed cabinet that may or may not be illuminated shall be prohibited.
3. Roof-mounted signs: Roof-mounted signs or any signs that project above the eave of a pitched roof or decking of flat roof or parapet above a flat roof shall be prohibited.

**6.4.8 Outdoor Lighting**

Except as provided in this Section, the standards of Section 7.6 apply:

- A. Freestanding light fixtures not attached to a building shall not exceed a height of 20 feet.
- B. Outdoor lighting is allowed at the following levels as measured at the property line of the less restrictive zoning district.

Table 6.8.10.D Lighting Level Measurements	
Zoning District	Maximum Foot-Candles
Single-Family	0.2
Multi-Family	1
Nonresidential and Mixed-Use	3

- C. All lighting sources must have a correlated color temperature (CCT) at or below 3,000°K.

**6.4.9 Design Standards**

**A. Purpose**

The purpose of these design standards is to create a theme and style of architecture on the island that celebrates the coastal and Spanish heritage of South Texas and promotes quality building design for multi-family, nonresidential, and mixed-use developments on the main thoroughfares of Padre Island. In addition:

1. The regulations are intended to influence and reflect Spanish, Mediterranean, or Coastal-style architectural design, appropriate to this region's climate, in order to achieve a resort feeling, create a visually-desirable environment, and enhance the value of private property.
2. Commercial areas should be attractive to visitors as well as to residents of Padre Island.
3. Quality construction promotes economic growth and preserves values to the benefit of both commercial and residential property owners.

**B. Design Standards**

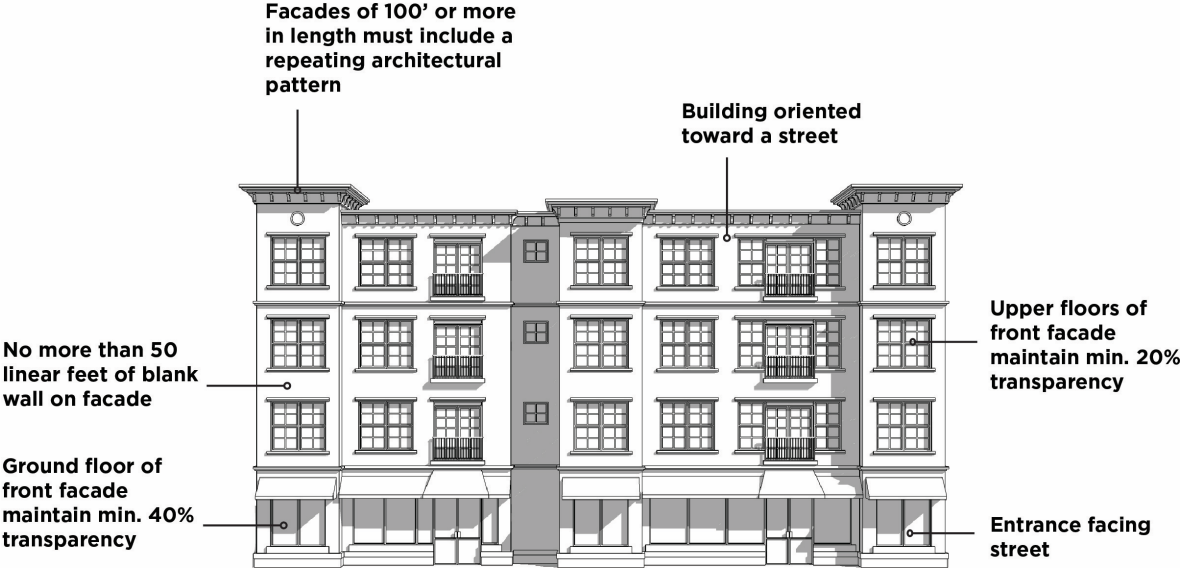
The design standards of Table 6.4.9: IO District Design Standards apply to multi-family, nonresidential, and mixed-use developments. The design standards apply to new construction, including construction of additional principal buildings on a site, as well as building additions. In the table, a "✓" indicates that the standard is applicable in the district indicated. The absence of a "✓" indicates that the standard does not apply to the district. Where there is conflict with the design standards of the underlying district or with design standards applicable to a use, such as multi-family dwellings, the standards of this Section control.



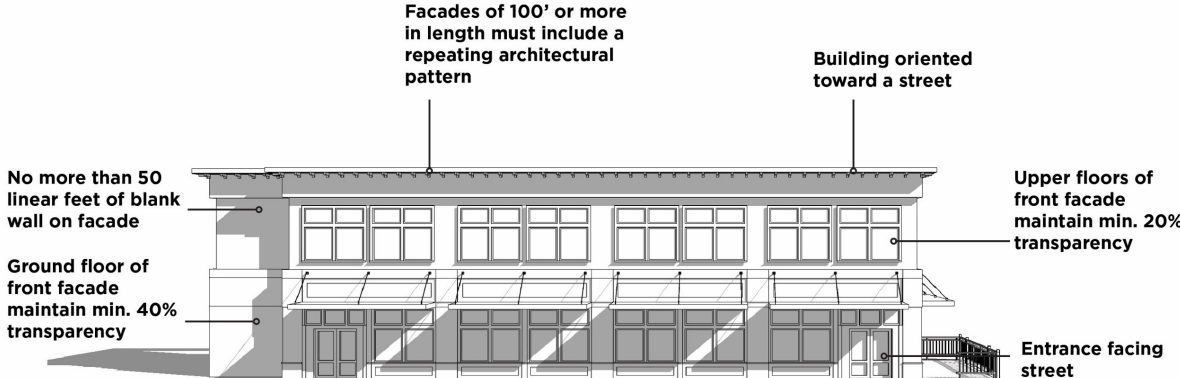
Table 6.4.9: IO District Design Standards			
Orientation		Nonresidential + Mixed-Use	Multi-Family
1	All buildings must be oriented toward a street.	✓	✓
2	One prominent entrance is required along a facade facing a street. On a corner lot, only one façade along a street must have a prominent entrance or such entrance may be located at the corner.	✓	
Facade Design		Nonresidential + Mixed-Use	Multi-Family
3	Building facades that face a street, the waterfront, or a park must not contain blank wall areas that exceed 50 linear feet.	✓	✓
4	Building facades of 100' in length or greater that face a street, the waterfront, or a park must include a repeating architectural pattern with a minimum of two of the following elements: color change; texture change; material change; a wall articulation change, such as a reveal, recess, offset, or pilaster; or building recesses or projections.	✓	✓
5	For structures over three stories in height that face a street or the waterfront, facades must express a visual distinction between the ground floor and upper stories through architectural features or detailing, or change in materials.	✓	
Fenestration Design		Nonresidential + Mixed-Use	Multi-Family
6	Facades must maintain a minimum transparency of 25% on any façade that face a street or the waterfront, calculated on the basis of the entire area of the façade.		✓
7	The ground floor of a facade that face a street or the waterfront must maintain a minimum transparency of 40%, measured between two and eight feet in height.	✓	
8	Nonresidential developments: Upper floors of a facade that face a street or the waterfront must maintain a minimum transparency of 20% of the wall area of the story.	✓	

**EXAMPLE ILLUSTRATIONS OF DESIGN STANDARDS**

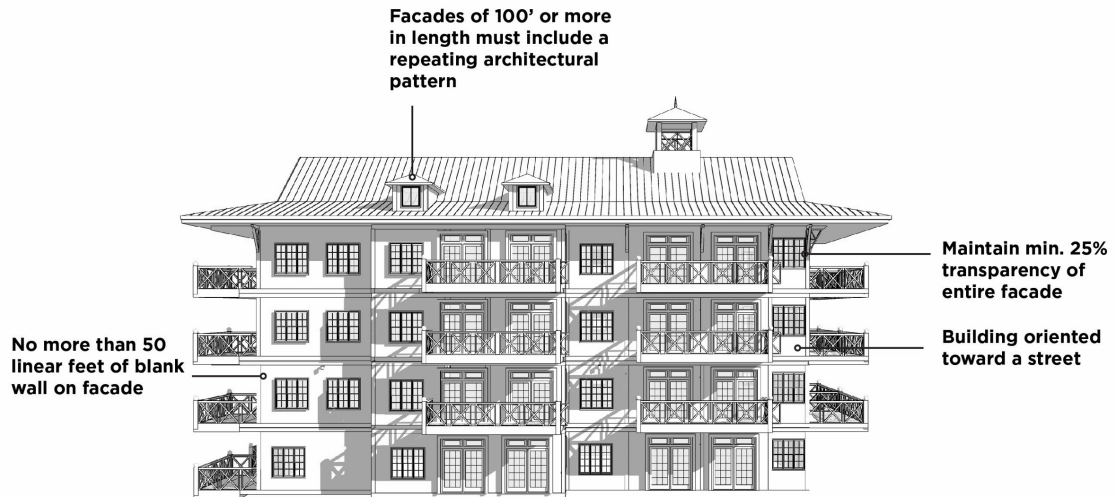
*Example of Mixed-Use Development Design Standards*



*Example of Nonresidential Development Design Standards*



**Example of Multi-Family Development Design Standards**



**§ 6.5 MCAOD Military Compatible Area Overlay Districts**

**TO INCLUDE THE UPDATE COMPLETED BY THE CITY (August 16, 2022)**