

ORDINANCE _____

Ordinance amending the Zoning Ordinance by creating a PART III, SECTION 13A, "HO" Harbor Overlay District; and providing for a repealer clause.

WHEREAS, the Planning and Zoning Commission has forwarded to the City Council its final report and recommendation regarding the amendment to the City of Aransas Pass Zoning Ordinance;

WHEREAS, with proper notice to the public, public hearings were held on Monday, August 10, 2015, during a meeting of the Planning and Zoning Commission, and on Monday, August 17, 2015, during a meeting 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 would best serve the public health, necessity, convenience and general welfare of the City of Aransas Pass and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. That the following section is added to PART III of the City of Aransas Pass Zoning Ordinance:

SECTION 13A – HO

HARBOR OVERLAY DISTRICT

- 100 **Purpose:** The purpose of the Harbor Overlay District is to create a unique mixed use development that will enhance the area and promote activity on the Conn Brown Harbor peninsula while preserving an environmentally sensitive area.
- 200 **Development:** Development within the Harbor Overlay District must be in accordance with the approved Development Plan shown and attached as **Exhibit A.**
- 300 **Uses:** All uses permitted in this district must comply with the uses permitted in the "GB" General Business District.
- 400 **Additional Uses:** The following uses are in addition to the uses permitted by right in the "GB" General Business District.
 - A. Marinas;

- B. Outside storage of boats and boat trailers within this overlay district must be screened from public view.
- C. Enclosed boat storage is an allowed use provided that all associated activity occurs within the boundaries of the tract of land.

-500 **Prohibited Uses:** The following uses are prohibited within the overlay district.

- A. Animal Clinic or Hospital, with or without outside runs;
- B. Bar, Lounges, or taverns;
- C. Billiards Parlor;
- D. Book, Handcraft Binding;
- E. Brick Yard and Similar Building Material Sales;
- F. Cabinet and Woodwork Shop, Custom;
- G. Cemetery;
- H. Cleaning Shop, Commercial or Small Custom Shop;
- I. Convent or Monastery;
- J. Dance Hall or Night Club;
- K. Eating establishments with drive-in or curb service;
- L. Institution for Care of Alcoholic;
- M. Laboratory, Medical or Dental;
- N. Motor Vehicle and Related Uses, except that Parking, Commercial Lot or Garage will be allowed;
- O. Mortuary;
- P. Nursing Home or Residence Home;
- Q. Pawn Shop;

- R. Salvage and Reclamation.
 - S. Second-Hand Store, Used;
 - T. Storage, Processing & Commercial Uses;
 - U. Tool Rental; and
 - V. Welfare or Health Center
- 600 **Height:** The maximum heights permitted within the Harbor Overlay District is 54 feet for the hotel and commercial development; 100 feet for the condominium development and 50 feet for single-family and townhouse development.
- 700 **Residential Lot Standards:** Standards for residential lots must comply with the following.
- A. Lot width – Each residential lot must have a width of not less than 40 feet.
 - B. Lot depth – Each residential lot must have a lot depth of not less than 77 feet.
- 800 **Setbacks:** Setbacks for each type of development is shown in the details attached and labeled as **Exhibit C**.
- 900 **Pedestrian Walkway:** A pedestrian walkway of not less than 10 feet in width shall be constructed and located in accordance with the attached phasing plan (**Exhibit B**).
- 1000 **Architectural Control Committee:** Development within the Harbor Overlay District must be reviewed and approved by the Architectural Control Committee (ACC) prior to the issuance of any building permit. The ACC shall comprise of 5 members of which 2 members will be current City Council members appointed by the City Council. The ACC must approve or reject the proposed development within 10 business days after a complete submittal is received. Failure to meet the 10 business day deadline, the development shall be deemed approved and a building permit shall be issued.
- 1100 **Parking:** Parking for each use must be in compliance with the parking regulations as listed in Section 12 of the Zoning Ordinance, as amended.
- 1200 **Roadway Sections:** Roadway sections must comply with City design standards and be consistent with cross sections as shown in **Exhibit D**.

1300 **Existing Uses:** Uses existing in the Harbor Overlay District at the time this ordinance and not consistent with Conditions 3 and 4 shall be considered as nonconforming uses. As a nonconforming use, the existing use may be allowed to continue as long as it remains in operation. If the use ceases operation for a period of 90 days or more, the use shall be considered as abandoned and not allowed to reopen. Destruction of a nonconforming use/structure, whether intentionally or unintentionally, equal to or greater than 51 percent shall not be allowed to rebuild and the nonconforming use/structure shall be deemed closed. The nonconforming use/structure may be allowed to make repairs equal to or less than 50 percent of the original value to maintain the structure in a safe and working condition. The nonconforming use may not expand its operations, increase the square footage of the existing buildings; and/or expand its paved area or outside storage area. All existing outside storage area must be screened from public view within 180 days after the passage of this ordinance.

CONCEPTUAL DEVELOPMENT PLAN



EXHIBIT A

PROPOSED PHASING PLAN WITH PEDESTRIAN WALKWAYS

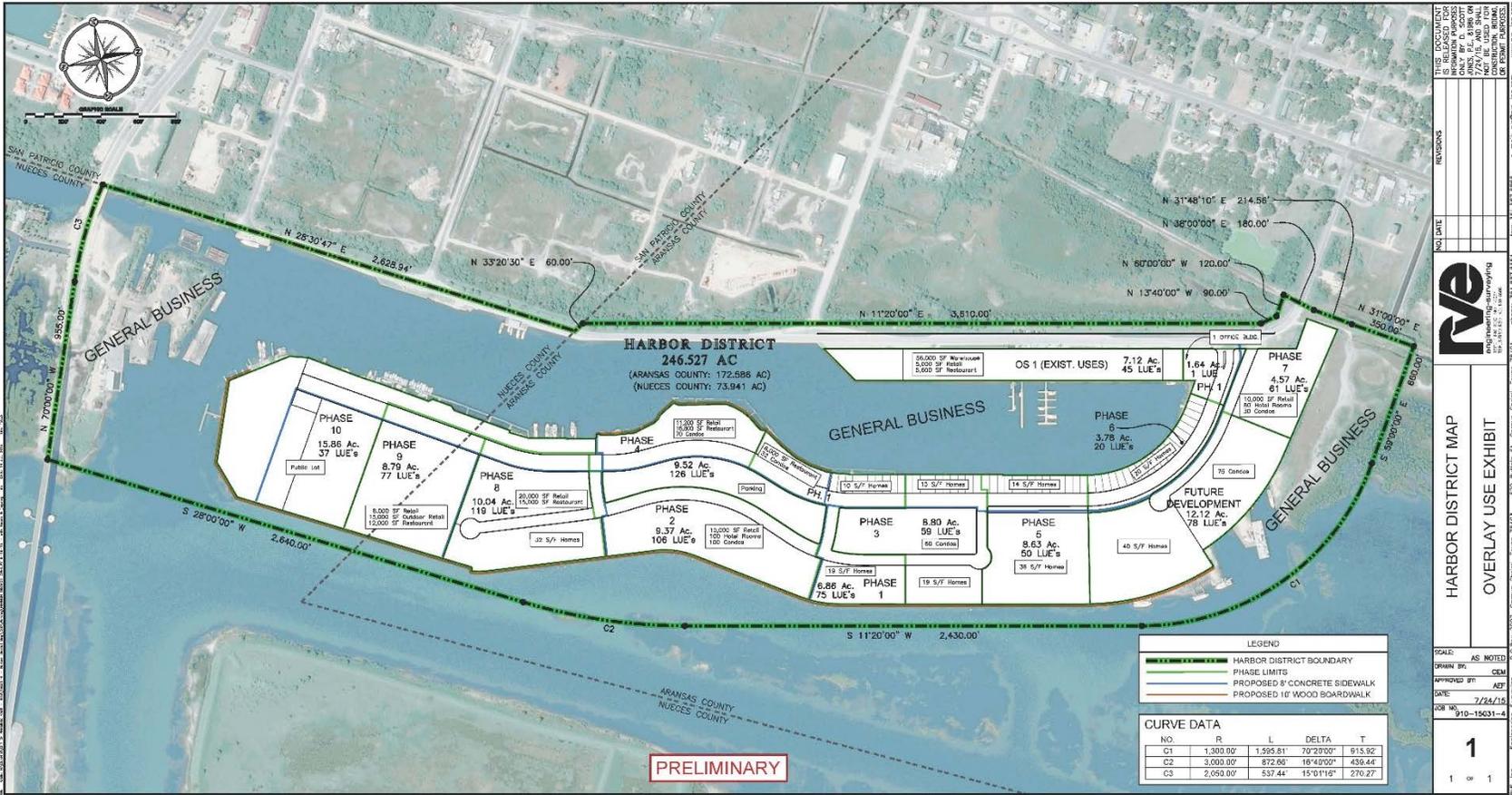
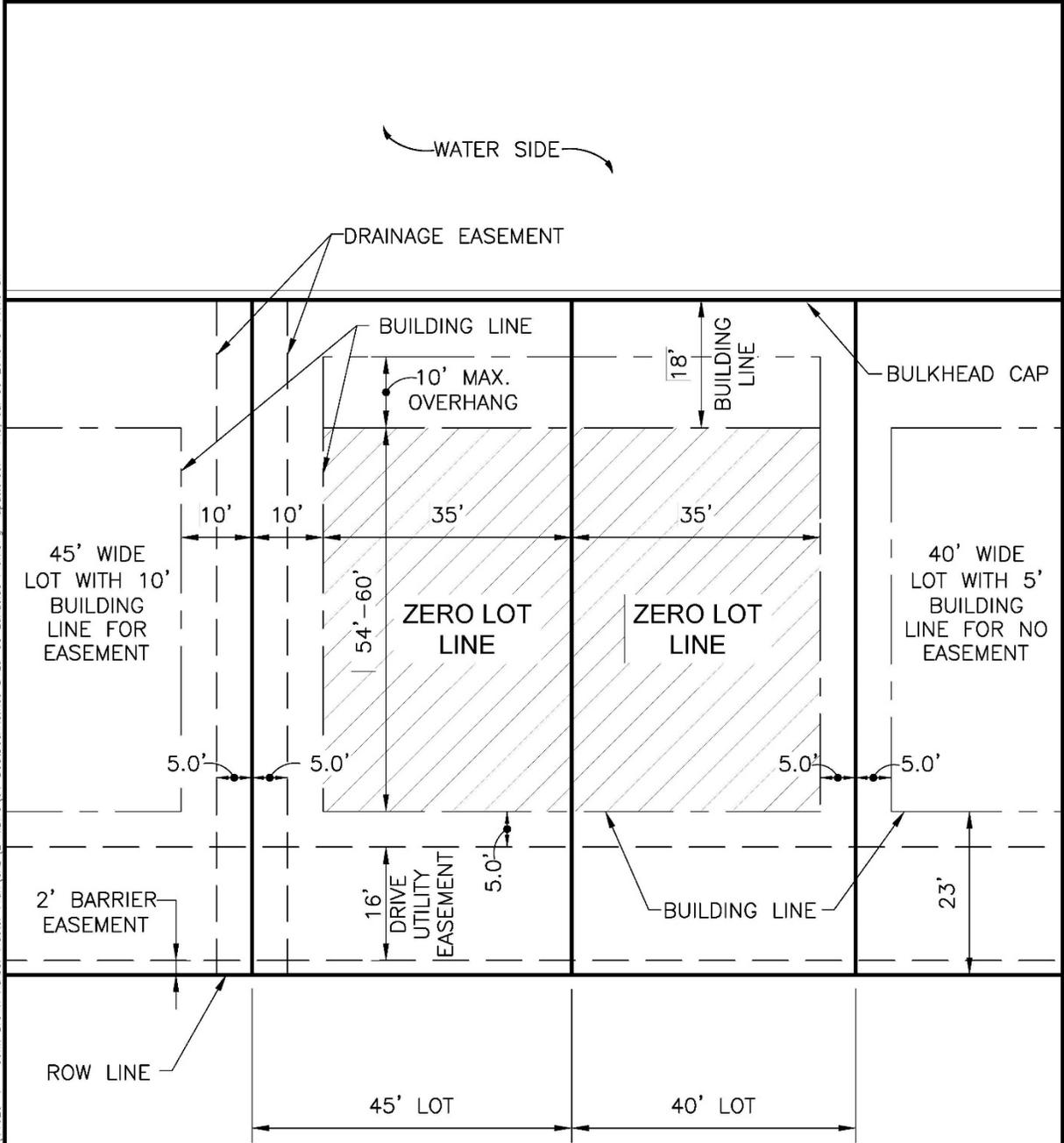


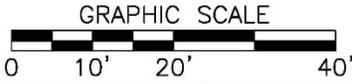
EXHIBIT B

R:\CLIENTS\CITY OF ARANSAS PASS - 910\14029-1 - Conn Brown Harbor Master Plan\CAD\EXHIBITS\01 BoatDockHomes B1L5-58 Landside Plan.dwg dpaterson Thu Jul 30 2015 @ 11:10 am



PRELIMINARY

EXHIBIT



CITY OF ARANSAS PASS
CONN BROWN HARBOR

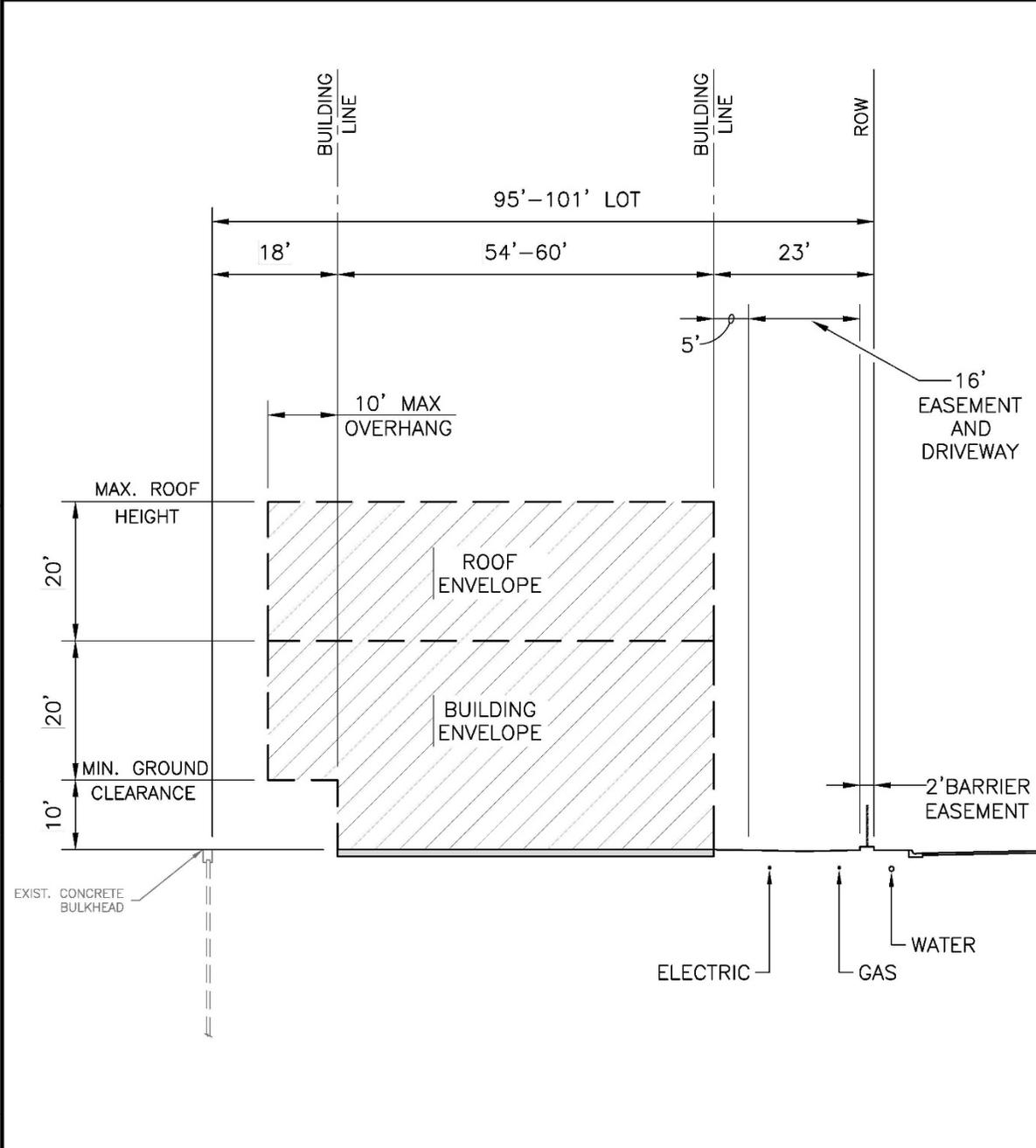
BOAT DOCK HOMES
BLOCK 1, LOTS 5-58
LAND SIDE PLAN

7/24/15

X

X OF X

RVE: I:\CLIENTS\CITY OF ARANSAS PASS - STD\14029-1 - Conn Brown Harbor Master Plan\CAD\EXHIBITS\02 BoatDockHomes B1L5-58 Landside Section.dwg dptcterson Thu Jul 30 2015 @ 11:10 am



PRELIMINARY

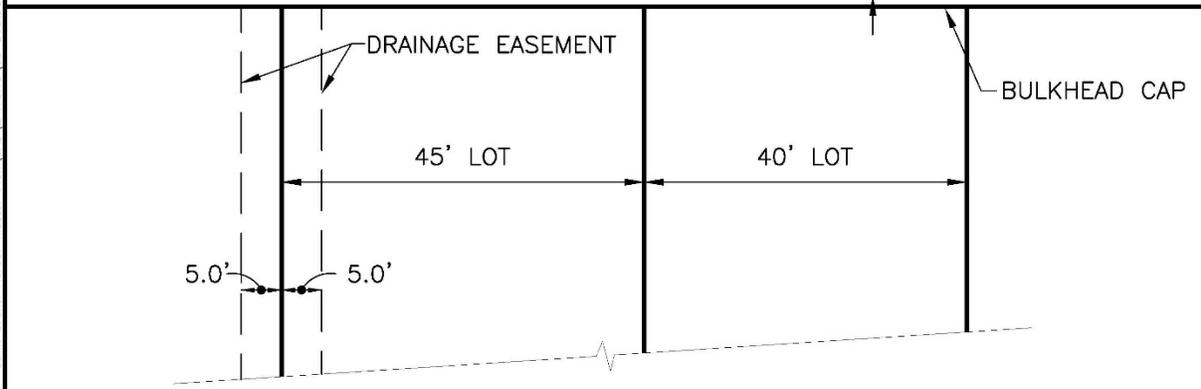
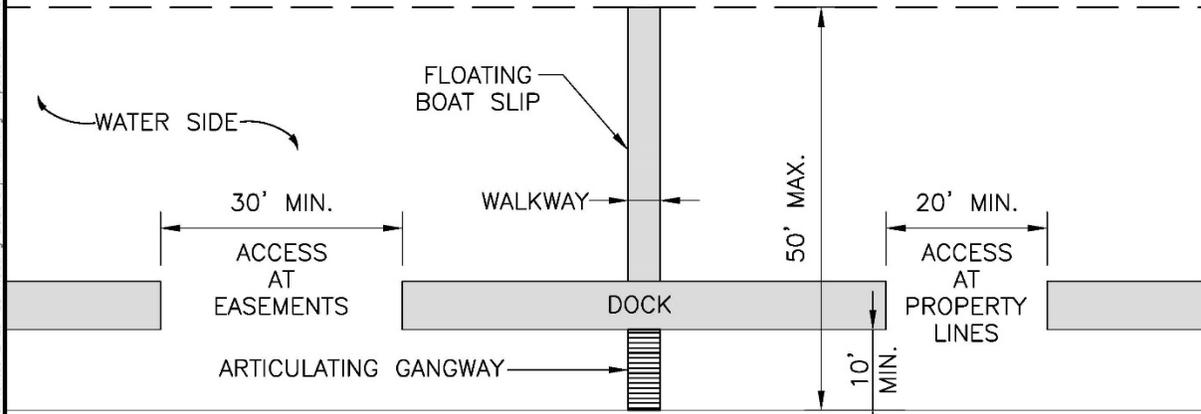
EXHIBIT



		<p>CITY OF ARANSAS PASS CONN BROWN HARBOR</p> <p>BOAT DOCK HOMES BLOCK 1, LOTS 5-58 LAND SIDE SECTION</p>	<p style="font-size: 36px; font-weight: bold;">X</p> <p>X OF X</p>
			<p>7/24/15</p>

P:\CLIENTS\CITY OF ARANSAS PASS - 910\14028-1 - Conn Brown Harbor Master Plan\CAD\EXHIBITS\03 BoatDockHomes B115-58 Floating Boat Slip Plan.dwg dptterson Thu Jul 30 2015 @ 11:11 am

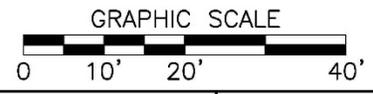
DREDGE AND MAINTENANCE EASEMENT
VOL. 985, PG. 535-536 D.R.N.C.T.



FINAL DESIGN TO BE PREPARED
BY PROFESSIONAL ENGINEER

PRELIMINARY

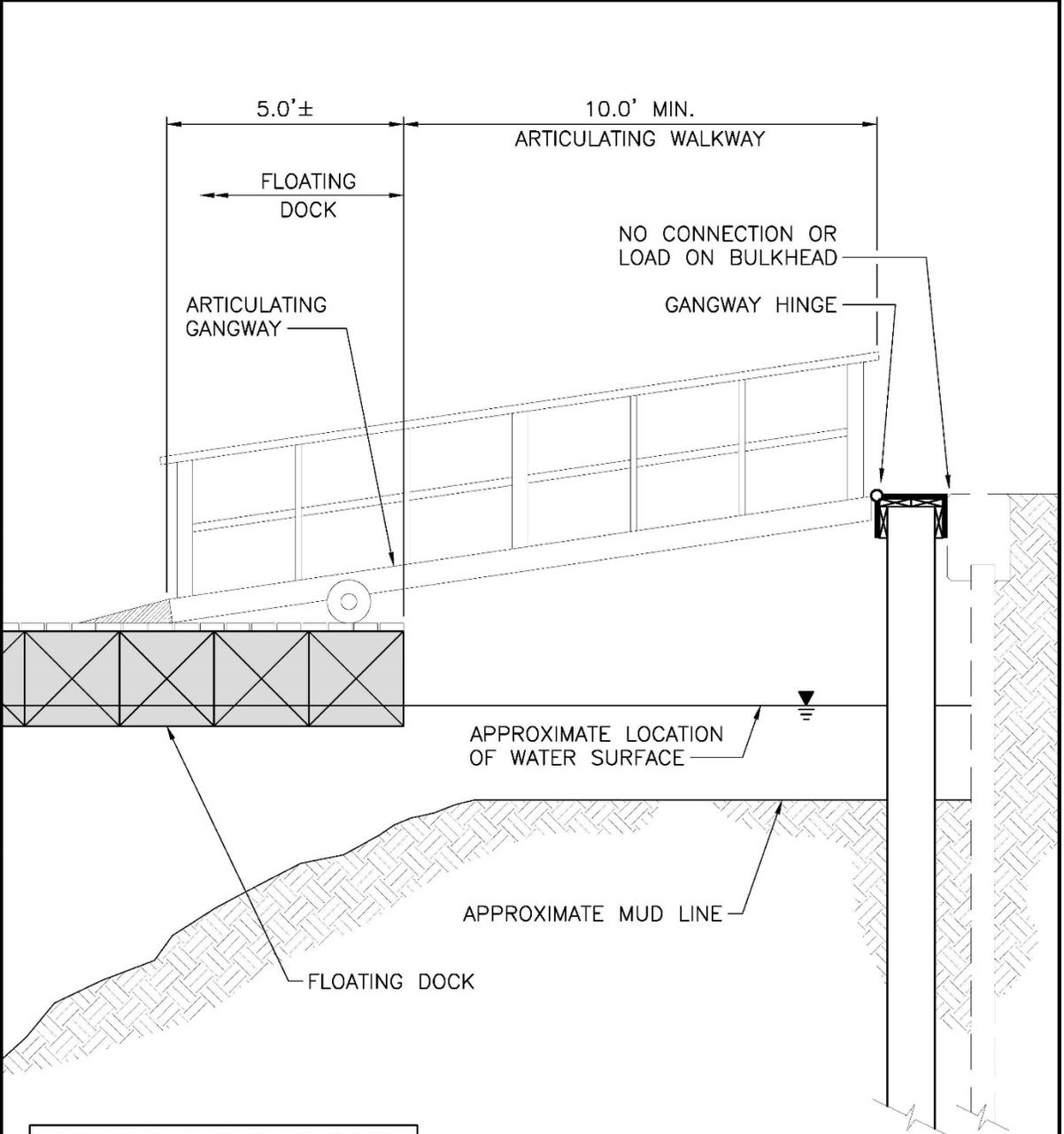
EXHIBIT



		<p>CITY OF ARANSAS PASS CONN BROWN HARBOR BOAT DOCK HOMES BLOCK 1, LOTS 5-58 FLOATING BOAT SLIP PLAN</p>	<p>X X OF X</p>
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7/24/15

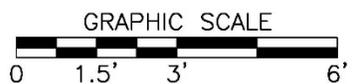
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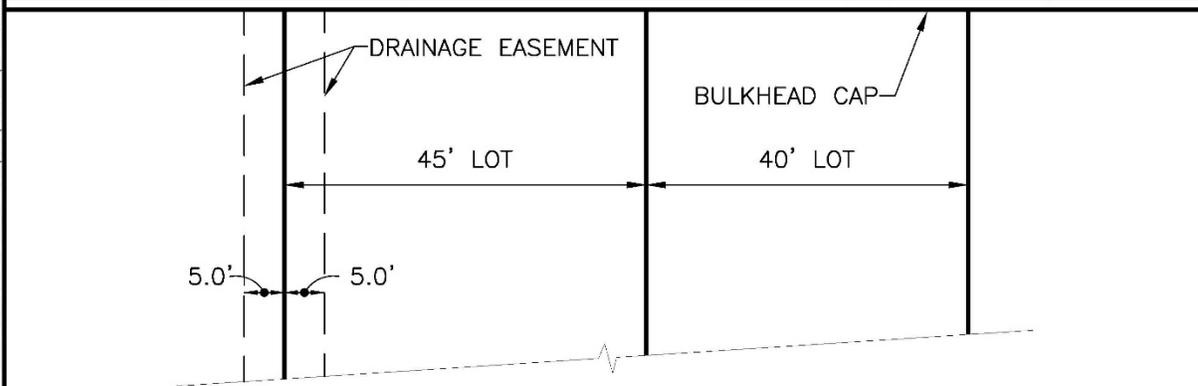
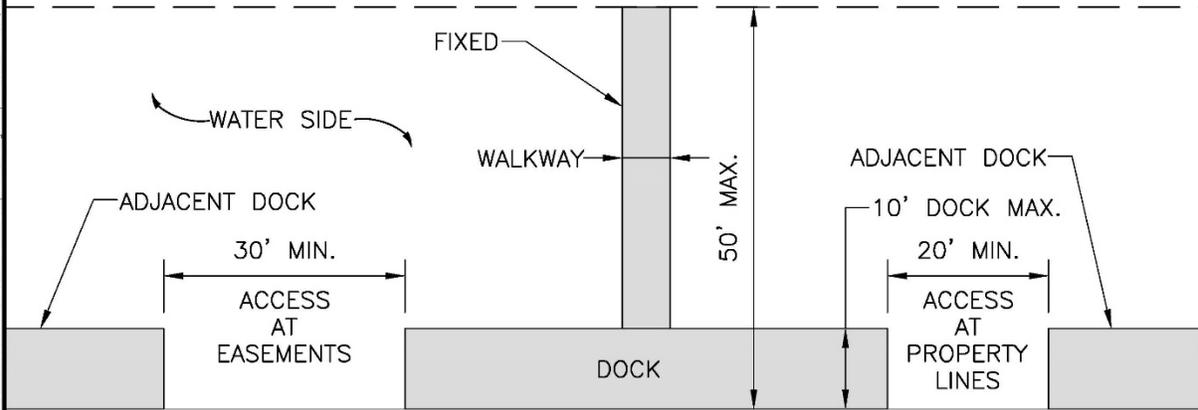
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DREDGE AND MAINTENANCE EASEMENT
VOL. 985, PG. 535-536 D.R.N.C.T.



FINAL DESIGN TO BE PREPARED
BY PROFESSIONAL ENGINEER

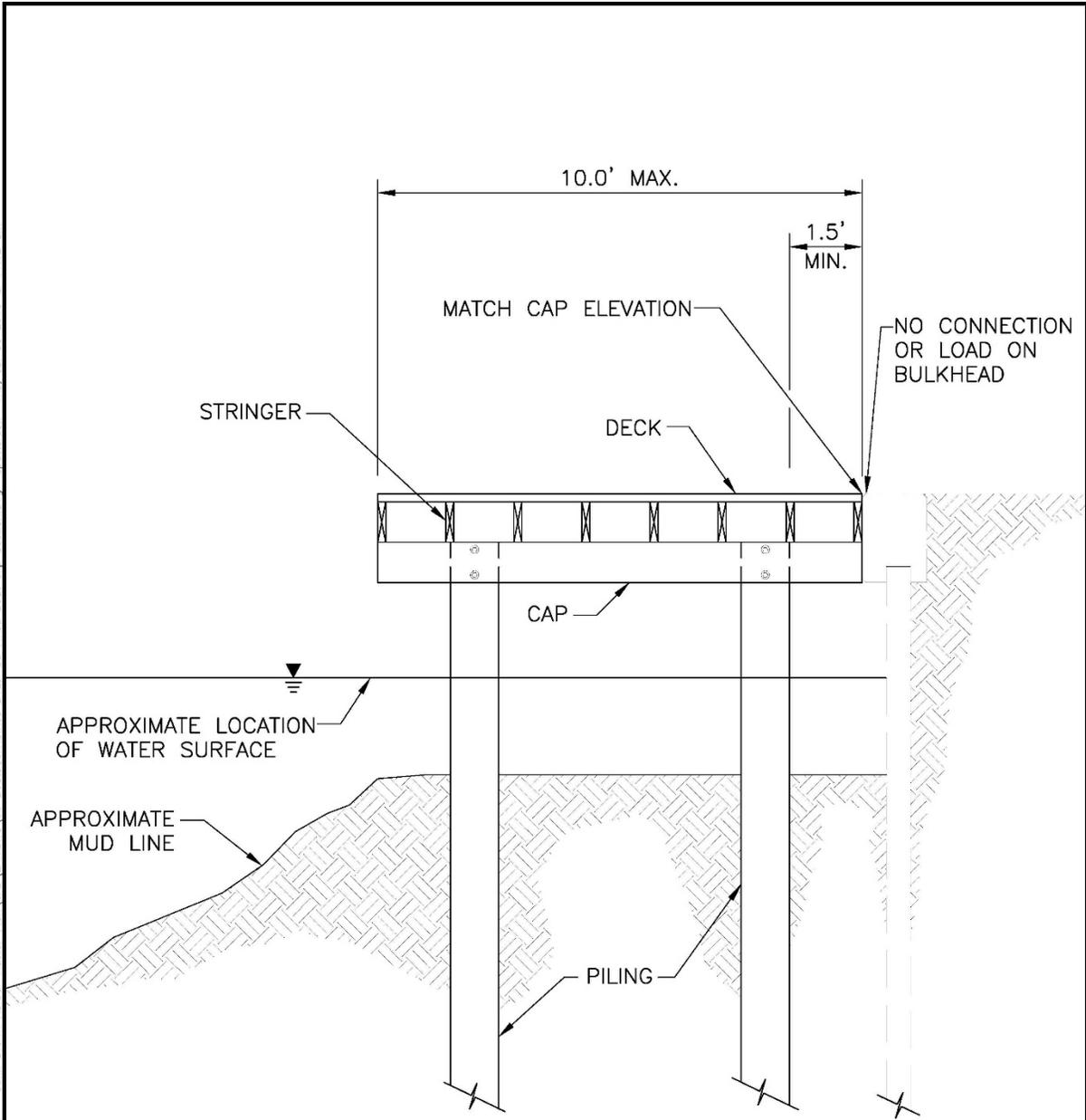
PRELIMINARY

EXHIBIT



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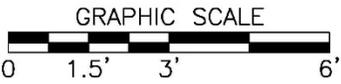
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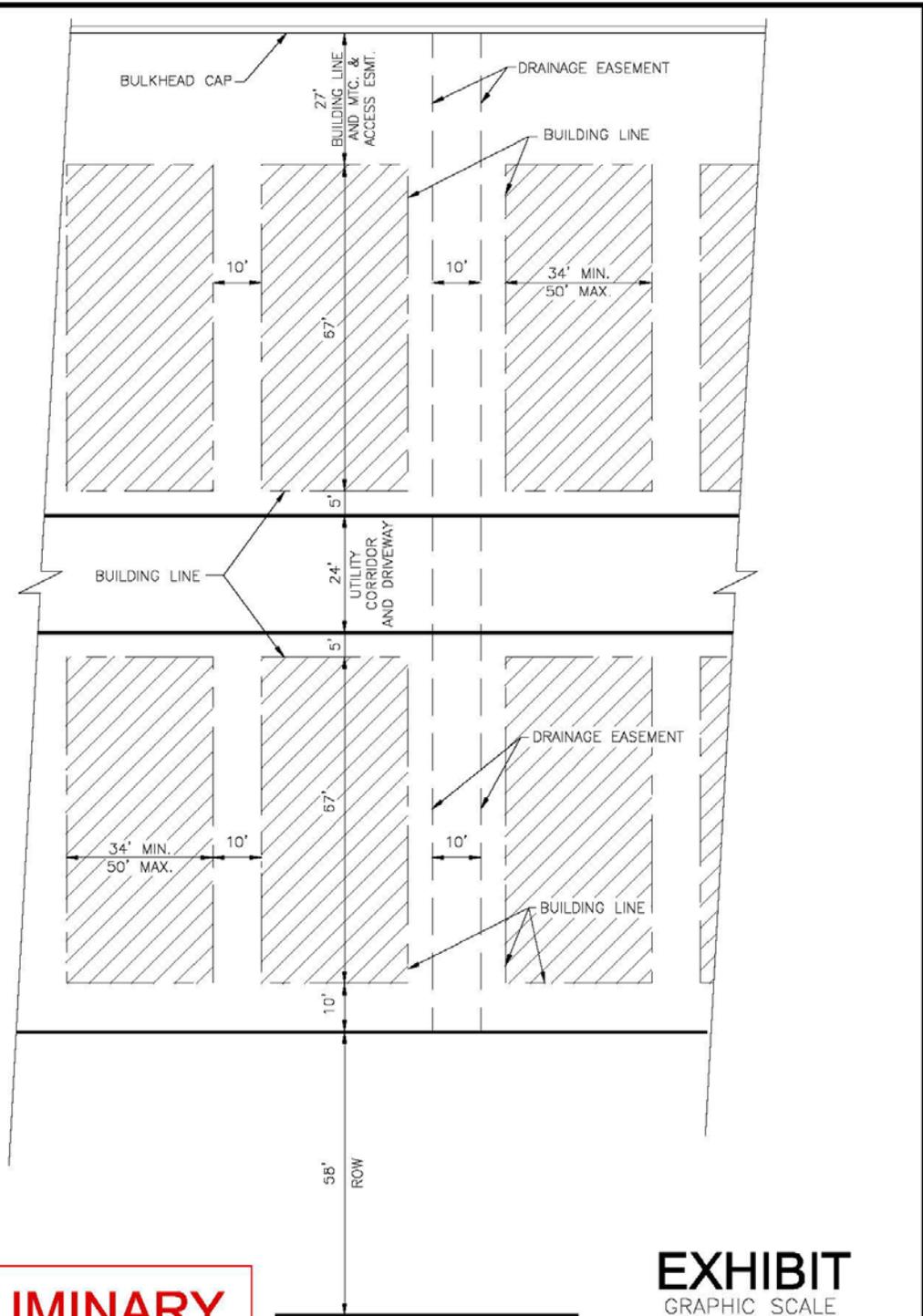
PRELIMINARY

EXHIBIT



		<p>CITY OF ARANSAS PASS CONN BROWN HARBOR</p> <p>BOAT DOCK HOMES BLOCK 1, LOTS 5-58 FIXED BOAT SLIP SECTION</p> <p>7/24/15</p>	<p>X</p> <p>X OF X</p>
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PRELIMINARY

EXHIBIT
GRAPHIC SCALE



**CITY OF ARANSAS PASS
CONN BROWN HARBOR**

COTTAGE HOMES
BLOCK 1, LOTS 66, 67, 69-72
LAND SIDE PLAN

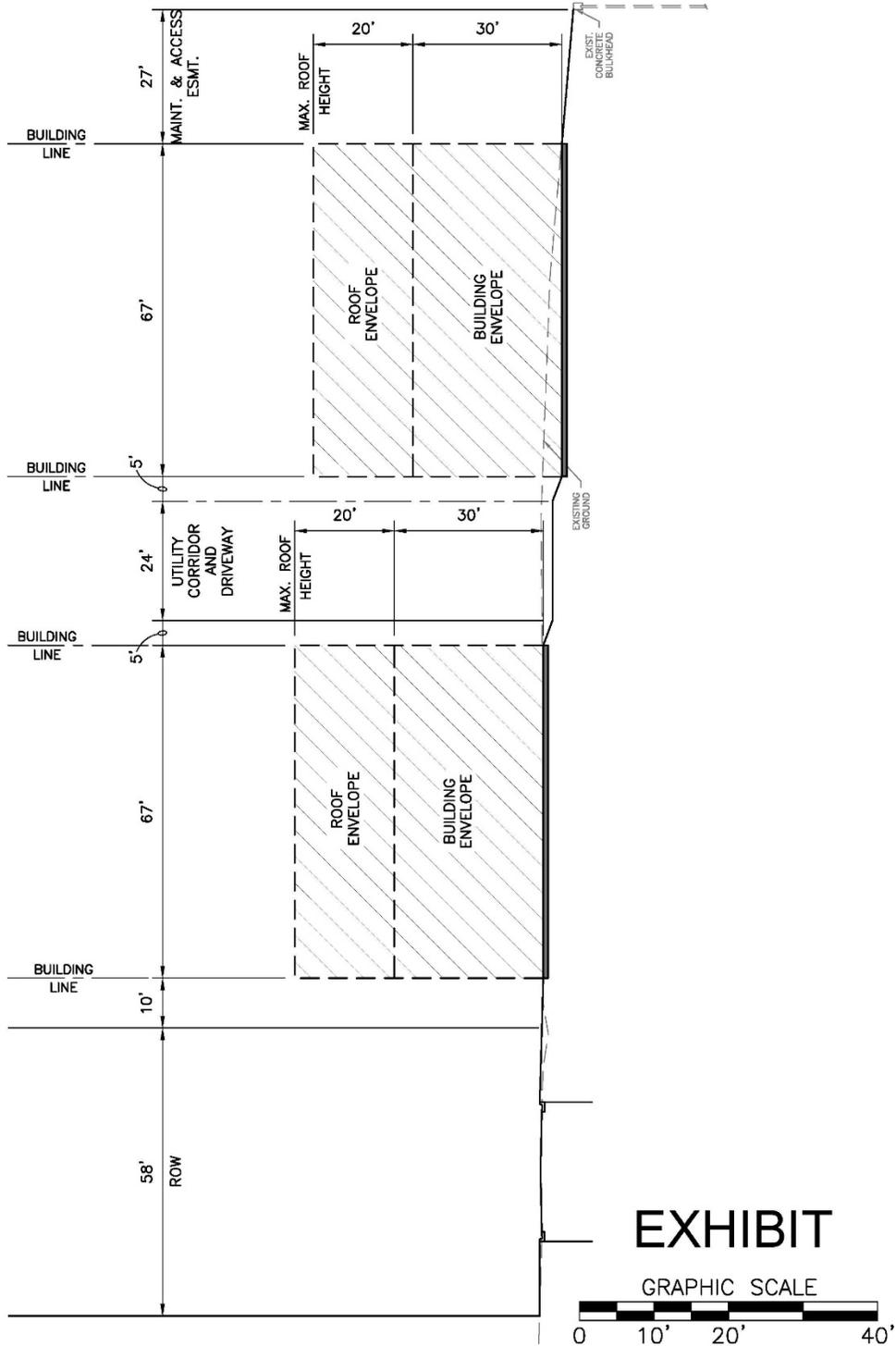
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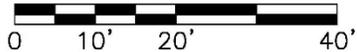
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PRELIMINARY



EXHIBIT

GRAPHIC SCALE



CITY OF ARANSAS PASS
CONN BROWN HARBOR
COTTAGE HOMES
BLOCK 1, LOTS 66, 67, 69-72
LAND SIDE SECTION

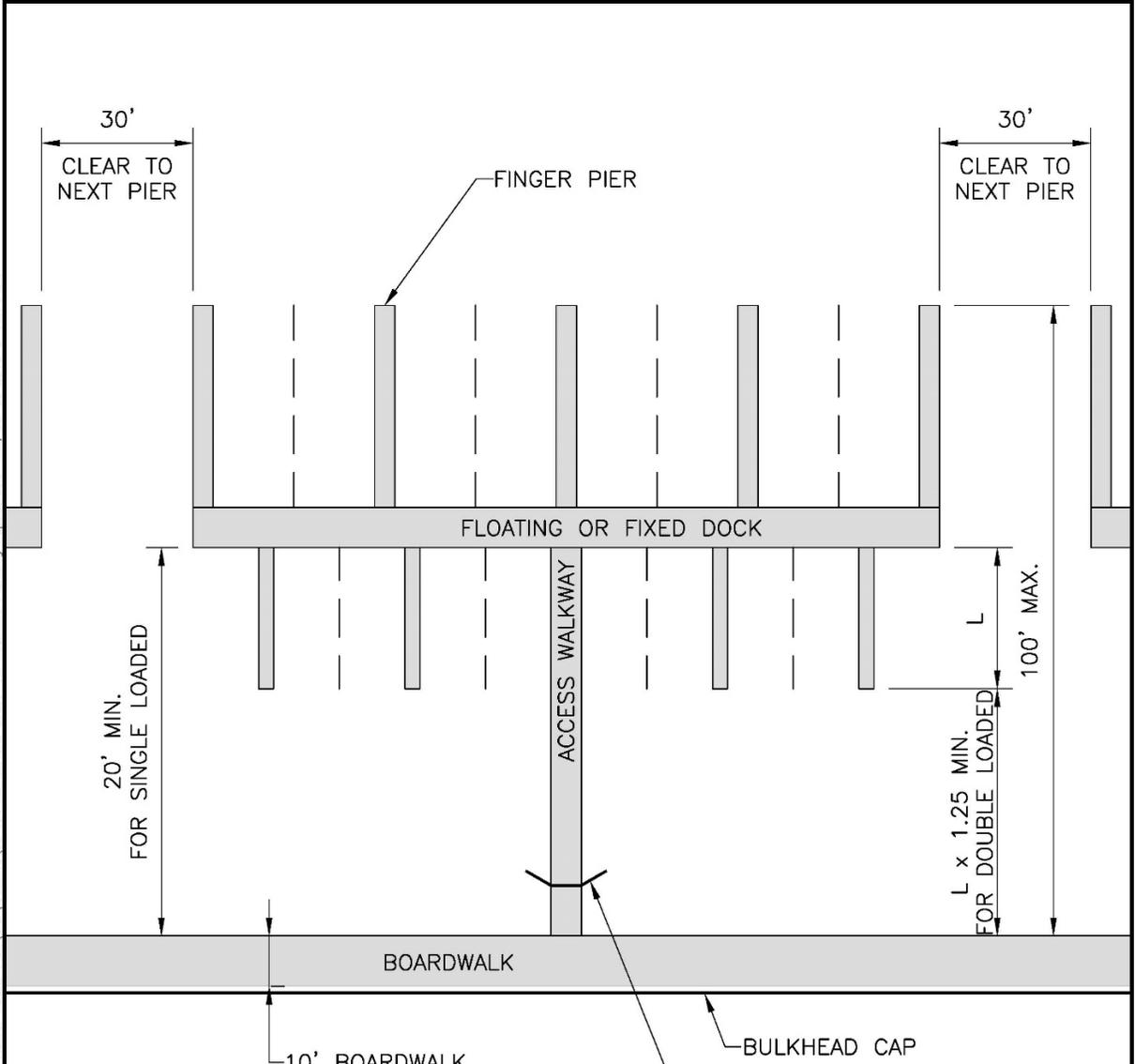
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X OF X

EXHIBIT C

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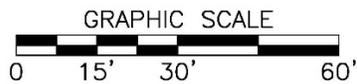
NOTES:

1. SINGLE OR DOUBLE LOADED ALLOWED
2. FINGER PIERS ALLOWED
3. SLIP LENGTHS VARIABLE
4. SLIP LENGTH TO WIDTH RATIO PER DESIGNER

FINAL DESIGN TO BE PREPARED
 BY PROFESSIONAL ENGINEER

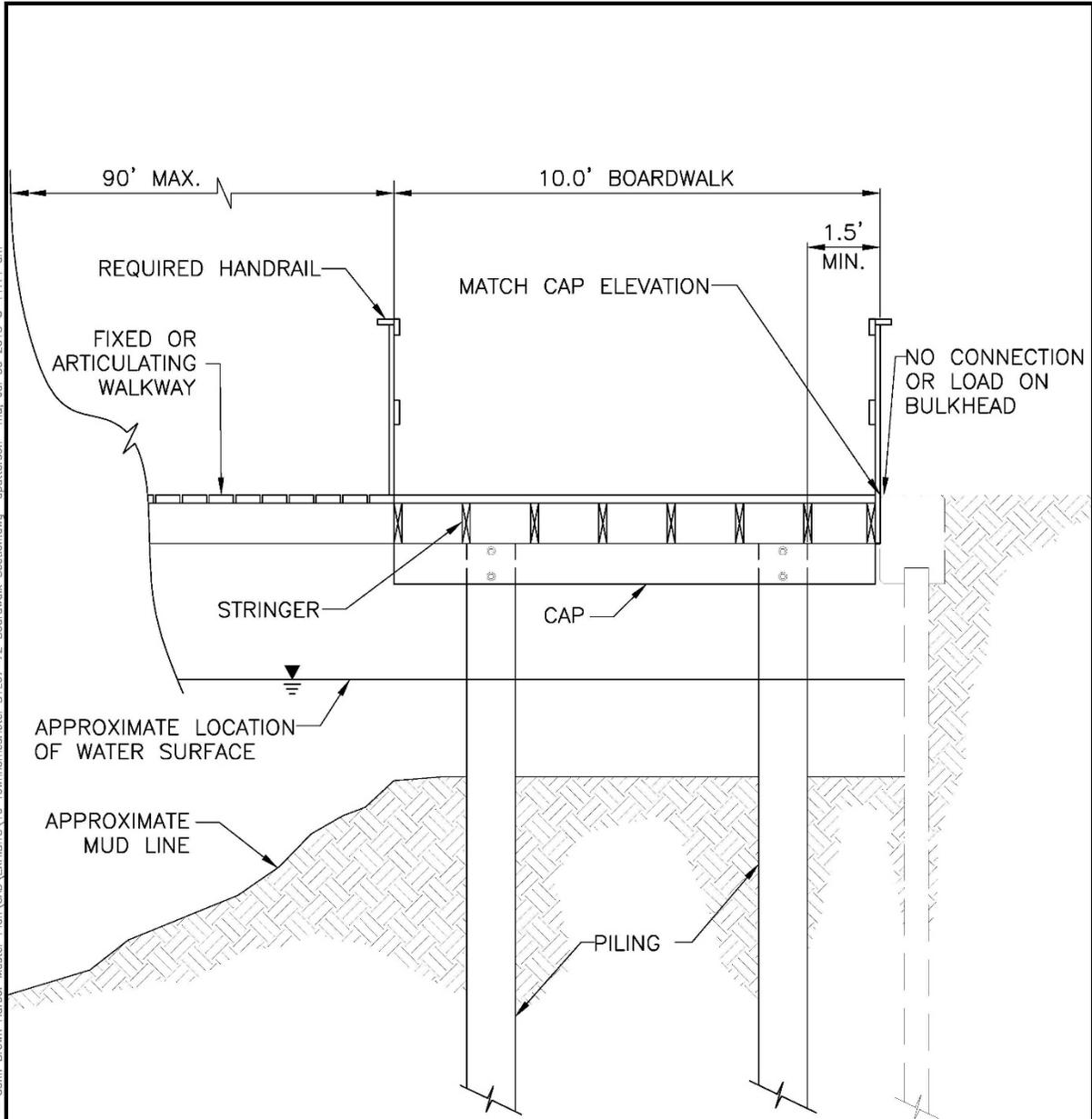
PRELIMINARY

EXHIBIT



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			7/29/15

R/E NAME: R:\CLIENTS\CITY OF ARANSAS PASS - 910\14029-1 - Conn Brown Harbor Master Plan\CAD\EXHIBITS\10 TownhomeHotel B1L67-72 Boardwalk Section.dwg dbatterson Thu Jul 30 2015 @ 11:14 am



FINAL DESIGN TO BE PREPARED BY PROFESSIONAL ENGINEER

PRELIMINARY

EXHIBIT

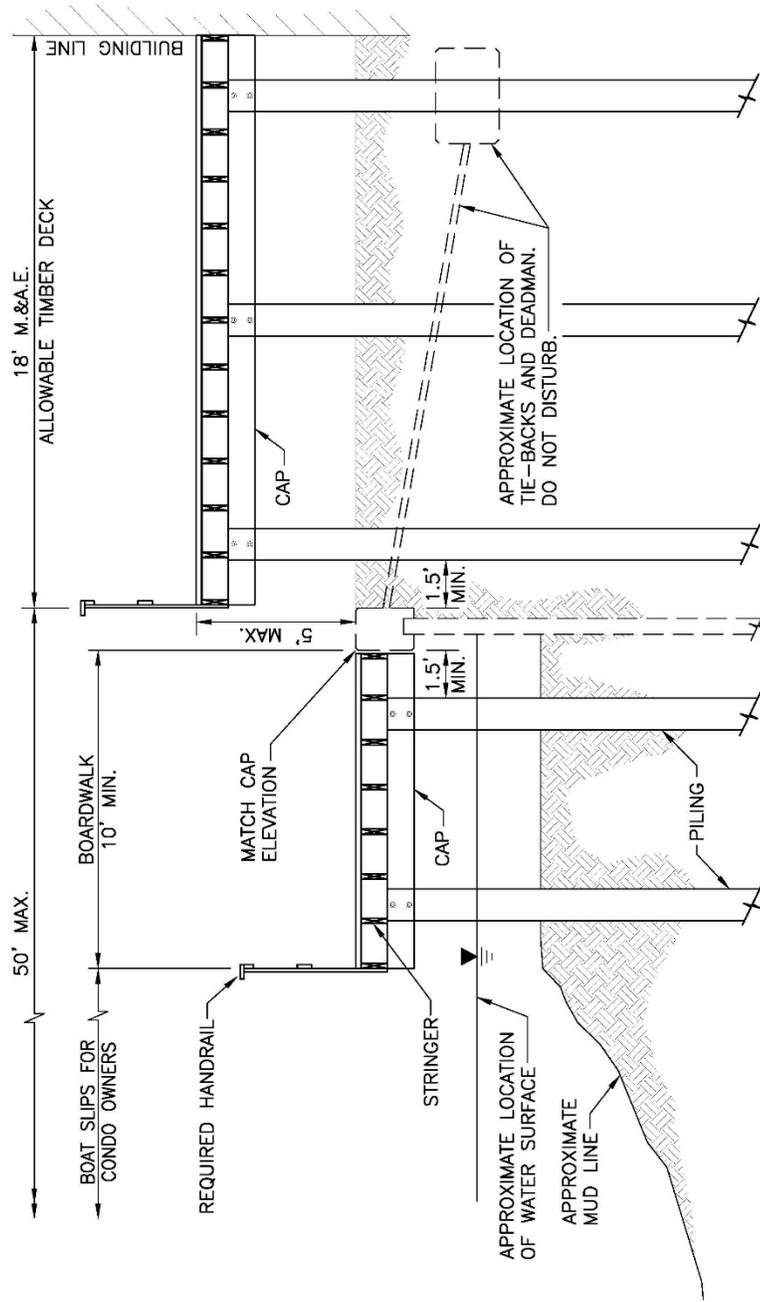
GRAPHIC SCALE



		<p>CITY OF ARANSAS PASS CONN BROWN HARBOR TOWNHOME AND HOTEL BOAT DOCKS BLOCK 1, LOTS 67-72 BOARDWALK SECTION</p> <p>7/29/15</p>	<p>X</p> <p>X OF X</p>
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EXHIBIT C

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EXHIBIT



PRELIMINARY

FINAL DESIGN TO BE PREPARED BY PROFESSIONAL ENGINEER



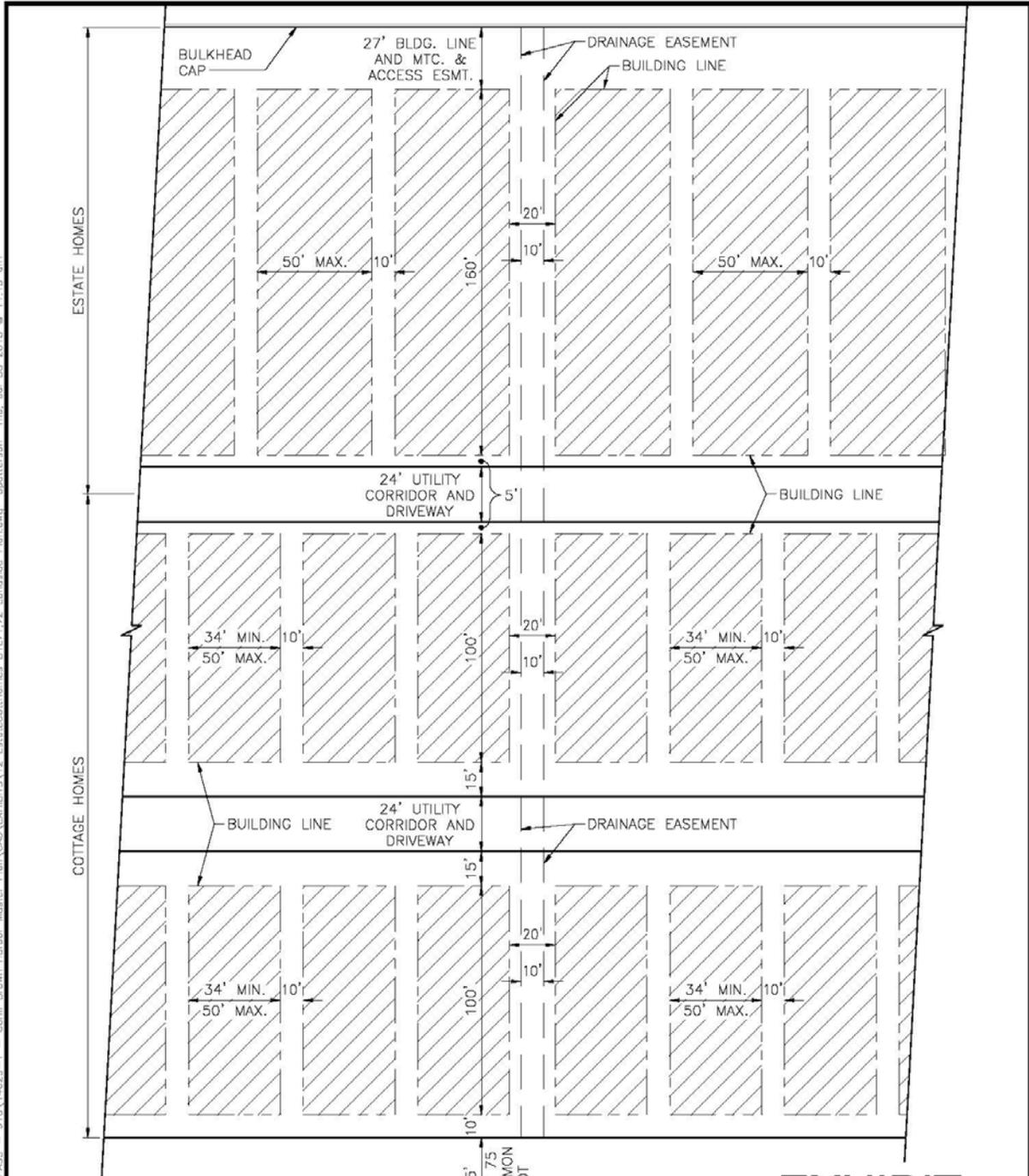
CITY OF ARANSAS PASS
CONN BROWN HARBOR
RESIDENTIAL CONDOMINIUMS
BLOCK 1, LOT 59
BOARDWALK SECTION

7/24/15

X

X OF X

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PRELIMINARY

EXHIBIT
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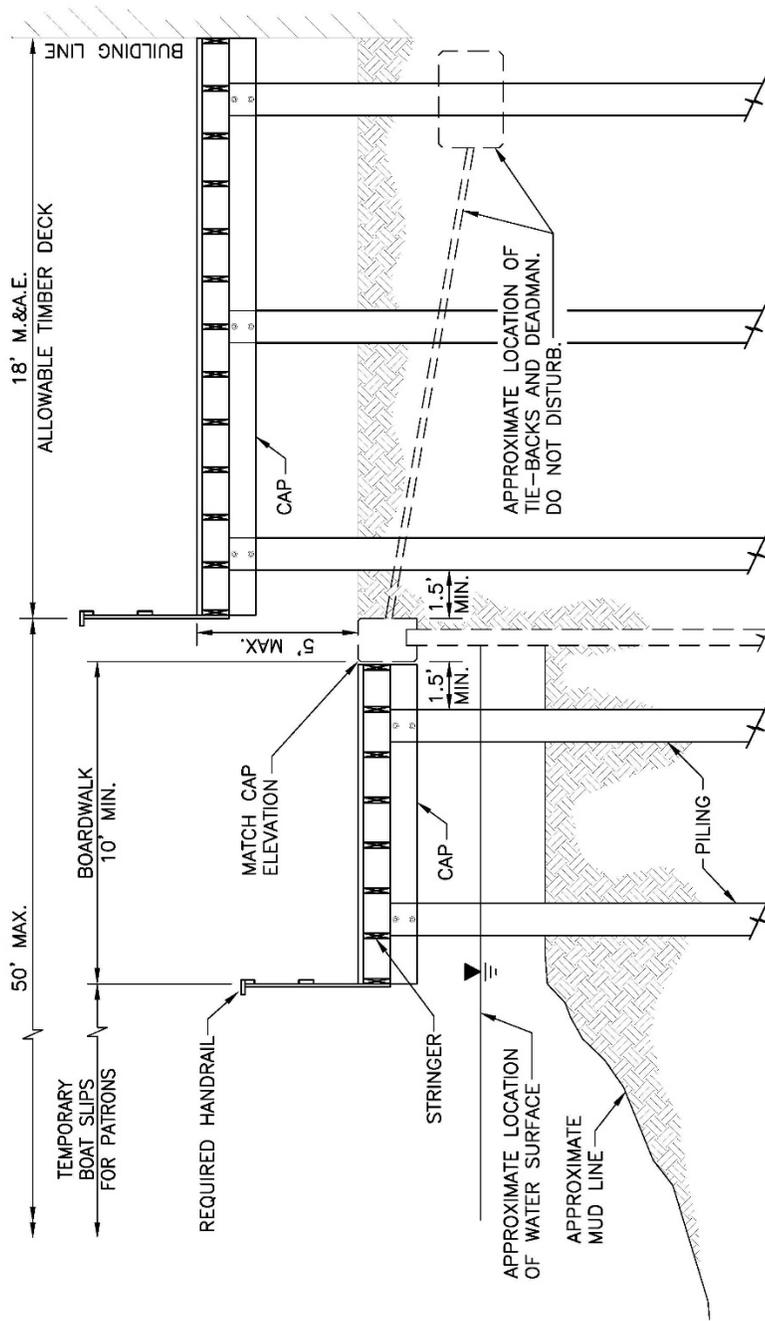


**CITY OF ARANSAS PASS
CONN BROWN HARBOR**
ESTATE & COTTAGE HOMES
BLOCK 1, LOTS 71 & 72
LAND SIDE PLAN

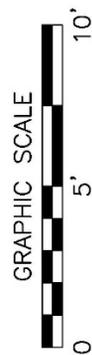
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EXHIBIT



PRELIMINARY

FINAL DESIGN TO BE PREPARED BY PROFESSIONAL ENGINEER



CITY OF ARANSAS PASS
CONN BROWN HARBOR

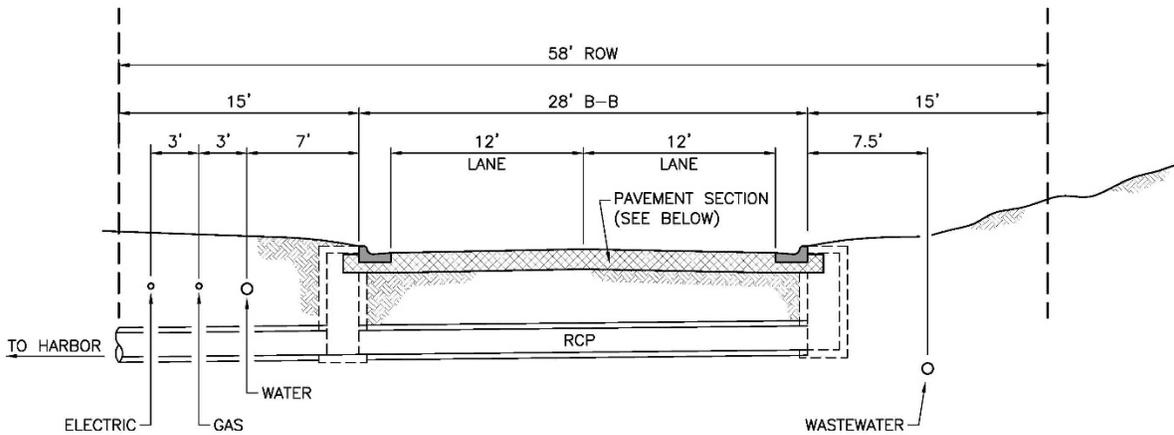
COMMERCIAL AREAS
BLOCK 1, LOTS 60, 65
BOARDWALK SECTION

7/29/15

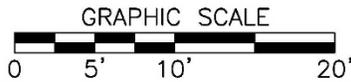
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EXHIBIT C

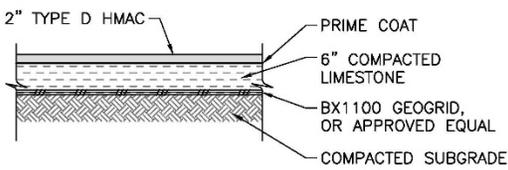


**CONN BROWN HARBOR MASTER PLAN
STREET SECTION
58-FOOT RIGHT-OF-WAY
28' B-B**

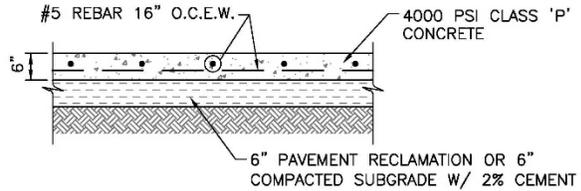
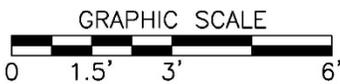


NOTES:

1. LONGITUDINAL CONSTRUCTION JOINT CONTINUOUS.
2. TRANSVERSE LOAD TRANSFER EXPANSION JOINTS AT 40' O.C.
3. TRANSVERSE SAWED CONTRACTION JOINTS AT 10' O.C.
4. PAVEMENT SECTIONS TO BE CONFIRMED OR REVISED BY GEOTECHNICAL INVESTIGATION.



H.M.A.C. PAVEMENT



REINF. CONCRETE PAVEMENT

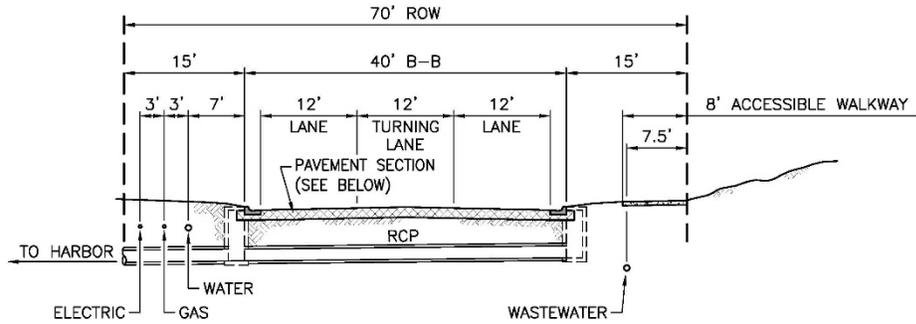


PRELIMINARY

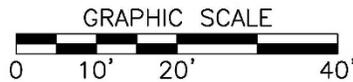
EXHIBIT

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			<p>7/24/15</p>

FILE NAME: H:\CLIENTS\CITY OF ARANSAS PASS - 810\14029-1 - Conn Brown Harbor Master Plan\CDU\EXHIBITS\15-1-17 Street Sections.dwg dptterson Fri, Jul 24 2015 @ 11:19 am

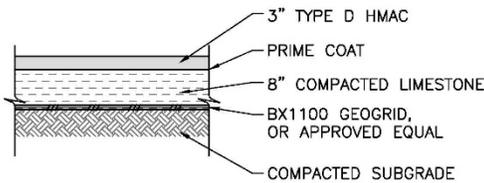


CONN BROWN HARBOR MASTER PLAN
STREET SECTION
 70-FOOT RIGHT-OF-WAY
 40' B-B

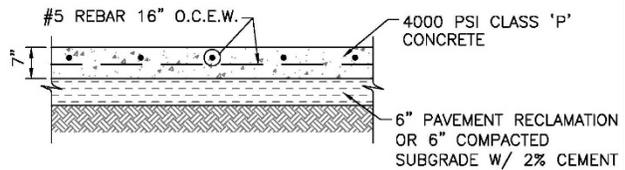
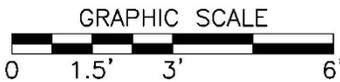


NOTES:

1. LONGITUDINAL CONSTRUCTION JOINT CONTINUOUS.
2. TRANSVERSE LOAD TRANSFER EXPANSION JOINTS AT 40' O.C.
3. TRANSVERSE SAWED CONTRACTION JOINTS AT 10' O.C.
4. PAVEMENT SECTIONS TO BE CONFIRMED OR REVISED BY GEOTECHNICAL INVESTIGATION.



H.M.A.C. PAVEMENT



REINF. CONCRETE PAVEMENT

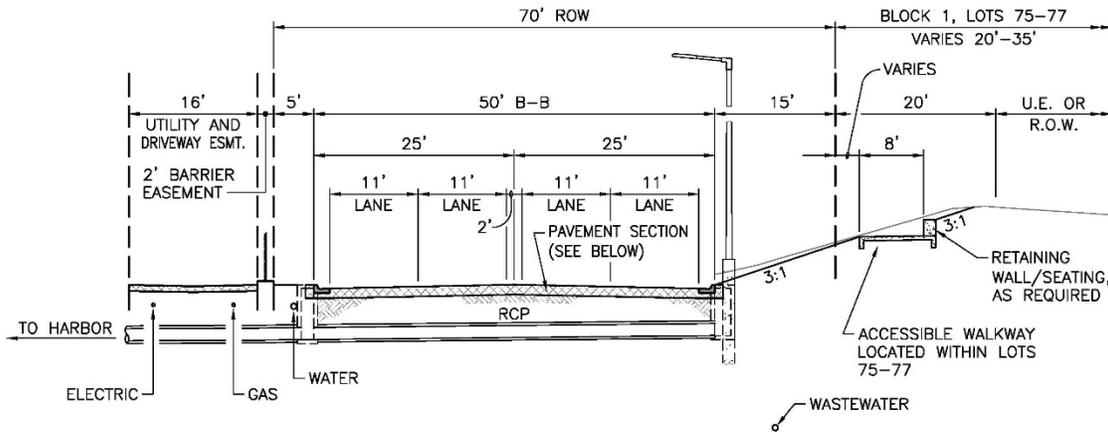


PRELIMINARY

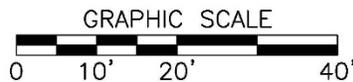
EXHIBIT

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			7/24/15

RVE: NAME: \CLIENTS\CITY OF ARANSAS PASS - 910\14028-1 - Conn Brown Harbor Master Plan\CAD\EXHIBITS\13-17 Street Sections.dwg dpatterson Fri, Jul 24, 2015 @ 11:20 am

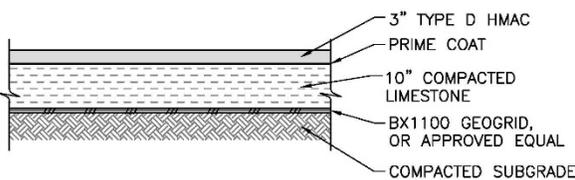


CONN BROWN HARBOR MASTER PLAN
RESIDENTIAL STREET SECTION
 70-FOOT RIGHT-OF-WAY
 50' B-B

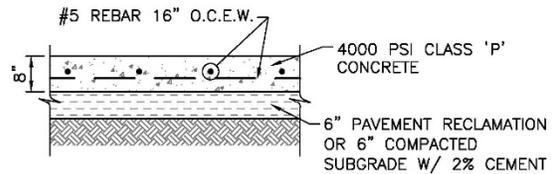
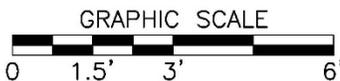


NOTES:

1. LONGITUDINAL CONSTRUCTION JOINT CONTINUOUS.
2. TRANSVERSE LOAD TRANSFER EXPANSION JOINTS AT 40' O.C.
3. TRANSVERSE SAWED CONTRACTION JOINTS AT 10' O.C.
4. PAVEMENT SECTIONS TO BE CONFIRMED OR REVISED BY GEOTECHNICAL INVESTIGATION.



H.M.A.C. PAVEMENT



REINF. CONCRETE PAVEMENT

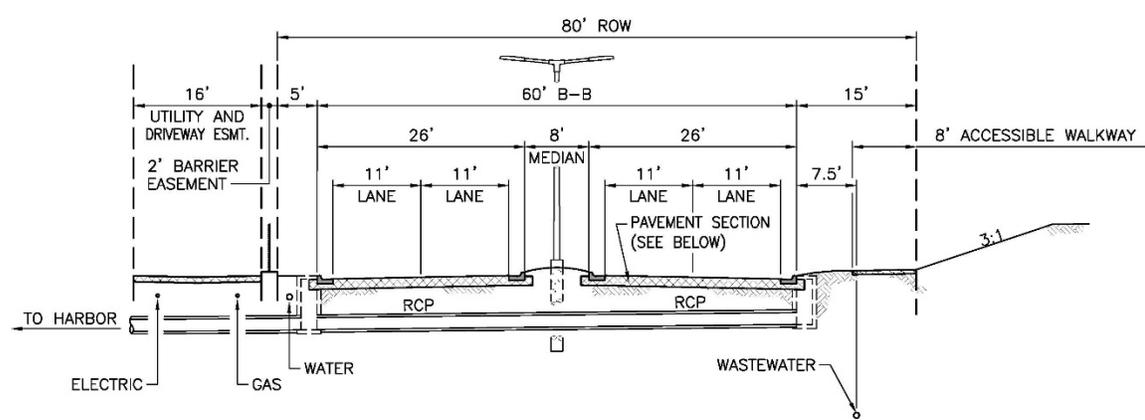


PRELIMINARY

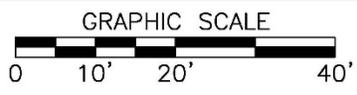
EXHIBIT

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			7/24/15

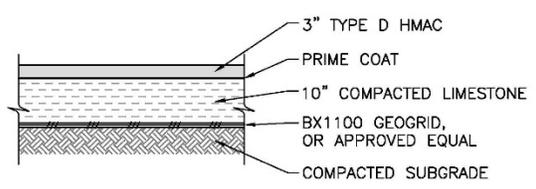
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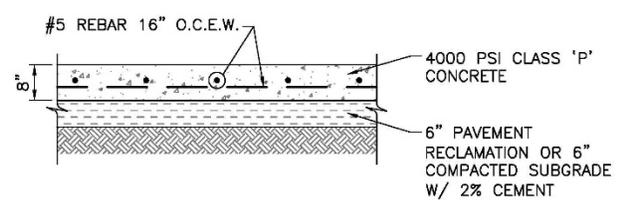
**CONN BROWN HARBOR MASTER PLAN
RESIDENTIAL STREET SECTION
80-FOOT RIGHT-OF-WAY
60' B-B**



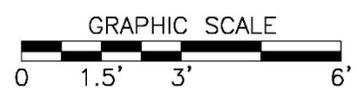
- NOTES:**
1. LONGITUDINAL CONSTRUCTION JOINT CONTINUOUS.
 2. TRANSVERSE LOAD TRANSFER EXPANSION JOINTS AT 40' O.C.
 3. TRANSVERSE SAWED CONTRACTION JOINTS AT 10' O.C.
 4. PAVEMENT SECTIONS TO BE CONFIRMED OR REVISED BY GEOTECHNICAL INVESTIGATION.



H.M.A.C. PAVEMENT



REINF. CONCRETE PAVEMENT

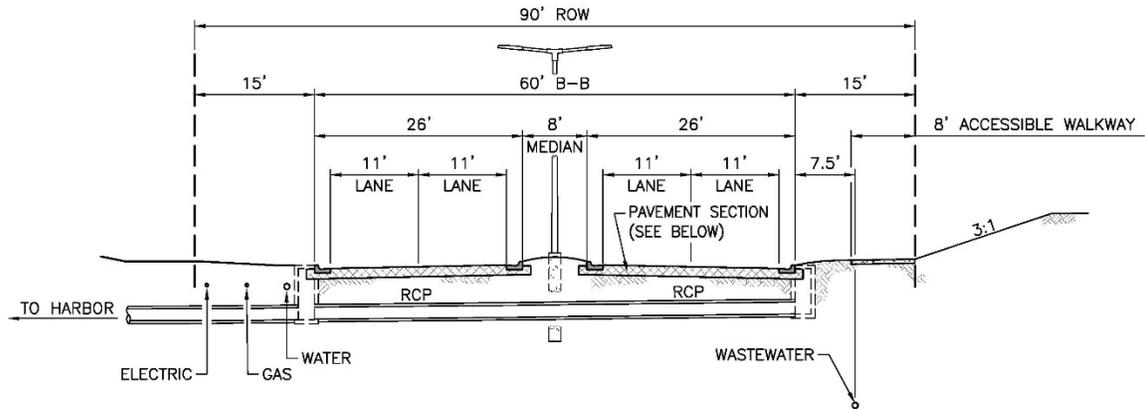


PRELIMINARY

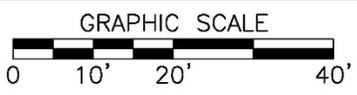
EXHIBIT

		<p>CITY OF ARANSAS PASS CONN BROWN HARBOR</p> <p>60' B-B STREET SECTION 80' ROW</p>	<p style="font-size: 48px; font-weight: bold;">X</p> <p>X OF X</p>
			<p>7/24/15</p>

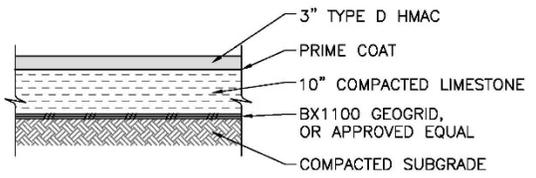
FILE NAME: RA\CLIENTS\CITY OF ARANSAS PASS - 910\14628-1 - Conn Brown Harbor Master Plan\CONNECTIONS\1.5-17 Street Sections.dwg dptaterson Fri, Jul 24, 2015 @ 11:20 am



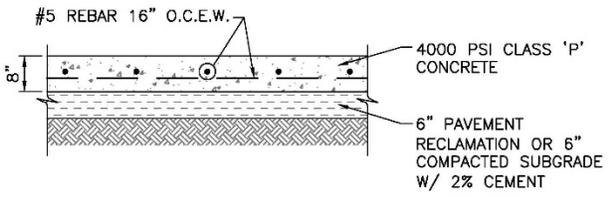
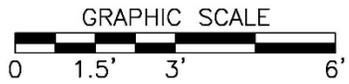
CONN BROWN HARBOR MASTER PLAN
COMMERCIAL STREET SECTION
 90-FOOT RIGHT-OF-WAY
 60' B-B



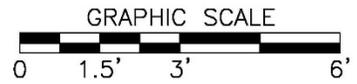
- NOTES:**
1. LONGITUDINAL CONSTRUCTION JOINT CONTINUOUS.
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H.M.A.C. PAVEMENT



REINF. CONCRETE PAVEMENT



PRELIMINARY

EXHIBIT

		CITY OF ARANSAS PASS CONN BROWN HARBOR 60' B-B STREET SECTION 90' ROW	<div style="font-size: 48px; font-weight: bold;">X</div> X OF X
			7/24/15

SECTION 2. The official Zoning Ordinance of the City is amended to reflect changes made by Section 1 of this ordinance.

SECTION 3. The Zoning Ordinance made effective August 24, 1968, and as amended from time to time, except as changed by this ordinance, both remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances specifically pertaining to the zoning of the Property and that are in conflict with this ordinance are hereby expressly repealed.

SECTION 5. This ordinance shall be effective upon passage.

The foregoing ordinance was read and passed on this the 17th day of August, 2015.

CITY OF ARANSAS PASS,
TEXAS

Mayor Adan Chapa

ATTEST:

Mary Juarez
Interim City Secretary

APPROVED AS TO LEGAL FORM:

Allen S. Lawrence, Jr.
City Attorney