

**NOTICE OF MEETING
CITY OF SOUTH PADRE ISLAND
PLANNING AND ZONING COMMISSION**

NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A REGULAR MEETING ON:

**WEDNESDAY, DECEMBER 19, 2018
2:00 P.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS**

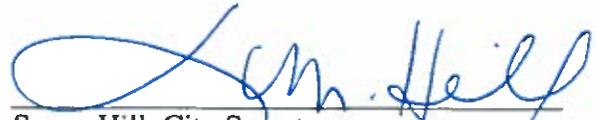
1. Call to Order.
2. Pledge of Allegiance.
3. Public Comments and Announcements: *This is an opportunity for citizens to speak to Commissioners relating to agenda or non-agenda items. Speakers are required to address Commissioners at the podium and give their name before addressing their concerns. [Note: State law will not permit the Planning and Zoning Commission to discuss debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Planning and Zoning Commission meeting]*
4. Approve minutes of October 18, 2018 regular meeting.
5. Public Hearing regarding the proposed replat of "Lots 17A and 17B, Block 92, Padre Beach, Section VII" to merge them into "Lot 17, Blk 92, Padre Beach, Section VII".
6. Discussion and action regarding the proposed replat of "Lots 17A and 17B, Block 92, Padre Beach, Section VII" to merge them into "Lot 17, Blk 92, Padre Beach, Section VII".
7. Public Hearing regarding the proposed vacation/replat of "Lot 26, Block 40, Padre Beach, Section IV" and subdivide them into "Lots 26 & 27, Blk 40, Padre Beach, Section IV".
8. Discussion and action regarding the proposed vacation/replat of "Lot 26, Block 40, Padre Beach, Section IV" and subdivide them into "Lots 26 & 27, Blk 40, Padre Beach, Section IV".
9. Public Hearing regarding the proposed re-plat of "Lots 15 and 16, Block 20, The Shores Subdivision, Marina Village Phase, Section II" to merge them into "Lot 15A, Block 20, The Shores Subdivision, Marina Village Phase, Section 2".
10. Discussion and action regarding the proposed re-plat of "Lots 15 and 16, Block 20, The Shores Subdivision, Marina Village Phase, Section II" to merge them into "Lot 15A, Block 20, The Shores Subdivision, Marina Village Phase, Section 2".

11. Public Hearing regarding the proposed replat of “Lots 17 and 18 (North & South), Block 133, Padre Beach, Section IX” to merge them into “Lots 17 & 18, Blk 133, Padre Beach, Section IX”.
12. Discussion and action regarding the proposed replat of “Lots 17 and 18 (North & South), Block 133, Padre Beach, Section IX” to merge them into “Lots 17 & 18, Blk 133, Padre Beach, Section IX”.
13. Discussion and action regarding the approval of a 6 month extension to process the recording of a “record plat” for Lots 1-16, Phase I Sandbar Estates. (*Sandbar Properties, Inc.*)
14. Public Hearing regarding the proposed replat of “Lots 1-5, Block 8, Padre Beach, Section I” to reconfigure them into “Lots 1-4, Blk 8, Padre Beach, Section I”.
15. Discussion and action regarding the proposed replat of “Lots 1-5, Block 8, Padre Beach, Section I” to reconfigure them into “Lots 1-4, Blk 8, Padre Beach, Section I”.
16. Public Hearing regarding the proposed replat of “Lot 2B, Block 1, Miramar and Sand Piles Subdivision” to subdivide them into “Lots 2C & 2D”.
17. Discussion and action regarding the proposed replat of “Lot 2B, Block 1, Miramar and Sand Piles Subdivision” to subdivide them into “Lots 2C & 2D”.
18. Public Hearing regarding a Special Development Plan in accordance to Section 20-8.1, “Appendix Z” 3.2.4 of the Zoning Ordinance for the approval of a unique architectural design of a proposed development within the Padre Boulevard North District. (*6401 Padre Boulevard*)
19. Discussion and action regarding the Special Development Plan in accordance to Section 20-8.1, “Appendix Z” 3.2.4 of the Zoning Ordinance for the approval of a unique architectural design of a proposed development within the Padre Boulevard North District. (*6401 Padre Boulevard*)
20. Public Hearing regarding a Specific Use Permit (outdoor Amusement), located within a 7,500 square foot closed portion of W. Ling Street and legally defined per the “Metes and Bounds Description”.
21. Discussion and action regarding a Specific Use Permit (outdoor Amusement), located within a 7,500 square foot closed portion of W. Ling Street and legally defined per the “Metes and Bounds Description”.
22. Public Hearing regarding a proposed text amendment to Chapter 20-11(D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures.

23. Discussion and action regarding a proposed text amendment to Chapter 20-11(D) of the Zoning Ordinance to Regulate the Construction and Operation of Temporary Structures.

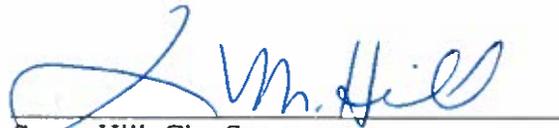
24. Adjournment.

DATED THIS THE 14th DAY OF DECEMBER 2018


Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CURRENT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON DECEMBER 14, 2018 AT/OR BEFORE 5:00 P.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING.




Susan Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE. AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, DAVID TRAVIS; ADA DESIGNATED RESPONSIBLE PARTY AT (956)761-8103

**MINUTES
CITY OF SOUTH PADRE ISLAND PLANNING AND
ZONING COMMISSION REGULAR
MEETING**

THURSDAY, OCTOBER 18, 2018

I. CALL TO ORDER

The Planning and Zoning Commission of the City of South Padre Island, Texas held a Regular Meeting on Thursday, October 18, 2018 at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island, Texas. Chairman Patrick McNulty called the meeting to order at 3:00 p.m. A quorum was present: Commission Member Gary Olle, Norris Fletcher, Howard Avery, Art Teniente, and David Zipp. Member with an excused absence was Robert Bujanos.

City staff members present were: Assistant City Manager Darla Jones and City Secretary Susan Hill.

II. PLEDGE OF ALLEGIANCE

Chairman McNulty led the Pledge of Allegiance.

III. PUBLIC COMMENTS AND ANNOUNCEMENTS.

None.

IV. APPROVAL MINUTES OF MAY 16, 2018 SPECIAL MEETING AND AUGUST 16, 2018 REGULAR MEETING.

Commissioner Teniente made a motion, seconded by Commissioner Avery to approve the May 16, 2018 special regular meeting minutes as submitted. Motion carried unanimously.

Commissioner Fletcher made a motion, seconded by Commissioner Avery to approve the August 16, 2018 regular meeting minutes as submitted. Motion carried unanimously.

V. DISCUSSION AND ACTION REGARDING THE PROPOSED REPLAT OF "LOTS 8 AND 9, BLOCK 171, PADRE BEACH SECTION XI" TO SUBDIVIDE THEM INTO "LOTS 8A, 8B, & 8C".

Commissioner Olle made a motion, seconded by Commissioner Avery to approve the replat of Lots 8 and 9 as submitted. Motion carried unanimously.

VI. ADJOURNMENT

Commissioner Fletcher made a motion, seconded by Commissioner Olle to adjourn the meeting at 3:59 p.m.

Marta Martinez, Secretary

Patrick McNulty, Chairman

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 5, 2018

Item: 5 & 6

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

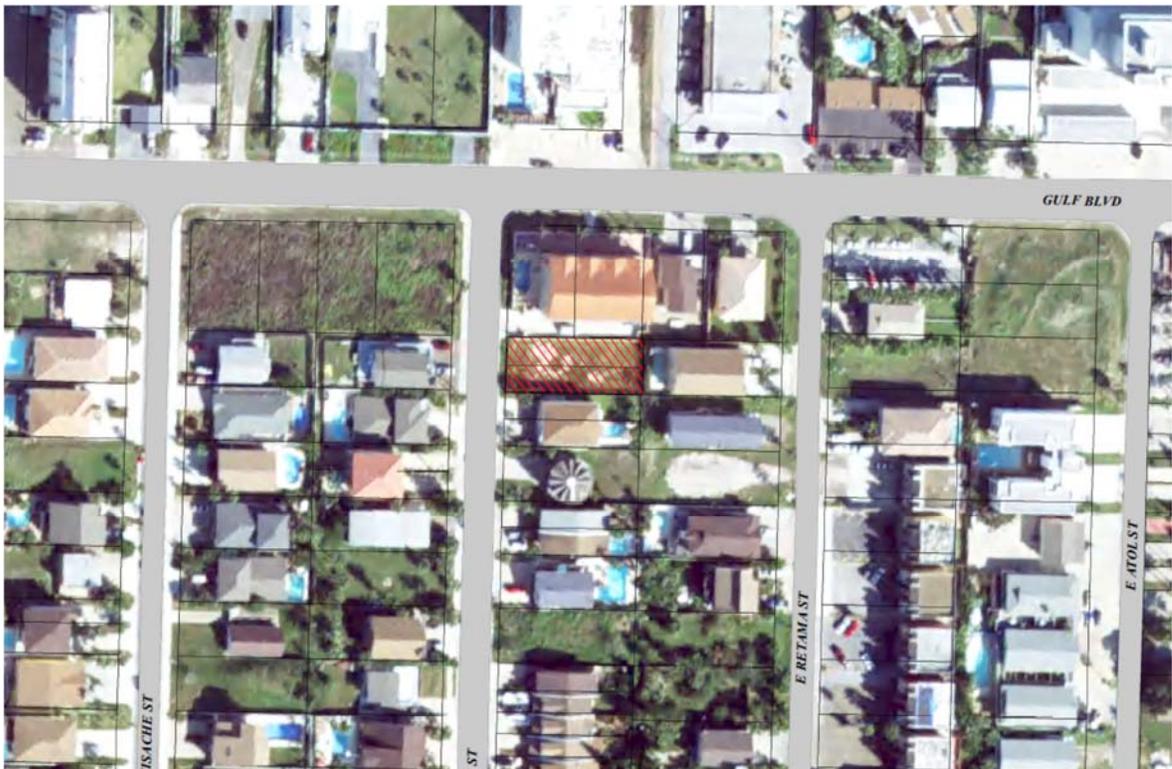
Discussion and action regarding the proposed replat of “Lots 17-A and 17-B, Block 92, Padre Beach, Section VII” to merge them into “Lot 17, Blk 92, Padre Beach, Section VII”.

DISCUSSION:

The Ownership

1. The lots belong to Guillermo & Jennifer Gallo according to the “Certificate As To Title” dated October 18, 2018. By merging those two lots, the new lot dimension becomes 50’ X 125’. (131-133 E. Retama)

Location

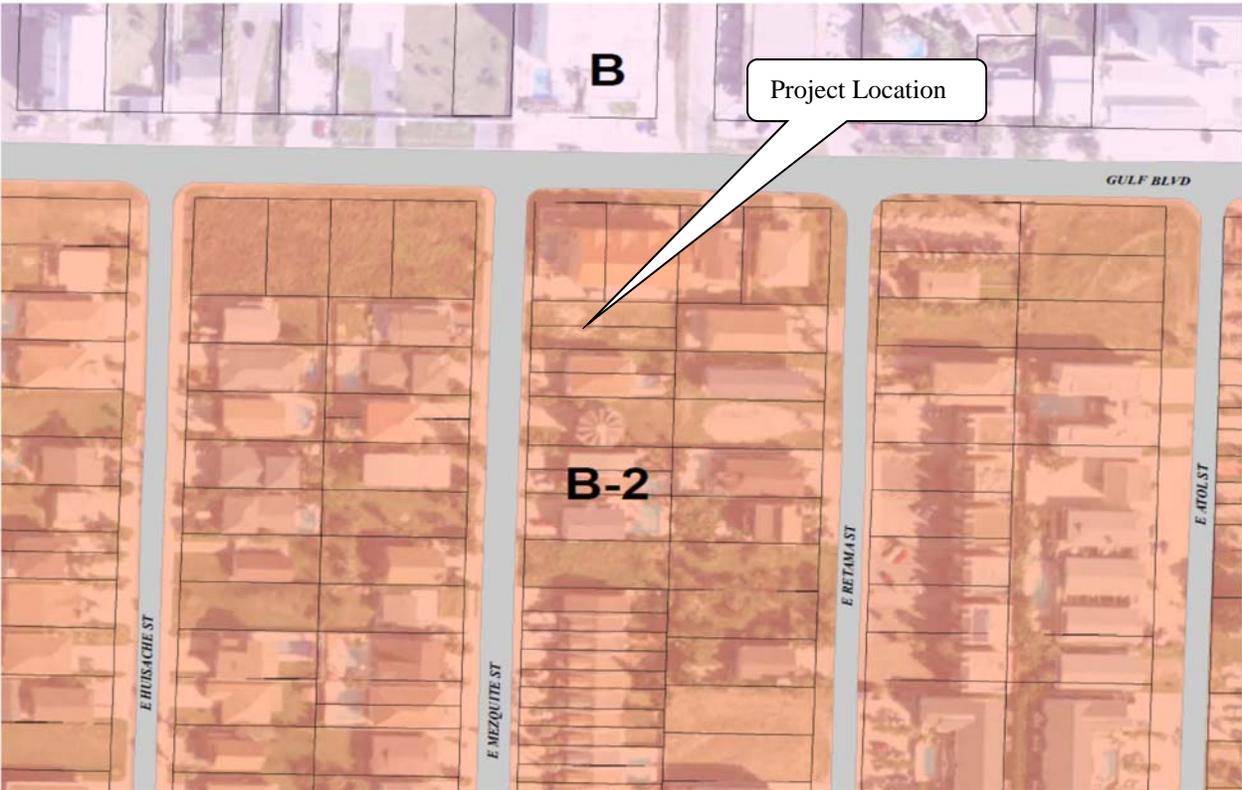


**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Existing Conditions



Zoning



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 5, 2018

Item: 7 & 8

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

Discussion and action regarding the proposed vacation/Re-plat of “Lot 26, Block 40, Padre Beach, Section VII” and subdivide them into “Lot 26 & Lot 27, Blk 40, Padre Beach, Section IV”.

DISCUSSION:

The Ownership

1. The lot belongs to Rodolfo Gallegos and Abel Hernandez according to the “General Warranty Deed” dated September 17, 2018. By dividing the two lots, the new lot dimensions become 50’ x 100’. (106-108 E. Ling Street)

Location

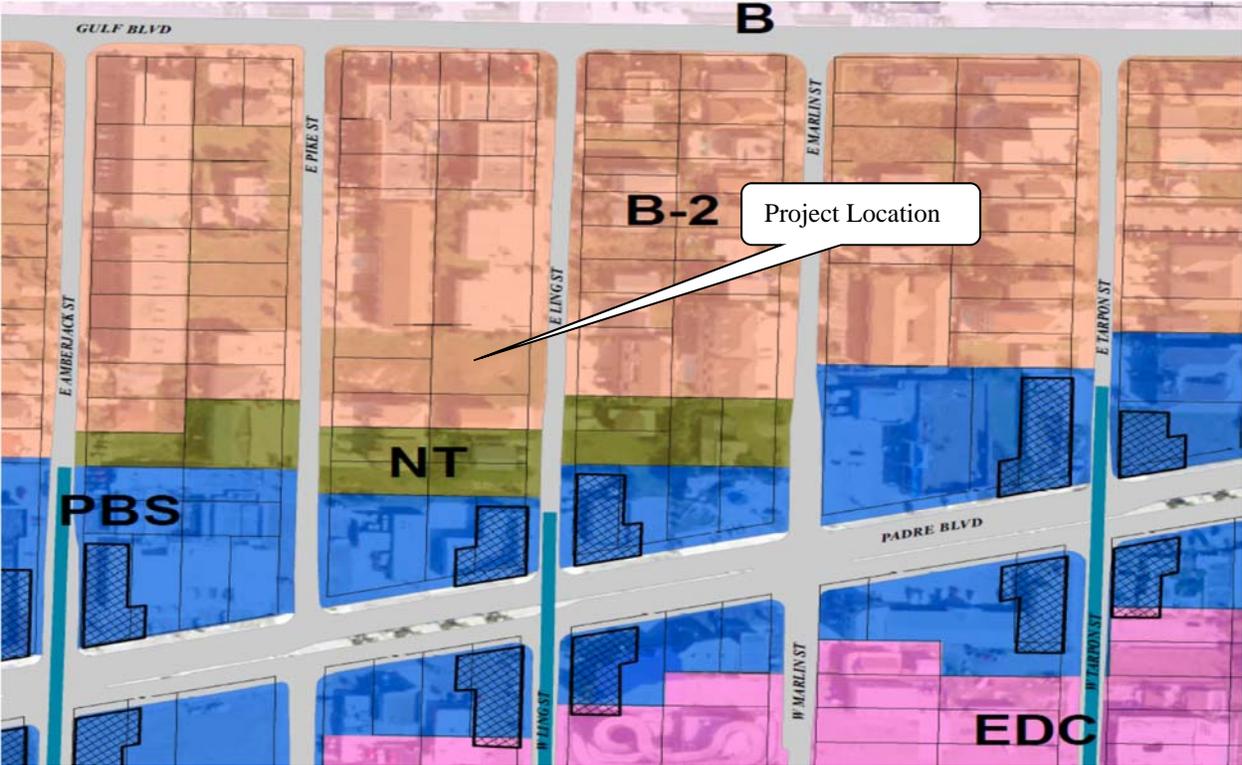


**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Existing Conditions



Zoning



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 5, 2018

Item: 9 & 10

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

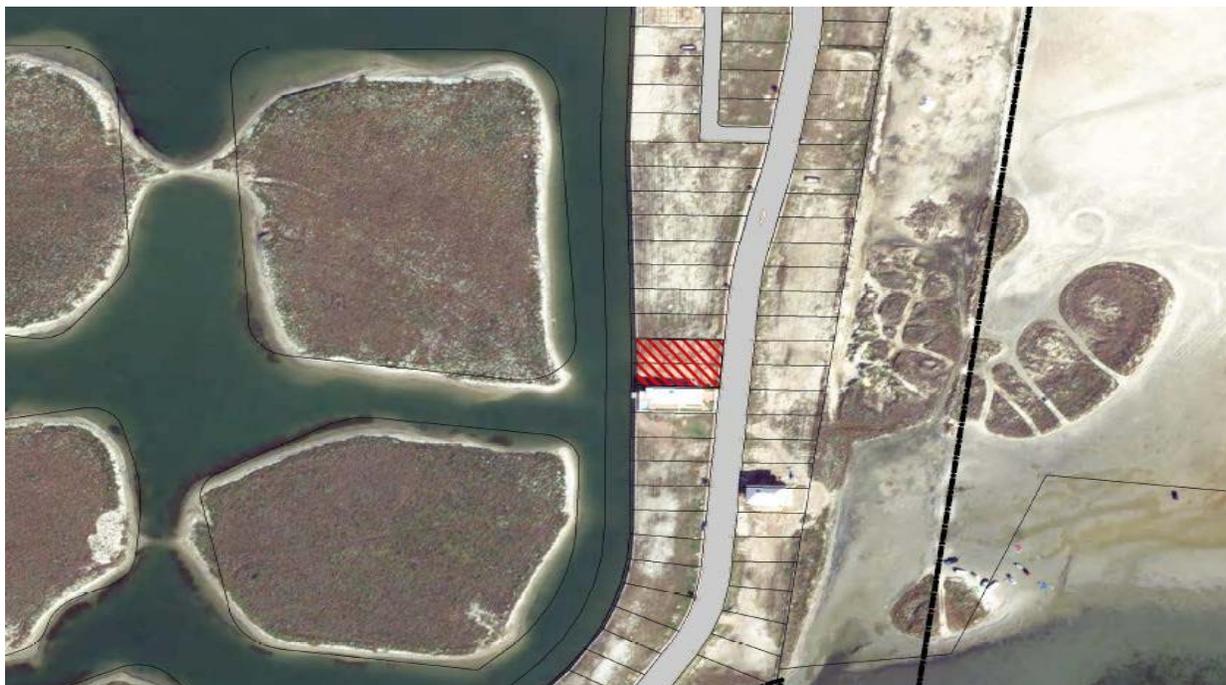
Discussion and action regarding the proposed re-plat of “Lots 15 and 16, Block 20, The Shores Subdivision, Marina Village Phase, Section II” to merge them into “Lot 15A, Block 20, The Shores Subdivision, Marina Village Phase, Section 2”.

DISCUSSION:

The Ownership

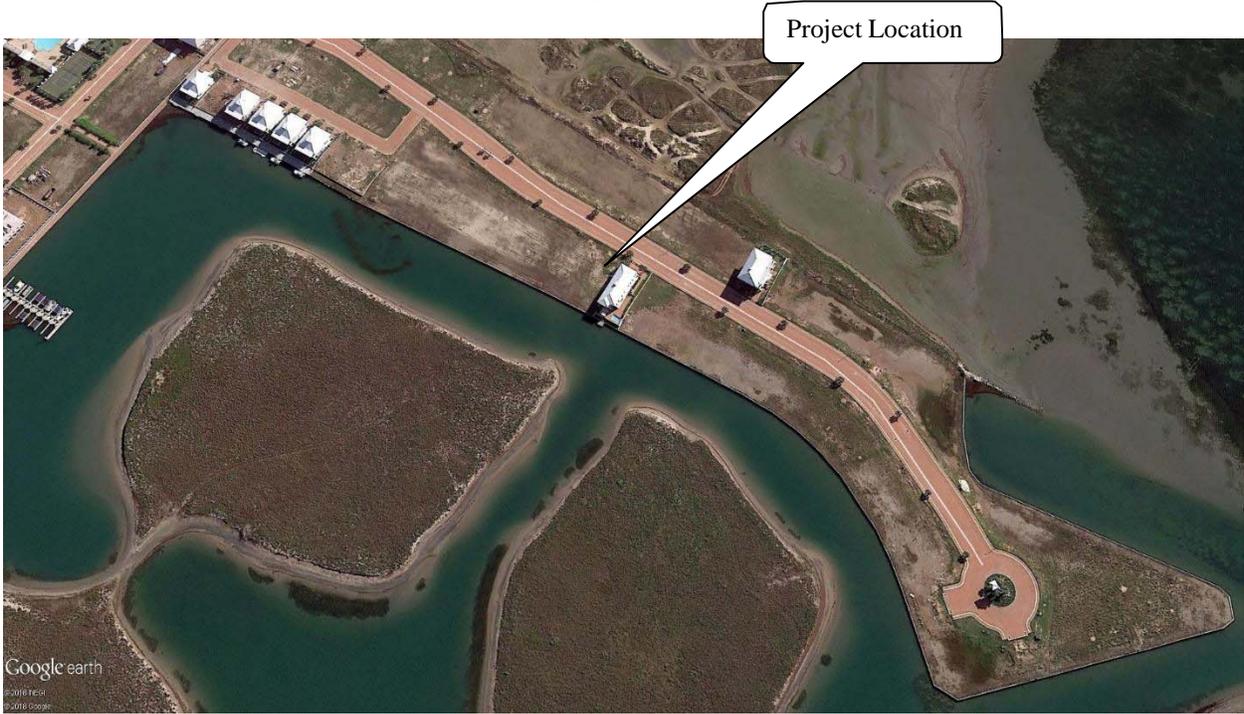
1. The lots belong to First Financial Trust & Asst. Mgt. Co., N.A., Trustee of the Scottie Ann Shelton Living Trust according to the “General Warranty Deed” dated June 7, 2017. Vasquez Surveying has been authorized to submit the application per the Authorization Form dated October 12, 2018. By merging these two lots, the new lot dimension becomes approximately 100’ X 139’. (313 W. Shore Drive).

Location



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Existing Conditions



Zoning



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 5, 2018

Item: 11 & 12

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

Discussion and action regarding the proposed replat of “Lots 17 and 18 (North & South), Block 133, Padre Beach, Section IX” to merge them into “Lots 17 & 18, Blk 133, Padre Beach, Section IX”.

DISCUSSION:

The Ownership

1. The lots belong to Edward Davis Jr. and Edward & Elaine Cavazos according to the “Certificate As To Titles” dated October 18, 2018. Reconfiguring and merging the four lots into two, the new lot dimensions become 70’ X 100’ and 55’ X 100’. (131-133 E. Jupiter)

Location

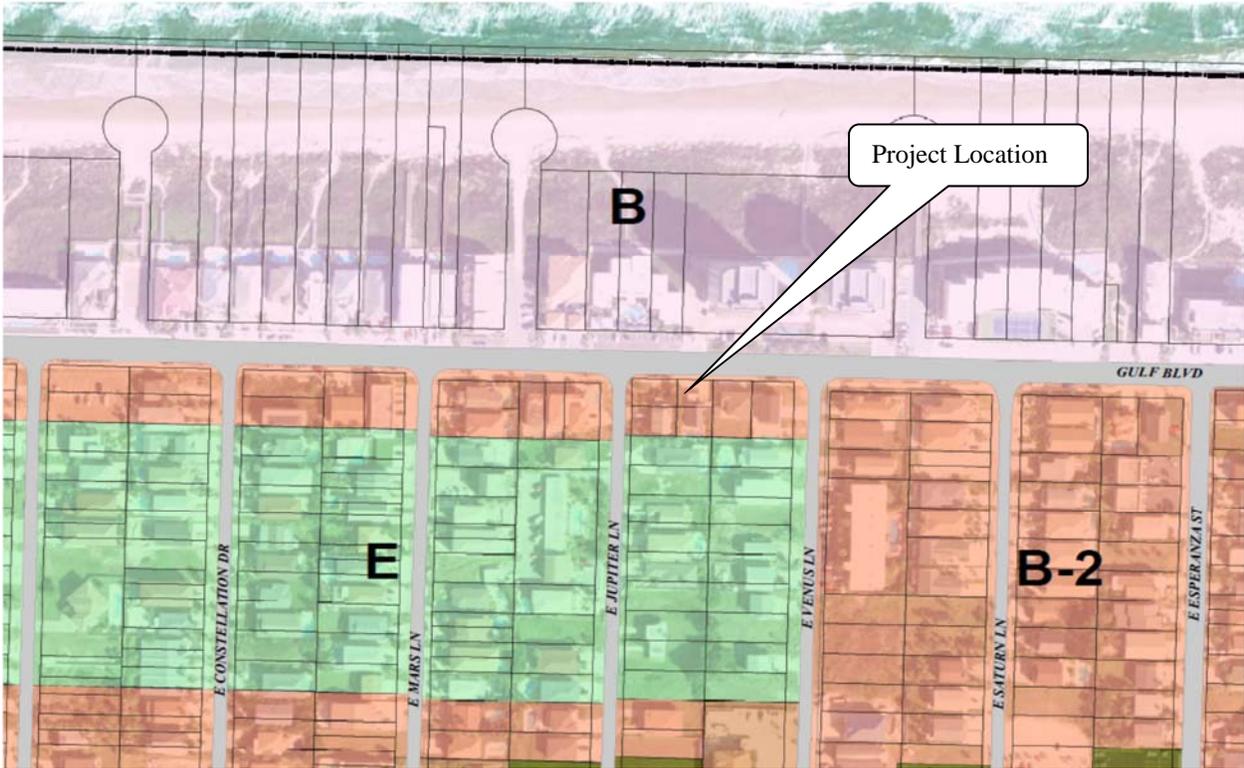


**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Existing Conditions



Zoning



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 5, 2018

Item: 13

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

Discussion and action regarding the approval of a 6 month extension to process the recording of a “record plat” for Lots 1-16, Phase I Sandbar Estates.

DISCUSSION:

The Ownership

1. The owner is Sandbar Properties Inc. who is represented by Mr. Paul Earnhart (President). Mr. Earnhart has indicated that they have closed on the development loan and applied for the Notice to Proceed from the County. He expects no further extension requests.

Subdivision Regulations

Section 23-12 – Record plat

(D) Processing of record plat

- (5) Period of Validity. Approval of the record plat shall be effective for a period of sixty (60) calendar days following the date of Commission approval, at the end of which time, recording of the record plat with the County Clerk’s Office must have been completed. If any record plat is not filed within this time period, the record plat shall be null and void and the applicant shall be required to resubmit a new plat for approval subject to all zoning and subdivision regulation in effect at the time of resubmission. At the request of the applicant, and upon cause shown, the Planning and Zoning Commission may extend the approval of the record plat not to exceed one (1) year beyond this expiration date.

Staff Recommendation

The proposed replat meets all minimum requirements of Section 20 Zoning and Section 23 Subdivision Regulations. No objection to the extension.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 19, 2018

Item: 14 & 15

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

Discussion and action regarding the proposed replat of “Lots 1-5, Block 8, Padre Beach, Section I” to reconfigure them into “Lots 1-4, Blk 8, Padre Beach, Section I”.

DISCUSSION:

The Ownership

1. The lots belong to First National Bank according to the “Commitment For Title Insurance” form dated July 19, 2018. The applicant is Ronald Weisfeld who is the prospective buyer and authorized applicant. The applicant is proposing to reconfigure the 5 lots into 4 East to West lots. The lot dimensions range from approximately 10,800 to 14,500 square feet. (200-208 W. Corral Street)

Location

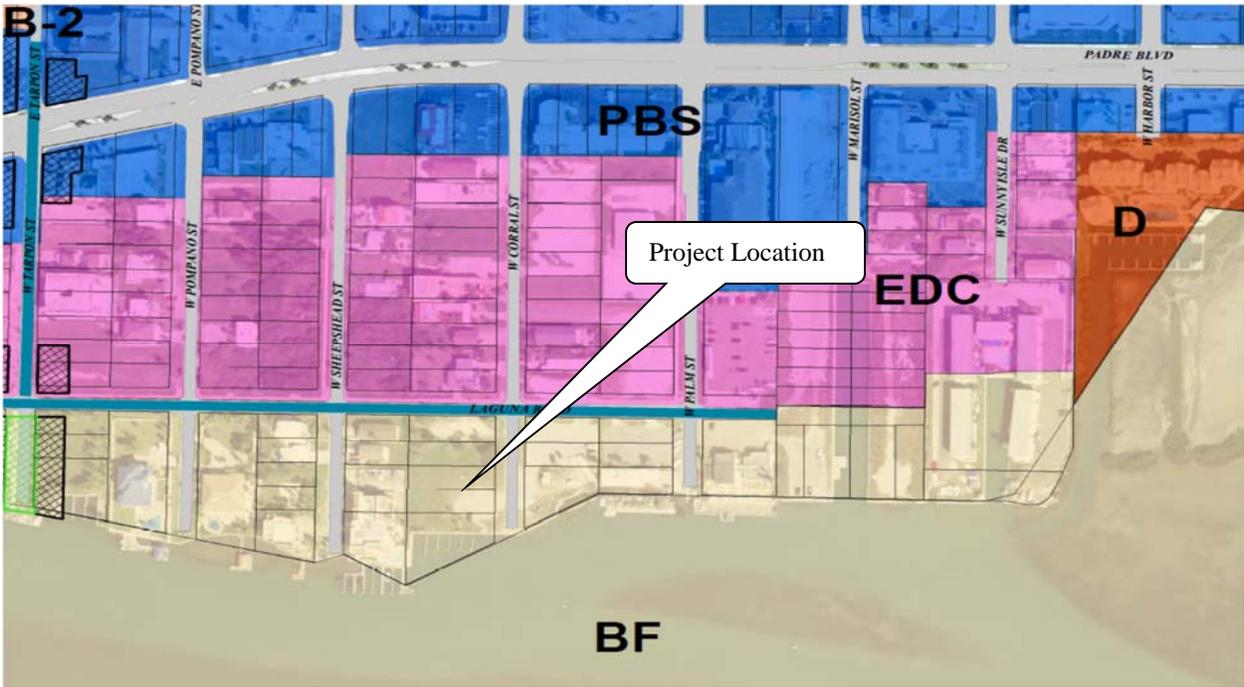


**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Existing Conditions



Zoning

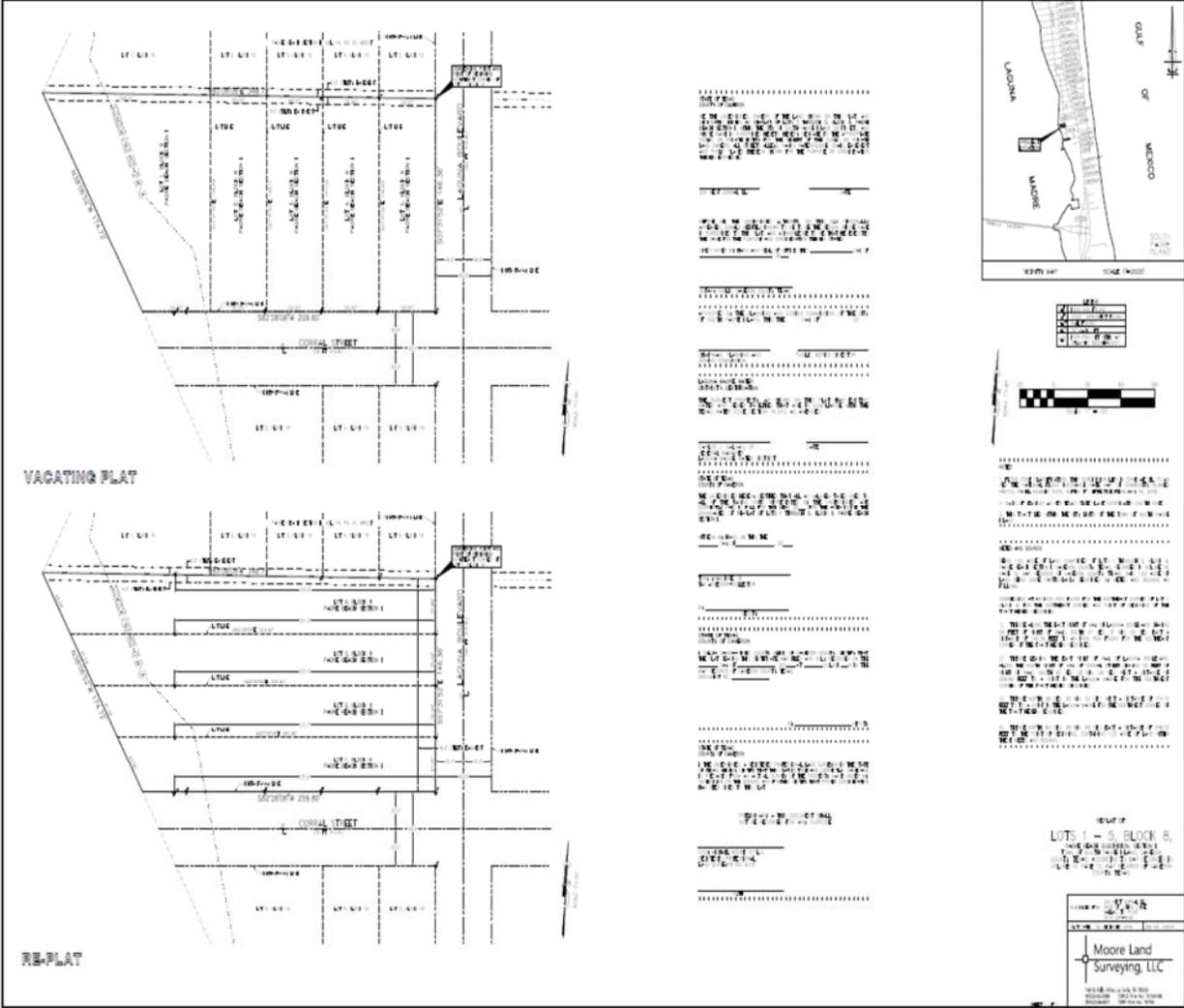


**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

The Requirements

- 1. Sec.23-05 Policies and special provisions.
- (A) Approval. The Planning and Zoning Commission shall approve all plats within the City and the City’s extraterritorial jurisdiction.

**Re-Plat
(Lot Reconfiguration)**



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 19, 2018

Item: 16-17

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

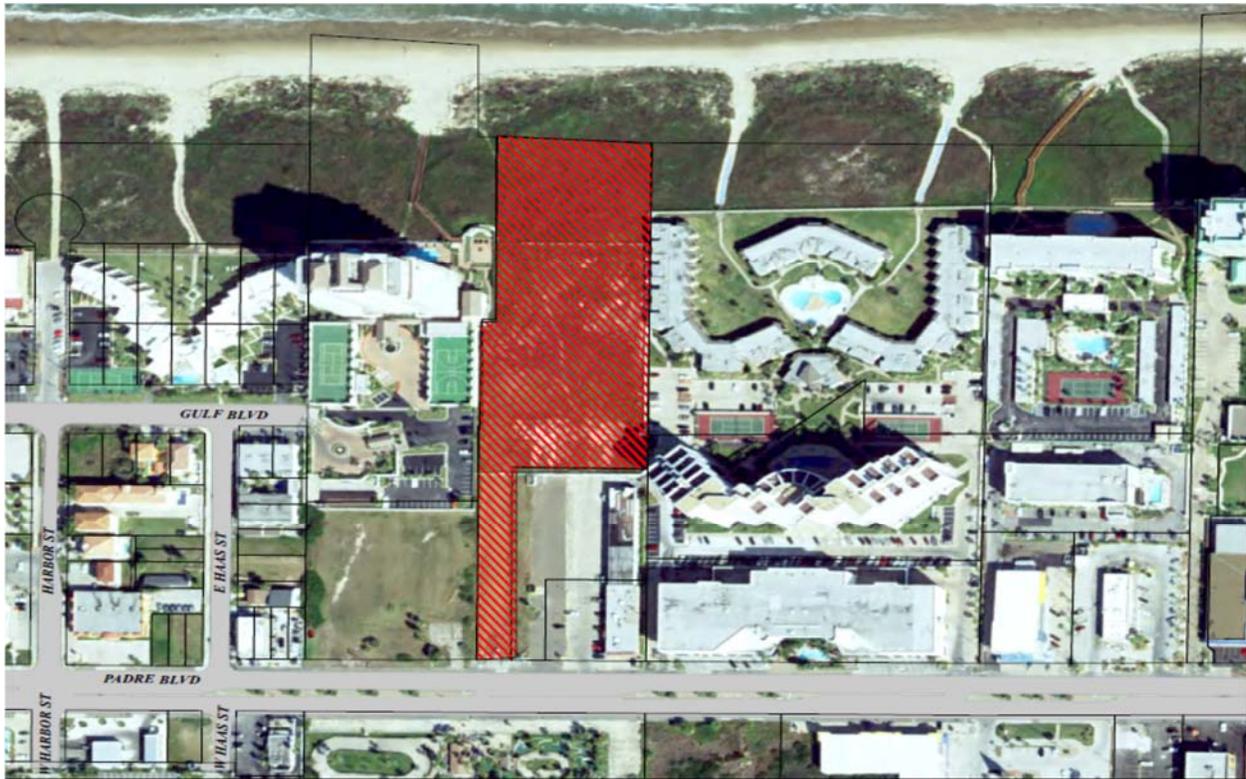
Discussion and action regarding the proposed replat of “Lot 28, Block 1, Miramar and Sand Piles Subdivision” to subdivide them into “Lots 2C & 2D”.

DISCUSSION:

The Ownership

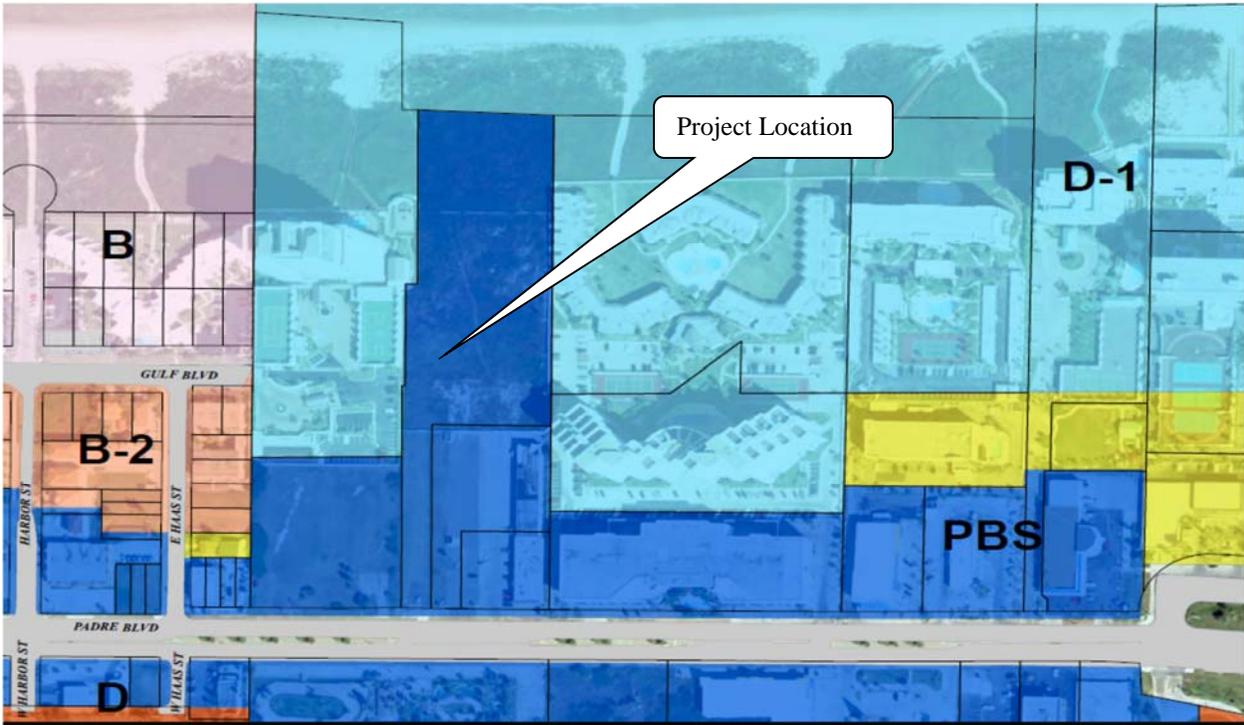
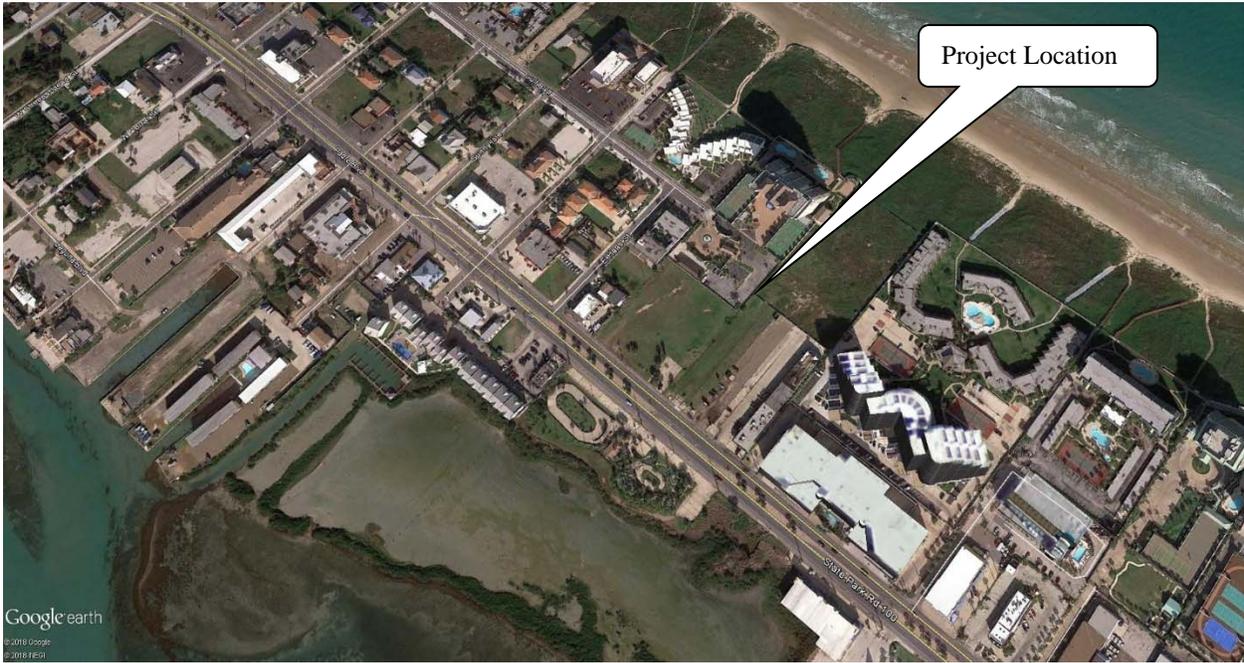
1. The lot belongs to Kirana Properties, LLC according to the “Certificate As to Title” dated November 8, 2018. The subdivision of the existing lot will result in two lots with 25’ of frontage and ranging in size from 68,632 square feet to 165,290 square feet. (1308 Gulf Blvd)

Location



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

Existing Conditions



PLANNING & ZONING COMMISSION AGENDA REQUEST FORM

The Requirements

1. Sec.20-7.1(A) Lot Area, Width & Depth (minimum requirements)

- Area of Lot: 2,500 square feet
- Width of Lot: 25 feet
- Depth of Lot: 100 feet

2. Sec.23-05 Policies and special provisions.

(A) Approval. The Planning and Zoning Commission shall approve all plats within the City and the City's extraterritorial jurisdiction.

Re-Plat (Lot Subdivision)

PROPERTY PRIOR TO REPLAT
(SCALE: 1" = 60')

REPLAT
(SCALE: 1" = 60')

Block 3, HERVEY SUBDIVISION
PART OF THE EAST HALF OF SECTION 36, T10N, R10E, S10E, COUNTY OF GARLAND, TEXAS

REPLAT
Block 3, HERVEY SUBDIVISION
PART OF THE EAST HALF OF SECTION 36, T10N, R10E, S10E, COUNTY OF GARLAND, TEXAS

LOT 1 (15.84 ACRES (6830 SQ. FT.))
LOT 2A (17.76 ACRES (7800 SQ. FT.))
LOT 2B (1.76 ACRES (7630 SQ. FT.))
LOT 2C (1.76 ACRES (7630 SQ. FT.))
LOT 2D (2.219 ACRES (9630 SQ. FT.))

MEJIA & ROSE, INCORPORATED
Engineering Surveying
T.E.P.S. Reg. No. F-102879
T.S.P.S. Reg. No. 10022800
1643 West Pecos Road (361) 844-2022
P.O. Box 3761 Brownsville, Texas 78129
Fax: (361) 844-2268
email: meandro@gmail.com
Garland, Texas 75041
Date: 10/28/2014
G.P. No. 1511 200 0000

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 19, 2018

Item: 18-19

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

Discussion and action regarding the Special Development Plan in accordance to Section 20-8.1, "Appendix Z" 3.2.4 of the Zoning Ordinance for the approval of a unique architectural design of a proposed development within the Padre Boulevard North District. (6401 Padre Boulevard)

DISCUSSION

**CURRENT ZONING:
FUTURE LAND USE
EXISTING USE**

- 1) PBN - Padre Boulevard North
- 2) NA
- 3) Vacant 3 Lots

REQUEST:

Architectural Review

GEO ID NUMBER:

67-6420-0090-0010-00

ACREAGE:

Roughly 10 Acres

PROPOSED USE:

Commercial

**ADJACENT ZONING, :
FUTURE LAND USE
& EXISTING LAND USE**

- N)** 1) PBN – Padre Boulevard North
- 2) NA
- 3) Vacant
- S)** 1) PBN – Padre Boulevard North
- 2) NA
- 3) Vacant
- E)** 1) PBN – Padre Boulevard North
- 2) NA
- 3) Commercial
- W)** 1) NA
- 2) NA
- 3) NA - Bay

APPLICANT:

Menny Amoyal
330 Padre Boulevard
South Padre Island, Texas 78597

OWNER:

Same As Applicant

I. PURPOSE AND MAJOR ISSUES

The applicant seeks a recommendation from the Planning and Zoning Commission to approve the proposed development. The recommendation will be associated with the unique architectural design of the proposed development.

The major issues associated with this request are:

1. 2.1.2 Building Massing and Scale (Design Standards of FBC)
 - (i) Commercial and Mixed-Use buildings shall be simple, rectilinear forms with flat parapets. Roof pitches for sloped roofs shall be a minimum of 5:12.
2. 4.2.5 (Appendix Z – Chapter 20)

Padre Boulevard North – The Padre Boulevard North Zone is intended to provide for more flexible, market based development vision that balances pedestrian orientation with auto-oriented development. Development standards will focus on establishing specific criteria under which developers could propose alternative/unique standards to implement a more market responsive project. Development within the Padre Boulevard North Zone shall meet the Building Form and Development Standards in Section 6.5 of this PBED Code.

7.1 Facade Elements

7.1.1 Facade along Pedestrian Priority Street, Paseo and Boulevard

- (i) There shall be no blank walls greater than 25 feet in widths.
- (ii) Primary entrance door shall be provided on the facade. In the case of a corner lot, there shall be a primary entrance door on the side where the building is addressed.
- (iii) Doors and windows on ground floor of all buildings shall be between 40% and 90% of the ground floor facade area.
- (iv) Windows on the upper floors shall be a minimum of 20% of each upper floor facade area, which should be located between 3 ft. and 9 ft. above each finished floor.

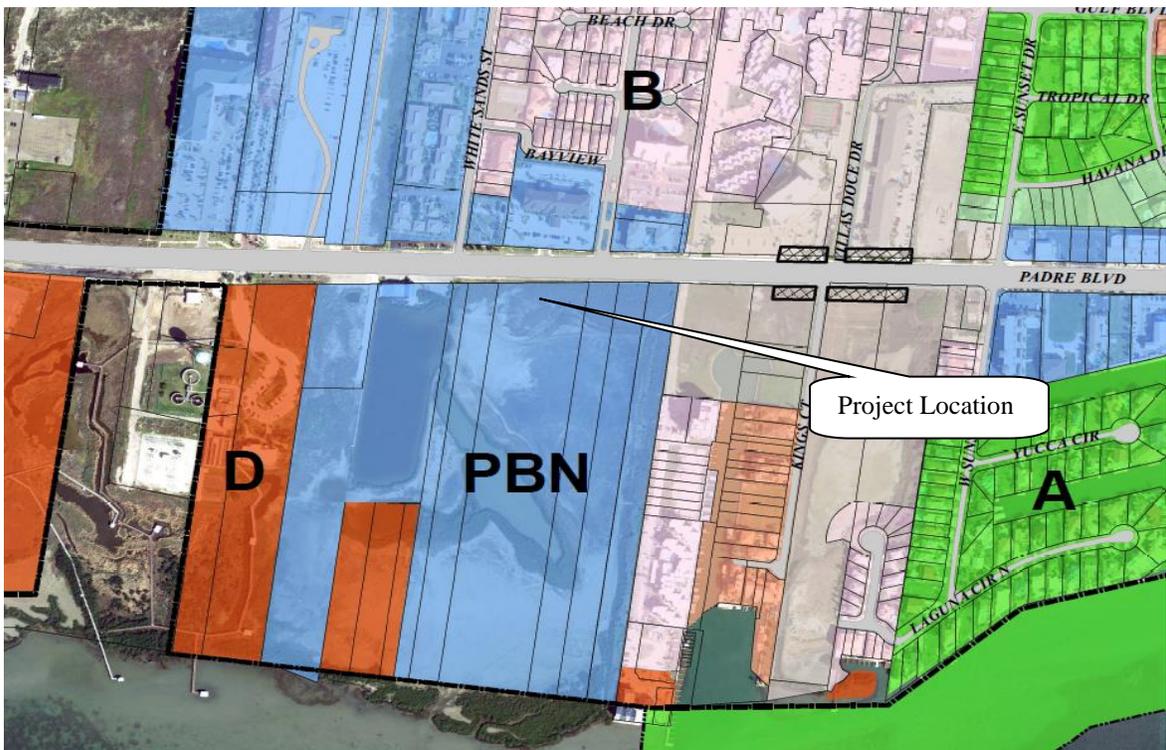
7.1.2 Commercial Ready

Commercial ready means space constructed at a minimum ground floor height as established in each character zone which may be used for noncommercial uses and can be converted into retail/commercial use. Prior to the issuance of a certificate of occupancy for a retail/commercial use in a Commercial Ready space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

Property Location & Characteristics
6401 Padre Boulevard

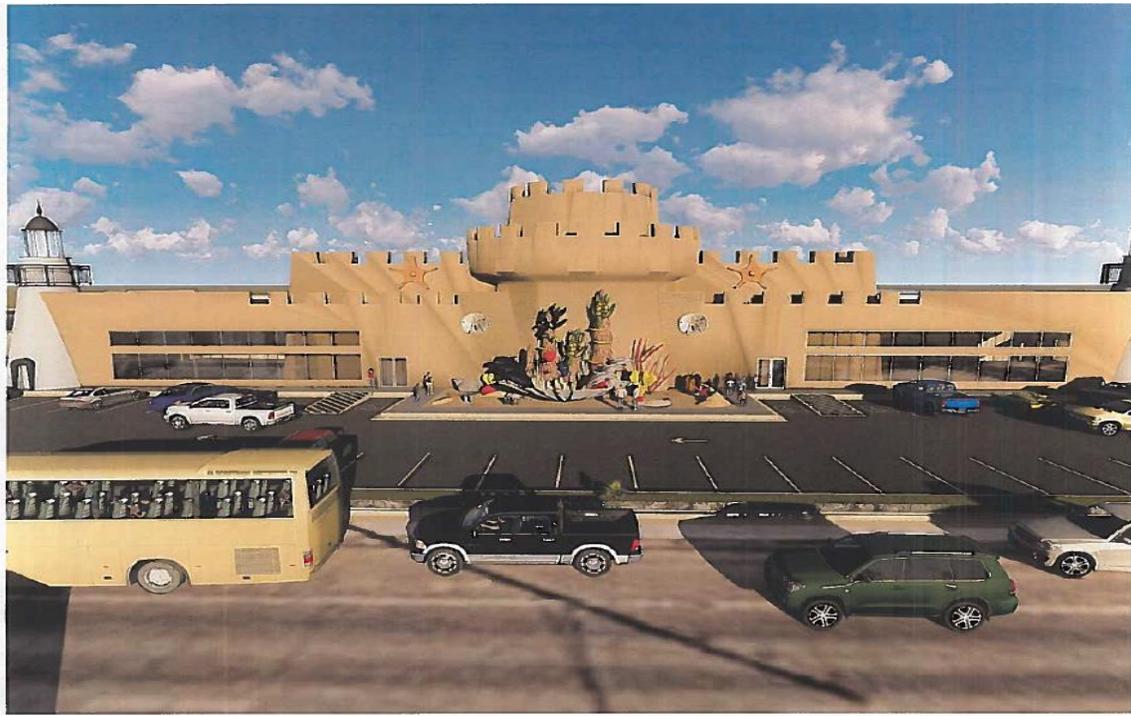


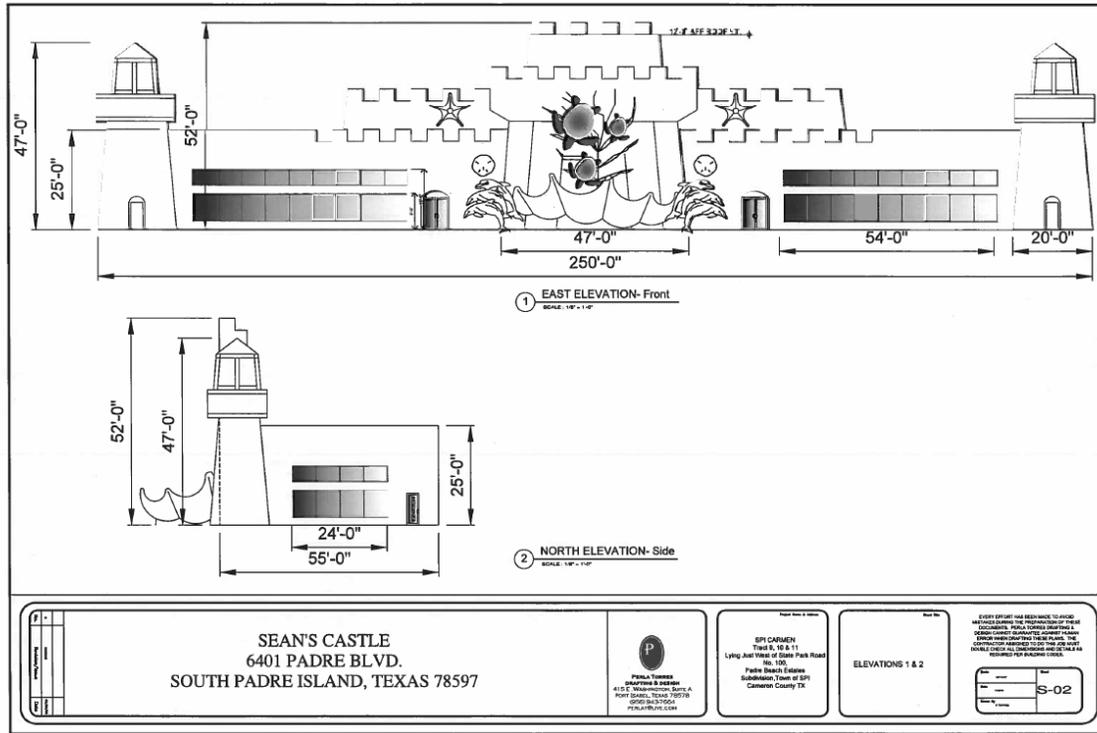
Zoning



II. REVIEW OF THE PLAN

The owner of the property seeks a recommendation from the Planning and Zoning Commission to move forward with their proposed development and present it to the City Council for final approval.





SEAN'S CASTLE
6401 PADRE BLVD.
SOUTH PADRE ISLAND, TEXAS 78597

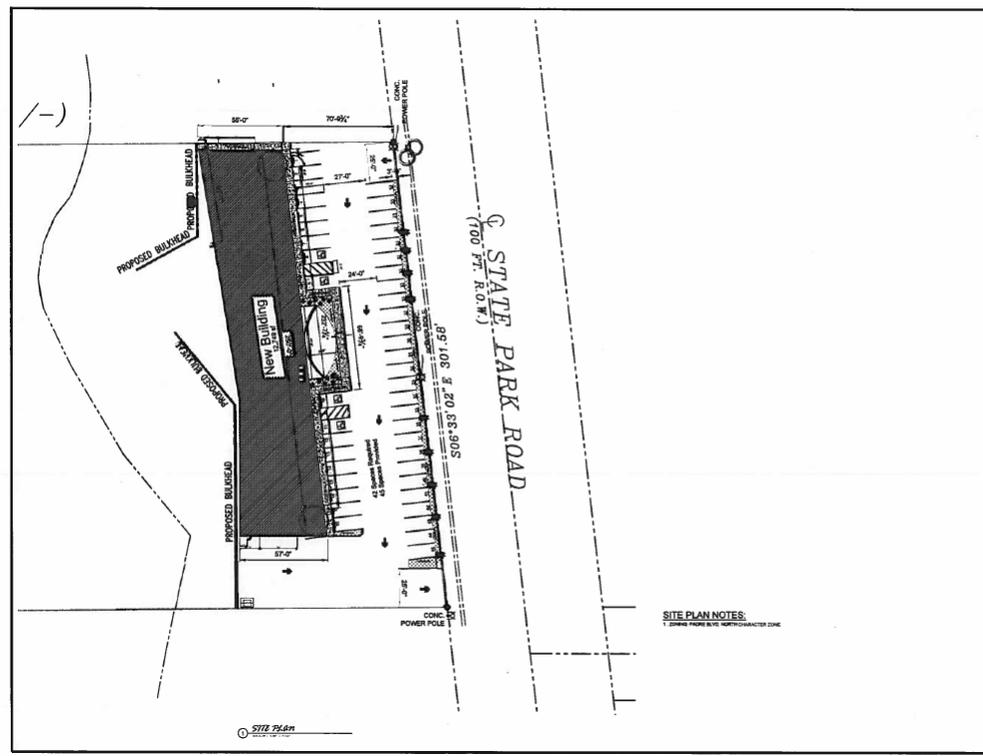
P
PANELA TOMASE
ARCHITECTURE & DESIGN
415 E. BROADWAY, SUITE A
PORT DAVAL, TEXAS 78378
850.563.5504
P.TOMASE@PTD.COM

EPI CARMEN
Tract R, 10 & 11
Lying Just West of State Park Road
No. 100
Padre Beach Estates
Subdivision, Town of EPI
Cameron County TX

ELEVATIONS 1 & 2

EVERY EFFORT HAS BEEN MADE TO AVOID
MISTAKES. HOWEVER, THE RESPONSIBILITY OF THE
ACCURACY OF THIS DRAWING REMAINS
SOLELY WITH THE CLIENT. THE ARCHITECT
ACCEPTS NO LIABILITY FOR ANY AND ALL
MISTAKES OR OMISSIONS. THE CLIENT IS
REQUIRED TO VERIFY ALL CODES.

Sheet No. S-02



SITE PLAN NOTES
1. SEE PLAN SHEET ARCHITECTURE 2018

General Notes

SEAN'S CASTLE
6401 PADRE BLVD.
SOUTH PADRE ISLAND, TEXAS 78597

P
PANELA TOMASE
ARCHITECTURE & DESIGN
415 E. BROADWAY, SUITE A
PORT DAVAL, TEXAS 78378
850.563.5504
P.TOMASE@PTD.COM

EPI CARMEN
Tract R, 10 & 11
Lying Just West of State Park Road
No. 100
Padre Beach Estates
Subdivision, Town of EPI
Cameron County TX

SITE PLAN

Sheet No. S-01

EVERY EFFORT HAS BEEN MADE TO AVOID
MISTAKES. HOWEVER, THE RESPONSIBILITY OF THE
ACCURACY OF THIS DRAWING REMAINS
SOLELY WITH THE CLIENT. THE ARCHITECT
ACCEPTS NO LIABILITY FOR ANY AND ALL
MISTAKES OR OMISSIONS. THE CLIENT IS
REQUIRED TO VERIFY ALL CODES.

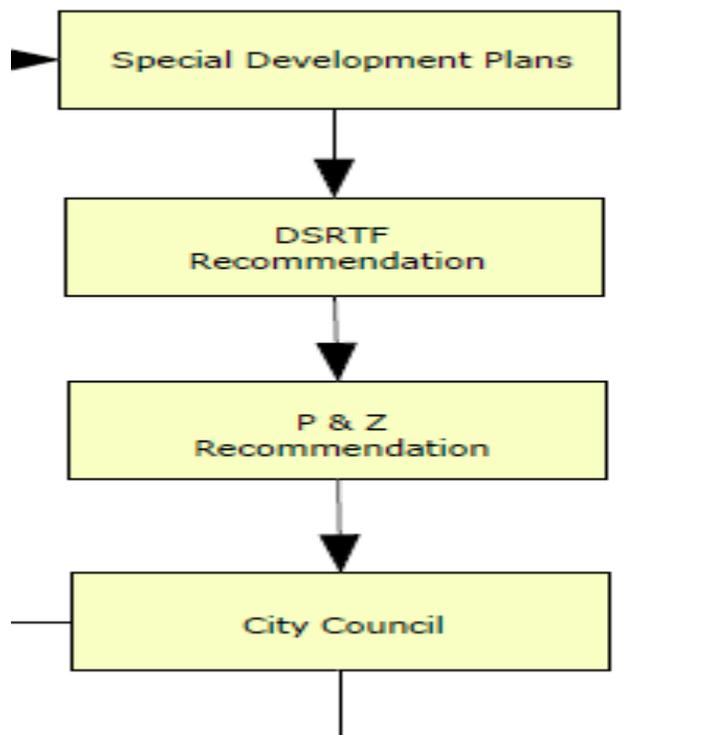
III. TRANSPORTATION & PARKING

The property is located on the West Side of Padre Boulevard. Parking will be provided on the site.

IV. INFRASTRUCTURE AND PUBLIC SERVICES

Public services are and will be provided by the City of South Padre Island and associated private utility companies.

V. PROCESS:



VI. BOARD OPTIONS:

- Recommend Approval
- Recommend Denial
- Table

Applicant & Owner Information

In filling out this form, please note that the term Owner/ Co-Applicant is used to denote that the owner of the subject property is considered to be a party to this application and that the owner has authorized its submission, even when the primary applicant is not the current legal owner of the subject property. Applications for Site Plans within the Padre Boulevard and Entertainment District will be reviewed for compliance with the Padre Boulevard Entertainment District (PBED) Code. City Staff will meet within 15 days of the receipt of a complete application forward their recommendation to the City Manager for final action. A pre-application meeting with the Development Services Director is encouraged for appropriate information on the process and materials to be submitted for review. Please refer to the Padre Boulevard and Entertainment District Form-Based Code User Guide for information on the applicability of the PBED on proposed development. See Page 5 of this application for an overview of the typical application process for development within the PBED.

Applicant

PERLA TORRES
Name
415A E. WASHINGTON ST., SUITE A
Street Address
PORT ISABEL, TX 78578
City State Zip Code
(956) 266-8450 perlat@live.com
Day Telephone E-mail

Owner / Co-Applicant

MENNY AMOYAL - SPI CARMEN
Name
3300 PADRE BLVD.
Street Address
SOUTH PADRE ISLAND, TX 78597
City State Zip Code
(956) 455-4917 bluskyspi@gmail.com
Day Telephone E-mail

Application prepared by (if different from applicant)

Name _____
Street Address _____
City State Zip Code _____
Day Telephone _____ E-mail _____

Existing Use of Building/Property	
Proposed Use of Building/Property	

See Table 5.1 Schedule of Uses by Character Zones for the PBED Zone

Subject Property

6401 PADRE BLVD.
Street Address
TRACT 9, 10, 5, 11, LYING JUST WEST
Lot and Block Number or Tract Number

OFF STATE PARK ROAD No. 100,
PADRE BEACH ESTATES SUBDIVISION,
TOWN OF SPI

Character Zone PLEASE CHECK APPROPRIATE (Refer to Regulating Plan for Character Zone Designation)

<input type="checkbox"/> Bayfront	Section 6.1 of the PBED Code
<input type="checkbox"/> Entertainment District Core	Section 6.2 of the PBED Code
<input type="checkbox"/> Neighborhood Crossing	Section 6.3 of the PBED Code
<input type="checkbox"/> Town/Center Crossing	Section 6.4 of the PBED Code
<input checked="" type="checkbox"/> Padre Boulevard North	Section 6.5 of the PBED Code
<input type="checkbox"/> Padre Boulevard Central	Section 6.5 of the PBED Code
<input type="checkbox"/> Padre Boulevard South	Section 6.6 of the PBED Code
<input type="checkbox"/> Neighborhood Transition	Section 6.7 of the PBED Code

Type of Project PLEASE CHECK ALL THAT APPLY (Refer to Applicability Matrix Table on Page 4 of this packet)

<input type="checkbox"/> DEMOLITION
<input type="checkbox"/> EXTERIOR REHABILITATION OR RENOVATION
<input type="checkbox"/> FACADE MAINTENANCE
<input type="checkbox"/> INTERIOR REMODEL OR RENOVATION
<input checked="" type="checkbox"/> NEW CONSTRUCTION
<input type="checkbox"/> BUILDING ADDITION
<input type="checkbox"/> OPEN SPACE DESIGN
<input type="checkbox"/> LANDSCAPING/SCREENING/FENCING
<input type="checkbox"/> PARKING LOT IMPROVEMENTS/DRIVEWAY CUT
<input type="checkbox"/> PARKING STRUCTURE
<input type="checkbox"/> CHANGE IN USE

Application Materials to Submit

ITEMS	PAGE
Applicant & Owner Information	1
Applicant & Owner Certifications	
Description of Proposed Use/ Activity	2
Site Plan Drawing/Architectural Drawings (Including building elevations, if applicable)	
R-O-W Encroachment Approval (if applicable)	
Filing Fee	3

Applicant & Owner Certifications

By the Applicant: I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and correct.

By: Perla J. Torres 11/8/18
Applicant's Signature Date
PERLA J. TORRES
(Please type or print name below signature)

By the Owner/Co-Applicant: I do hereby certify that I am the owner of this property and authorize the submission and consideration of this application.

By: Menny Amoyal 11/8/18
Owner's Signature Date
MENNY AMOYAL
(Please type or print name below signature)

Site Plan Drawing Architectural Drawings

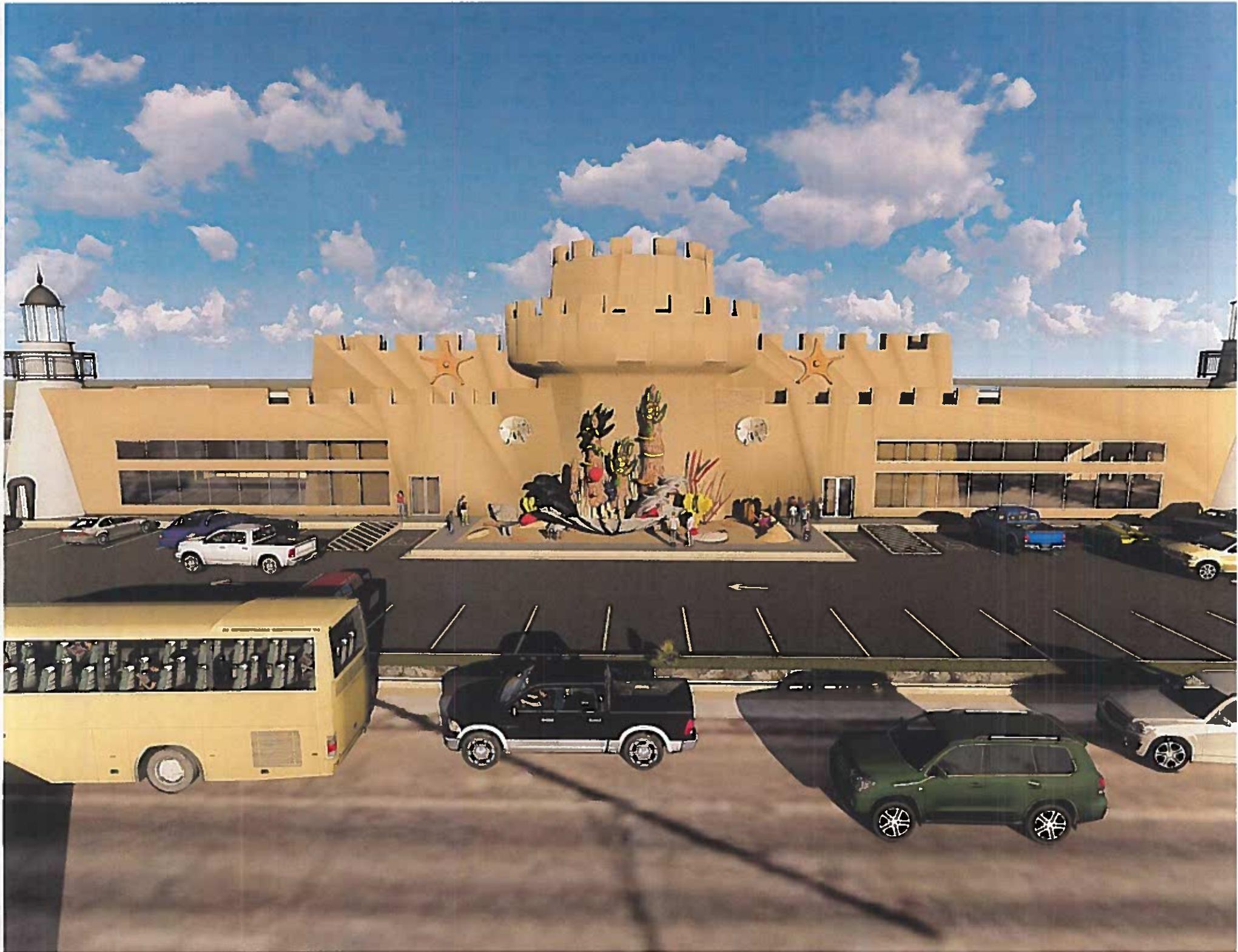
Submit copy of drawings that illustrates the items in the following list. A site plan must be submitted for all new construction projects, including building additions and for open space projects, parking areas, site landscaping and screening projects. Exterior rehabilitation and renovation projects, facade maintenance and interior only projects with no exterior features added do not require the submission of a site plan, but do require submission of building plans, architectural elevations and renderings as needed to demonstrate compliance with the Building Design and Architectural Style Standards.

- Title block containing the name of the project, type of application, name and address of the applicant, plan preparer and owner and a written and graphic scale.
- Site plan showing all existing and proposed building locations, dimensioned parking areas if applicable, access locations, easements and any other features existing or to be placed on the property.
- Location of the subject property including delineation of Character Zones, Street Designation along all its street frontages and special frontage requirements (if any).
- When subdivision of land is required, the layout of proposed blocks, lots, streets, easements, alleys, and trails, if any, consistent with this ordinance and other ordinances and plans, as applicable.
- All proposed uses on the property and/or buildings. For buildings with mixed uses, indicate all uses within entire building (on all floors).
- Compliance with the building form and development standards for the Character Zone in which the property is located (refer to User Guide for applicability of the PBED Code).
- Distances, by dimension, of buildings to property lines and existing or proposed parking facilities (include parking layout).
- Building plans, architectural elevations and renderings of proposed building(s) and proposed renovations of existing building(s) including demonstration of compliance with Section VIII Building Design Standards and Section IX Architectural Style Standards.
- Any other information that may be reasonably necessary to review and determine whether the proposed project complies with PBED Code.
- Refer to attachments for additional information.

Description of Proposed Use/ Activity

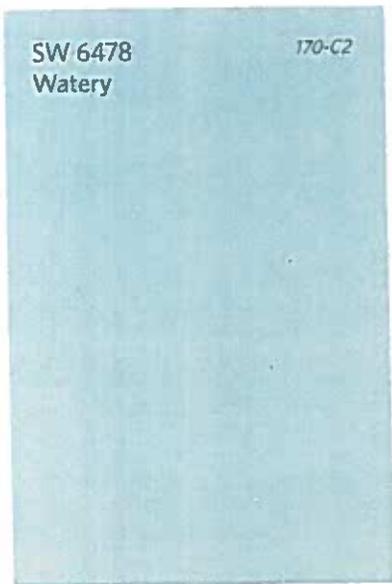
In the space below or on an attached sheet, describe clearly and accurately the proposed use, activity, work, etc.











INSIDE OF SEASHELL

SW 7637
Oyster White

254-C7

LIGHTHOUSE, SAND DOLLARS
& SHELL

SW 9174
Moth Wing

249-C4

LIGHTHOUSE DOOR
TRIM

SW 7037
Balanced Beige

249-C2

BUILDING

CORAL

SW 6337
Spun Sugar

124-C1

LIGHTHOUSE
METAL WORK

SW 6993
Black of Night

251-C5

TURTLES

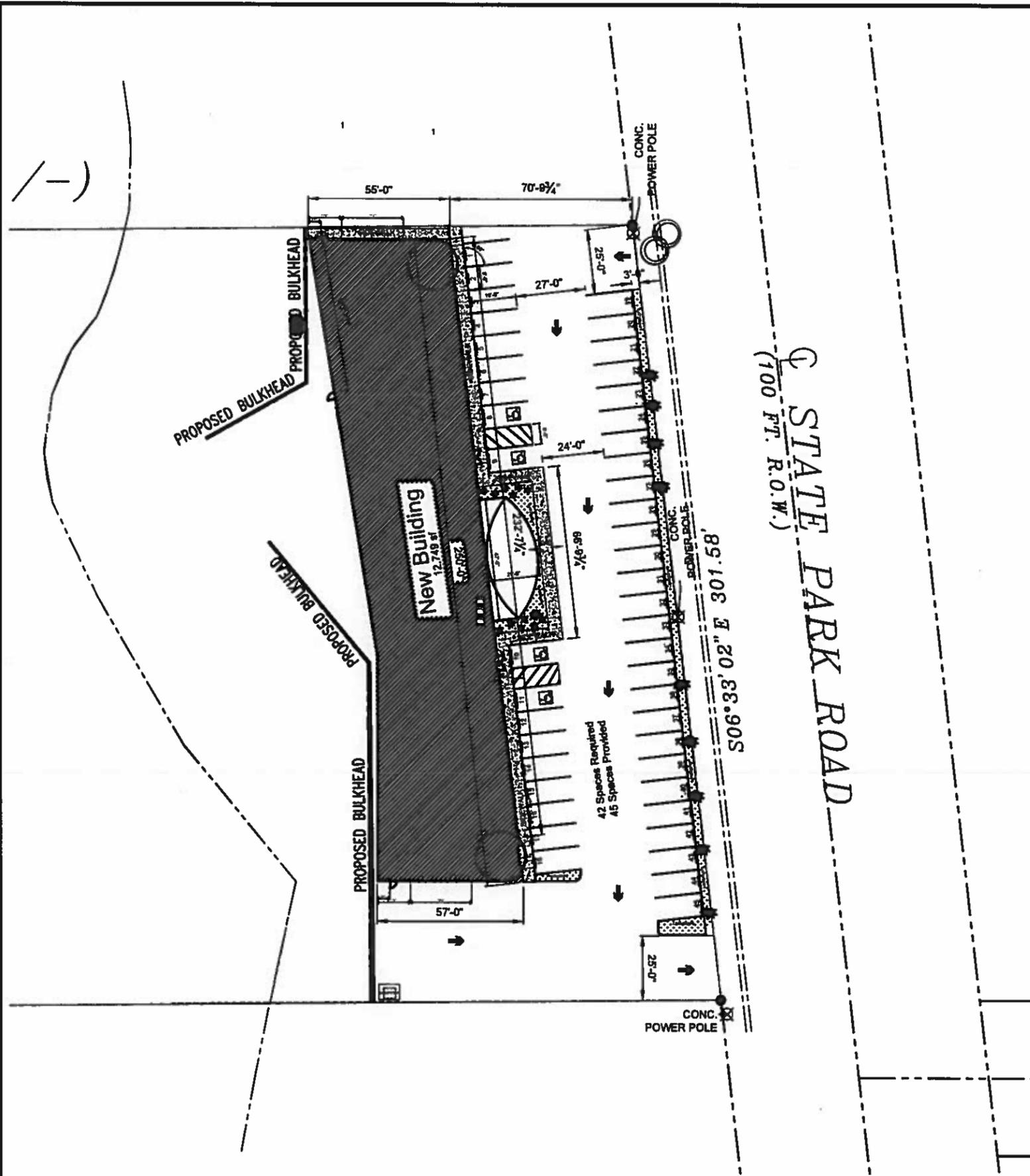
SW 6194
Basil

314-C6

DOLPHINS

SW 6235
Foggy Day

222-C5



1 SITE PLAN

SITE PLAN NOTES:
 1. ZONING PADRE BLVD, NORTH CHARACTER ZONE

General Notes

SEAN'S CASTLE
 6401 PADRE BLVD.
 SOUTH PADRE ISLAND, TEXAS 78597



PERLA TORRES
 DRAFTING & DESIGN
 415 E. WASHINGTON, SUITE A
 PORT ISABEL, TEXAS 78578
 (361) 943-7664
 PERLAT@LIVE.COM

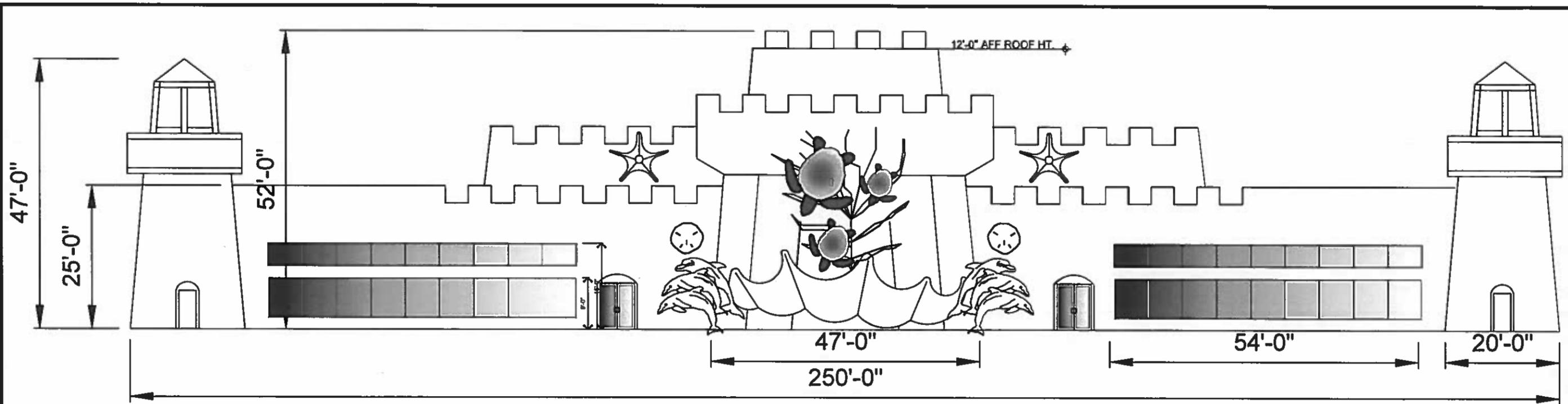
No.	Revision/Issue	Date
0	XXXXXXXXXXXXXXXXXXXXX	

Project Name & Address
SPI CARMEN
 Tract 9, 10 & 11
 Lying Just West of State Park Road
 No. 100,
 Padre Beach Estates
 Subdivision, Town of SPI
 Cameron County TX

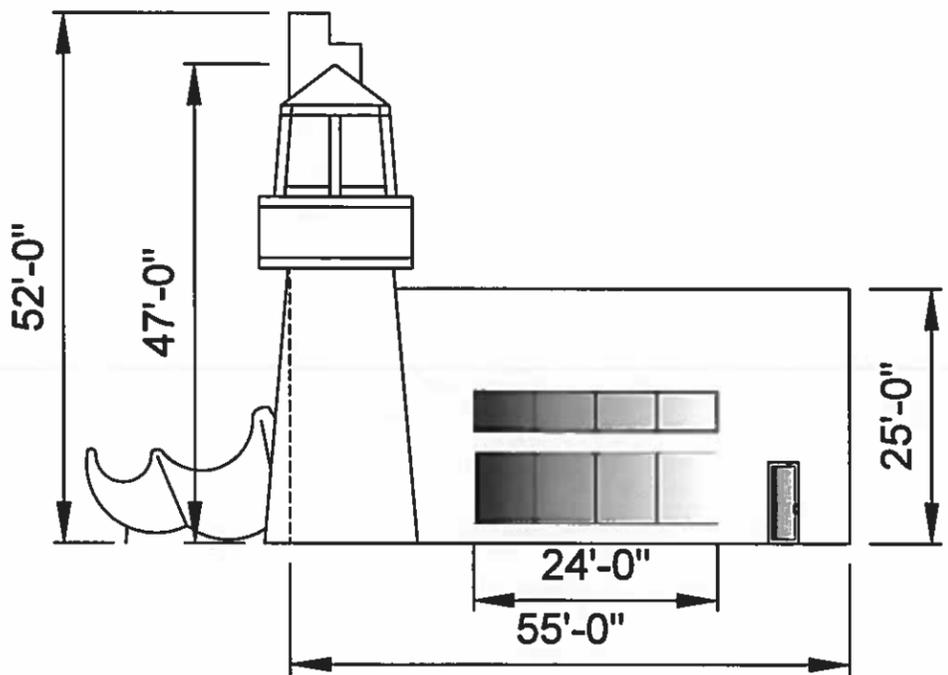
SITE PLAN

Date: _____ Scale: _____ Drawn By: _____	<div style="font-size: 2em; font-weight: bold;">S-01</div>
--	--

EVERY EFFORT HAS BEEN MADE TO AVOID MISTAKES DURING THE PREPARATION OF THESE DOCUMENTS. PERLA TORRES DRAFTING & DESIGN CANNOT GUARANTEE AGAINST HUMAN ERROR WHEN DRAFTING THESE PLANS. THE CONTRACTOR ASSIGNED TO DO THIS JOB MUST DOUBLE CHECK ALL DIMENSIONS AND DETAILS AS REQUIRED PER BUILDING CODES.



1 EAST ELEVATION- Front
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION- Side
SCALE: 1/8" = 1'-0"

NO.	DATE	BY	CHKD.

SEAN'S CASTLE
6401 PADRE BLVD.
SOUTH PADRE ISLAND, TEXAS 78597

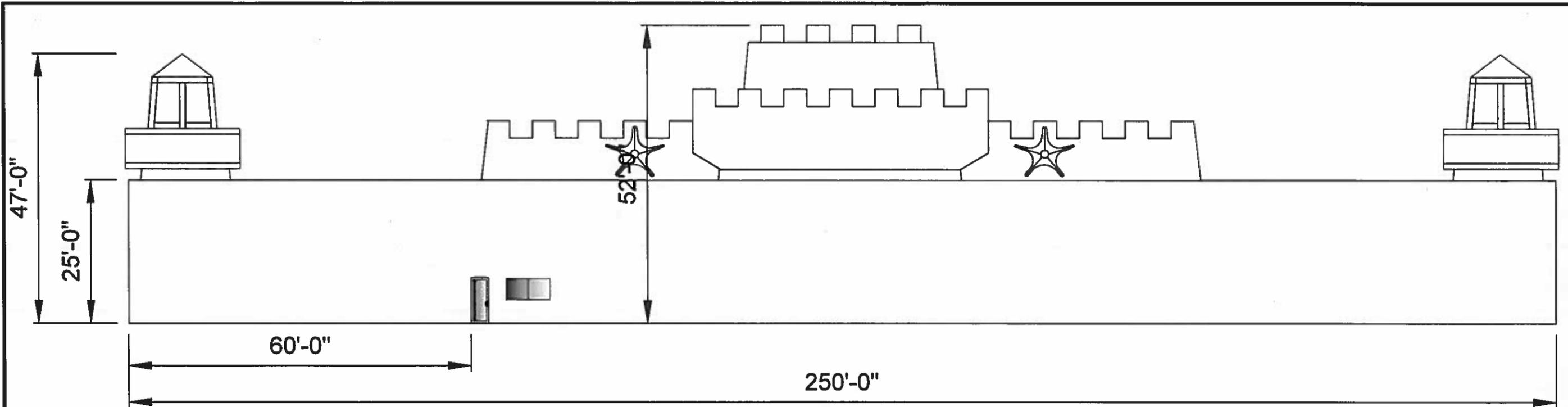

PERLA TORRES
 DRAFTING & DESIGN
 415 E. WASHINGTON, SUITE A
 PORT ISABEL, TEXAS 78578
 (956) 943-7664
 PERLAT@LIVE.COM

Project Name & Address
SPI CARMEN
 Tract 9, 10 & 11
 Lying Just West of State Park Road
 No. 100,
 Padre Beach Estates
 Subdivision, Town of SPI
 Cameron County TX

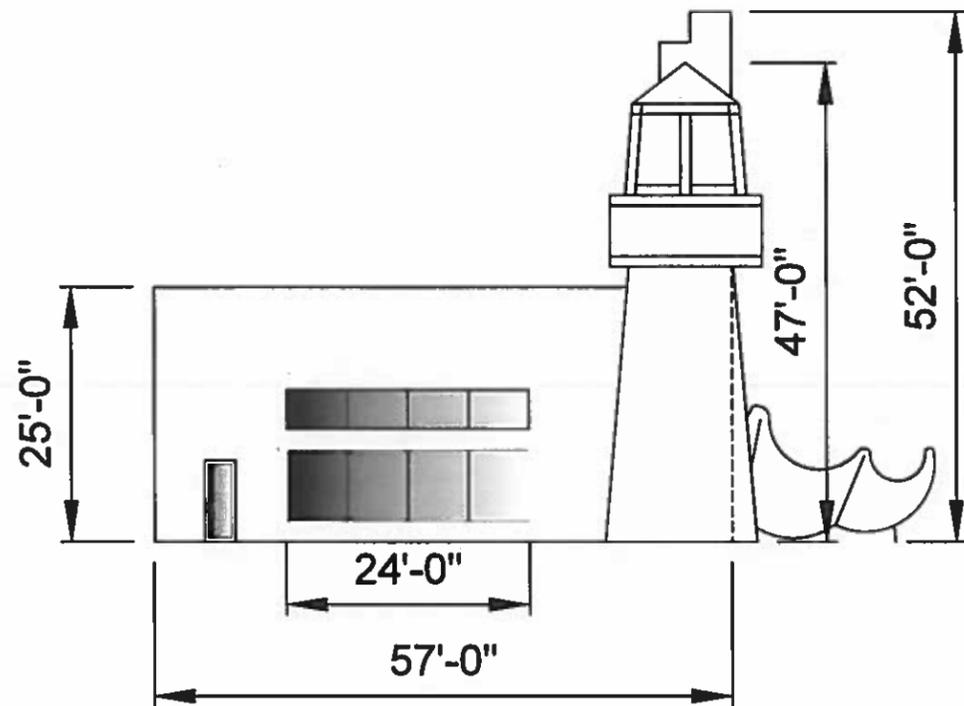
Sheet Title
ELEVATIONS 1 & 2

EVERY EFFORT HAS BEEN MADE TO AVOID MISTAKES DURING THE PREPARATION OF THESE DOCUMENTS. PERLA TORRES DRAFTING & DESIGN CANNOT GUARANTEE AGAINST HUMAN ERROR WHEN DRAFTING THESE PLANS. THE CONTRACTOR ASSIGNED TO DO THIS JOB MUST DOUBLE CHECK ALL DIMENSIONS AND DETAILS AS REQUIRED PER BUILDING CODES.

<small>Scale</small> 1/8" = 1'-0"	<small>Sheet No.</small> S-02
<small>Date</small> 1/20/18	
<small>Drawn By</small> P. TORRES	



① WEST ELEVATION- Rear
SCALE: 1/8" = 1'-0"



② SOUTH ELEVATION- Side
SCALE: 1/8" = 1'-0"

NO.	DATE	REVISIONS

SEAN'S CASTLE
6401 PADRE BLVD.
SOUTH PADRE ISLAND, TEXAS 78597


PERLA TORRES
 DRAFTING & DESIGN
 415 E. WASHINGTON, SUITE A
 PORT ISABEL, TEXAS 78578
 (956) 943-7664
 PERLAT@LIVE.COM

Project Name & Address
SPI CARMEN
 Tract 9, 10 & 11
 Lying Just West of State Park Road
 No. 100,
 Padre Beach Estates
 Subdivision, Town of SPI
 Cameron County TX

Sheet No.
ELEVATIONS 3 & 4

EVERY EFFORT HAS BEEN MADE TO AVOID MISTAKES DURING THE PREPARATION OF THESE DOCUMENTS. PERLA TORRES DRAFTING & DESIGN CANNOT GUARANTEE AGAINST HUMAN ERROR WHEN DRAFTING THESE PLANS. THE CONTRACTOR ASSIGNED TO DO THIS JOB MUST DOUBLE CHECK ALL DIMENSIONS AND DETAILS AS REQUIRED PER BUILDING CODES.

Scale	1/8" = 1'-0"	S-03
Date	11/20/16	
Drawn By	P. TORRES	

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: December 19, 2018

Item: 20-21

TO: Planning and Zoning Commission

FROM: Clifford Cross, Planning Director

ITEM DESCRIPTION:

Discussion and action regarding a Specific Use Permit (outdoor Amusement), located within a 7,500 square foot closed portion of W. Ling Street and legally defined as the West 150' of West Ling Street ending at Laguna Boulevard.

DISCUSSION

**CURRENT ZONING:
FUTURE LAND USE
EXISTING USE**

- 1) Entertainment District Core
- 2) NA
- 3) Public ROW

ZONING REQUEST:

Specific Use Permit

LOCATION:

Ling Street

GEO ID NUMBER:

NA

ACREAGE:

Roughly 7,500

PROPOSED USE:

Outdoor Amusement (Ferris Wheel)

**ADJACENT ZONING, :
FUTURE LAND USE
& EXISTING LAND USE**

- N)** 1) EDC (Entertainment District Core)
2) NA
3) Parking Lot
- S)** 1) EDC (Entertainment District Core)
2) NA
3) Outdoor Amusement
- E)** 1) EDC (Entertainment District Core)
2) NA
3) Commercial
- W)** 1) EDC (Entertainment District Core)
2) NA
3) Commercial

APPLICANT:

City of SPI Planning / South Padre Redevelopment Co.
6401 Padre Blvd.
South Padre Island, TX 78597

OWNER:

City of South Padre (Closed ROW)

I. PURPOSE AND MAJOR ISSUES

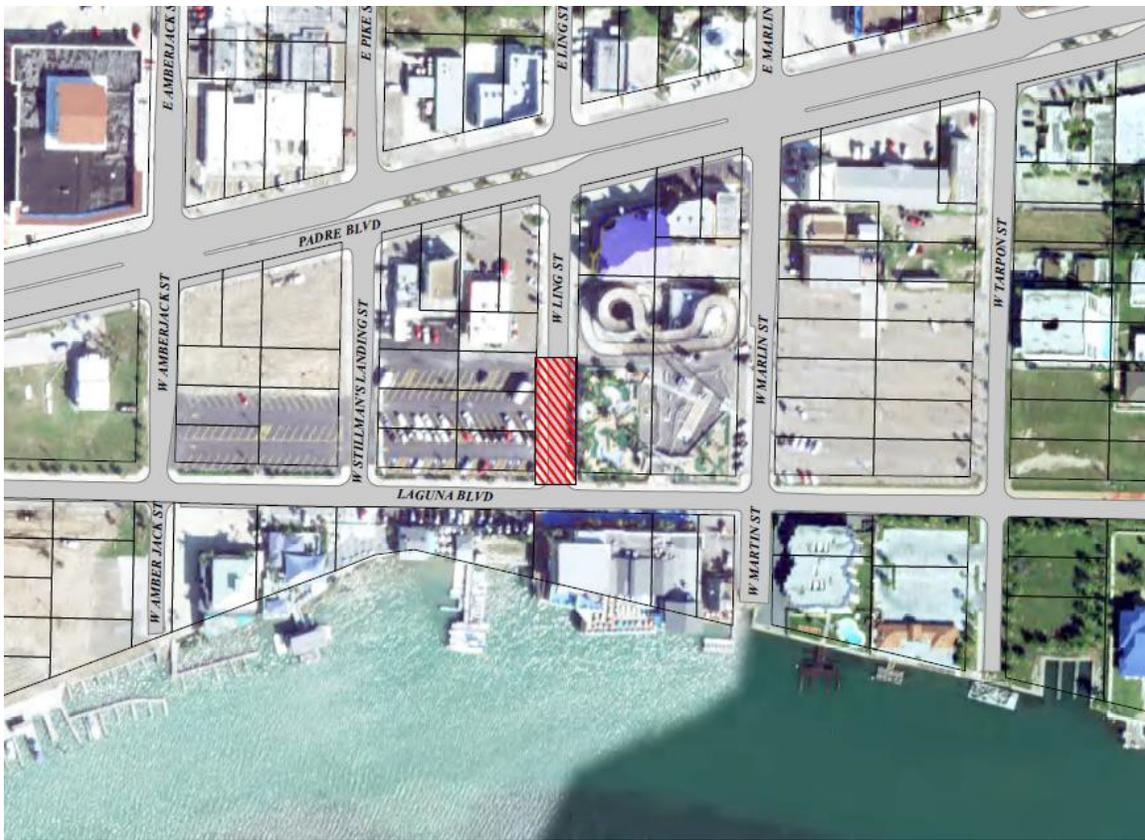
The applicant is requesting a specific use permit to allow for operation of an “outdoor amusement amenity” (Ferris Wheel).

The major issues associated with this request are:

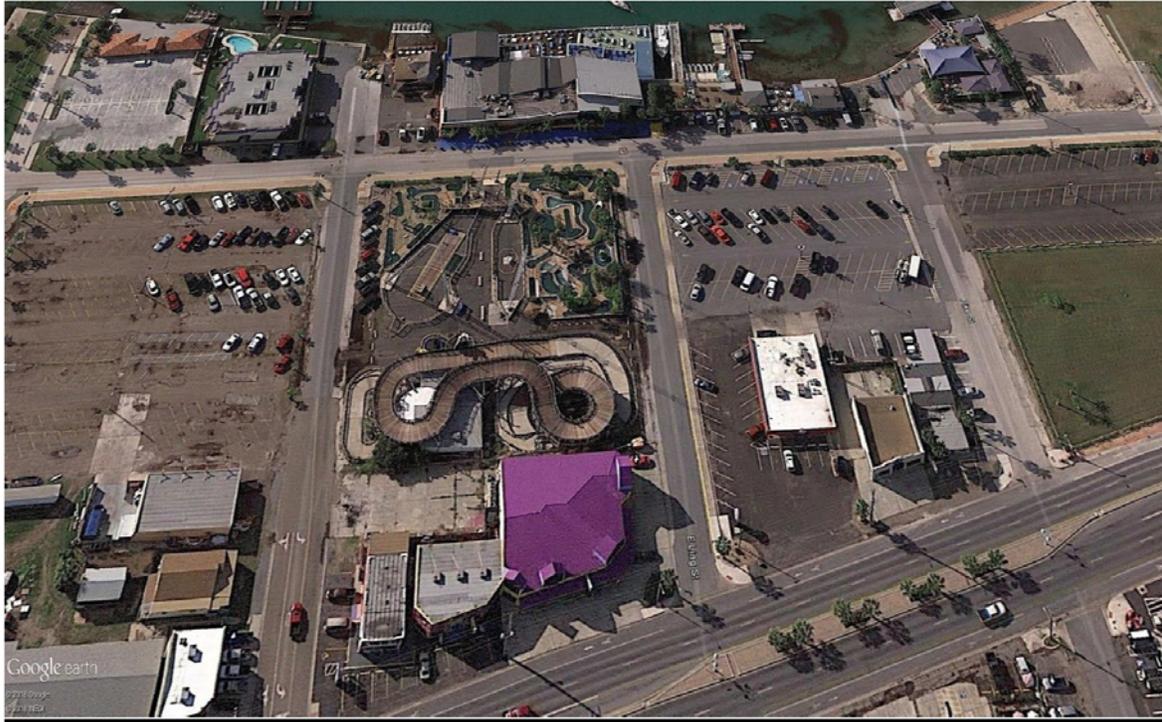
1. Regulating Plan Standards (Use); and
2. Closure of Ling Street (Agreement will need to be approved)

Property Location

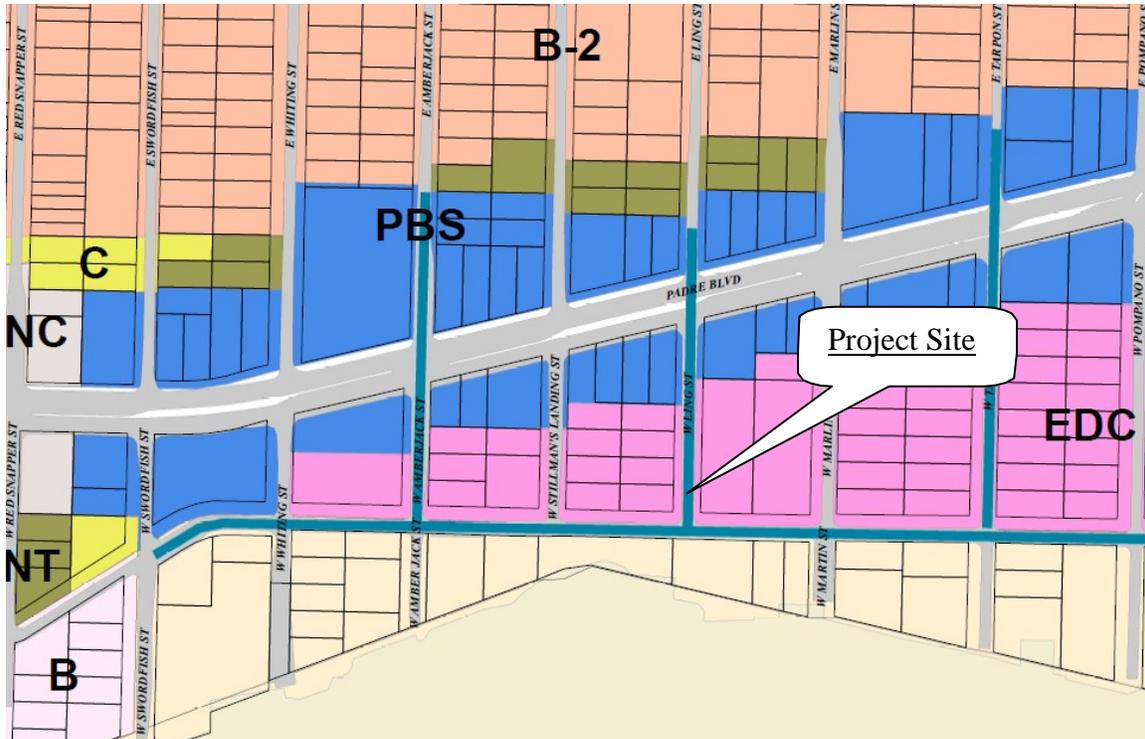
7500 Square Foot of Closed ROW (West Ling Street)



Existing Conditions



Zoning



II. REVIEW OF THE PLAN

The applicant seeks a specific use permit to operate outdoor amusement amenities/rides within a 7,500 square foot closed portion of West Ling Street. As a result, of the property location within the Entertainment District Core, Table 5-1, Section 20-8-1 Appendix “Z” of the South Padre Island Zoning Ordinance requires a specific use permit be granted and public hearings be conducted before the Planning Commission and City Council.

III. TRANSPORTATION & PARKING

The site location will be located within a closed portion of Ling Street and no parking will be associated with it.

IV. INFRASTRUCTURE AND PUBLIC SERVICES

Public services are and will be provided by the City of South Padre Island and associated private utility companies.

V. REQUIREMENTS OF THE ZONING ORDINANCE

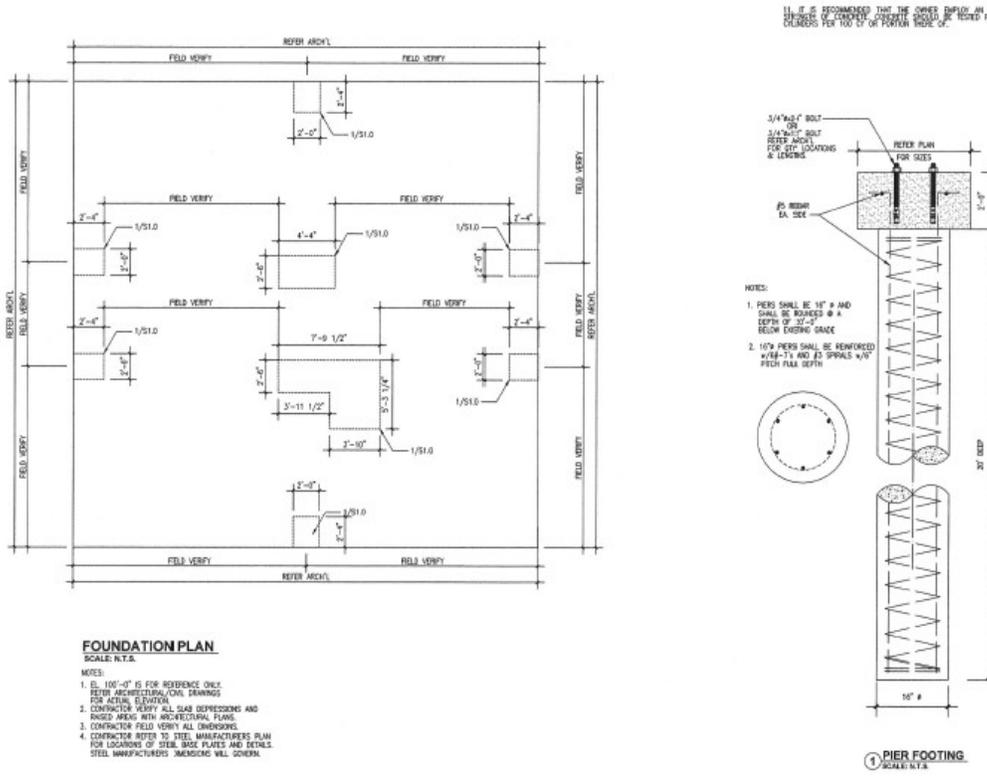
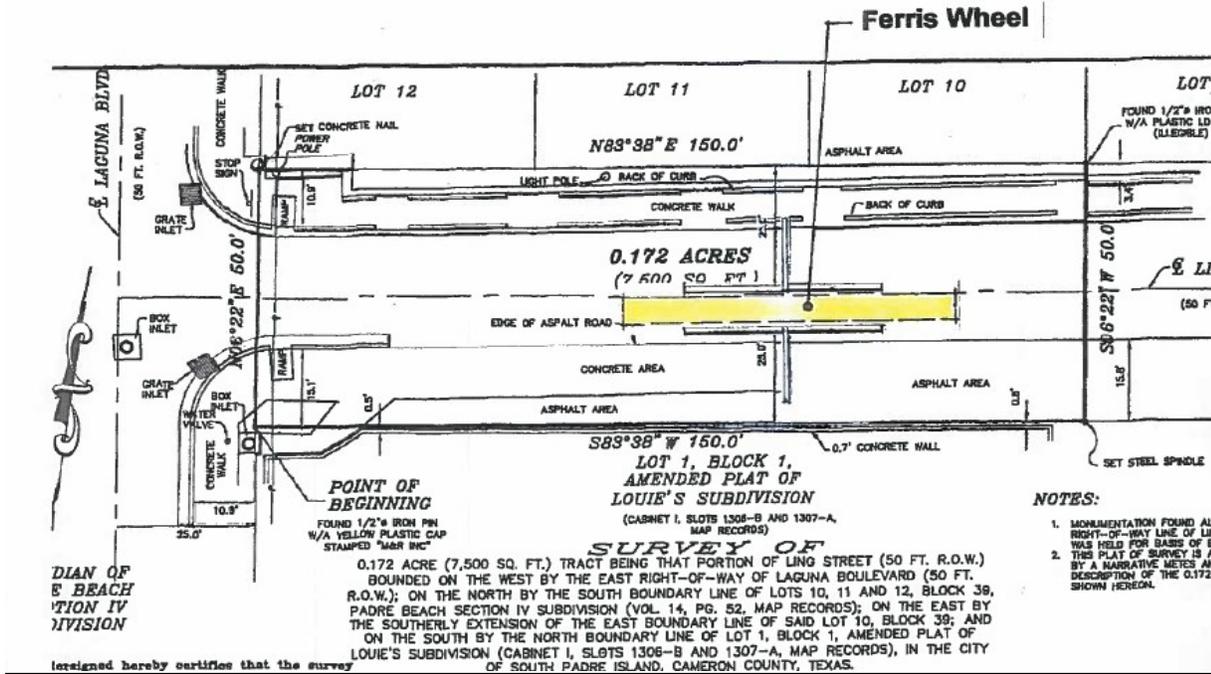
- Table 5-1, Section 20-8-1 Appendix “Z”
Outdoor amusement or theme park requires a Specific Use Permit

City of South Padre Island

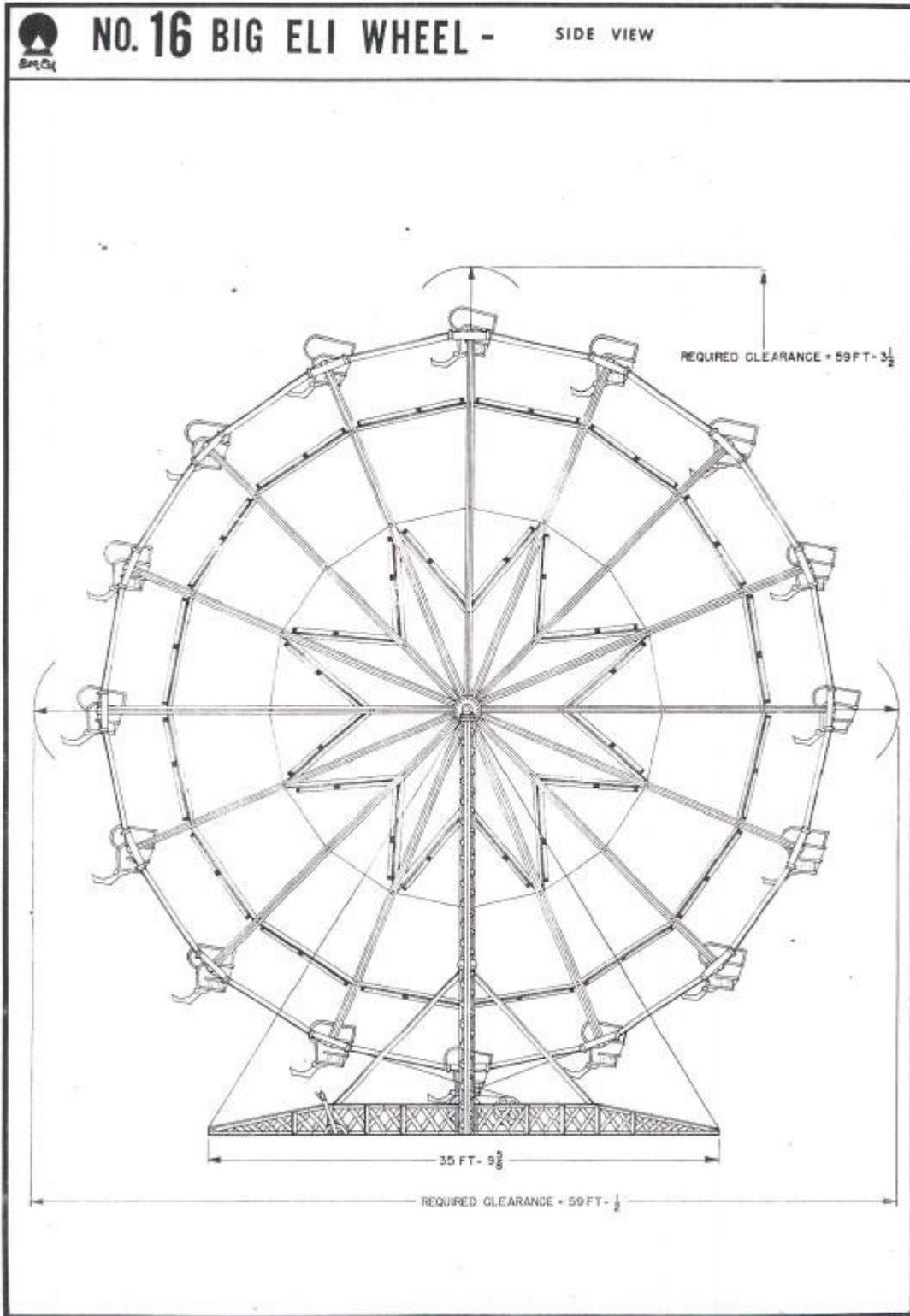
PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE

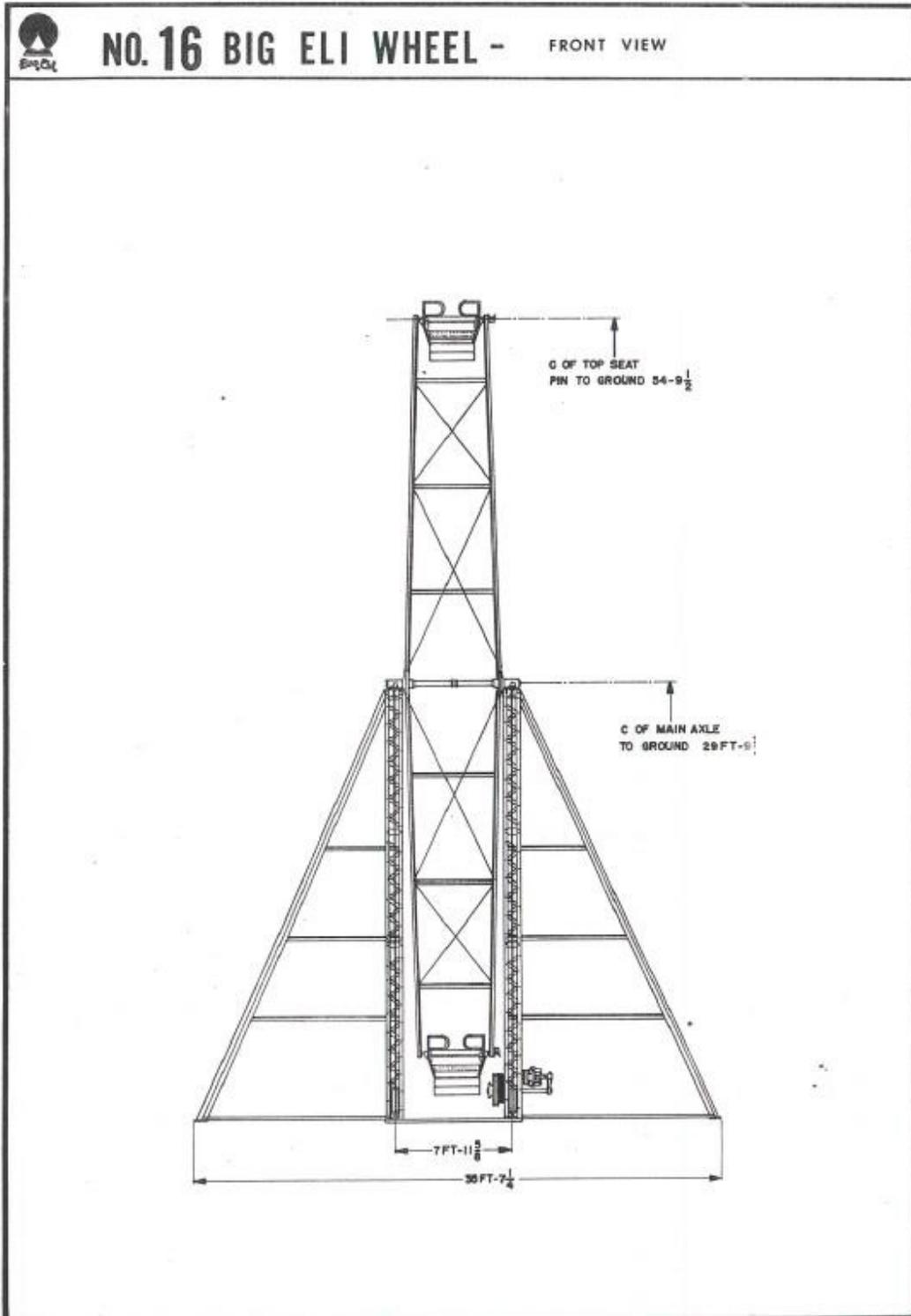
Table 5.1 – Schedule of Uses (Land Use)

Character Zone	Bayfront	Entertainment District Core	Neighborhood Crossing	Town Center Crossing	Padre Boulevard North/Central	Padre Boulevard South	Neighborhood Transition	Northern Resort District
Commercial Uses (Office, Retail, Restaurant, Sales and Service Uses)								
Retail Sales with no drive through facility, (includes alcohol sales; bicycle, vehicle, and water sport sales & rental; general merchandise; pharmacy; cigarette & cigar sales; hardware stores, etc.) Excluded from this category are retail sales and service establishments geared towards the automobile.	P	P	P	P	P	P	NP	P
Head Shop (a retail outlet with the sale of paraphernalia related to the consumption of cannabis, other recreational drugs and/or new age herbs. Products typically include but are not limited to, water pipes, bongs, roach clips, pipes, rolling papers, rolling machines, and whipped cream chargers containing nitrous oxide.)	NP	NP	NP	NP	NP	SE	NP	NP
Auto-related Sales or Service establishments (includes gasoline sales)	NP	NP	P/C	P/C	P/C	P/C	NP	P/C
Marine repairs	NP	NP	NP	NP	NP	NP	NP	NP
Finance, Insurance, and Real Estate establishments (with no drive through facility)	P	P	P	P	P	P	NP	P
Offices for business, professional, administrative, and technical services	P	P	P	P	P	P	P	P
Research laboratory headquarters, laboratories and associated facilities	NP	NP	NP	NP	P	P	NP	P
Food Service Uses such (includes seating on a sidewalk areas with no pedestrian obstruction; includes alcohol sales; with no drive through facility)	P	P	P	P	P	P	NP	P
Bar or drinking place	P	P	P	P	P	P	NP	P
Personal Services such as laundry, dry cleaners, hair care, etc.	P	P	P	P	P	P	NP	P
Tattoo and body piercing (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Permanent Makeup Application (with a state license)	NP	NP	NP	NP	NP	P	NP	NP
Retail bait stands	P	P	NP	NP	P	NP	NP	P
Pet and animal sales or service	P	P	P	P	P	P	NP	P
Any permitted use with a drive through facility	NP	NP	P/C	NP	P/C	P/C	NP	P/C
Arts, Entertainment, and Recreation Uses								
Indoor amusement or theme park establishment including bowling alleys, bingo parlor, games arcades, skating, etc.	P	P	P	P	P	P	NP	P
Outdoor amusement or theme park establishment including miniature golf, go-cart tracks, etc.	P/SUP	P/SUP	NP	NP	P/SUP	P/SUP	NP	P/SUP
Art galleries	P	P	P	P	P	P	P	P
Art, antique, apparel, appliance, furniture or electronics studio (includes retail, repair or fabrication uses)	P	P	P	P	P	P	NP	P



IT IS RECOMMENDED THAT THE OWNER EMPLOY AN INDEPENDENT TESTING LAB TO TEST SAMPLES OF CONCRETE. CONCRETE SHOULD BE TESTED PER ASTM C39 AND C43 AT 3" AND 12" DEPTHS PER 100 CY OR THEREABOUTS.





VI. ZONING REVIEW STANDARDS

1. Regulating Plan Standards – Does the proposed outdoor amusement operation comply with the local street designation, frontage and character zone standards; and
2. Development Standards – Does the proposed outdoor amusement operation comply with the local character area design standards pertaining to building design and architecture

VII. PLANNING STAFF EVALUATIONS:

1. Temporary Closure of Ling Street Agreement
2. Need to insure no negative impact on traffic flow or impact on utility access.

VIII. COMMISSION/COUNCIL OPTIONS:

Section 20-24 (B) of Zoning Ordinance

Planning and Zoning Commission

- Table
- Recommend Approval (with or without conditions)
- Recommend Denial

City Council

- Table
- Approve
- Approve with Conditions
- Deny Request

IX. EVALUATION CONSIDERATIONS

1. Whether the proposed use is consistent with the surrounding neighborhood;
2. Suitability for proposed Uses and/or improvements.
3. Development trends of the general area including changes to land use or prior amendments to the zoning ordinance.
4. Official Comprehensive Plan including compliance with the stated objectives.
5. Maintenance of the public's health, safety and general welfare.
6. Enjoyment of the property by neighbors for its intended use.

ORDINANCE NO. 18-____

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, PROVIDING FOR A SPECIFIC USE PERMIT FOR OUTDOOR AMUSEMENT AT PADRE ISLAND UNSUBDIVIDED ABST 260; REFERRING TO THE SPECIFIC USE PERMIT BY MAKING A REFERENCE IN THE ZONING MAP OF THE CITY OF SOUTH PADRE ISLAND, TEXAS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR SEVERABILITY; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City Council of the City of South Padre Island (“City Council”), conducted a public hearing wherein a request was made by South Padre Redevelopment Company (the “Applicant”) to allow a Specific Use Permit for “Outdoor Amusement” operations on a tract of land zoned District “EDC” (Entertainment District Core);

WHEREAS, the City Council has investigated and determined the City of South Padre Island, Texas (“City”) should refer to the Specific Use Permit by making a reference in the Zoning Map as provided herein and pursuant to a notice being duly posted according to law,

WHEREAS, the tract of land subject to the Specific Use Permit is in the City of South Padre Island, Texas, being a 7,500 square foot closed portion of West Ling Street, and being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes (the “Property”);

WHEREAS, the City Council finds that Applicant has agreed to comply with all provisions of the ordinances of the City, including but not limited to the Zoning Ordinance, and has further agreed to comply with the additional restrictions set forth herein;

WHEREAS, the City Council has investigated and determined that it would be fair to accommodate the Outdoor Amusement operations by granting the Specific Use Permit;

WHEREAS, the Planning and Zoning Commission of the City and the City Council, in compliance with the laws of the State of Texas and the requirements of Sec. 20-18 of the City Code of Ordinances (Zoning) have given requisite notice by publication and otherwise, and holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Specific Use Permit should be referenced on the Zoning Map as required by Section 20-24 of the City Code of Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. The locations of the Specific Use Permit are referenced on the Zoning Map as shown on Exhibit “A”.

Section 3. Applicant is granted a Specific Use Permit to allow for the operation of the identified outdoor amusement facility based upon the following conditions;

1. The outdoor amusement operation is limited to the addition of the Ferris Wheel attached in Exhibit “B”;
2. The specific use permit is contingent upon the temporary closure of West Ling Street as identified in the “Metes and Bounds Description attached in Exhibit “A”;
3. The applicant shall ensure each amusement ride is inspected annually by a licensed amusement ride inspector, as registered by the Texas Department of Insurance;
4. This Specific Use Permit shall not be retained with the property upon transfer of ownership or the removal of the street closure identified in the Metes and Bounds Description attached in Exhibit “A”;

Section 4. Applicant is granted a Specific Use Permit to allow operation of Outdoor Amusement operations subject to the aforementioned conditions.

Section 5. All terms of this Specific Use Permit shall be complied with prior to issuance of a certificate of occupancy and shall be maintained thereafter. This Specific Use Permit will be declared null and void if:

1. Any failure to comply with any term or condition of this Ordinance, as it exists or may be amended; or
2. This Specific Use Permit was obtained by fraud or deception.

Section 6. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 7. Any violation of the above mentioned section of Chapter 20 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed two thousand Dollars (\$2000.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 8. 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 shall 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 9. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of _____ 2018.

PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of _____ 2019.

ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

DENNIS STAHL, MAYOR

Exhibit "A"

METES AND BOUNDS DESCRIPTION

0.172 Acre (7,500 sq. Ft.) Tract being that portion of Ling Street (50 ft. r.o.w.) bounded on the west by the east right-of-way of Laguna Boulevard (50 ft. r.o.w.); on the north by the south boundary line of Lots 10, 11 and 12, Block 39, Padre Beach Section IV Subdivision (Vol. 14, Pg. 52, Map Records); on the east by the southerly extension of the east boundary line of said Lot 10, Block 39; and on the south by the north boundary line of Lot 1, Block 1, Amended plat of Louie's Subdivision (Cabinet I, Slots 1306-B and 1307-A, Map Records), in the city of South Padre Island, Cameron County, Texas; said 0.172 acre tract being more particularly located and described as follows;

BEGINNING, at a one-half inch iron pin with a yellow plastic cap stamped "M&R Inc" found at a corner of said Lot 1, Block 1, Amended plat of Louie's Subdivision, and being the point of intersection of the south right-of-way line of said Ling Street and the east right-of-way line of said Laguna Boulevard, for the southwest corner of this tract;

THENCE, North 06 Deg. 22 Min. East, a distance of 50.0 feet to a concrete nail set at the southwest corner of Lot 12, Block 40, of said Padre Beach Section IV Subdivision and being the intersection of the north right-of-way line of said Ling Street and the east right-of-way line of said Laguna Boulevard, for the northwest corner of this tract;

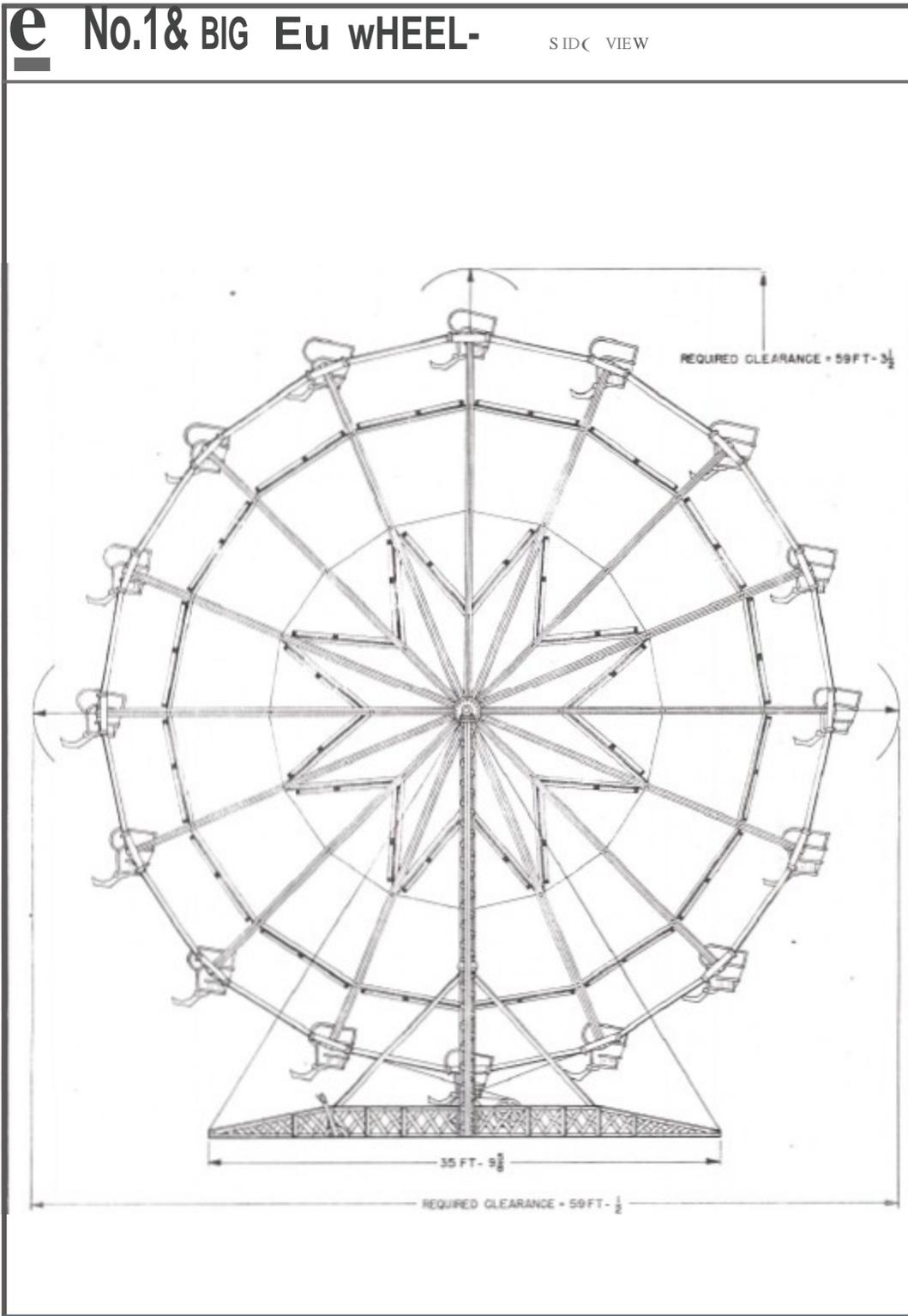
THENCE, along said north right-of-way line of Ling Street, North 83 Deg. 38 Min. East, a distance of 150.0 feet, to a one-half inch iron pin with an i.d. cap (illegible) found at the southeast corner of Lot 10, Block 40, Padre Beach Section IV Subdivision, for the northeast corner of this tract;

THENCE, leaving said right-of-way line, South 06 Deg. 22 Min. West, a distance of 50.0 feet, to a steel spindle set on the north line of said Lot 1, Block 1, Amended Plat of Louie's Subdivision, for the southeast corner of this tract;

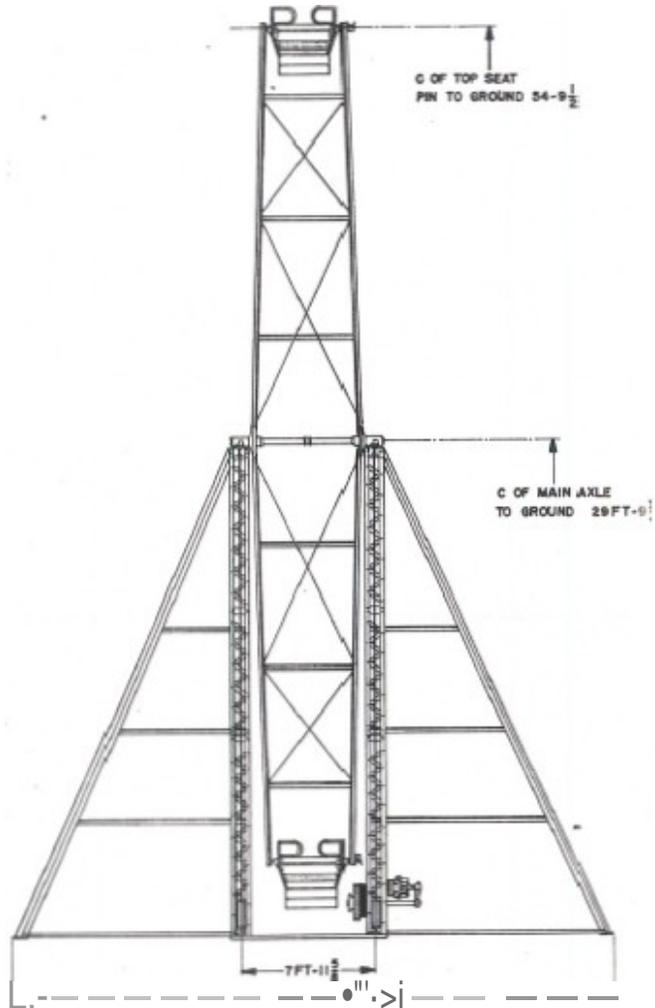
THENCE, along the north line of said Lot 1, Block 1, South 83 Deg. 38 Min. West, a distance of 150.00 feet to the **POINT OF BEGINNING**;

CONTAINING, 0.172 Acre, more or less.

Exhibit "B"



!! NO.16 BIG ELL WHEEL - FRONT VIEW



ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING
CHAPTER 20 OF THE CODE OF ORDINANCES (ZONING CHAPTER) SECTION 20-11(D)
TO REGULATE THE CONSTRUCTION AND OPERATION OF TEMPORARY
STRUCTURES, AND DEALING WITH RELATED MATTERS**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
SOUTH PADRE ISLAND, TEXAS:**

SECTION 1: That Chapter 20, Section 20-11(D) of the City of South Padre Island Code of Ordinances be amended by deleting the following;

- (2) Temporary structures are prohibited within one-hundred and fifty (150) feet of Padre Boulevard.
- (3) Commercial sales activities of any kind are not allowed in temporary structures regardless of their location.
- (9) City Exemption: Notwithstanding the requirements of this City Code of Ordinances relating to open display and the use of temporary structures, the City of South Padre Island shall be exempt from all provisions herein, and is expressly permitted to authorize the use of public property and the public right-of-way for the purposes of outdoor display and temporary structures for the purpose of publicly sponsored events, as well as recognized events sponsored by other agencies authorized by the City.

SECTION 2: That Chapter 20, Section 20-11(D) of the City of South Padre Island Code of Ordinances be amended by adding the following;

- (2) Temporary structures are prohibited within one-hundred and fifty (150) feet of Padre Boulevard unless they are directly associated with operations of the onsite permanent business.
- (3) Commercial sales activities of any kind are not allowed in temporary structures regardless of their location.
- (9) City Exemption: Notwithstanding the requirements of this City Code of Ordinances relating to open display and the use of temporary structures, the City of South Padre Island shall be exempt from all provisions herein, and is expressly permitted to authorize the use of private property, public property and the public right-of-way for the purposes of outdoor display and temporary structures for the purpose of publicly sponsored events, as well as recognized events sponsored by other agencies authorized by the City.

SECTION 3: This Ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

SECTION 4: If for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of the Ordinance shall be held unconstitutional by final judgment of a court of competent jurisdiction, it shall 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 5: This Ordinance shall become effective when published in summary form according to law.

PASSED, APPROVED AND ADOPTED on First Reading, the _____ day of _____ 2019.

PASSED, APPROVED AND ADOPTED on Second Reading, the _____ day of _____ 2019.

ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS

SUSAN HILL, CITY SECRETARY

DENNIS STAHL, MAYOR