

**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:

**THURSDAY, JANUARY 16, 2014
3:00 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. Election of Chairman and Vice Chairman.
5. Approval of minutes of the December 18, 2013 workshop meeting and December 19, 2013 regular meeting.
6. Discussion and action regarding a one-year extension of the approved "Sea Breeze Estate" subdivision. *(Dr. Kim, Staff)*
7. Public Hearing regarding a proposed amendment to Section 20-21 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance by adding City's right to maintain trees and guidelines for planting trees in public easements. *(Dr. Kim, Staff)*
8. Discussion and action regarding a proposed amendment to Section 20-21 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance by adding City's right to maintain trees and guidelines for planting trees in public easements. *(Dr. Kim, Staff)*
9. Public Hearing regarding a proposed addition of Section 20-16.3 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance regarding the purpose, intent, and procedures of Special Exceptions. *(Dr. Kim, Staff)*
10. Discussion and action regarding a proposed addition of Section 20-16.3 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance regarding the purpose, intent, and procedures of Special Exceptions. *(Dr. Kim, Staff)*

11. Public Hearing regarding a proposed addition of Section 20-4.2 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance regarding Staff Responsibility. *(Dr. Kim, Staff)*
12. Discussion and action regarding a proposed addition of Section 20-4.2 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance regarding Staff Responsibility. *(Dr. Kim, Staff)*
13. Public Hearing regarding a proposed amendment to Section 15-2 of Chapter 15 Signs of the City of South Padre Island Code of Ordinance by revising the definition of 'Sign' and 'Sign Area'. *(Dr. Kim, Staff)*
14. Discussion and action regarding a proposed amendment to Section 15-2 of Chapter 15 Signs of the City of South Padre Island Code of Ordinance by revising the definition of 'Sign' and 'Sign Area'. *(Dr. Kim, Staff)*
15. Reviewing the results of the Visioning Session for the City of South Padre Island. *(Dr. Kim, Staff)*
16. Adjournment

DATED THIS THE 10TH DAY OF JANUARY 2014



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 CORRECT 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 **JANUARY 10, 2014** AT/OR BEFORE **9:30** A.M. AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF AID 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, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

**JOINT WORKSHOP CITY COUNCIL, PLANNING AND ZONING COMMISSION,
AND DEVELOPMENT STANDARDS REVIEW TASK FORCE
MEETING MINUTES
DECEMBER 18, 2013**

1. Call to Order.

Robert Pinkerton called the meeting to order at 3:00 p.m. in the City Council Chambers on the Second Floor of the Municipal Complex Building: 4601 Padre Boulevard and declared a quorum of members present. Council members in attendance were: Robert Pinkerton, JoAnn Evans, Alita Bagley, Sam Listi, Alex Avalos, and Barry Patel. Commission members in attendance were: Patrick McNulty, Deanna Bowman, and Chris Huffman. Task Force members in attendance were: Nancy Moyer and Joe Baker.

Staff members present were Interim City Manager Darla Jones, Development Director Sungman Kim, Interim Public Works Director Ray Moya, Finance Director Rodrigo Gimenez, CVB Director Sylvia Soliz, Police Chief Randy Smith, Assistant Police Chief Javier Garza, Transit Director Jesse Arriaga, Public Information Officer Naida Robles, Information Technology Director Paul Holthusen, Coastal Resources Manager Reuben Trevino, Administrative Services Director Wendi Delgado, Fire Chief Marcus Smith, City Secretary Susan Hill, and Marta Martinez.

2. Pledge of Allegiance.

Mr. Pinkerton led those present in the Pledge of Allegiance.

3. Public Comments and Announcements.

None.

4. A Visioning Session for the City of South Padre Island.

Mr. Pinkerton announced the item from the agenda and ask for a staff report. Dr. Kim gave a brief summary regarding the Visioning Session for the future of the City of South Padre Island.

The following items were discussed by staff members:

1. Darla Jones – Community Character
2. Reuben Trevino – Parks and Resources
3. Rodrigo Gimenez; Sylvia Soliz – Economic Development
4. Sungman Kim – Growth & Future Land Use
5. Jesse Arriaga – Transportation
6. Ray Moya – Infrastructure
7. Wendi Delgado – Governance
8. Naida Robles – Community Relations
9. Marcus Smith; Randy Smith – Fire, Police, Emergency Management & Disaster Recovery

5. Adjournment

Since there was no further business to discuss, Ms. Evans adjourned the meeting at 4:32 p.m.

Marta Martinez, Secretary

Patrick McNulty, Chairman

**PLANNING AND ZONING COMMISSION
MEETING MINUTES
DECEMBER 19, 2013**

1. Call to Order.

Patrick McNulty called the meeting to order at 3:00 p.m. in the City Council Chambers on the Second Floor of the Municipal Complex Building: 4601 Padre Boulevard and declared a quorum of members present. Commission members in attendance were: Patrick McNulty, Gary Olle, Ramona Alcantara, Deanna Bowman, and Chris Huffman. Members absent were John Giesecking and Russell Judah. Staff members present were Interim City Manager Darla Jones, Development Director Sungman Kim, and Marta Martinez.

2. Pledge of Allegiance.

Mr. McNulty led those present in the Pledge of Allegiance.

3. Public Comments and Announcements.

Mr. McNulty announced the item from the agenda. Ms. Bowman requested copies of workshop (12/08/13) handouts.

4. Approval of minutes of the November 21, 2013 regular meeting.

Mr. McNulty announced the item from the agenda and asked the Commission members if they had any corrections to the November 21, 2013 regular Meeting Minutes. Ms. Bowman made a motion to approve with a corrections. Mr. Huffman seconded the motion. The motion passed on a 4:0:1 vote. Mr. McNulty abstained.

5. Discussion and action regarding a one-year extension of the approved "Sea Breeze Estates" subdivision. (Dr. Kim, Staff)

Mr. McNulty announced the item from the agenda and ask for a staff report. Dr. Kim gave a brief summary regarding this agenda item.

Mr. McNulty then opened it up for discussion by the Commission. The Commissioners expressed their comments/concerns regarding this matter. After some discussion Ms. Bowman made a motion to table this agenda item until then next regular meeting. Mr. Olle seconded the motion. The motion passed on a 4:0:1 vote. Ms. Alcantara abstained.

6. Adjournment

Since the Commission had no further business to discuss, Ms. Alcantara made a motion to adjourn. Mr. Huffman seconded the motion. The meeting was adjourned at 3:26 p.m.

Marta Martinez, Secretary

Patrick McNulty, Chairman

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: January 16, 2014

ITEM: 6

TO: Planning & Zoning Commission

FROM: Sungman Kim, Development Director

ITEM DESCRIPTION:

Discussion and action regarding a one-year extension of the approved “Sea Breeze Estate” subdivision.

DISCUSSION:

The Planning and Zoning Commission approved the Final Plat for a subdivision replat of the Lots 1 through 5 Block 1 Sea Breeze Estate at the September 19th meeting.

The Request: Mr. Larry Mark Polsky is requesting a one-year extension of the approved final plat for the Sea Breeze Estate subdivision due to scheduling conflict with Cameron County for their approval. The given 60-day filing period was not enough in this case since the site is located within Extraterritorial Jurisdiction and requires dual approval from both the City and the County.

City Subdivision Ordinance:

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 regulations 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.**

Cameron County Subdivision Regulations:

Chapter 1. Section 1. General Conditions

1.4 Overlap of Municipal and County Subdivision Regulations under Texas Local Govt. Code, Chapter 242

For an area in a municipality’s extraterritorial jurisdiction as defined by Texas Local Government Code Section 212.001, a subdivision is subject to regulations of both the municipality and Cameron County. **If a municipal regulation conflicts with a county regulation, the more stringent provision prevails.** In Cameron County, a city with a population (by census) of 5,000 generally has an ETJ under section 212.001 that extends for 5 miles from its city limits.

1.7 Conflict with Other Regulations

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Whenever the standards and specifications in these Regulations conflict with those contained in other regulations or City Ordinances adopted by a City and applicable to a Subdivision to which these Regulations also apply, the most stringent or restrictive provisions shall apply. In addition, **it is the intention of the County in adopting these Regulations, to regulate development in unincorporated areas of the County consistent with the provisions of Chapter 232, Tex. Loc. Govt. Code and the Model Subdivision Rules, as either may be amended from time to time and being adopted by Commissioners Court.** In the event of a conflict between the provisions of these Regulations and either the Model Subdivision Rules or Chapter 232, the more stringent or restrictive provisions shall apply, the terms and conditions of the Model Subdivision Rules, as amended from time to time, being hereby adopted and incorporated herein for such purpose.

Chapter 1. Section 3. Plat Submittal and Review Procedures

3.1 General Procedures

- A. Preliminary conference (optional but highly recommended)
- B. Submission of pre-application variance request (optional and only if information on the preliminary plat is not required for determination of variance).
- C. **Submission, review of preliminary plat (with concurrent consideration of variance request or requests). → The subdivider must allow no less than 4 weeks from the County Engineer's office to review and comment.**
- D. Modification of preliminary plat and fulfillment of any conditions of preliminary plat approval.
- E. **Preliminary plat approval by Commissioner Court. → Within 60 days after the date a completed plat application is received by the Engineering Department. It is good for 12 months; an extension of 6 months.**
- F. **Submission, review of final plat (with concurrent consideration of variance request or requests). → The final plat and its accompanying data shall be reviewed by the County Engineering Department within the 30 day period following submission of the complete application.** If all required information is contained within the submission and the final plat is complete in every respect, the plat shall be presented to the Commissioners Court for its approval. If the application is incomplete, the County Engineering Department shall make note of such requirements in letters to the developer and the engineer or surveyor of record within 10 business days of the date of the application.
- G. Posting of bonds or other financial guarantees or construction of proposed improvements.
- H. **Final plat approval by Commissioner Court.**
- I. **Release of final plat for recording. (County Engineering Dept.)**
- J. **Recording of final plat in the map records of Cameron County.**

STAFF RECOMMENDATIONS / COMMENTS:

The applicant is in a special situation due to the site location and the absence of an inter-local agreement. **Staff recommends the Planning and Zoning Commission approve grant of a one-year extension.** In case everything goes smoothly, without any delays after a complete application, in the County Process, the applicant will need at a minimum 4-5 month.

**PLANNING & ZONING COMMISSION
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COMMISSION ACTION:

MOTION: _____

BY: _____

SECOND BY: _____

McNulty	Huffman	Bowman	Fudge	Judah	Alcantara	Olle
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain



**LARRY MARK POLSKY, ESQ.
TRIAL LAWYER**

5508 Padre Blvd., Suite A • South Padre Island, TX 78597
Office: (956) 761-1LAW • Fax: (956) 761-1599

**LICENSED:
Texas
Florida
Hawaii
District of Columbia**

December 2, 2013

Via Hand Delivery

Mr. Sungman Kim, Development Director
City of South Padre Island
4601 Padre Boulevard
South Padre Island, Texas 78597

Re Larry Mark Polsky / Lots 1 – 5 Block 1 Sea Breeze Estates

Dear Mr. Kim:

As you know, on September 19, 2013, the City of South Padre Island approved my 5 lot subdivision known as "Seabreeze Estates" subject to the approval of the Cameron County engineer. As you also know, my plot approval from the City of South Padre Island expired in 60 days from September 19, 2013, to wit, it expired on November 19, 2013. I am respectfully requesting a one year extension as I am having difficulties with the County approving said signing off on my 5 lot plat.

Please extend me the courtesy of giving me this one year extension. If I am not given the one year extension, I will be forced to have to sue the City pursuant to Texas Local Government Code 242.001 and the basis of my lawsuit is that at this point in time, there should have been a written agreement between the City and the County regarding who has sole jurisdiction over re-platting in the extraterritorial jurisdiction in the City. Since there is no such written agreement, mandatory arbitration has to take place in order that one or the other, to wit, the County of the City have sole discretion authority over re-platting properties such as mine.

Therefore, I am very hopeful you will give me the one year extension so that I do not have to sue the City.

I look forward to hearing from you **in writing** within the next 5 working days.

I remain,

Respectfully yours,

Larry Mark Polsky, Esquire
Law Office of Larry Mark Polsky

LMP/tr
Enc.



Larry Polsky
5508 Padre Boulevard
South Padre Island, TX 78597

September 20, 2013

Re: Lots 1 – 5 Block 1 Sea Breeze Estates.

Dear Mr. Polsky,

The Planning and Zoning Commission reviewed the Preliminary and Final Plat for a subdivision replat at their regular meeting on September 19, 2013. Your request to replat Lots 1 – 5 Block 1 Sea Breeze Estates was approved by the Commission.

Section 23.12 (D) (5) of the City's Code of Ordinances states that Record Plat approval is effective for a period of sixty (60) calendar days, a time within which the Record Plat must be recorded at the County Clerk's Office. If the Record Plat has not been recorded within sixty (60) days of the approval date, the plat becomes null and void.

The Cameron County Engineer must sign off on the plat prior to recordation at the Cameron County Courthouse. The County Engineer is located at 3310 S. Hwy 77 in San Benito, Texas 78586 (they can be reached at (956) 247-3518; 3519), and the Cameron County Courthouse is located at 964 E. Harrison, also in Brownsville (544-0815).

Once recorded, you will need to return a mylar copy and a paper copy of the recorded subdivision plat, which bears the Cameron County Clerk's signature, seal and notation as to the plat book and page, as well as a digital AutoCAD.dwg file of the plat to the Public Works Department before any additional building permits will be issued for this lot.

Should you have any further questions, please contact our office Monday through Friday from 8:00 a.m. to 5:00 p.m.

Sincerely,

CITY OF SOUTH PADRE ISLAND

Sungman Kim
Development Director

I, the undersigned, City Secretary of City of South Padre Island, do hereby certify that this document is a true and correct copy.

C: Jim Holdar, Holdar Engineering Company
Herb Houston, Applicant
File

"A Certified Retirement Community"

Development Department • 4601 Padre Boulevard • South Padre Island, Texas 78597

Office • 956.761.8113 • Fax 956.761.3898



**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: January 16, 2014

ITEM: 7 & 8

TO: Planning & Zoning Commission

FROM: Sungman Kim, Development Director

ITEM DESCRIPTION:

Discussion and action regarding a proposed amendment to Section 20-21 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance by adding City's right to maintain trees and guidelines for planting trees in public easements.

DISCUSSION:

The Request:

This item was initiated by Darla Jones, Interim City Manager, and drafted by the staff.

The Issue:

Public health, safety and welfare are the first priorities to professionals in development sectors. Although there are many environmental, economic and social benefits of planting trees, but trees that are poorly placed can create problems in terms of safety.

Trees growing near high voltage power lines can cause downed lines and power outages in storms. Trees interfering with power lines can cause short circuits and fire. Trees can also provide access to high voltage power lines that can lead to severe injury and death from electrical contact.

Although pruning trees away from power lines can help prevent these situations from occurring, severely pruned trees are, at best, unsightly.

Proposed Changes to the Ordinance:

The proposed changes give the City maintenance rights on street trees within the public rights-of-way, and also provide planting standards for such areas. Specifically the changes provide details for:

1. City's right to trim and remove;
2. Maintenance provisions for currently existing trees;
3. Planting standards and allowed tree lists for areas impacted by public easements.

Consistency with the Comprehensive Plan:

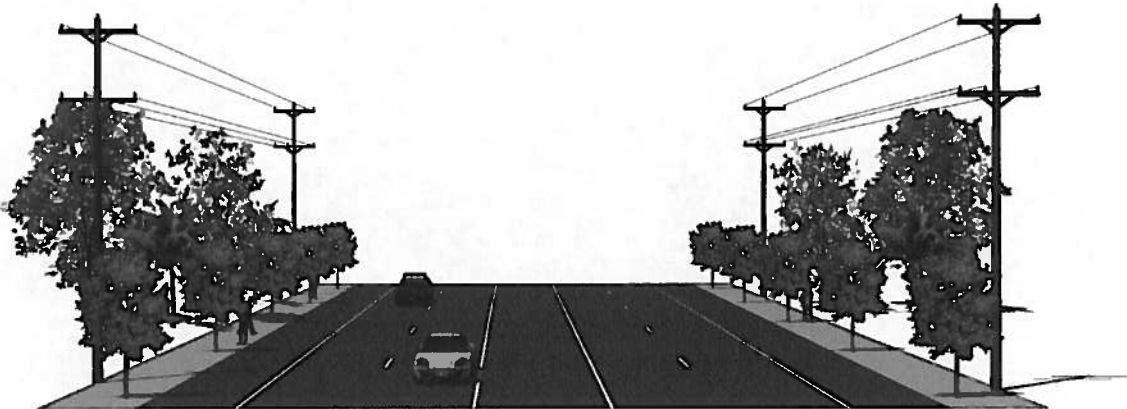
Chapter 4.F. Provide a safe and attractive environment for walking and bicycling.

Concerns on Streetscape:

The City's streetscaping efforts have been conceptualized on the basis of the idea of having underground public utility lines. Considering the fact that the majority of the trees existing at the time

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of installing underground utility lines would have to be removed, the proposed ordinance changes do not go against the efforts. Also, the proposed changes allow planting of right trees within public utility rights-of way.



STAFF RECOMMENDATIONS / COMMENTS:

Staff recommends the Planning & Zoning Commission forward to the City Council a positive recommendation for adoption of the proposed amendment to Section 20-21 of Chapter 20 Zoning.

COMMISSION ACTION:

MOTION: _____

BY: _____

SECOND BY: _____

McNulty	Huffman	Bowman	Fudge	Judah	Alcantara	Olle
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

**PLANNING & ZONING COMMISSION
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ORDINANCE NO. 14-

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING SECTION 20-21 OF CHAPTER 20 ZONING BY ADDING CITY'S RIGHT TO MAINTAIN TREES AND GUIDELINES FOR PLANTING TREES IN PUBLIC EASEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR THE EFFECTIVE DATE; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 20 (Zoning) of the Code of Ordinances; and

WHEREAS, the City Council finds that there are conflicts between trees and power lines that are causing current and future safety concerns;

WHEREAS, the City Council wants to protect public health, safety and welfare by amending Section 20-21 Required Landscaping; and

WHEREAS, The City has complied with the requirements of Sec. 20-18 of the Code of Ordinances (Zoning) to amend Chapter 20;

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

Section 1. Section 20-21(B)(F)(G)(H) of the Section 20 Zoning Ordinance is hereby amended and restated in its entirety to read as follows:

(B) Maintenance:

- (1) All landscaping required by these ordinances shall be maintained in a neat and healthy condition. Such maintenance shall be an ongoing obligation of the owner of the property and prompt replacement shall be made of diseased or dead plant materials. The owner shall also be responsible for containing mulch, soil, bark, aggregate, etc. on his or her own property and preventing this debris from washing out of the planting bed and onto the public or private right-of-way.
- (2) City's right to trim and remove. City reserves the right to prune and remove trees, plants and shrubs within the rights of way of all streets, alleys, avenues, lanes, squares and public grounds as may be necessary for construction, to ensure public safety, or to protect utility facilities thereon.
- (3) Dangerous trees and unsafe conditions. City may remove, or cause or order to remove, any tree, shrub or other vegetation or part thereof which is in an unsafe condition or which by reason of its nature is injurious to or threatens to injure sewers, electric power lines, gas lines, water lines, or other public improvements, or is infected with any injurious fungus, insect or other pest.

(F) Trees in Public Easements:

- (1) Existing trees shall be maintained wherever possible.
- (2) Tree planting shall be avoided within public easements.
- (3) When planting is required by the City Ordinance or landscaping plan, no trees other than shrubs (not listed in the table) and those species listed in the

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table below may be planted under or within fifteen (15) lateral feet of any overhead utility wire, or over or within five (5) lateral feet of any underground public utility line.

(4) The table below should be used in selecting tree species. When specific tree species cannot be found from the table, Director of Development Services or his/her designee shall decide those appropriateness.

Scientific Name	Common Name	Secondary Name	Leaf Type	Texas Native	Firewise	Height (ft)
<u>Vitex agnus-castus</u>	<u>Lilac Chastetree</u>	<u>Vitex</u>	<u>Deciduous</u>	<u>No</u>	<u>Yes</u>	<u>15</u>
<u>Cephalanthus occidentalis</u>	<u>Common Buttonbush</u>		<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>18</u>
<u>Acacia farnesiana</u>	<u>Huisache</u>	<u>Sweet Acacia</u>	<u>Semi-evergreen</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Acer palmatum</u>	<u>Japanese Maple</u>		<u>Deciduous</u>	<u>No</u>	<u>Yes</u>	<u>20</u>
<u>Aesculus pavia var. pavia</u>	<u>Red Buckeye</u>		<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Cercis canadensis var. mexicana</u>	<u>Mexican Redbud</u>		<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Cordia boissieri</u>	<u>Wild Olive</u>	<u>Maxican-Olive</u>	<u>Evergreen</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Crataegus spp.</u>	<u>Hawthorn</u>		<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Frangula caroliniana</u>	<u>Carolina Buckthorn</u>	<u>Indian Cherry</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Hamamelis virginiana</u>	<u>American Witchhazel</u>	<u>Witch Hazel</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Helietta parvifolia</u>	<u>Baretta</u>		<u>Evergreen</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Ilex decidua</u>	<u>Deciduous Holly</u>	<u>Possumhaw</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Lagerstromia indica</u>	<u>Crapemyrtle</u>	<u>Crape Myrtle</u>	<u>Deciduous</u>	<u>No</u>	<u>Yes</u>	<u>20</u>
<u>Morella cerifera</u>	<u>Southern Bayberry</u>	<u>Waxmyrtle</u>	<u>Evergreen</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Pyrus calleryana</u>	<u>Callery Pear</u>	<u>Ornamental Pear</u>	<u>Deciduous</u>	<u>No</u>	<u>Yes</u>	<u>20</u>
<u>Rhus copallinum</u>	<u>Shining Sumac</u>	<u>Winged Sumac</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Rhus lanceolata</u>	<u>Prairie Sumac</u>	<u>Flameleaf Sumac</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Sophora affinis</u>	<u>Eve's Necklace</u>	<u>Texas Sophora</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Sophora secundiflora</u>	<u>Mescalbean</u>	<u>Texas Mountain Laurel</u>	<u>Evergreen</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Ungnadia spexiosa</u>	<u>Mexican Buckeye</u>		<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Viburnum rufidulum</u>	<u>Rusty Blackhaw</u>	<u>Rusty Blackhaw Viburnum</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Zanthoxylum fagara</u>	<u>Colima</u>	<u>Lime Pickly Ash</u>	<u>Evergreen</u>	<u>Yes</u>	<u>Yes</u>	<u>20</u>
<u>Chilopsis linearis</u>	<u>Desert Willow</u>		<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>25</u>
<u>Chionanthus virginicus</u>	<u>White Fringetree</u>	<u>Grancy Graybeard</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>25</u>
<u>Condalia hookeri</u>	<u>Brazilian Bluewood</u>	<u>Brasil</u>	<u>Evergreen</u>	<u>Yes</u>	<u>Yes</u>	<u>25</u>
<u>Ilex vomitoria</u>	<u>Yaupon Holly</u>	<u>Yaupon</u>	<u>Evergreen</u>	<u>Yes</u>	<u>No</u>	<u>25</u>
<u>Prosopis pubescens</u>	<u>Screwbean Mesquite</u>	<u>Tornillo</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>25</u>
<u>Prunus mexicana</u>	<u>Mexican Plum</u>		<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>25</u>
<u>Quercus incana</u>	<u>Bluejack Oak</u>	<u>Sandjack Oak</u>	<u>Deciduous</u>	<u>Yes</u>	<u>Yes</u>	<u>25</u>

~~(F)~~(G) Landscape Plan submission and validity:

(1) The location and square footage of all landscaping required by this ordinance shall be shown on a site plan submitted with any application for a building permit. Square footages of all landscaping areas and number and location of

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

- trees shall be shown on the site plan. A Certificate of Occupancy will not be issued until the applicant has installed all required landscaping.
- (2) The Building Inspector may at his/her discretion issue a temporary Certificate of Occupancy, not to exceed 60 days, in the event of inclement weather, natural disasters, or for other good cause shown.
 - (3) Approved landscaping plans shall be valid as long as the building permit for the project is valid.

~~(G)~~(H) Enforcement: Should any person fail to comply with the requirements of this chapter, such failure shall constitute a violation as set forth in Section 20-17 and 21-2 of these City Ordinances.

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of this Ordinance may be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense or for each day such offense shall continue and the penalty provisions of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

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 intended purpose.

Section 5. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of ____ 2013.
PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of ____ 2013.

ATTEST: **CITY OF SOUTH PADRE ISLAND,
TEXAS**

SUSAN HILL, CITY SECRETARY

**ROBERT N. PINKERTON, JR.,
MAYOR**

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: January 16, 2014

ITEM: 9 & 10

TO: Planning & Zoning Commission

FROM: Sungman Kim, Development Director

ITEM DESCRIPTION:

Discussion and action regarding a proposed addition of Section 20-16.3 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance regarding the purpose, intent, and procedures of Special Exceptions.

DISCUSSION:

The Request:

Staff initiated and drafted the addition of the Ordinance.

The Issue:

The Board of Adjustment & Appeals (BOA) serves in the capacity that is provided under the authority of Chapter 211 of the Texas Local Government Code. The BOA shall have the following powers and duties:

1. Hear and decide an Appeal that alleges error in an order, requirement, decision, or determination made by an administrative official;
2. Authorize in specific cases a Variance from the terms of Zoning Ordinance; and
3. Hear and decide Special Exceptions.

Although the BOA has performed its authorized duties, the City's Zoning Ordinance (Chapter 20) is silent on the purpose, intent, and procedures of Special Exceptions.

Consistency with the Comprehensive Plan:

Chapter 8 Implementation. The purpose of this chapter is to integrate the elements of the plan and to provide a clear path for sound decision making. Implementation is an essential step in the plan development process. **It requires the commitment of the Town's leadership, including the Mayor and Board of Aldermen, Planning and Zoning Commission, other Town boards and commissions, and Town staff. It is also necessary for there to be close coordination with and joint commitment from other organizations that significantly influence the Island and its growth and development.**

Proposed Additions:

The proposal creates Sec. 20-16.3 Special Exceptions by adding its purpose, intent, and procedures.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

STAFF RECOMMENDATIONS / COMMENTS:

Staff recommends the Planning & Zoning Commission forward to the City Council a positive recommendation for adoption of the proposed Section 20-16.3 Special Exceptions.

COMMISSION ACTION:

MOTION: _____

BY: _____

SECOND BY: _____

McNulty	Huffman	Bowman	Fudge	Judah	Alcantara	Olle
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

ORDINANCE NO. 14-

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, CREATING SECTION 20-16.3 OF CHAPTER 20 ZONING BY ADDING SPECIAL EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR THE EFFECTIVE DATE; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 20 (Zoning) of the Code of Ordinances; and

WHEREAS, the City Council finds needs to provide purpose, intent, and procedures for Special Exception review;

WHEREAS, the City Council wants to protect public health, safety and welfare by creating Section 20-16.3 Special Exceptions; and

WHEREAS, The City has complied with the requirements of Sec. 20-18 of the Code of Ordinances (Zoning) to amend Chapter 20;

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

Section 1. Chapter 20 of the Code of Ordinances of the City of South Padre Island is hereby amended to add new Sec. 20-16.3 to read as follows:

Sec. 20-16.3. Special Exceptions

(A) Purpose and Intent.

A special exception is a permitted land use that is allowed in a zoning district if listed as a special exception use, subject to specific conditions that may be imposed by the Board of Adjustment.

(B) Procedure.

(1) The application shall first be reviewed by City staff for compliance with City codes, regulations, and policies.

(2) After reviewing any foreseeable impacts and/or concerns raised at the hearing on the application, the Board of Adjustment may:

1) Grant the application without conditions. In this case, the Board of Adjustment shall state that there is no foreseeable negative impact on the neighborhood;

2) Accept the application with conditions; or

3) Deny the application. In this case, the Board of Adjustment shall state that the foreseeable negative impacts on the neighborhood cannot be resolved by any conditions.”

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of this Ordinance may be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense or for each day such offense shall continue and the penalty provisions of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

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 intended purpose.

Section 5. This Ordinance shall become effective when published in caption form.
PASSED, APPROVED AND ADOPTED on First Reading, the ___ day of _____ 2014.
PASSED, APPROVED AND ADOPTED on Second Reading, the __ day of _____ 2014.

ATTEST: **CITY OF SOUTH PADRE ISLAND,
TEXAS**

SUSAN HILL, CITY SECRETARY

**ROBERT N. PINKERTON, JR.,
MAYOR**

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: January 16, 2014

ITEM: 11 & 12

TO: Planning & Zoning Commission

FROM: Sungman Kim, Development Director

ITEM DESCRIPTION:

Discussion and action regarding a proposed addition of Section 20-4.2 of Chapter 20 Zoning of the City of South Padre Island Code of Ordinance regarding Staff Responsibility.

DISCUSSION:

The Request:

Staff initiated and drafted the addition of the Ordinance.

The Issue:

Staff has been functioning as general development administrator, enforcer of the city ordinance, representative of the planning agency, and personnel providing other required services. However, the City's Zoning Ordinance does not provide its basic authority, functions, and duties.

Consistency with the Comprehensive Plan:

Chapter 8 Implementation. The purpose of this chapter is to integrate the elements of the plan and to provide a clear path for sound decision making. Implementation is an essential step in the plan development process. **It requires the commitment of the Town's leadership, including the Mayor and Board of Aldermen, Planning and Zoning Commission, other Town boards and commissions, and Town staff. It is also necessary for there to be close coordination with and joint commitment from other organizations that significantly influence the Island and its growth and development.**

Proposed Additions:

The proposal creates Section 20-4.2 Staff Responsibility by adding its qualification, functions and duties. This addition will reinforce staff's effort in collecting needed information from applicants, service providers and other related agencies.

STAFF RECOMMENDATIONS / COMMENTS:

Staff recommends the Planning & Zoning Commission forward to the City Council a positive recommendation for adoption of the proposed Section 20-4.2 Staff Responsibility.

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

COMMISSION ACTION:

MOTION: _____

BY: _____

SECOND BY: _____

McNulty	Huffman	Bowman	Fudge	Judah	Alcantara	Olle
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

ORDINANCE NO. 14-

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS,
CREATING SECTION 20-4.2 OF CHAPTER 20 ZONING BY ADDING STAFF
RESPONSIBILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR
REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR THE
EFFECTIVE DATE; AND AUTHORIZING PUBLICATION IN CAPTION
FORM.**

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 20 (Zoning) of the Code of Ordinances; and

WHEREAS, the City Council finds needs to provide staff an authority to collect information to perform their responsibilities;

WHEREAS, the City Council wants to protect public health, safety and welfare by creating Section 20-4.2 Staff Responsibility; and

WHEREAS, The City has complied with the requirements of Sec. 20-18 of the Code of Ordinances (Zoning) to amend Chapter 20;

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

Section 1. Section 20-4.2 of the Section 20 Zoning Ordinance is hereby created and stated in its entirety to read as follows:

Sect. 20-4.2 Staff Responsibility.

- (A) Qualifications. Staff is appointed by the City Manager on the basis of a demonstrated ability to perform the duties, such as training and experience relevant to the conduct of administrative and adjudicative hearings and knowledge of the principles and practices of planning and development.
- (B) Functions and Duties. The staff shall generally administer and enforce the City Ordinances, serve as a representative of the planning agency when applicable, and in addition shall have the following specific responsibilities:
 - (1) Implementation of and Compliance with the City Ordinances.
 - a) Zoning Maps. The staff is responsible for maintaining the official City Zoning Maps and for the coordination and review of any requested amendments to the zoning boundaries as provided on the maps.
 - b) Subdivision. The staff is responsible for the review of all development proposals for compliance with the subdivision regulations (Chapter 23, Code of Ordinances).
 - c) Amendment of Ordinances. The staff is responsible for review of and provides recommendations on amendments to the proposed Zoning Ordinance changes.
 - d) Other Responsibilities. The staff shall perform such other functions as may be required by the City Manager and/or the City Ordinances.
 - (2) Assistance to Citizen Committees. The Citizen Committees include the Planning and Zoning Commission, Board of Adjustment, Development

**PLANNING & ZONING COMMISSION
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Standards Review Task Force, and any other development-related committees created by the City Council. The staff shall provide technical assistance to and be responsible for scheduling meetings, providing agendas and public notice of meetings, reviewing and providing recommendations, and maintaining public records of the Citizen Committees' findings and decisions.

(3) Collection of Information. To provide assistance necessary to carry out the functions of the citizen committees, the staff may request and obtain information from all parties, including applicant(s), service providers, and other related agencies.

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of this Ordinance may be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense or for each day such offense shall continue and the penalty provisions of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

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 intended purpose.

Section 5. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of ____ 2013.

PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of ____ 2013.

ATTEST: **CITY OF SOUTH PADRE ISLAND,
TEXAS**

SUSAN HILL, CITY SECRETARY

**ROBERT N. PINKERTON, JR.,
MAYOR**

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

MEETING DATE: January 16, 2014

ITEM: 13 & 14

TO: Planning & Zoning Commission

FROM: Sungman Kim, Development Director

ITEM DESCRIPTION:

Discussion and action regarding a proposed amendment to Section 15-2 of Chapter 15 Signs of the City of South Padre Island Code of Ordinance by revising the definition of 'Sign' and 'Sign Area'.

DISCUSSION:

The Request:

Staff initiated and drafted the revision per the instruction of the City Council at their regular meeting on November 6, 2013.

The Issue:

The current sign ordinance does not cover signs that are prepared for structures on water, and does not provide any bases for the sign area calculation in such case.



**PLANNING & ZONING COMMISSION
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An owner of a pier structure formally applied for the City’s sign permit and the staff could not help the owner to improve the existing signs on the structure due to the lack of provisions in the sign ordinance.

Meanwhile, Sec.15-1.1 Review-Amendment of the Sign Ordinance states “The City Council do not wish to consider further amendments to this Chapter without recommendations from an appropriate citizen committee such as the Ad Hoc Sign Ordinance Review Committee.”

Under the given guidance from Mr. Paul Cunningham, City Attorney, staff inquired the City Commission for further guidance related to the question “if a change, by adding new provisions, to the sign ordinance still requires to go through the Ad Hoc Sign Ordinance Review Committee” and, on November 6, 2013, the City Council allowed staff to draft the language.

Consistency with the Comprehensive Plan:

Chapter 7.9 of Comprehensive Plan states “Review and where necessary, revise town ordinances to allow for activities involved with outdoor arts and craft fairs, and outdoor exhibits (i.e. street vendors, displays/signage, and what constitutes a “special event”).

Although the Chapter 7.9 does not get to the point of the sign issue addressed above, staff believe that the Chapter 7.9, in terms of assisting economic development by encouraging outdoor activities, inspires businesses on docks and piers, and their signs too.

Proposed Amendment:

The proposed changes will allow staff to determine the location and size of sign(s) that are not on public rights-of-way and/or not near to property boundaries.

STAFF RECOMMENDATIONS / COMMENTS:

Staff recommends the Planning & Zoning Commission forward to the City Council a positive recommendation for the proposed amendments to Sec. 15-2 (65) and (66).

COMMISSION ACTION:

MOTION: _____

BY: _____

SECOND BY: _____

McNulty	Huffman	Bowman	Fudge	Judah	Alcantara	Olle
Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain

**PLANNING & ZONING COMMISSION
AGENDA REQUEST FORM**

ORDINANCE NO. 14-

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS,
AMENDING SECTION 15-2 OF CHAPTER 15 SIGNS BY REVISING THE
DEFINITION OF ‘SIGN’ AND ‘SIGN AREA’; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING
ORDINANCES; AND AUTHORIZING PUBLICATION IN CAPTION FORM.**

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 15 (Signs) of the Code of Ordinances; and

WHEREAS, the City Council finds that the Chapter 15 of the Code of Ordinance does not cover a specific case related to buildings that are not on public rights-of-way and/or not near to property boundaries; and

WHEREAS, The City has complied with the requirements of Sec. 20-18 of the Code of Ordinances (Zoning) to amend Chapter 20;

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

Section 1. The definition of “Signs” and “Sign Area” in Section 15-2 of the Chapter 15 Sign Ordinance is hereby amended and restated in its entirety to read as follows:

(65) **Sign:** Any thing of visual appearance primarily used for, or having the effect of, attracting attention from the streets, sidewalks, curbside or any other public areas for identification purposes, whether illuminated or non-illuminated. An identification logo, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land, and which directs attention to a product, place, activity, person, service, institution or business, whether illuminated or non-illuminated. For the purposes of removal, the definition of “sign” shall include all of the sign structure. For the purposes of this Ordinance, this definition shall also include paintings directly upon a building, other structure or vehicle and any manufacture incorporated or added to a building or property that is not a normal structural or architectural component of a building shall be considered a “sign” (i.e. to attract attention from public right-of-way) and must comply with all the commercial sign regulations of this Chapter pertaining to either a monument sign or a projecting sign. (*Ord. 02-14; Nov. 20, 2002*) The basic intent behind this definition is not to discourage product displays, design, or art from epitomizing simplicity, good taste, and compatibility with the community’s desired image.

(66) **Sign Area:** The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces. For buildings that are not on public

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AGENDA REQUEST FORM**

rights-of-way and/or not near to property boundaries (e.g. building structures on a pier), sign areas shall be calculated on the basis of the most visible building frontage.

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. 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 4. 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 5. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the ____ day of ____ 2013.

PASSED, APPROVED AND ADOPTED on Second Reading, the ____ day of ____ 2013.

ATTEST:

**CITY OF SOUTH PADRE ISLAND,
TEXAS**

SUSAN HILL, CITY SECRETARY

**ROBERT N. PINKERTON, JR.,
MAYOR**

VISIONS OF TOMORROW (2039)

Prepared for: The Citizens of South Padre Island
Date: January 2014



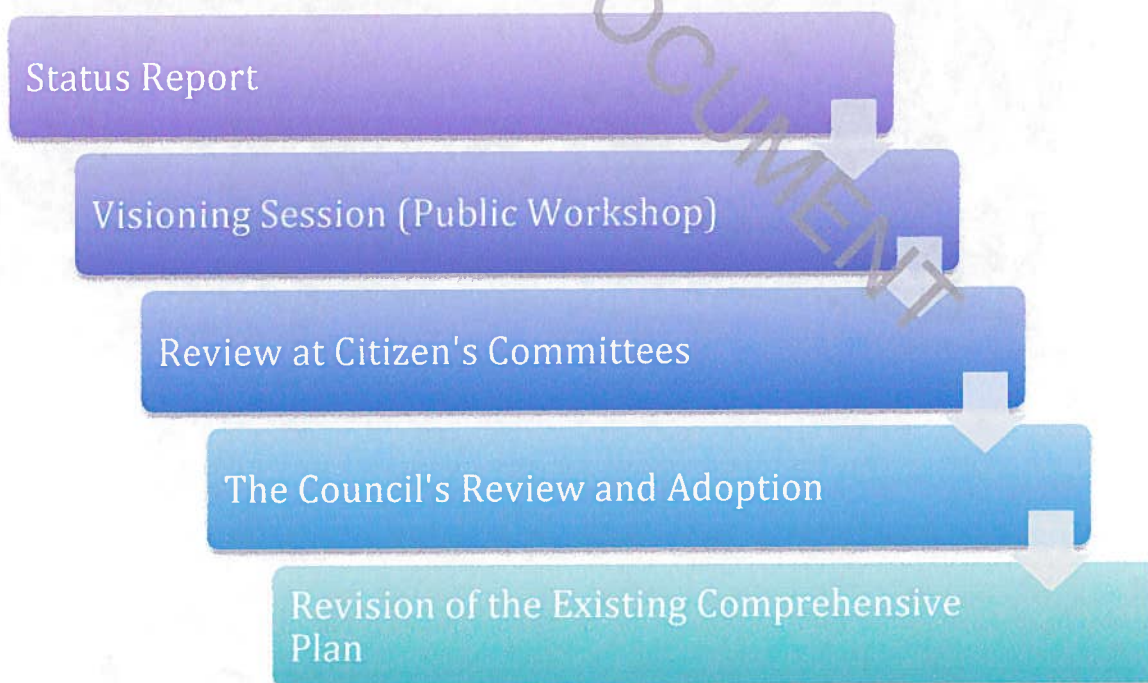
Recently, the City has initiated a number of actions to guide on-going developments and to resolve existing issues.

One of the first tasks undertaken by the City was the preparation of this Vision Plan (hereafter the "Plan"). In fact, a prosperous and sustainable future of the City depends on us looking ahead and developing visions of tomorrow. The Plan looks for 25-year planning horizon and has been designed to assure that the plan evolved from the community under appropriate guidance of professional in-house staff members.

The result of the visioning process will lay the groundwork for the City's Comprehensive Plan to create vibrant, diverse, safe neighborhoods in the City of South Padre Island where all residents, workers and visitors can live, work and play.

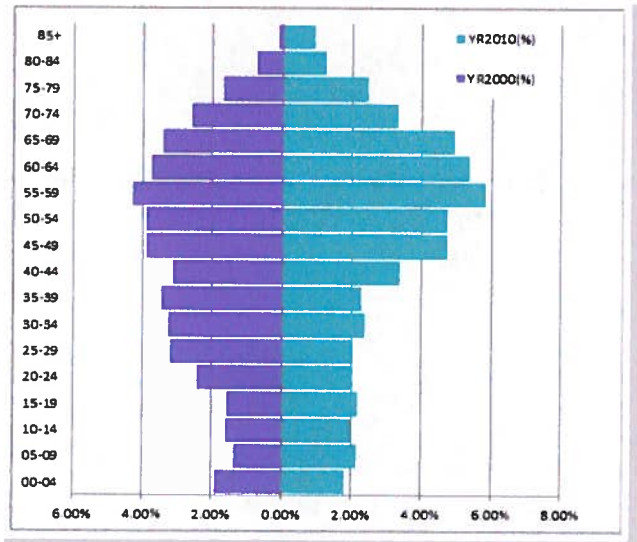
PROCESS

The Plan was developed over a several month period structured around a series of public workshops, each organized to gain input about issues and opportunities existed in the City.

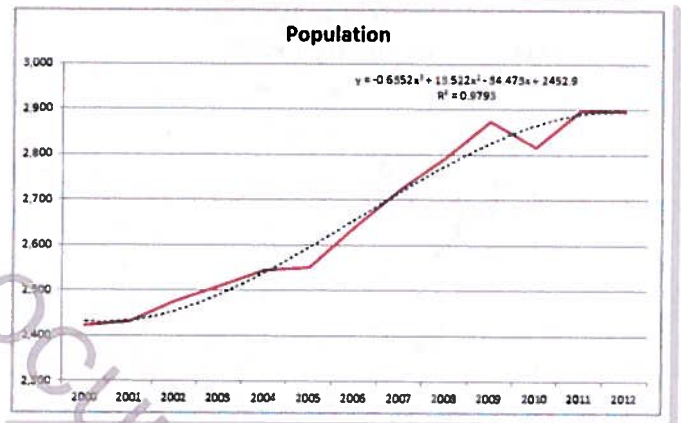


STATUS REPORT

Younger generations have been out-migrated whereas older populations have been in-migrated to the City.



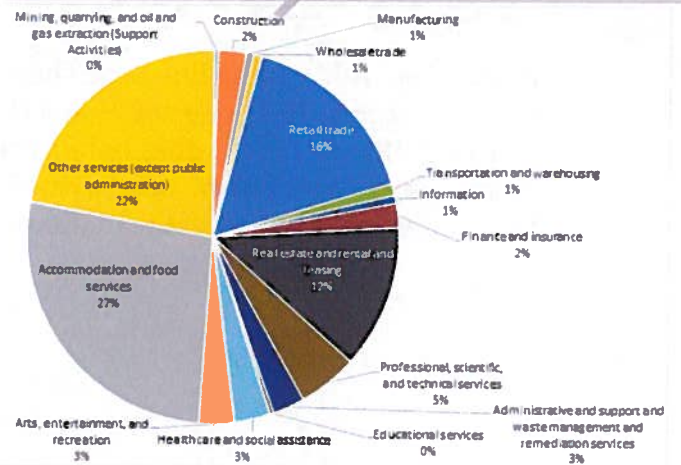
Population growth has slowed down and shows no increasing trends.



Seasonality has been growing strongly in the City.

Housing Occupancy	YR 2000	YR 2010
For seasonal, recreational, or occasional use	2,068	4,096
Year-Round Vacant	1,406	1,268
Owner-occupied housing units	769	862
Renter-occupied housing units	442	492
Total	4,685	6,718

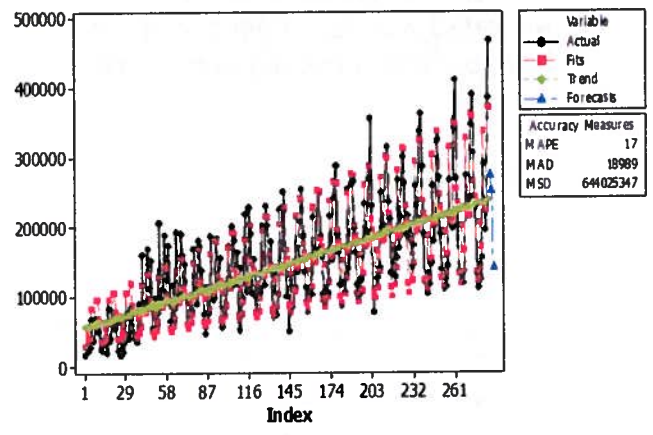
Accommodation, food services and other related services occupy approximately 49% of the entire City business. Real estate, rental, and lease services add 12% and retail adds 16%.



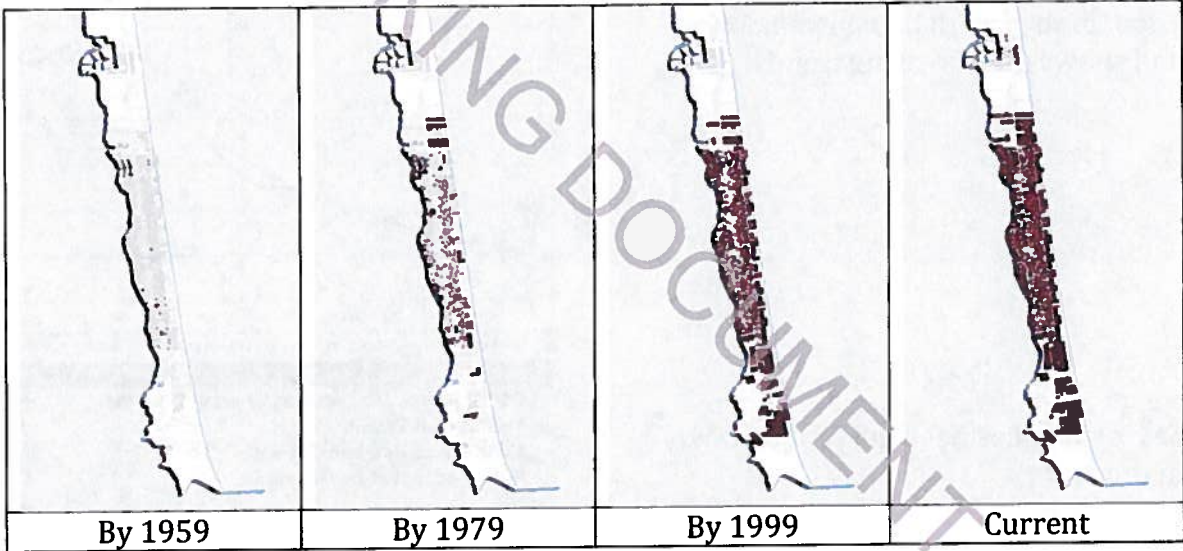


Sales tax will increase until 2030 and get steady showing no further increase

Time Series Decomposition Plot for SalesTax
Multiplicative Model



Development History



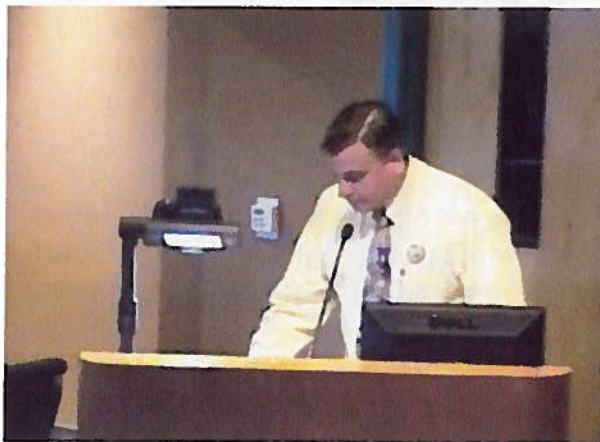
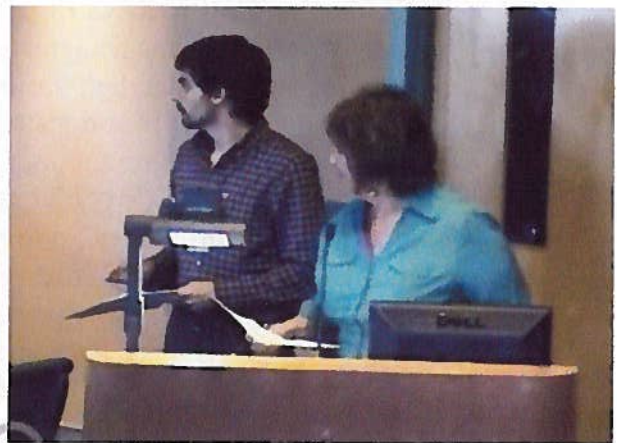
Urban Models including Bid-Rent Theory (von Thünen, 1826), Concentric Zone Model (Burgess, 1923), Sector Model (Hoyt, 1939) and Multiple Nuclei Model (Harris & Ullman, 1945) does not provide basic justifications for the City of South Padre Island Zoning map. In fact, residential zones reside between commercial and tourist destinations, cut in the middle of traffic chaos.





VISIONING SESSION

On Wednesday, December 18, 2013 at 3:00 P.M., the City of South Padre Island accommodated a public workshop for the Visioning. Approximately twenty (20) citizens participated in the session. At the session, professional staff guided each themed discussion. More specifically, the citizen participants revised the existing vision and, when questions arose, staff provided comments and/or answers to them.





THE VISION

MISSION STATEMENT (Why do we exist now?)

South Padre Island is a unique, friendly seaside resort community that values its residents and tourists, preserves and protects the natural environment, and provides for quality sustainable growth and development that is highly diverse and responsive to changing economic conditions.


VISION STATEMENT (Where should we be headed?)

1. COMMUNITY CHARACTER (Darla Jones)

- South Padre Island has transformed its image as a unique seaside community and a first-class resort destination, attracting a **balance blend** of permanent and seasonal residents and visitors who come to enjoy its beaches, protected scenic natural environment and its many recreational attractions in a family-friendly, **but respecting its diversity**, small town setting.
- A distinctive “South Padre Style” reflects the relaxed seaside ambiance, the climate and international culture and encompassing well-designed buildings, lush landscaping, and themed way-finding signage and lighting.
- **South Padre Boulevards** have been transformed as **an imageable and a visually exciting tree-lined corridor reflecting themed imageability constituting the preferable shape, color and arrangement**. New and retrofitted buildings are harmonious in design, signage is appropriate in scale and understated in design. The visual impact of overhead utilities has been reduced by taking advantage of technological innovations and other opportunities to cost-effectively place utilities underground. Where feasible, excessive front paved areas have been removed and replaced with landscaping and generous sidewalks and bike lanes.
- A new City Hall, community center, birding center and other public buildings and civic enhancements have set a high standards in exemplifying the “South Padre Style” and are widely emulated by new and renovated commercial and residential structures.
- The City is noted for the cleanliness of its beaches, parks, roadways and public and private properties. The declining number of vacant lots is well kept and free of litter and debris.

2. PARKS AND RESOURCES (Reuben Trevino)

- The City’s beaches, parks, playgrounds, beach access points, waterfront promenades, boat ramps, **shaded areas, restrooms** and other recreational amenities are well placed and conveniently accessible for residents and visitors. Recreational and sports facilities meet the needs of all age groups and **are** well-used by the island’s growing number of families with children.

- 
- Sustainable maintenance plan for parks and beaches has been developed and scheduled for cleanliness and adequate facility operations.
 - The island's unique natural resources – its beaches and dunes, wetlands, Laguna Madre waterfront and native flora and fauna – are valued and well protected.
 - A system of linked parks, greenways, open spaces, water-front promenades, nature trails and areas dedicated to activities such as bird watching and ecotourism area easily accessible by foot or bicycle.
 - The Birding and Nature Center has been grew into one of the best in the world, providing bird watching, fishing, kiting, sand castles, beaches and windsurfing. The City also supported and acquired a world class aquarium.
 - Continuous funding sources have been identified to provide sustainable parks and resources.

3. ECONOMIC DEVELOPMENT (Rodrigo Gimenez; Sylvia Soliz)

- The transformation of the character and ambience of the island, the presence of longer stay families permanent residents, more discerning tourists and a commitment to excellence by the City has in turn created opportunities for greater employment and business opportunities year-round and the diversified economic opportunity has become a foundation of the City's economic stability.
- Tourism has matured and diversified with a year-round orientation, longer stays, and a broader array of family attractions and less reliance on Spring Break. The island has developed a wide range of entertainment and amenities, more upscale hotels and services, shopping and a well-used convention center attracting group visitation from the region and nationwide. The excesses of Spring Break and Texas Week have been moderated by strict enforcement. South Padre's reputation and market share have grown, making it a well-known, highly competitive destination for regional, national and international visitors. Hospitality training programs have improved service quality, producing a stable, educated and better paid workforce, while supporting a shift toward a higher end tourism market.
- There are many new attractions and amenities on the island catering to both resident and visiting youths, adults and senior citizens. These include community meeting facilities, a library, eco-tourism and cultural attractions, public ~~tennis courts~~ sporting facilities, and improved public access to marinas and water sports. Travel in the region and across the border into Mexico is easily arranged with tours available to places of interest.
- South Padre Island becomes one of the most business-friendly city in the United States by encouraging and investing local workforces, and tough restrictions on local business expansion have been removed.
- Knowledge-based workers who are working from home have been increased due to advanced technology with a high-speed connection.
- South Padre Island has supported tourism for space industry, off-shore oil and gas production, and University-Sponsored events.


- The City has adopted a correct marketing strategy and provided appropriate resources for developing tourism. Through the efforts, for an example, Spring Break has become a positive experience of sporting, cultural and special events that attract both college students and families.

4. GROWTH & FUTURE LAND USE (Sungman Kim)

- New regulations and development standards enacted to implement the Comprehensive ~~Strategic~~ Plan are clear and user-friendly and have served to streamline the permitting process while “raising the bar” of standards of development quality.
- Land use patterns have consolidated to form distinct neighborhoods and activity districts through carefully guided new development, infill and redevelopment. Mixed-Use has been encouraged where strong traffic issues were identified and a city center has emerged through planning efforts.
- Northern areas of South Padre Island have been annexed into the City and, through implementation of a strong annexation plan, the growth has been controlled carefully to provide a strong basis for permanent population.
- The City has built sustainable resilience through interlocal relations that were circumvented by creative and effective collaborations while sharing mutual benefits.
- Neighborhoods are well defined by use separation and consistent in scale and use. Business, shopping and entertainment districts serving both tourists and residents are compact and well-defined. Through shared parking and a well developed pedestrian network, reliance on the automobile for local travel is greatly reduced.
- The array of housing types have diversified, with single family home, townhouses, apartments and condominiums sited compatibly and consistently in scale. With a broad array of amenities such as parks, playgrounds, sidewalks and landscaping, neighborhoods are livable and attract growing proportions of families and permanent residents.
- Commercial uses have diversified with a wide array of quality shopping opportunities for local residents and tourists. Tourist-oriented commercial activities such as souvenir shops have diversified and improved in image and are located in close proximity to hotels and entertainment attractions.

5. TRANSPORTATION (Jesse Arriaga)

- Traffic congestion has been reduced during special event and peak periods by limiting access in selected areas and by strict and innovative traffic management. Congestion has been reduced by increased availability and convenience of public transit and a convenient network of bicycle and pedestrian facilities.
- The City has supported Space X program. Ferry operations to and from Boca Chica Beach have offered greater access to the City. Alternatively, a bridge between the City and Boca Chica Beach has been constructed.

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- A second causeway has been constructed providing an alternative link to the mainland and improved egress for emergency evacuation. The new causeway respects the delicate ecological balance and recreational functions of the Laguna Madre. The design of the causeway and its approach to the island provides a distinctive image as an entry feature or gateway.

6. INFRASTRUCTURE (Ray Moya)


- Deficiencies have been corrected and measures instituted to ensure an adequate supply of potable water and water for irrigation supplemented by additional resources like desalinization. Sanitary and storm sewer systems have been designed and provided in an appropriate manner, and their negative impacts have been reduced. The supply of electricity is reliable and sufficient to satisfy all local needs. Flooding threats have been reduced in low lying areas through drainage improvements and development standards that reduce standing water and encourage detention and rapid percolation. The City has the infrastructure capacity and fiscal resources to support planned incremental growth.

7. GOVERNANCE (Wendi Delgado)

- The City has successfully maintained a “Home Rule” type of government, which allows greater control over fiscal matters and public expenditures. This allows for a more stable environment for effective decision-making.
- City government is well-managed and has instituted measures to ensure fiscal health and remain well-prepared for high performance outcomes through planned short and long range capital investments.
- The Comprehensive Strategic Plan is the key reference for all government decisions, actions concerning budgets, capital spending, regulatory measures and development review and approvals.

8. COMMUNITY RELATIONS (Naida Robles)

- South Padre citizens are deeply involved in civic affairs and participate in decisions affecting their current and future lifestyle. City Hall provides effective communication on day to day affairs and the various associations on the island as well as throughout the region, representing a wide range of interest, are well supported by citizens of all ages.
- The City has followed the Texas Open Meetings Act (Government Code Chapter 551) and made governmental decision-making accessible to the public.
- Government, citizens and business and civic organizations continue to collaborate effectively on initiatives to improve South Padre Island through every possible means.
- City staff and elected officials are committed to fulfill their obligations to provide high quality services and leadership.
- The City has been providing a notion of Origin and the feeling of “home (Origin) or citizen ownership” grew in the communities.



9. FIRE, POLICE & EMERGENCY MANAGEMENT (Marcus Smith; Randy Smith)

- As parts of basic municipal services, the City has been fully supporting Fire, Police and Emergency Management operations.
- Citizen volunteers have been fully utilized through appropriate training programs.

FIRE

- The Fire Department established additional fire stations on the island. As the infrastructure is extended to the north, business and residential occupancies have also moved into those areas. Additional stations reduced the response times to those areas as well as providing additional personnel and equipment to respond to the increased calls for service.
- Increased and improved distribution of fire hydrants have been adequately placed throughout the City.
- Communications equipments have been updated throughout the fire department. The department has shared a “state of the art” communications system with all of the emergency services on the island. This includes radio communications as well as a Computer Aided Dispatch system. This system allows all fire equipment to have real time access to maps, fire hydrant locations, pre-fire plans, hazards and fire system information. Dispatch information and fire apparatus response have been relayed via computer decreasing the amount of radio traffic on the emergency channels.
- The department has seen increased personnel in the fire prevention division. This division educates residents, visitors and students throughout the area on fire and home safety, safety evacuation practices and fire inspections. The Division has a “Fire Safety House” trailer to actually demonstrate fire safety in the home to elementary students at schools in the area as well as at appropriate events on the island.
- The department also has a fire command vehicle that is equipped with firefighter tracking GPS capability. This allows the incident commander to locate all firefighters inside a building during an emergency to decrease the time necessary to assist in victim rescue as well as downed firefighter rescue. The vehicle also has the capability to track the amount of air left in the firefighters air pack. This ability allowed the IC to determine when firefighters needed to have replacement personnel ready to enter the structure to replace the firefighters fighting the fire. The vehicle has scene lighting and audio, video and thermal imaging capability to assist with the management and safety of the emergency scene.
- Beach Patrol/Rescue increased its capability as the area requiring coverage and the number of visitors increase. The number of life guards and life guard towers have been increased to meet the maximum safety standards for beach safety. The beach patrol vehicles are staffed by paramedics with all of the necessary medical supplies and equipment. This provides immediate, onsite



medical intervention when necessary to improve the outcome of medical emergency victims on the beach.

- The department has grown to provide region-wide fire response in years.

POLICE

- In an effort to enhance the quality of life for all stakeholders, community members have been involved positively with the police operations and crime rates have been decreasing over the 25 years.
- The police service has become strengthened and successfully provided educational sessions, satellite monitoring, and prompt response to citizen complaints.
- As the general population increases, the police department personnel, equipment and facilities have been built to provide professional and effective police services, with the best effort directed towards protecting lives and safeguarding property.
- An important component of this agency's ability to achieve and maintain certified through the Texas Police Chief's Association of recognized cities, is an annual evaluation of police employee staffing and services offered to determine overall suitability, as it recounts our perpetually changing environment.

EMERGENCY MANAGEMENT

- Emergency preparedness, response, recovery and mitigation have been best accomplished through continued outreach programs, planning and training during the 25 years.
- Emergency managers equip state-of-art information technology, and can take preventive and preparatory measures to build SPI into a disaster-resistant community by anticipating future disasters
- Emergency managers achieved the highest possible degree of united efforts among all levels of government and all elements of a community.
- Restoration and continuity of city services have been guaranteed within a reasonable time.