

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

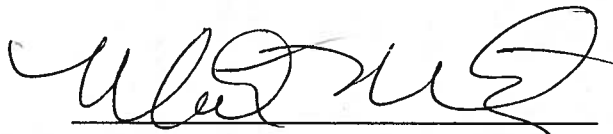
**NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.**

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, JULY 17, 2014**  
3:00 P.M. AT THE MUNICIPAL BUILDING,  
CITY COUNCIL CHAMBERS, 2<sup>ND</sup> 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. Approval of minutes of the June 19, 2014 regular meeting.
5. Discussion and action regarding proposed amendments to the Planned Development District Standards, Specifications and Zoning for the Shores Subdivision of South Padre Island.  
(Richard Franke)
6. Adjournment

DATED THIS THE 11<sup>TH</sup> DAY OF JULY 2014

  
Marta Martinez, Assistant 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 **JULY 11, 2014** AT/OR BEFORE **3:00 P.M.** AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED MEETING.



  
Marta Martinez, Assistant City Secretary

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.

**PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
JUNE 19, 2014**

**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, Deanna Bowman, Robert Fudge, and Chris Huffman. Commission Members with an excused absence were Russell Judah and Ramona Alcantara. Staff members present were Assistant 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.**

None

**4. Approval of minutes of the May 15, 2014 regular meeting.**

Mr. McNulty announced the item from the agenda and asked the Commission members if they had any corrections to the May 15, 2014 regular meeting minutes. Ms. Bowman made a motion to approve as submitted. Mr. Fudge seconded the motion. The motion carried unanimously.

**5. Discussion and action on Preliminary and Record Plat of Lot 1 Block 1 San Francisco Subdivision, a replat of Lots 30A & 30B, Block 47 of Padre Beach Subdivision, Section IV. (San Francisco, Asc., L.L.C., applicant)**

Mr. McNulty announced the item from the agenda and ask for a staff report. Dr. Kim stated that applicant is requesting to combine two (2) lots into one (1); staff is recommends approval.

Mr. McNulty then opened it up for discussion by the Commission. The Commissioners expressed their comments/concerns regarding this matter. After some discussion Mr. Olle made a motion to approve the Preliminary and Record Plat. Mr. Fudge seconded the motion. The motion carried unanimously.

**6. Discussion and action on revision of the Color Palette, adopted as a part of the Padre Boulevard and Entertainment District Code. (Dr. Kim, Staff)**

Mr. McNulty announced the item from the agenda and ask for a staff report. Dr. Kim gave a presentation regarding the Color Palette.

Mr. McNulty then opened it up for discussion by the Commission. The Commissioners expressed their comments/concerns regarding this matter. After much discussion Mr. Olle made a motion to approve with changes. Mr. Huffman seconded the motion. The motion passed on a 4:1 vote. Ms. Bowman opposed.

**Planning and Zoning Commission Minutes**  
**June 19, 2014**  
**Page 2 of 2**

**7. Discussion and action on amendments to the 2008 Comprehensive Plan. (Dr. Kim, Staff)**

Mr. McNulty announced the item from the agenda and ask for a staff report. Dr. Kim gave a presentation regarding the 2008 Comprehensive Plan.

Mr. McNulty then opened it up for discussion by the Commission. The Commissioners expressed their comments/concerns regarding this matter. After much discussion Ms. Bowman made a motion to approve with changes. Motion dies due to a lack of seconded. Mr. Huffman then made a motion to approve as submitted. Mr. Olle seconded the motion. The motion carried unanimously.

**8. Adjournment**

Since the Commission had no further business to discuss, Mr. Fudge made a motion to adjourn. The meeting was adjourned at 3:49 p.m.

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Marta Martinez, Secretary

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Patrick McNulty, Chairman

<p style="text-align: center;"><b>PLANNING &amp; ZONING COMMISSION AGENDA REQUEST FORM</b></p>
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**MEETING DATE:** July 17, 2014

**Item: 5**

**TO:** Planning & Zoning Commission

**FROM:** Sungman Kim, Development Director

**ITEM DESCRIPTION:**

Discussion and action regarding proposed amendments to the Planned Development District Standards, Specifications and Zoning for the Shores Subdivision of South Padre Island.

**DISCUSSION:**

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*The Request:* Mr. Richard Franke, Franke Realtors, on behalf of the Shores community have requested that amendments be made to the approved Planned Development District Standards, Specifications and Zoning for the Shores Subdivision of South Padre Island.

*The Amendments:*

2.3 Definitions – Adding definition of ‘Raised Cottage’;

**2.5 R-1 Single-Family District**

2.5 (A) – Adding ‘Single Family Raised Cottage’;

2.5 (C) – Allowing ‘One Story’ structure and increasing the maximum lot coverage to ‘40% including porches’;

2.5 (D) – Adding Note 7: Residential accessory uses in a vacant lot that is contiguous with a residential single-family lot having a principal building under common ownership may be built if approved by the Shore Design Board;

2.5 (G) 2 – Adding ‘curb cut’ to ‘fence cut’ in calculating the required driveway width, while also adding the maximum driveway width of 18 feet for residence with 2 cars entering to park side by side (Single Family Raised Cottage);

2.5 (H) – Adding details of the regulation for ‘Raised Cottage Sub-District’

**2.7 R-3 High-rise Multiple Family Residential, Apartments, Condominiums and Hotel District**

2.7 (H) (2) – Revising roof materials: “The only roofing material permitted at the Shores is all aluminum standing seams sheet metal roof with written twenty-year warranty against corrosion. The roof must be engineered to meet the 150 mph wind standard and be attached with all stainless fasteners, screws and nails. Roof finials must meet these same standards. The only roofing material permitted is sheet metal (aluminum) standing seam roof attached with stainless steel clips and stainless steel screws. All metal roofs must be aluminum and carry a written twenty-year warranty against corrosion.”

**PLANNING & ZONING COMMISSION  
AGENDA REQUEST FORM**

**2.8 C Commercial District**

2.8 (F) (2) – Revising roof materials: *the same with previous.*

**2.9 Architectural Guidelines**

2.9.4 (b) – Revising roof materials: *the same with previous.*

Other minor changes related to numbering.

**STAFF RECOMMENDATIONS / COMMENTS:**

Staff recommends the Planning and Zoning Commission approve the proposed amendments to the Planned Development District Standards, Specifications and Zoning for the Shores Subdivision of South Padre Island.

**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

projections of the buildings, such as eaves, cornices, porches, stairways, carports, etc., are considered as open spaces and not building space.

**Outbuilding:** An accessory building detached from the primary residence, such as a garage or a garage with guesthouse above.

**Overhead Connector:** A walk, deck, or similar structure that connects the house with an outbuilding or garden structure at any level other than the first floor.

**Parking, Parking Requirements, Off-Street Parking:** Except as provided in Section 2.7(G) and 2.8(I) (8), all parking requirements of a building or premises must be provided on the same site/land for which the building permit is issued or in the commercial areas in adjoining parking lot. All parking areas and access thereto, must be located upon property of the same or more intensive zoning district, and must be of a concrete paver surface. All parking lot construction shall conform to Section, Parking Lots, of the Standards and Specifications for the Acceptance of Public Improvements for The Shores.

**Parking Structure:** A structure in which to park cars that may be one to three stories in height.

**Patio:** A hard surfaced area without a solid roof structure

**Pergola:** An open-air garden structure with a trellised roof.

**Persons:** The word "person" shall, for the purpose of this document, mean every person, firm, co-partnership, association, partnership, corporation or society; and the term "person" shall include both singular and plural and the masculine shall embrace the feminine gender.

**Pervious Surface:** a surface through which water can penetrate.

**Porch/Gallery/Veranda:** A covered outdoor area attached to a house.

**Pool House:** A free standing one-story structure to operate as a cabana with dressing rooms, bathroom and wet bar.

**Primary Residence:** The primary dwelling structure on a lot.

**Primary Structure:** The primary structure is the largest structure on a lot.

**Definition: Raised Cottage:** A Raised Cottage is a one story, two-story or three story single-family house that is comprised of a wood-frame construction over a concrete slab and concrete and masonry foundation.

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**Recreational Center:** A building that is totally enclosed, both with ceilings and walls, within which there is located facilities for the conduct of sports and other related recreational activities and there may be located outdoor swimming pools directly adjacent to said enclosed facilities and which are an integral part of the main facility. Any

## 2.5 Use Regulations.

### **R-1 Single-Family District.**

#### (A) Use regulations:

- 1). Single Family Residence (Including one outbuilding)
- 2). ~~Single Family Raised Cottage (See Section 2.5 (h))~~

#### (B) Lot Types Allowed in R-1 District

- 1). Lot Type I Beachfront
- 2). Lot Type II Second Tier
- 3). Lot Type III Standard Interior
- 4). Lot Type IV Waterfront
- 5). Lot Type VI Island Interior

#### (C) Maximum Size of Structures

The maximum Impervious Area on any residential lot may not exceed 65% of the area of the lot.

Site coverage must be calculated to include the number of square feet of all heated and cooled space at all floors as they project down to the site and create a Footprint. Roof projections from the exterior walls or porch beams are not included. For example, when heated and cooled space is located above unheated/cooled space or above a porch, the calculation of the heated and cooled space (above) must be included as part of the Footprint below when calculating the Maximum Site Coverage. When a balcony or a porch at an upper level projects over an open space below, that area must be included in the site coverage total when calculating the Maximum Site Coverage (Including Porches).

The maximum size of structures shall be as follows:

#### Primary Structure:

##### One Story, Two Story and Three Story Structures:

Maximum Site Coverage: ~~28% of the Lot Area (Excluding Porches)~~  
~~38.40%~~ of the Lot Area (Including Porches)

#### Towers:

Type I Lots may not have a Tower.

#### Towers are allowed on:

Lot Types II, III, IV, V, VI, VII & VIII

Maximum Area of the tower under Roof: 225 SF

Maximum Area of the tower Including Open Balconies or Decks: 300 SF

## **Outbuilding:**

### **One Story Structure:**

Maximum Footprint: 550 Square Feet  
(Including Porches: Porches not required)

### **Two Story Structure:**

Maximum Footprint: 450 Square Feet (Excluding Porches)  
550 Square Feet (Including Porches)

Note: Exterior unenclosed and uncovered stairs to the second level of an outbuilding are not considered part of the area when calculating the Maximum Footprint.

<b>Garages (Outbuildings):</b>	(One Story: Maximum Footprint Area: 550 square feet)
<b>Carports (Outbuildings):</b>	(Maximum Area: 500 square feet)
<b>Garden Structures:</b>	(Maximum Area: 300 square feet)
<b>Storage Buildings:</b>	(Maximum Area: 120 square feet)
<b>Decks:</b>	(Maximum Area: 200 square feet) Note 3
<b>Patios:</b>	(Maximum Area: 400 square feet)
<b>Swimming Pools:</b>	(No Maximum Size)
<b>Boathouses:</b>	(Maximum footprint: 600 square feet)
<b>Pergolas:</b>	(Maximum Area: 300 square feet)
<b>Gazebos:</b>	(Maximum Area: 150 square feet)
<b>Tower:</b>	(Maximum Area: 225 square feet)

## **(D) Setback Requirements**

- **Measurement:** All setbacks must be measured from the property line to the exterior wall of a structure. Roofs, bay windows above first floor, and balconies are permitted to overhang the required setback a maximum of 3'-0" but must be a minimum of 3' from the property line. On Type I Lots, however, roofs are not permitted to project past the building line at the rear setback (beach side). Chimneys and upper floor projections are considered part of the structure and are not permitted to protrude into the required setback. Steps, trash enclosures, and outdoor showers may protrude into the required setbacks to within 3'-0" of the side property line.
- **Required:** On all Lot Types, the Primary Residence must be located on the front setback as indicated below, except as provided in Note 2.
- **Eaves Requirement:** All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.



## **Setbacks**

<b>LOT TYPE I</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20' min.	8' & 12' (Note 1)	0 (Note 2)
Towers	Not Permitted	--	--
Outbuildings	20'	8'	0
Garages	20'	8'	50'
Carports	20'	8'	50'
Garden Structures	10' - 20'	3'	50'
Decks	30' min.	3' (Note 3)	3'
Patios	30' min.	3'	3'
Swimming Pools/Spa	25' min.	3'	3'
Storage Buildings	40' min.	8'	50'
<b>LOT TYPE II</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20'-24'	6' & 12'	15'
Towers	30'	6' & 12'	25'
Outbuildings	20'-24'	6' & 12'	15'
Garden Structures	10' - 20'	3'	10'
Storage Buildings	40'	3'	10'
Decks	20'	3'	10'
Patios	20'	3'	10'
Swimming Pools	25'	3'	10'
<b>LOT TYPE III</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20'-24'	6' & 12'	15'
Towers	30'	6' & 12'	25'
Outbuildings	20'-24'	3'	15'
Garden Structures	10' - 20'	3'	3'
Storage Buildings	40' Min.	3'	3'
Decks	20' Min.	3'	3'
Patios	20' Min.	3'	3'
Swimming Pools	25' Min.	3'	3'
<b>LOT TYPE IV</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20'-24'	6' & 12'	20' (Note 2)
Towers	35' Min.	6' & 12'	20'
Outbuildings	20'-24'	3'	20'
Garden Structures	10' - 20'	3'	3'
Storage Buildings	40' Min.	3'	20'
Decks	30' Min.	3'	0'
Patios	30' Min.	3'	0'
Swimming Pools	25' Min.	3'	20' *
Boathouses	N/A	30'	0'

## **Setbacks**

<b><u>LOT TYPE V</u></b>	<b><u>FRONT</u></b>	<b><u>SIDE</u></b>	<b><u>REAR</u></b>
Primary Residence	20'-24'	5'	15'
Towers	30'	5'	30'
Outbuildings	20' – 24'	5'	15'
Garden Structure	10' - 20'	3'	3'
Storage Buildings	40' min	3'	3'
Deck	30' min	3'	3'
Patios	30' min	3'	3'
Swimming Pools/Spas	25' min	3'	3'

<b><u>LOT TYPE VI</u></b>	<b><u>Front</u></b>	<b><u>Side</u></b>	<b><u>Rear</u></b>
Primary Residence	20'-24'	6' & 12'	15'
Towers	30' Min.	6' & 12'	30'
Outbuildings	20'-24'	3'	15'
Garden Structures	10' - 20'	3'	3'
Storage Buildings	40' Min.	3'	3'
Decks	30' Min.	3'	3'
Patios	30' Min.	3'	3'
Swimming Pools	25' Min.	3'	3'

<b><u>Lot Type VIII</u></b>	<b><u>Front</u></b>	<b><u>Side</u></b>	<b><u>Rear</u></b>
Primary Residence	20'-24' (Note 2)	5'	20'
Towers	30' min	5'	20'
Outbuildings	20'-24'	5'	20'
Garden Structure	10' - 20'	3'	3'
Storage Buildings	40' min	3'	20'
Deck	20' min	3'	0'
Patios	20' min	3'	0'
Swimming	25' min	3'	20' *
Pools/Spas			
Boathouses	N/A	30'	0'

## **Notes**

\*Note: On Marina Lots, a swimming pool may be built within 3' of the rear bulkhead line if bulkhead (seawall) tiebacks are reengineered with piling or other means of support for bulkhead, designed by a professional engineer and approved by the Shores Design Review Board. On waterfront lots, a swimming pool may be built within 10' of the rear bulkhead line under same conditions as noted under "Marina Lots".

Note 1: The maximum width of a house constructed on a Lot Type I is limited to 60% of the width of the lot. All projections including balconies, porches, bay windows above first floor, chimneys, etc, are included when determining the width of a house. The minimum 8' side setback is not intended to prohibit a residence from building to 60% of the lot width; therefore, on lots less than 50' in width, side setbacks will be reduced equally on each side to accommodate the 60% allowable. Correspondingly, on lots less than 50' in width, as the

side setback is reduced, the Outbuilding side setback will also be reduced, so that on a 35' lot the Primary Residence has a (60% of 35 = 21 : 35 - 21 = 14' : 14 ÷ 2 = 7') 7' side setback and the Outbuilding has a 7' side setback. All other setback requirements remain the same.

Note 2: On Type I, II, III, IV, V, VI, VII & VIII Lots, if approved by the Shores DRB, the Primary Residence may be located on or near the rear setback line. If the Primary Residence is located to the rear of the front yard setback (street side) then, the front (street side) must be addressed in one of the following ways:

(a) with a garden structure. When a garden structure is constructed, it must be a minimum of 100 square feet in area, have a floor (deck) to allow seating, be a minimum of 18" above finish grade, and must have a roof or an open pergola roof structure.

(b) with a two story outbuilding. When a two-story outbuilding is constructed on the required front setback, it must have a street facing porch or balcony a minimum of 48 square feet. The minimum depth of an Outbuilding porch or balcony is 6'.

(c) with a one car garage. When a one-car garage is constructed, the garage opening may face the street provided that decorative garage door approved by the DRB is used.

(d) with a two car garage. If a two car garage is constructed, the garage opening may not face the street. When the garage is part of a two-story outbuilding it must comply with Note 2(b) above. When it is only one story, a minimum of 50% of the facade facing the street must be comprised of fenestrations (windows or doors).

Note 3: Decks are not permitted in the required side setback except for the deck connecting the residence to the dune walkover, which may be a maximum of 100 square feet.

Note 4: When a residence is constructed on 2 or more lots, the sideyard setback requirement for the Primary Residence is increased by a factor of 1.5. Correspondingly, the side yard setbacks for Outbuildings will also increase by a factor of 1.5. All other setback requirements remain the same. For Lots Type I refer to Note 1 for Primary Residence Setback.

Example: 2 or more lots - sideyard setback increases by a factor of 1.5 from 6' & 12' to 9' & 18'

Note 5: Side yard setbacks for "large lots" ie lots with an average width of 80 feet or more are required to have a side yard setback of 9' & 18'.

Note 6: Double Fronting Lots:

Lots having a double frontage (running from street to street) must have a front yard setback on both streets.

Lots having a double frontage and being located on a corner must place the widest side yard setback on the corner street side.

Note 7: Residential accessory uses in a vacant lot that is contiguous with a residential single-family lot having a principal building under common ownership may be built if approved by the Shores Design Board.

(E) **Height Requirements**

- (1) **Measurement:** Building heights of all structures must be measured from the highest point of the roof, excluding chimneys and finials.
- (2) **Floor to Ceiling Heights:** Primary residences must have a minimum 10'-0" floor-to-ceiling height at the first living level and a minimum 10'-0" at the second living level and ground floor as measured from the finished floor to the finished ceiling. Outbuildings must have a minimum of 9'-0" floor to ceiling height.
- (3) **Minimum Elevations:** The first habitable living area of a residence must be a minimum of 16 feet above sea level. Note: The owner is also responsible for complying with the requirements of FEMA and Town of South Padre Island building regulations.
- (4) **First Floor Level:** The top of the finish floor of the first floor (ground level) level of a Primary Residence, Outbuilding or garage must be a minimum of 1 foot above the crown of the street directly in front of the residence. If the first floor of the Primary Residence, Outbuilding or garage contains a bathroom, the top of the finish floor must comply with FEMA regulations.

Note: The Owner is responsible for complying with the requirements of FEMA and Town of South Padre Island and or Town of South Padre Island building regulations.

The maximum heights are as follows:

**Lot Type I**

Primary Residence	60' (Above Mean Sea Level)
Towers	Not Permitted
Outbuildings	40' (Above Mean Sea Level)
Garages	27' (Above Mean Sea Level)
Carports	23' (Above Mean Sea Level)
Garden Structures	23' (Above Mean Sea Level)
Storage Buildings	23' (Above Mean Sea Level)
Decks	2' (Above Grade)
Patios	2' (Above Grade)

## Lot Types II, III, IV, V, VI, VIII

The maximum heights are as follows:

Primary Residence	60' (Above Mean Sea Level)
Towers	70' (Above Mean Sea Level)
Garden Structures	23' (Above Mean Sea Level)
Outbuildings	40' (Above Mean Sea Level) (Where Permitted)
Garages	27' (Above Mean Sea Level)
Carports	23' (Above Mean Sea Level)
Storage Buildings	23' (Above Mean Sea Level)
Boathouses	32' (Above Mean Sea Level) (Where Permitted)
Decks	2' (Above Grade)
Patios	2' (Above Grade)

### (F) Uses of the First Floor of the Primary Residence

The first floor (or ground level) of the Primary Residence may contain only the following rooms / uses: (See (N) for maximum a/c area).

1. Garage
2. Entry foyer (including elevator & stairs)
3. Bathroom \*
4. Storage
5. Servant's quarters (including the bath not to exceed 225' sq. ft.) \*
6. Recreation Area

\* Must comply with FEMA and Town Flood Hazard Ordinance.

### (G) Parking regulations:

1. Number of required Spaces: A minimum of three (3) parking spaces per primary residence must be provided on each lot, with one additional parking space for each bedroom over three. In addition, a minimum of one space shall be provided for an Outbuilding.
2. Size: The minimum size of a parking space is 9 feet by 18 feet. For all lots, the hard surfaced portion of a driveway is limited to a maximum of 12 feet wide. Each Residential lot shall be allowed one driveway from the street with maximum fence cut/curb cut of 12 feet. Residences with an outbuilding having two-car garage shall be allowed one driveway from the street with a maximum fence cut/curb cut of 14 feet. Residence with 2 cars entering to park side by side, the maximum fence cut/curb cut is 18 feet.
3. Location: Driveways for lots located on traffic circles must be placed on the adjacent street and not in the circle.

4. Material: Driveways, walks, patios, garages, and on-site parking must be constructed of concrete pavers. Concrete is prohibited except for curbs. Paver types, patterns and colors must be submitted to DRB for review and approval.

(H) Raised Cottage Sub-District to R-1 District

1). Use Regulation

- a. Single-Family Raised Cottage Residence (including one out-building or garage)
- b. All other uses as provided in R-1 District

2). Area included in Raised Cottage Sub-District

- a. Marina Village Section I
- b. Marina Village Section II

3). Lot Types allowed in Raised Cottage Sub-District

- a. Lot Type II
- b. Lot Type III
- c. Lot Type V
- d. Lot Type VIII

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- 4). All provisions, building setbacks, building heights, details and requirements of the R-1 District shall prevail in the Raised Cottage Sub-District, except as modified in the following numbered items.

5). Setback Requirements for Primary Structure

- a. Side yard setback 5 feet (Raised Cottage Only)
- b. Front yard setback 20-26 feet (Raised Cottage Only)
- c. All other setbacks remain as per R-1 District

6). Permitted Types of Construction

- a. Wood-Frame Construction over a concrete slab and concrete masonry foundation. Raised Cottage floor elevation must meet minimum FEMA elevation requirements (First Habitable Floor).
- b. All other types of construction permitted in R-1 District.

7). Height Requirements

Raised Cottage Construction may be either one story, two story or three stories above the concrete and masonry foundation.

- 8). Foundation for a Raised Cottage must be all concrete and masonry ie. piling, beams and slab. All sides of foundation must be enclosed with concrete or masonry.

9). Outbuilding

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Outbuilding, garage and recreation rooms are allowed to be built at ground level; however, all area below the FEMA required elevation must be masonry construction with breakaway walls and floor as required in the R-1 District. Frame construction is allowed above the FEMA elevation.

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10). Towers

Towers are permitted on the Raised Cottage.

11). Wall Finishes

All concrete and masonry walls, beams and foundations must be finished with a smooth stucco finish.

All exterior frame walls of the Raised Cottage must be finished with wood siding or smooth Hardie Board siding. Stucco finish is not allowed on wood-frame construction.

12). Ground Floor Finishes

All ground floor walks, driveways, patios, decks, pool decks, recreation room and garage floors must be constructed of brick pavers, except where a floor is constructed with masonry breakaway design or a porch or stairs must be finished with a ceramic tile or brick pavers. No unfinished masonry concrete is permitted.

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13). Wood-Frame Construction

All wood-frame construction is only permitted on a house defined as a Raised Cottage. Wood beams and columns may be used on balconies and towers. Wood-porch floors must be constructed of treated T & G 1 x 4 lumber. Wood exterior stairs Treads may either be constructed of treated wood or Trex.

14). Elevation

The minimum elevation of the first habitable living area of a Raised Cottage must meet the minimum FEMA requirements.

15). Parking

The minimum number of parking spaces provided within a lot for a Raised Cottage Plan is 2 parking spaces, with one additional parking space for each bedroom over three bedrooms.

16). Street Entry

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All residences must have a gated pedestrian entry from the street.

The maximum driveway entry (curb cut) from the street is 12 feet for single car entry. If 2 cars enter to park side by side, the maximum driveway entry (curb cut) is 18 feet.

17). In the front yard of a Raised Cottage, the front porch steps may encroach into the front yard setback a maximum of 5 feet.

18). First Habitable Floor

The first floor of the Raised Cottage may be used as a habitable living area as long as it meets FEMA required elevation.

19). First Floor A/C

The first habitable floor meeting FEMA elevation requirement may be heated and cooled (HVAC).

**Definition**

Raised Cottage: A Raised Cottage is a one story, two-story or three story single-family house that is comprised of a wood-frame construction over a concrete slab and concrete and masonry foundation.

(IH) **Area of Lot:** the minimum area of a lot shall be 5,000 square feet.

(J4) **Width of lot:** The minimum width of a lot shall be thirty-five (35) feet. *Note: the front yard of an irregular shaped lot is measured at the front yard set-back when determining the lot width.*

(KJ) **Dept of lot:** The minimum depth of a lot shall be as required to meet the 5,000 square feet minimum lot size.

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(LK) **Front Door:** the Primary Residences must have the front door visible from the street.



(~~ML~~) **Garage Door:** Decorative garage doors are required. The maximum width of a garage door is 9.0 feet. The Primary Residence may have a maximum of one (1) garage door and one (1) golf cart door (maximum 5' wide) facing the street. Outbuilding may have a maximum of one (1) garage door facing the street.

(~~NM~~) **Garage Floor Elevation:** The required elevation of the garage floor above the crown of the street in a R-1 or R-2 zoned district is as follows:

Garage floor must be elevated above the crown of the street .6 of an inch for each foot of distance between the property line at the street and the front of the house.

Example:

20' = 12"	/ <u>required</u> elevation of garage floor above crown of street
24' = 14.4"	/ <u>required</u> elevation of garage floor above crown of street
60' = 36"	/ <u>required</u> elevation of garage floor above crown of street

(~~ON~~) **First Floor A/C Area:** A maximum of 35% of the first floor (ground floor) may be air conditioned. The intent is that the first floor of the house is not to be used as living area. All bona fide living area is to be located on the second floor and above. The first floor must be constructed with breakaway walls and is considered an expendable area in case of significant storm. The air-conditioned area allowed on the first floor is to provide for the entry, stairs, elevator and servant quarters.

(~~PO~~) **Lot Contour:** Yard areas must contour around House and driveway and may not be inappropriately elevated.

All lots must drain to the street or waterway.

(~~QP~~) **Other Requirements**

General Requirements	Section 2.4.4A
Architectural Guidelines	Section 2.9
Site Improvements	Section 2.10
Miscellaneous Guidelines	Section 2.11
Landscape Guidelines	Section 2.12
Shores DRB Approval Process	Section 2.13

(b) Hotels and Condominium Hotels: Hotels and condominium hotels shall comply with the parking requirements set forth in Section 2.8(1)(2).

2. Size: The minimum size of a parking space is to be 9 feet by 18 feet.
3. Location: Driveways for lots located on traffic circles must be placed on the adjacent street and not in the circle.
4. Material: Driveway, walks, patios, garages, and on-site parking must be constructed of concrete pavers. Concrete is prohibited. Paver types, patterns and colors shall be submitted to DRB for review and approval.

\* If determined by Shores Development Inc. that two (2) off-street parking spaces for each unit is excessive for the proposed project, then Shores Development Inc., at its sole discretion may reduce the parking space requirement; however, in no event shall it ever be reduced to less than 1½ spaces per unit.

#### (H) Roof:

(1) Pitch: All roofs must have a minimum pitch of 6" in 12" and a maximum pitch of 10" in 12". (Exception: the roof over a porch when used as a broken pitch extension of the main roof and not as a separate roof, must be a minimum pitch of 3" in 12"). The pitch of a roof when used with a pediment in a classical manner must be 5" in 12" pitch. Flat roofs are allowed only when the roof is used as a deck, is surrounded by a balustrade, and is accessible from an adjacent enclosed space, and does not comprise more than 30% of the house footprint.

(2) Materials: ~~The only roofing material permitted at The Shores is all aluminum standing seams sheet metal roof with written twenty-year warranty against corrosion. The roof must be engineered to meet the 150 mph wind standard and be attached with all stainless fasteners, screws and nails. Roof finials must meet these same standards. The only roofing material permitted is sheet metal (aluminum) standing seam roof attached with stainless steel clips and stainless steel screws. All metal roofs must be aluminum and carry a written twenty-year warranty against corrosion.~~

(3) Eaves: Roof eaves must be designed in compliance with the requirements of Exhibit 5-B.

All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.

Roof eaves may project a maximum of 3' into the required building setbacks but shall be a minimum of 3' front the property line.

(4) Color: All roofing materials must be white, off-white, or light gray. All roofing material colors must be approved by the DRB.

(2) Materials: ~~The only roofing material permitted at The Shores is all aluminum standing seams sheet metal roof with written twenty-year warranty against corrosion. The roof must be engineered to meet the 150 mph wind standard and be attached with all stainless fasteners, screws and nails. Roof finials must meet these same standards. The only roofing material permitted is sheet metal (aluminum) standing seam roof attached with stainless steel clips and stainless steel screws. All metal roofs must be aluminum and carry a written twenty-year warranty against corrosion.~~

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Roof eaves may project a maximum of 3' into the required building setbacks but shall be a minimum of 3' front the property line.

(4) Color: All roofing materials must be white, off-white, or light gray. All roofing material colors must be approved by the DRB.

(5) Design Criteria: Roofs and roofing materials must be engineered to withstand a minimum of 150 miles per hour wind.

(G) **Setback – Stair Step Provision:**

This provision is only available with Shores DRB approval. When determining setback requirements of a high-rise building, the setback lines for the structure may vary for different portions of the structure as it increases in height, thereby allowing stair stepping in determining the setback requirements as a building reaches a height that requires an additional setback. Only that portion of the building at that height must meet the additional setback. The lower portion must only comply with the setback, as applied to it.

(H) **Height Regulations:** Will be determined by setback and parking requirements

(I) **Required Parking**

1. Parking required when property is developed as an "R-2" "R-3" uses located "C" Districts shall be the same as those outlined "R-2" "R-3" districts.
2. Hotels or Condominium Hotels, the number of parking spaces required shall be one (1) off-street parking space for each guestroom in the building plus 50% of the off-street parking requirements for the various accessory uses operated upon the property, such as restaurant and retail space, computed in accordance with the requirements of this section.

Note: Tile used as a finish material must be submitted to the DRB for review and approval.

(b) Nails:

All exterior nails and screws exposed to the weather shall be marine grade stainless steel.

### 2.9.3 Intentionally Omitted

### 2.9.4 Roofs

(a) Pitch: All roofs may have a minimum pitch of 6" in 12" and a maximum pitch of 10" in 12". (Exception: the roof over a porch when used as a broken pitch extension of the main roof and not as a separate roof, may be a minimum of 3" in 12"). The maximum pitch of a roof when used with a pediment in a classical manner must be 5" in 12". Flat roofs are allowed only when the roof is used as a deck, is surrounded by a balustrade, and is accessible from an adjacent enclosed space, and does not comprise more than 30% of the house footprint.

(b) Materials: ~~The only roofing material permitted at The Shores is all aluminum standing seams sheet metal roof with written twenty-year warranty against corrosion. The roof must be engineered to meet the 150 mph wind standard and be attached with all stainless fasteners, screws and nails. Roof finials must meet these same standards. The only roofing materials permitted are sheet metal (aluminum) and flat concrete tile. All metal roofs must be aluminum and carry a written twenty year warranty against corrosion. The following materials are not permitted to be used as roofing material: asphalt, aluminum, and fiberglass shingles, and any other type of synthetic roofing material.~~

(c) Eaves: Roof eaves must be designed in compliance with the requirements of Exhibit 5-B.

All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.

Roof eaves may project a maximum of 3' into the required building setbacks but shall be a minimum of 3' front the property line.

(d) Color: All roofing materials must be white, off-white, or light gray. All roofing material colors must be approved by the DRB.

(e) Design Criteria: Roofs and roofing materials must be engineered to withstand a minimum of 150 miles per hour wind.

### 2.9.5 Towers

(a) Where Permitted: Towers are permitted on Lot Types II, III, IV, V, VI, VII, & VIII.

(b) Where Prohibited: Towers are not permitted on Lot Type I.

(c) Sizes: Refer to Section 2.5, R-1 (C) for maximum size permitted for towers.

# **Planned Development District Standards, Specifications and Zoning for the Shores Subdivision of South Padre Island**

This document was prepared with contributions from the following:  
The Shores Development, Inc.  
Halff Associates  
Landry Architecture

This document includes minimum building and development requirements for this development. The Engineering Seal is intended to represent that General Acceptable Engineering Practices were followed in the preparation of development guidelines. This document shall not preclude the requirement for the preparation of plans and specifications by a Licensed Engineer and/or Architect and approval of said documents by appropriate entities having jurisdiction, prior to construction.



May 27, 2008

# Contacts

## Owner/Developer

Shores Development, Inc.  
8605 Padre Blvd.  
South Padre Island, TX 78597

Contact	:	Mr. Dennis Franke / Mr. Richard Franke
Phone Number	:	(956) 761-2606

## Engineer/Planner

Halff Associates Inc.  
5000 West Military Highway, Suite 100  
McAllen, Texas 78501

Engineer Contact	:	Mr. Robert Sáenz PE
Phone Number	:	(956) 664-0286

Planner Contact	:	Mr. Joey Treviño
Phone Number	:	(956) 664-0286

## Architect/Planner

Landry Architecture, L.L.C.  
1618 Saint Charles Avenue  
New Orleans, LA 70130

Architect Contact	:	Peggy Landry
Phone Number	:	(504) 528-9611

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# **Article 1. The Shores Master Plan Description of and Overall Development Concept**

This document will serve as the base zoning and engineering standards and specifications that will be followed for The Shores Planned Development District (PDD)

**Overall Master Plan** - A Master Development Plan has been prepared for The Shores. This plan envisions places to live and play, as well as extensive business and commercial developments. The Master Plan provides a framework by which the property will be developed, but at the same time provides, as all master plans do, a degree of flexibility and responsiveness to future market conditions and trends. The development of the entire property will take place over a period of approximately 10 years, and as such the Master Plan is designed to be flexible as conditions in Town of South Padre Island and in the Rio Grande Valley evolve.

As the premier seaside community development on South Padre Island, The Shores is 247 acres of pristine oceanfront and bay front property available to homeowners, investors and renters alike. Be it a vacation spot or a new tropical home at The Shores of South Padre Island, every lot is just a short stroll from the beach, bay, waterfront cafes and shops in a traditional neighborhood setting.

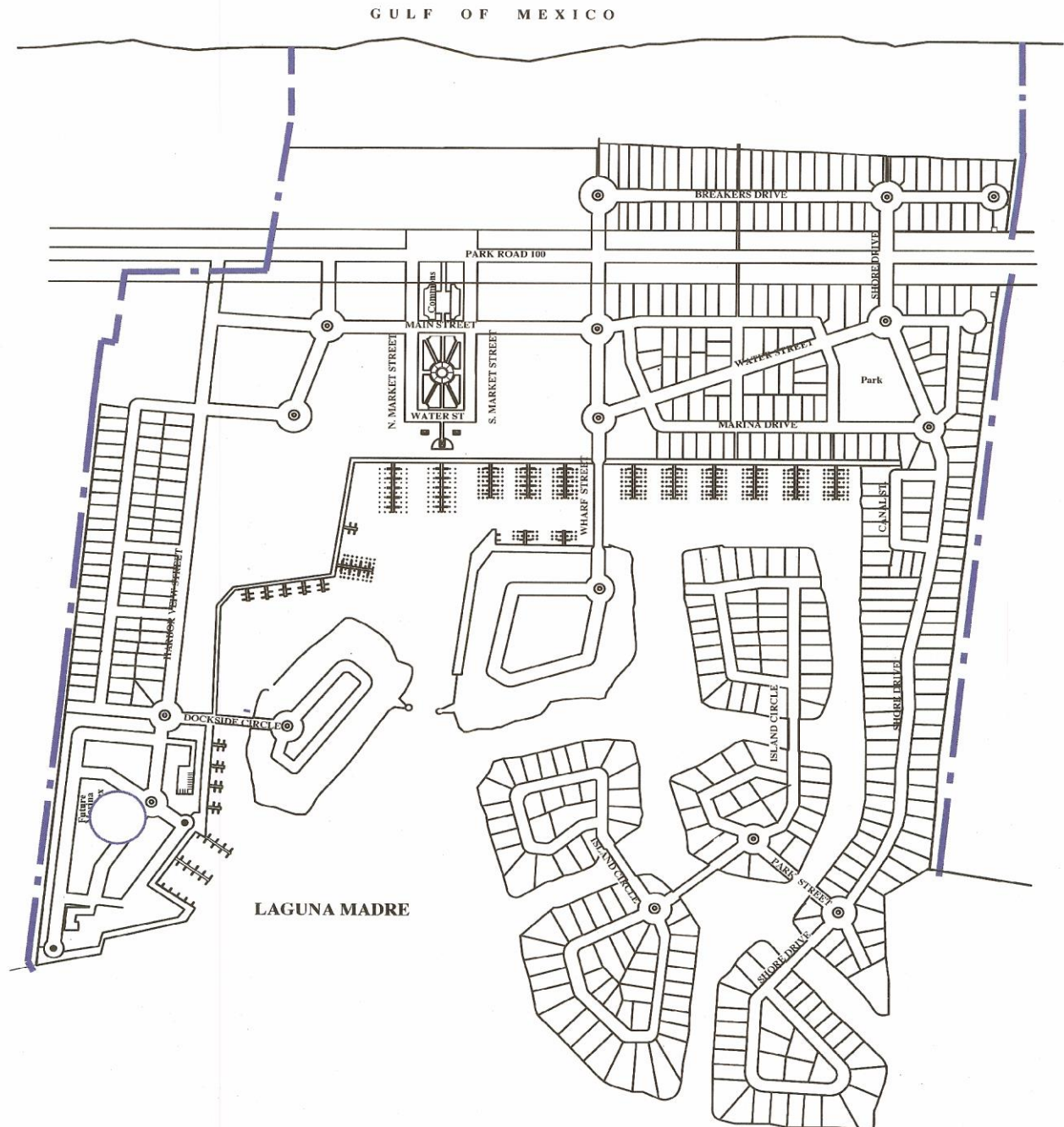
The Master Plan for The Shores envisions the creation of an entire community within the Town of South Padre Island, providing citizens of South Padre Island who live in The Shores with open space and parks, community retail areas, and civic facilities appropriate to a place where someday as many as 1,500 residents may eventually live. The Master Plan creates a place where people can walk along tree lined boulevards, where beaches marinas and parks are never more than a few minutes walking distance away, and where the design of the community builds in features that create a sense of pride.

The Shores encompass an area over 247 acres, of which 166 acres will be developed with approximately 105 acres being developed for residential uses and 61 acres for commercial development. Approximately 81 acres will be incorporated into marina, waterways, parks, roadways and common areas.

Within the residential areas, a variety of home sizes and price levels will be provided, ranging from single family to town homes to high end residences. Specific densities are identified for the areas as zoned.

The Overall Master Plan for The Shores is shown in the attached exhibit that follows this page.

THE SHORES - Master Plan



### **Legal Description for the Shores Subdivision**

Being 247.74 acres, more or less, on South Padre Island in Cameron County, Texas, being a part of that certain tract commonly referred to as the "South 2,000 Acres of the King 6,000 Acres" lying North of the parallel of North Latitude 26 degrees, 08', 47"; the said "South 2,000 Acres" found to have a total area 1,806.62 Acres according to the Deed recorded in Volume 938 on Page 895, and the said 247.74 Acres, thereof, being the total area of two tracts which are hereinafter more particularly located and described as Tract No. 1 containing 53.13 Acres, more or less, and Tract No. 2 containing 194.61 Acres, more or less, and being the same tracts called Parcel One in the Final Judgment of Partition dated November 10, 1975 and recorded in Volume 1044 on Page 765 of the Cameron County, Deed Records.

#### **Tract No. 1**

Being 53.13 Acres, More or Less, located in the Southern portion of the above-mentioned 1,806.62 Acres on South Padre Island and Lying between the Centerline of Texas State Park Road No. 100 and the line of Mean Higher High Tide of the Gulf of Mexico; and being more particularly located and described as follows:

BEGINNING at the Southwest corner of this tract located at a bolt at the Place of Intersection of the South boundary of the said 1,806.62 Acres with the Centerline of Texas State Park Road No. 100;

THENCE with the centerline of Texas State Park Road No. 100, North 6 Degrees 47' 04" West, a distance of 2,718.84 feet to a bolt for the Northwest corner of this tract;

THENCE North 89 Degrees 30' 30" East, along a line for the North boundary of this tract, at 100.61 feet a 4 1/2 X 4 1/2" concrete monument marked "C" and having thereon a 1" diameter aluminum cap stamped "C + A Survey" for the intersection of this boundary with the East Right-of-Way line of Texas State Park Road No. 100, and continuing an additional 512.77 feet to a concrete monument and continuing therefrom an approximate distance of 243.86 feet for a total distance of approximately 857.24 feet to an intersection with the line of Mean Higher High Tide of the Gulf of Mexico for the Northeast corner of this tract;

THENCE with the meander of the line of Mean Higher High Tide of the Gulf of Mexico, approximately South 6 degrees 23' 00" East 1,024.90 feet; South 8 degrees 12' 08" East, 800.25 feet South 5 Degrees 06' 58" East, 891.27 feet to an intersection with the South Boundary of the said 1,806.62 Acres for the Southeast corner of this Tract;

THENCE with the South Boundary of the said 1,806.62 Acres Tract, South 89 degrees 24' 01" West, at approximately 214.56 feet a 4 1/2 X 4 1/2" concrete monument and continuing an additional 528.49 feet to concrete monument for a Place of Intersection of the Boundary with the East Right-of-Way line of Texas State Park Road No. 100 and continuing therefrom an additional distance of 100.61 feet, for a total distance of 100.61 feet, to the PLACE OF BEGINNING;

CONTAINING, according to the dimensions herein stated a total area of 53.13 Acres, more or less; of which 6.24 Acres are in the Eastern one-half of the Right-of-Way of Texas State Park Road 100, for a net area of 46.89 Acres, more or less.

## TRACK NO. 2

BEING 194.61 Acres, more or less, located in the Southern portion of the above mentioned 1,806.62 Acres on South Padre Island and lying between the centerline of Texas State Park Road No. 100 and the line of Mean Higher High Tide of the Laguna Madre, and being more particularly located and described as follows:

BEGINNING at the Southeast corner of this tract located at a bolt at the place of intersection of the South boundary of the said 1,806.62 Acres with the centerline of Texas State Park Road No. 100;

THENCE along the South line of this tract South 89 degrees 24' 01" West for a distance of 2,377.69 feet to a concrete monument and a point for a corner; said point being on the Easterly line of Mean Higher High Tide of the Laguna Madre as established on July 25, 1981;

THENCE along said Easterly line of Mean Higher High Tide of the Laguna Madre as follows:

North 25 degrees 55' 53" West, 110.60 feet to a concrete monument;  
South 79 degrees 42' 58" West, 594.26 feet to a concrete monument;  
North 29 degrees 18' 16" East, 324.93 feet to a concrete monument;  
South 45 degrees 50' 38" West, 408.76 feet to a concrete monument;  
South 89 degrees 24' 01" West, 200.49 feet to a concrete monument;  
North 04 degrees 13' 32" West, 641.22 feet to a concrete monument;  
North 14 degrees 39' 38" East, 428.12 feet to a concrete monument;  
North 38 degrees 49' 22" East, 476.26 feet to a concrete monument;  
North 69 degrees 10' 32" East, 1,034.23 feet to a concrete monument;  
North 37 degrees 11' 17" West, 713.77 feet to a concrete monument;  
North 12 degrees 04' 46" East, 201.24 feet to a concrete monument;  
North 68 degrees 10' 39" West, 350.76 feet to a concrete monument;  
South 57 degrees 32' 39" West, 219.48 feet to a concrete monument;  
North 20 degrees 26' 48" West, 620.31 feet to a concrete monument;

Said point being on the Northerly line of this tract:

THENCE along the Northerly line of this tract, North 89 degrees 30' 30" East, at 2,661.73 feet a 4 ½ x 4 ½" concrete monument marked "C" and having thereon a 1" diameter aluminum cap stamped "C + A Survey," for the Place of Intersection of this boundary with the West Right-of-Way line of Texas State Park Road No. 100 and continuing therefrom an additional distance of 100.61 feet to a bolt in the centerline of Texas State Park Road No. 100 and the Northeast corner of this tract;

THENCE along the centerline of Texas State Park Road No. 100, South 6 degrees 47' 04" East, for a distance of 3,162.47 feet to the PLACE OF BEGINNING:

CONTAINING, according to the dimensions herein stated, a total area of 194.61 Acres, more or less; which 7.26 Acres are in the Western one-half of the Right-of-Way of Texas State Park Road No. 100, for a net area of 187.35 Acres, more or less.

And Less and Except that certain tract of land lying within the State of Texas Highway Right-of-Way traversing Tracts 1 and 2 as more particularly described and set out in Deed dated June 1, 1971, recorded in Volume 913, Page 32, Deed Records of Cameron County, Texas;

## **Article 2. Planned Development District (P.D.D.) Land Use Standards for the Shores**

### **2.1 Planned Development Districts. (PDD)**

The PDD presented in this document includes approximately **247 acres** of land that is located in the Town of South Padre Island. This property extends north and south approximately one half mile on both sides of Highway 100 Road and runs from the Gulf to the Bay.

**2.2 Land Uses** - The land included in this Planned Development District provides for a variety of residential uses, including Single Family homes, Townhouses, Apartments and Condominiums. The area also includes commercial areas and community facilities such as parks and open space corridors. These land uses are determined by Zoning and Lot types, which are defined and specified in this document.

### **2.3 Definitions.**

For the purpose of this document, the following words and terms as used herein are defined to mean the following: Words used in the present tense include the future; words in the singular number include the plural number; the words in the plural number include the singular number; the word "building" includes the word "structure"; the word "lot" includes the word "plot"; the word "shall or must" is mandatory and not discretionary.

**Accessory building or use:** A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

**Alley:** A minor way, which is used primarily for service access to the back or side of properties otherwise abutting on a street.

**Alteration:** Any addition, removal, extension, or change in the location of any exterior wall of a main building or accessory building.

**Amusement center:** An amusement center is a business wherein there are located machines which require the deposit of money therein to be activated for an individual's entertainment, and from which said business establishment derives fifty percent (50%) or more of its gross income.

**Apartment:** A room or a suite of rooms within an apartment house arranged, intended or designed for a place of residence of a single family or group of individuals living together as a single housekeeping unit.

**Apartment house:** A building or portion thereof arranged, intended or designed for three (3) or more families or housekeeping units living independently of each other.

**Bedroom:** For the purpose of calculating off-street parking requirements, rooms such as studies, dens, libraries, etc., must be considered a bedroom if they have an adjacent or adjoining bathroom.

**Boarding house:** A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five (5) or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

**Bed and Breakfast:** A private residence, several rooms of which are set aside for overnight guests whose paid accommodations include breakfast.

**Boathouse:** An accessory structure located on a waterway that houses a boat and may house a residential unit above.

**Building:** An enclosed structure, anchored to permanent foundation, and having exterior or party walls and a roof, designed for the shelter of persons, animals or property. When divided by other than common contiguous walls, each portion or section of such building shall be regarded as a separate building, except that two (2) buildings connected by a breezeway shall be deemed as one building.

**Carport:** An attached air structure with one or more open sides, with a weatherproof roof to shelter automobiles no more than one story in height

**Commercial Use:** Uses including and similar to retail stores, professional and medical offices, restaurants, and lounges. All proposed commercial uses must be submitted to DRB for review and approval. The design of commercial properties is governed by the Shores Commercial Code.

**Corner Lot:** A lot situated at a junction of two or more streets, or of two segments of curved street, forming an angle of not more than 135 degrees.

**Condominium:** The separate ownership of single units or apartments in a multiple unit structure or structures with common elements. (as defined by the Texas Property Code)

**Convenience storage facilities:** A masonry structure that is partitioned into small sections for the purpose of renting individual storage rooms to individuals or corporations for the purpose of storing belongings, but from which there will be no general storage business or warehousing business operated or any other type of business operation.

**Customary home occupations:** Occupations ordinarily carried on in a home that is not detrimental or injurious to adjoining property. Any use, occupation or activity conducted entirely within a dwelling by the residents thereof, which is clearly incidental and secondary to the use of the dwelling for residential purposes and does not create customer and/or client traffic and does not change the character of the neighborhood. All proposed home occupations must be cleared by DRB.



**Deck:** Any wooden platform without solid roof structure.

**DRB:** The Shores Design Review Board.

**Depth of Lot:** The mean horizontal distance between the front and the rear lot lines.

**Depth of Rear Yard:** The mean horizontal distance between the rear line of a building other than an accessory building and the center line of the alley where an alley exists, otherwise the rear lot line.

**District:** A section of the Town for which the regulations governing the area, height and use of buildings are uniform.

**Dwelling:** A building or portion thereof, designed exclusively for residential occupancy, including one-family, two-family and multiple family structures, boarding and lodging houses, apartment houses, but not hotels, house trailers or mobile homes.

**Family:** Any number of individuals living together as a single housekeeping unit; as distinguished from a group occupying a boarding house or hotel.

**Fence:** A freestanding structure constructed to enclose or divide a property.

**Footprint:** The total area of a structure as measured at the ground level. Where enclosed space is located above a porch, the footprint of heated and cooled space must include the enclosed space on the upper level.

**Front Yard:** A yard across the full width of the lot from the front line of the main building to the front line of the lot.

**Garage:** An accessory building principally used for storage of motor vehicles.

**Garden Structure:** Pavilion, gazebos, arbors, pergolas, and other similar structures no more than one story in height.

**Gate House:** A one-story structure to receive and control the entry of cars and pedestrians.

**Gazebo:** An open-air garden structure.

**Gross Floor Area:** The gross floor area of a building shall be measured by taking outside dimensions of the building at each floor, excluding the floor area of basements or attics when not occupied as living quarters.

**Height:** The height of a building or portion of a building shall be measured from sea level, to the roof's top of ridge or gable. In measuring the height of a building, the following structures shall be excluded: chimneys, cooling towers, radio towers, ornamental cupolas, domes or spires,

**Hotels and Motels:** A building occupied or used as a more or less temporary abiding place of individuals or groups of individuals who are lodged, with or without meals, and in which there are more than twelve (12) sleeping rooms, and no provisions for cooking in individual rooms.

**Impervious Surface:** Surfaces which prevent or impede normal water infiltration and/or cause runoff to other areas. Includes, but not limited to: (1) all buildings, and structures (area measured at roof gable end and eave lines), (2) stairs, walkways, driveways and parking or other areas, comprised of cementations substances, or any bituminous substance, including asphalt, and (3) any subbase of plastic or any shield which prevents or impedes water penetration. Decks, stairways and walkways with gaps in their surface structure (e.g., wooden decks with open cracks between the deck boards or brick pavers on sand base) allowing water to readily pass through the structure are not considered an impervious surface.

**Institution:** A building occupied by a non-profit corporation or non-profit establishment for public use.

**Irregular Shaped Lots:** Lots which are not rectangular in shape and are generally located in cul-de-sacs, curves, corners and knuckle shaped streets.

**Lot:** Land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are required under this Document, and having its principal frontage upon a street.

**Lot Front line:** The line of a lot that is adjacent to the street.

**Lot Lines:** The lines bounding a lot as defined herein.

**Lot Rear Line:** The boundary line that is opposite and most distant from the front lot line.

**Lot Corner:** A lot abutting upon two (2) or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the Shores Design Review Board.

**Multi-Family Residential:** Any dwelling structure consisting of more than one dwelling unit.

**Nightclub:** Any business holding a mixed beverage permit from the Texas Alcoholic Beverage Commission or the appropriate State agency.

**Non-Conforming Uses:** A building or premises occupied by a use that does not conform to the regulations of the use in the district in which it is situated.

**Open Spaces:** Area included in any side, rear or front yard of a lot other than the building space that is measured as the outside dimensions of the floor area of the building. Therefore, in determining the percent of coverage of buildings allowed on a lot, the

projections of the buildings, such as eaves, cornices, porches, stairways, carports, etc., are considered as open spaces and not building space.

**Outbuilding:** An accessory building detached from the primary residence, such as a garage or a garage with guesthouse above.

**Overhead Connector:** A walk, deck, or similar structure that connects the house with an outbuilding or garden structure at any level other than the first floor.

**Parking, Parking Requirements, Off-Street Parking:** Except as provided in Section 2.7(G) and 2.8(I) (8), all parking requirements of a building or premises must be provided on the same site/land for which the building permit is issued or in the commercial areas in adjoining parking lot. All parking areas and access thereto, must be located upon property of the same or more intensive zoning district, and must be of a concrete paver surface. All parking lot construction shall conform to Section, Parking Lots, of the Standards and Specifications for the Acceptance of Public Improvements for The Shores.

**Parking Structure:** A structure in which to park cars that may be one to three stories in height.

**Patio:** A hard surfaced area without a solid roof structure

**Pergola:** An open-air garden structure with a trellised roof.

**Persons:** The word "person" shall, for the purpose of this document, mean every person, firm, co-partnership, association, partnership, corporation or society; and the term "person" shall include both singular and plural and the masculine shall embrace the feminine gender.

**Pervious Surface:** a surface through which water can penetrate.

**Porch/Gallery/Veranda:** A covered outdoor area attached to a house.

**Pool House:** A free standing one-story structure to operate as a cabana with dressing rooms, bathroom and wet bar.

**Primary Residence:** The primary dwelling structure on a lot.

**Primary Structure:** The primary structure is the largest structure on a lot.

**Definition:** **Raised Cottage:** A Raised Cottage is a one story, two-story or three story single-family house that is comprised of a wood-frame construction over a concrete slab and concrete and masonry foundation.

**Recreational Center:** A building that is totally enclosed, both with ceilings and walls, within which there is located facilities for the conduct of sports and other related recreational activities and there may be located outdoor swimming pools directly adjacent to said enclosed facilities and which are an integral part of the main facility. Any recreational center may also have located within the sport facilities a pro shop wherein

items are sold in connection with sports and recreational activities, a nursery to care for the children of the participants, and a beauty shop for the participants located therein.

**Rear Yard:** A yard between the rear lot line and the rear line of the main building and the side lot lines.

**Restrictive Use Easement (RUE):** The R.U.E. is a private easement for use by the Shores Home Owners Association. Typical uses include but are not limited to the following; bulkhead and related structural support system, boardwalk improvements, private utilities, and fences.

Any proposed improvements within the R.U.E. must be approved by the Shores Home Owners Association. A site plan specifying existing and proposed improvements shall be submitted for approval by the Shores Home Owners Association. If proposed improvements are deemed to potentially impact critical structural components (i.e. bulkhead, retaining walls, etc.), the Shores Home Owners Association will have the option of requiring a letter of approval by a licensed Structural Engineer.

**Romeo Balcony:** French Doors or sliding glass doors protected by a guard rail that projects no more than 6 inches from the wall of the structure.

**Roof:** The exterior surface and its supporting structures on the top of a building

**Side Yard:** A yard between the main building and the adjacent side line of the lot, and extending entirely from the front yard to the rear yard.

**Single Family Dwelling:** A dwelling consisting of one dwelling unit.

**Stairs:** Stairs are for the purpose of accessing floors or levels beyond the first floor.

**Storage Building:** A one-story enclosed structure to store items that such as pool furniture, lawn equipment, and etc.

**Street:** An all weather roadway providing vehicular access.

**Steps:** Steps are for the purpose of accessing the first floor or level.

**Story:** That portion of a building between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above.

**Structural Alterations:** Any change in the supporting member of a building such as bearing walls, columns, beams or girders.

**Swimming Pool:** A large receptacle typically constructed of concrete that holds water and normally used for swimming or exercising.

**Tandem Parking:** For single-family dwellings, two-family dwellings, townhouses, and multi-family developments which provide fully enclosed individual garages or carports or

open uncovered parking for each dwelling unit, tandem parking spaces may be used as a design option in meeting the parking requirements of this Document. The use of tandem parking must meet the following requirements:

- A tandem parking space must be a minimum of nine (9) feet in width and thirty-six (36) feet in length, and shall count as the equivalent of two, regular parking spaces, with a minimum of nine (9) feet wide by eighteen (18) feet long per parking space and shall be dedicated to a specific dwelling unit by means of a deed, restrictive covenant or condominium declaration, firmly binding the assignment of the clearly marked parking spaces to a specific dwelling unit in the project.
- All tandem parking spaces must be entirely located upon private property. No portion of any tandem parking space may utilize the public right-of-way or other public property.
- Tandem parking spaces must be surfaced with concrete pavers.

**Terrace:** An upper level outdoor living area without a solid roof.

**Tower:** A small room, porch, or deck that protrudes above the height of the main structure.

**Townhouse:** A Townhouse is a single-family dwelling unit constructed in a series of attached units with common walls and property lines separating the units.

**Trash or Utility Enclosure:** An open structure to obscure from view trashcans or other utility item.

**Width of Side Yard:** The horizontal distance between the side wall of a building which includes eaves, cornices, porches, stairways, carports or any projection of the building and the side line of the lot.

**Yard:** An open space of ground between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the smallest horizontal distance between the lot line and the main building must be used.

## 2.4 **The Shores Subdivision Zoning Plan**

### 2.4.1 **(PDD) Zoning Use Districts Categories**

The Zoning regulations and districts provided for in this article and in the Design Code shall be known and be cited and referred to as “The Shores Subdivision Zoning Plan”.

### 2.4.2 **Zoning Districts**

The Shores subdivision on South Padre Island, Cameron County, Texas, is hereby divided into four (4) types of “Zoning Districts”. These Districts shall be known as:

- (A) **R-1**        Single Family Residential (including one outbuilding)
- (B) **R-2**        Low-rise Multiple Family Dwellings, Apartments, Condominium, Townhouse District
- (C) **R-3**        High-rise Multiple Family Dwelling, Apartments, Condominium District, and
- (D) **C**           Commercial District, including hotels, retail, office and restaurant development.

Refer to Exhibit in Next Page

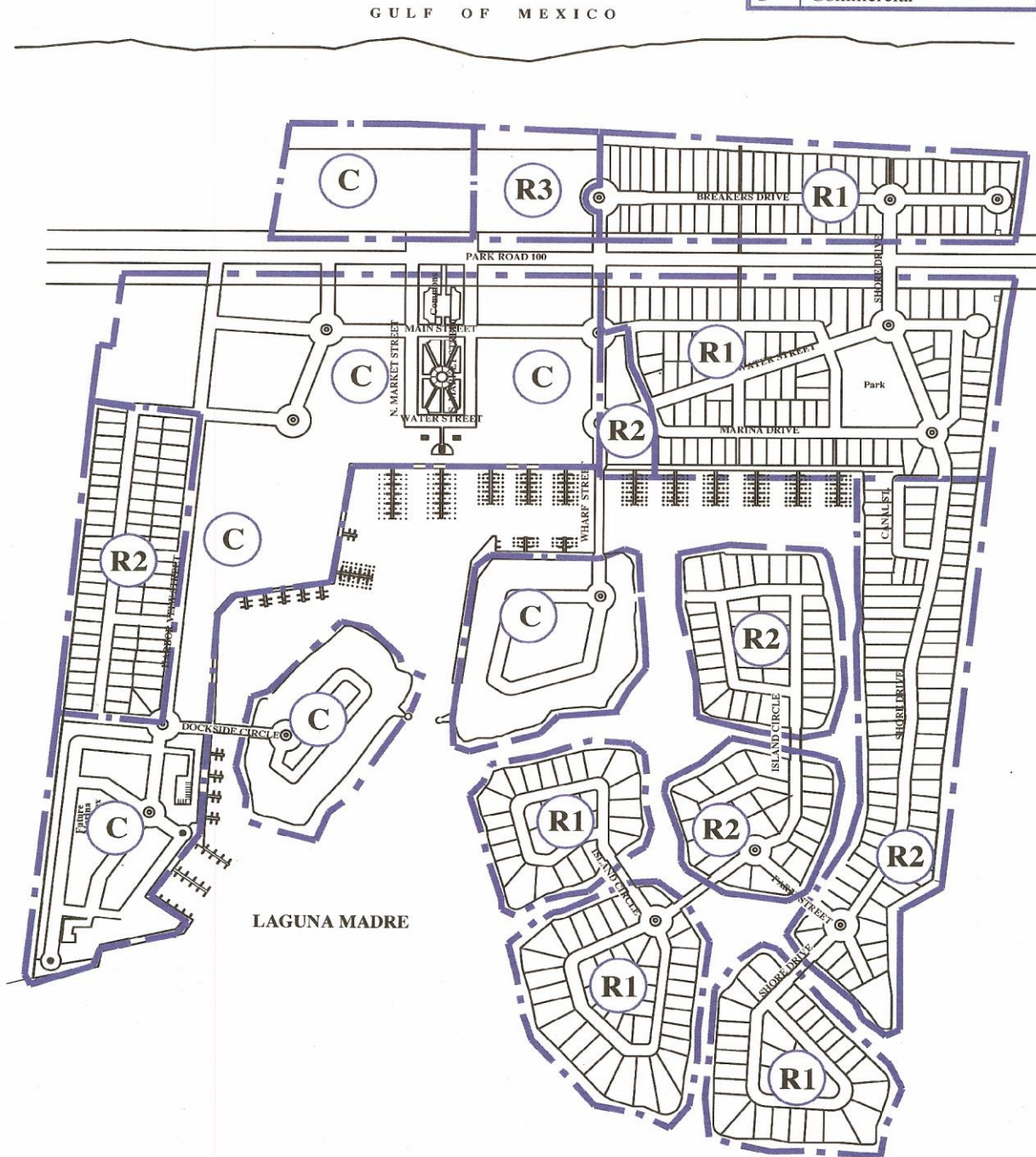
### 2.4.3 **Lot Types**

Within the zoned areas there are eight types of lots. The lot type sets construction requirements such as setbacks, height, etc.

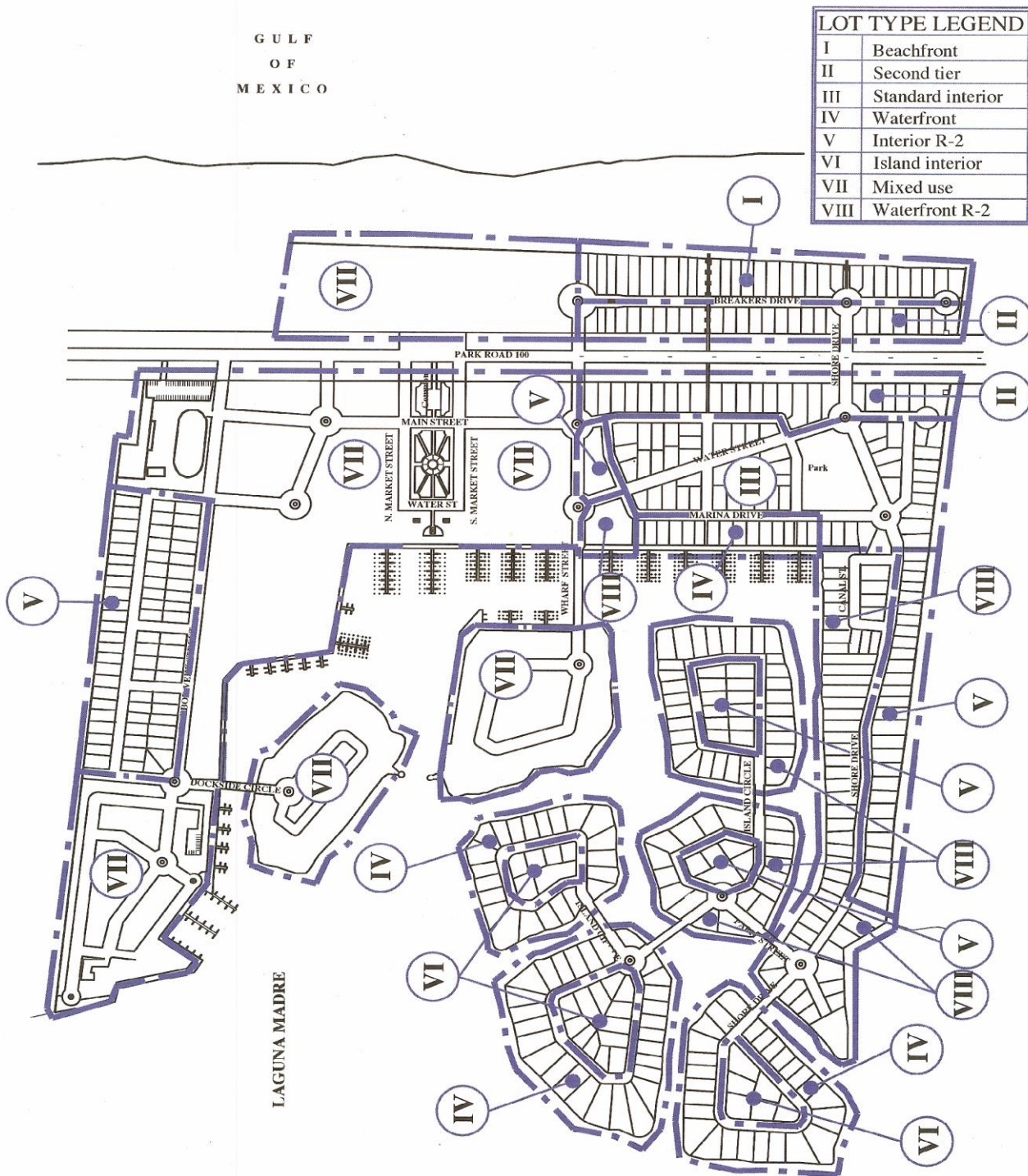
- (A)    **Lot Type I**            Beachfront
- (B)    **Lot Type II**          Second Tier
- (C)    **Lot Type III**          Standard Interior
- (D)    **Lot Type IV**          Waterfront - Bayside
- (E)    **Lot Type V**            Interior R-2
- (F)    **Lot Type VI**          Island Interior
- (G)    **Lot Type VII**          Mixed-use
- (H)    **Lot Type VIII**        Waterfront R-2

Refer to Exhibit in Next Page

ZONING LEGEND	
R1	Single-Family Residential
R2	Multi-Family Residential
R3	High-Rise Multi-Family
C	Commercial







## 2.4.4 PLANNING GUIDELINES



## 2.4.4A **General Requirements**

General requirements shall **apply to all Zoning Districts** (R-1, R-2, R-3, Commercial) and all **Lot types** (Lot Types I, II, III, IV, V, VI, VII, VIII).

- (A) **Architecture**: All buildings at The Shores must be designed by, and all construction documents for permits must be stamped by an architect licensed in the State of Texas who has been pre-approved to work in The Shores Development. The Architect will also be responsible for signing a form upon completion of the project certifying that the building has been constructed in accordance with Plans submitted to DRB and the Design Code Standards and Specifications of The Shores subdivision. Owner must ensure that his contract with architect includes field observation during entire construction period as required for architect to provide such certification. Architect must notify DRB in writing if architect knows or believes that contractor has or plans to deviate from approved plans. The property owner shall be responsible for contacting the DRB office to determine the time and dates of the DRB meetings and the cut-off dates for submission of applications. Application forms may be obtained from the DRB office. In addition to meeting the requirements of the Design Code, the owner is responsible for making sure that the construction conforms to all Federal, State, County, and Local codes, ordinances and regulations.
- (B) **Engineering**: All structural systems of the buildings must be designed by a Licensed Professional Engineer licensed in the State of Texas with design standards to withstand at least 150 miles per hour winds and tidal surge.
- (C) **Responsibility for Compliance**: It is the responsibility of the owner and architect of any construction to ensure that the construction complies with the Shores Design Code at the time of construction. Plans and Specifications are reviewed by the Shores Design Review Board for compliance; however, if there are items that are not apparent or not found, it does not mean approval of those items. All construction must comply with the requirements and the Spirit of the Design Code and it is each owner's responsibility to ensure compliance.
- (D) **DRB Approval**: No construction may be started on any lot nor may a building permit be issued until the Shores Design Review Board has given written approval that the plans and specifications for the proposed construction have been approved.
- Upon completion of the construction, The Shores Design Review Board must give written approval that the construction appears to be in compliance with The Shores Design Code before a Certificate of Occupancy can be issued by City.
- (E) **Exterior Lighting**
- (1) **General**: Exterior lighting must not be intrusive to adjacent properties or common areas.
  - (2) **Porch Lighting**: Every house or building must have appropriate architectural lighting on the front porch or entry and lighting must be on a photocell and **operated daily**.

(F) **Landscape Lighting**

Landscape lighting must be appropriate architectural lighting located as close to grade as practical. There must be lighting in the landscaping on the street side of the fence and the lighting must emphasize the front entry gate and the driveway. All wiring must be placed underground and the lights must be connected to an electric photocell and **operated daily**.

(G) **Foundations**: The foundation system of all buildings must be designed by a registered professional engineer Licensed in the State of Texas and must be based upon recommendations given in a soils report prepared by a geotechnical soils engineering firm. The soils investigation, analysis and the design of the foundation system must be made by a registered professional engineer. The soils report must include recommendations for type, size, spacing and depth of piers, number and size of reinforcing steel within piers, and method and extent of isolation of foundation beams from adjacent soils.

(H) **Pilings**: All piling must be cased augured pilings constructed of reinforced concrete, designed by a Texas Licensed Structural Engineer. Pilings may not be exposed to view. Driven pilings or jetted pilings are prohibited.

(I) **Construction Types and Materials**:

1. Permitted Types of Construction

- a. Reinforced Concrete Masonry
- b. Reinforced Concrete

2. Floors

On Type I Lots, the building floors must be constructed of concrete, except that the ground level floor must be of breakaway construction (brick pavers) / except as described in paragraph 4, below.

On all other Lot Types, the building floors may be constructed of concrete, wood or steel floor systems, except that the ground level floor must be of breakaway construction (brick pavers) / except as described in paragraph 4, below.

3. Wood Frame Construction

Wood frame construction is not permitted, except that wood beams and columns may be used above the first floor on balconies and towers. Wood porch floors must be constructed of Treated TG 1 x 4 lumber. Wood exterior stair may use either treated wood or Trex for stair treads. Except as allowed in Raised Cottage Sub District (Section 2.5 H)

4. First Floor Walls

On all Lot Types, the first floor must be entirely enclosed with masonry walls or doors (louvered doors are encouraged). All first floor walls (both exterior and interior) must be masonry floor to ceiling breakaway walls, except that concrete shear (non breakaway) walls are allowed, as necessary at entry or stairs not to exceed enclosing a floor area of 300 square feet. A concrete slab floor is allowed in this area, as permitted by FEMA (maximum of 300 square feet). All other first (ground) floors must be of breakaway construction (brick pavers).

#### 5. First Floor Walls / Finish

On all Lot Types, the exterior and interior finish of the first floor walls must be comprised of a smooth stucco finish over the concrete masonry walls. Other finish may be approved at main entry or stairs to house.

#### 6. Ground Floor Patios, etc.

Ground floor patios, driveway, walkway, pool deck, etc. must be constructed with brick pavers. No concrete slabs are allowed (either surface or sub-surface).

- (J) **A/C Condenser Unit:** All A/C condenser units must be located within the envelope of the primary residence, outbuilding or high-rise building and vented with louvers through the exterior wall. No A/C condenser units are permitted on the exterior of the building. Window unit air conditioners are not allowed.
- (K) **Pool Pumps and other equipment:** All pool pumps and other equipment must be located within the building. No pumps or other equipment are permitted on the exterior of the building.
- (L) **Parking:** All buildings are required to have adequate on site parking so that all normal parking is located within the lot and not on the street. Guest or service vehicles may temporarily park on street. Boat trailers and other trailers or large vehicles are not allowed to park in the street or exposed to view on the lot.
- (M) **First Floor A/C Area:** A maximum of 35% of the first floor (ground floor) may be air conditioned. The intent is that the first floor of the house is not to be used as living area. All bona fide living area is to be located on the second floor and above. The first floor must be constructed with breakaway walls and is considered an expendable area in case of significant storm. The air-conditioned area allowed on the first floor is to provide for the entry, stairs, elevator and servant quarters.
- (N) **Floors to Ceiling Heights:** All buildings must have a minimum 10'-0" floor-to- ceiling height at the first living level and a minimum 10'-0" at the second living area as measured from finish floor to finish ceiling. Outbuildings and garages must have a minimum of 9'-0" floor to ceiling height.
- (O) **Minimum Elevations:**
  - a. Residential Development: The first habitable living area of a building must be a minimum elevation of 16 feet above sea level. Note: The owner is also

responsible for complying with the requirements of FEMA and the Town of South Padre Island Building Regulations, and where these regulations are more stringent than those defined in this code, the more stringent regulations will govern.

- b. Commercial Development shall have a minimum finish floor elevation that meet minimum FEMA Requirements except, that development in parks or common areas may be built at a lesser elevation as is necessary. The owner is also responsible for complying with the requirements of FEMA and the Town of South Padre Island Building Regulations, and where these regulations are more stringent than those defined in this code, the more stringent regulations will govern.

(P) **First Floor Level:** The top of the finish floor of the first floor (ground level) of a building, out building or garage must be a minimum of one foot above crown of the street directly in front of the building. If the first floor of the Building, Outbuilding or Garage contains a bathroom, the bottom of the lowest horizontal structural member must comply with FEMA Regulations. Note: The owner is also responsible for complying with the requirements of FEMA and the Town of South Padre Island Building Regulations.

(Q) **Front Door:** A Primary Residence must have an entrance door visible from the street. The spirit of the design code requirement is to connect visually the pedestrian pathway from the street to the door, the porch being the transition space. However, there are two exceptions: (1) a Primary Residence may have a side entrance where the lot is a corner lot; (2) a Primary Residence may have a side entrance where the lot is on a common walkway (part of The Shores infrastructure), so long as the residence also has an entrance connection with the street through doors on the porch, which would lead to the side entry; and (3) A Primary Residence may have a side entry into the house, so long as the residence also has an entrance connection with the street through doors on a porch (a Charleston style entry), which would lead to the side entry. Please keep in mid the spirit of this Design Code provision.

(R) **Garage Floor Elevation:** the required elevation of the garage floor above the crown of the street in a R-1 or R-2 zoned district is as follows:

Garage floor must be elevated above the crown of the street.6 of an inch for each foot of distance between the property line at the street and the front of the house and garage door.

Example:

20' = 12"	/ required elevation of garage floor above crown of street
24' = 14.4"	/ required elevation of garage floor above crown of street
60' = 36"	/ required elevation of garage floor above crown of street

(S) **Garage Doors:** the Primary Residence may have a maximum of one (1) garage door and one (1) golf cart door (maximum 5' wide) facing the street. Outbuilding may have a maximum of one (1) garage door facing the street.

(T) **Eaves Requirement:** All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12” from the exterior face of the exterior wall to the exterior face of the Eaves.

(U) **Lot Contour:** Yard areas must contour around House and driveway and may not be inappropriately elevated.

All lots must drain to the street. Waterway lots may drain up to 1/3 of the lot to the waterway.

(V) **Fill:** Fill material must be sand or soil. Crushed or broken concrete, asphalt or other materials are not allowed.

(W) **Exterior Repainting, Refinishing or Remodeling**

The exterior repainting, refinishing, or remodeling of any building or structure must be approved in writing by The Shores Design Review Board prior to any work commencing. Repaint colors must conform with the current Shores Design Code approved colors, as per Section 2.9.15 of The Shores Design Code.

**Use Regulations.****R-1 Single-Family District.****(A) Use regulations:**

- 1). Single Family Residence (Including one outbuilding)
- 2). Single Family Raised Cottage (See Section 2.5 (h))

**(B) Lot Types Allowed in R-1 District**

- 1). Lot Type I Beachfront
- 2). Lot Type II Second Tier
- 3). Lot Type III Standard Interior
- 4). Lot Type IV Waterfront
- 5). Lot Type VI Island Interior

**(C) Maximum Size of Structures**

The maximum Impervious Area on any residential lot may not exceed 65% of the area of the lot.

Site coverage must be calculated to include the number of square feet of all heated and cooled space at all floors as they project down to the site and create a Footprint. Roof projections from the exterior walls or porch beams are not included. For example, when heated and cooled space is located above unheated/cooled space or above a porch, the calculation of the heated and cooled space (above) must be included as part of the Footprint below when calculating the Maximum Site Coverage. When a balcony or a porch at an upper level projects over an open space below, that area must be included in the site coverage total when calculating the Maximum Site Coverage (Including Porches).

The maximum size of structures shall be as follows:

**Primary Structure:****One Story, Two Story and Three Story Structures:**

Maximum Site Coverage: 40% of the Lot Area (Including Porches)

**Towers:**

Type I Lots may not have a Tower.

**Towers are allowed on:**

Lot Types II, III, IV, V, VI, VII & VIII

Maximum Area of the tower under Roof: 225 SF

Maximum Area of the tower Including Open Balconies or Decks: 300 SF

## **Outbuilding:**

### **One Story Structure:**

Maximum Footprint: 550 Square Feet  
(Including Porches: Porches not required)

### **Two Story Structure:**

Maximum Footprint: 450 Square Feet (Excluding Porches)  
550 Square Feet (Including Porches)

Note: Exterior unenclosed and uncovered stairs to the second level of an outbuilding are not considered part of the area when calculating the Maximum Footprint.

<b>Garages (Outbuildings):</b>	(One Story: Maximum Footprint Area: 550 square feet)
<b>Carports (Outbuildings):</b>	(Maximum Area: 500 square feet)
<b>Garden Structures:</b>	(Maximum Area: 300 square feet)
<b>Storage Buildings:</b>	(Maximum Area: 120 square feet)
<b>Decks:</b>	(Maximum Area: 200 square feet) Note 3
<b>Patios:</b>	(Maximum Area: 400 square feet)
<b>Swimming Pools:</b>	(No Maximum Size)
<b>Boathouses:</b>	(Maximum footprint: 600 square feet)
<b>Pergolas:</b>	(Maximum Area: 300 square feet)
<b>Gazebos:</b>	(Maximum Area: 150 square feet)
<b>Tower:</b>	(Maximum Area: 225 square feet)

## **(D) Setback Requirements**

- Measurement: All setbacks must be measured from the property line to the exterior wall of a structure. Roofs, bay windows above first floor, and balconies are permitted to overhang the required setback a maximum of 3'-0" but must be a minimum of 3' from the property line. On Type I Lots, however, roofs are not permitted to project past the building line at the rear setback (beach side). Chimneys and upper floor projections are considered part of the structure and are not permitted to protrude into the required setback. Steps, trash enclosures, and outdoor showers may protrude into the required setbacks to within 3'-0" of the side property line.
- Required: On all Lot Types, the Primary Residence must be located on the front setback as indicated below, except as provided in Note 2.
- Eaves Requirement: All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.

## **Setbacks**

<b>LOT TYPE I</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20' min.	8' & 12' (Note 1)	0 (Note 2)
Towers	Not Permitted	--	--
Outbuildings	20'	8'	0
Garages	20'	8'	50'
Carports	20'	8'	50'
Garden Structures	10' - 20'	3'	50'
Decks	30' min.	3' (Note 3)	3'
Patios	30' min.	3'	3'
Swimming Pools/Spa	25' min.	3'	3'
Storage Buildings	40' min.	8'	50'
<b>LOT TYPE II</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20'-24'	6' & 12'	15'
Towers	30'	6' & 12'	25'
Outbuildings	20'-24'	6' & 12'	15'
Garden Structures	10' - 20'	3'	10'
Storage Buildings	40'	3'	10'
Decks	20'	3'	10'
Patios	20'	3'	10'
Swimming Pools	25'	3'	10'
<b>LOT TYPE III</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20'-24'	6' & 12'	15'
Towers	30'	6' & 12'	25'
Outbuildings	20'-24'	3'	15'
Garden Structures	10' - 20'	3'	3'
Storage Buildings	40' Min.	3'	3'
Decks	20' Min.	3'	3'
Patios	20' Min.	3'	3'
Swimming Pools	25' Min.	3'	3'
<b>LOT TYPE IV</b>	<b>FRONT</b>	<b>SIDE</b>	<b>REAR</b>
Primary Residence	20'-24'	6' & 12'	20' (Note 2)
Towers	35' Min.	6' & 12'	20'
Outbuildings	20'-24'	3'	20'
Garden Structures	10' - 20'	3'	3'
Storage Buildings	40' Min.	3'	20'
Decks	30' Min.	3'	0'
Patios	30' Min.	3'	0'
Swimming Pools	25' Min.	3'	20' *
Boathouses	N/A	30'	0'



## **Setbacks**

<b><u>LOT TYPE V</u></b>	<b><u>FRONT</u></b>	<b><u>SIDE</u></b>	<b><u>REAR</u></b>
Primary Residence	20'-24'	5'	15'
Towers	30'	5'	30'
Outbuildings	20' – 24'	5'	15'
Garden Structure	10' - 20'	3'	3'
Storage Buildings	40' min	3'	3'
Deck	30' min	3'	3'
Patios	30' min	3'	3'
Swimming Pools/Spas	25' min	3'	3'

<b><u>LOT TYPE VI</u></b>	<b><u>Front</u></b>	<b><u>Side</u></b>	<b><u>Rear</u></b>
Primary Residence	20'-24'	6' & 12'	15'
Towers	30' Min.	6' & 12'	30'
Outbuildings	20'-24'	3'	15'
Garden Structures	10' - 20'	3'	3'
Storage Buildings	40' Min.	3'	3'
Decks	30' Min.	3'	3'
Patios	30' Min.	3'	3'
Swimming Pools	25' Min.	3'	3'

<b><u>Lot Type VIII</u></b>	<b><u>Front</u></b>	<b><u>Side</u></b>	<b><u>Rear</u></b>
Primary Residence	20'-24' (Note 2)	5'	20'
Towers	30' min	5'	20'
Outbuildings	20'-24'	5'	20'
Garden Structure	10' - 20'	3'	3'
Storage Buildings	40' min	3'	20'
Deck	20' min	3'	0'
Patios	20' min	3'	0'
Swimming Pools/Spas	25' min	3'	20' *
Boathouses	N/A	30'	0'

## **Notes**

\*Note: On Marina Lots, a swimming pool may be built within 3' of the rear bulkhead line if bulkhead (seawall) tiebacks are reengineered with piling or other means of support for bulkhead, designed by a professional engineer and approved by the Shores Design Review Board. On waterfront lots, a swimming pool may be built within 10' of the rear bulkhead line under same conditions as noted under "Marina Lots".

Note 1: The maximum width of a house constructed on a Lot Type I is limited to 60% of the width of the lot. All projections including balconies, porches, bay windows above first floor, chimneys, etc, are included when determining the width of a house. The minimum 8' side setback is not intended to prohibit a residence from building to 60% of the lot width; therefore, on lots less than 50' in width, side setbacks will be reduced equally on each side to accommodate the 60% allowable. Correspondingly, on lots less than 50' in width, as the

side setback is reduced, the Outbuilding side setback will also be reduced, so that on a 35' lot the Primary Residence has a (60% of 35 = 21 : 35 - 21 = 14' : 14 ÷ 2 = 7') 7' side setback and the Outbuilding has a 7' side setback. All other setback requirements remain the same.

Note 2: On Type I, II, III, IV, V, VI, VII & VIII Lots, if approved by the Shores DRB, the Primary Residence may be located on or near the rear setback line. If the Primary Residence is located to the rear of the front yard setback (street side) then, the front (street side) must be addressed in one of the following ways:

(a) with a garden structure. When a garden structure is constructed, it must be a minimum of 100 square feet in area, have a floor (deck) to allow seating, be a minimum of 18" above finish grade, and must have a roof or an open pergola roof structure.

(b) with a two story outbuilding. When a two-story outbuilding is constructed on the required front setback, it must have a street facing porch or balcony a minimum of 48 square feet. The minimum depth of an Outbuilding porch or balcony is 6'.

(c) with a one car garage. When a one-car garage is constructed, the garage opening may face the street provided that decorative garage door approved by the DRB is used.

(d) with a two car garage. If a two car garage is constructed, the garage opening may not face the street. When the garage is part of a two-story outbuilding it must comply with Note 2(b) above. When it is only one story, a minimum of 50% of the facade facing the street must be comprised of fenestrations (windows or doors).

Note 3: Decks are not permitted in the required side setback except for the deck connecting the residence to the dune walkover, which may be a maximum of 100 square feet.

Note 4: When a residence is constructed on 2 or more lots, the sideyard setback requirement for the Primary Residence is increased by a factor of 1.5. Correspondingly, the side yard setbacks for Outbuildings will also increase by a factor of 1.5. All other setback requirements remain the same. For Lots Type 1 refer to Note 1 for Primary Residence Setback.

Example: 2 or more lots - sideyard setback increases by a factor of 1.5 from 6' & 12' to 9' & 18'

Note 5: Side yard setbacks for "large lots" ie lots with an average width of 80 feet or more are required to have a side yard setback of 9' & 18'.

Note 6: Double Fronting Lots:

Lots having a double frontage (running from street to street) must have a front yard setback on both streets.

Lots having a double frontage and being located on a corner must place the widest side yard setback on the corner street side.

Note 7: Residential accessory uses in a vacant lot that is contiguous with a residential single-family lot having a principal building under common ownership may be built if approved by the Shores Design Board.

(E) **Height Requirements**

- (1) **Measurement**: Building heights of all structures must be measured from the highest point of the roof, excluding chimneys and finials.
- (2) **Floor to Ceiling Heights**: Primary residences must have a minimum 10'-0" floor-to-ceiling height at the first living level and a minimum 10'-0" at the second living level and ground floor as measured from the finished floor to the finished ceiling. Outbuildings must have a minimum of 9'0" floor to ceiling height.
- (3) **Minimum Elevations**: The first habitable living area of a residence must be a minimum of 16 feet above sea level. Note: The owner is also responsible for complying with the requirements of FEMA and Town of South Padre Island building regulations.
- (4) **First Floor Level**: The top of the finish floor of the first floor (ground level) level of a Primary Residence, Outbuilding or garage must be a minimum of 1 foot above the crown of the street directly in front of the residence. If the first floor of the Primary Residence, Outbuilding or garage contains a bathroom, the top of the finish floor must comply with FEMA regulations.

Note: The Owner is responsible for complying with the requirements of FEMA and Town of South Padre Island and or Town of South Padre Island building regulations.

The **maximum** heights are as follows:

**Lot Type I**

Primary Residence	60' (Above Mean Sea Level)
Towers	Not Permitted
Outbuildings	40' (Above Mean Sea Level)
Garages	27' (Above Mean Sea Level)
Carports	23' (Above Mean Sea Level)
Garden Structures	23' (Above Mean Sea Level)
Storage Buildings	23' (Above Mean Sea Level)
Decks	2' (Above Grade)
Patios	2' (Above Grade)

## Lot Types II, III, IV, V, VI, VIII

The maximum heights are as follows:

Primary Residence	60' (Above Mean Sea Level)
Towers	70' (Above Mean Sea Level)
Garden Structures	23' (Above Mean Sea Level)
Outbuildings	40' (Above Mean Sea Level) (Where Permitted)
Garages	27' (Above Mean Sea Level)
Carports	23' (Above Mean Sea Level)
Storage Buildings	23' (Above Mean Sea Level)
Boathouses	32' (Above Mean Sea Level) (Where Permitted)
Decks	2' (Above Grade)
Patios	2' (Above Grade)

### (F) Uses of the First Floor of the Primary Residence

The first floor (or ground level) of the Primary Residence may contain only the following rooms / uses: (See (N) for maximum a/c area).

1. Garage
2. Entry foyer (including elevator & stairs)
3. Bathroom \*
4. Storage
5. Servant's quarters (including the bath not to exceed 225' sq. ft.) \*
6. Recreation Area

\* Must comply with FEMA and Town Flood Hazard Ordinance.

### (G) Parking regulations:

1. Number of required Spaces: A minimum of three (3) parking spaces per primary residence must be provided on each lot, with one additional parking space for each bedroom over three. In addition, a minimum of one space shall be provided for an Outbuilding.
2. Size: The minimum size of a parking space is 9 feet by 18 feet. For all lots, the hard surfaced portion of a driveway is limited to a maximum of 12 feet wide. Each Residential lot shall be allowed one driveway from the street with maximum fence cut/curb cut of 12 feet. Residences with an outbuilding having two-car garage shall be allowed one driveway from the street with a maximum fence cut/curb cut of 14 feet. Residence with 2 cars entering to park side by side, the maximum fence cut/curb cut is 18 feet.
3. Location: Driveways for lots located on traffic circles must be placed on the adjacent street and not in the circle.

4. Material: Driveways, walks, patios, garages, and on-site parking must be constructed of concrete pavers. Concrete is prohibited except for curbs. Paver types, patterns and colors must be submitted to DRB for review and approval.

(H) Raised Cottage Sub-District to R-1 District

- 1). Use Regulation
  - a. Single-Family Raised Cottage Residence (including one out-building or garage)
  - b. All other uses as provided in R-1 District
- 2). Area included in Raised Cottage Sub-District
  - a. Marina Village Section I
  - b. Marina Village Section II
- 3). Lot Types allowed in Raised Cottage Sub-District
  - a. Lot Type II
  - b. Lot Type III
  - c. Lot Type V
  - d. Lot Type VIII
- 4). All provisions, building setbacks, building heights, details and requirements of the R-1 District shall prevail in the Raised Cottage Sub-District, except as modified in the following numbered items.
- 5). Setback Requirements for Primary Structure
  - a. Side yard setback 5 feet (Raised Cottage Only)
  - b. Front yard setback 20-26 feet (Raised Cottage Only)
  - c. All other setbacks remain as per R-1 District
- 6). Permitted Types of Construction
  - a. Wood-Frame Construction over a concrete slab and concrete masonry foundation. Raised Cottage floor elevation must meet minimum FEMA elevation requirements (First Habitable Floor).
  - b. All other types of construction permitted in R-1 District.
- 7). Height Requirements  
Raised Cottage Construction may be either one story, two story or three stories above the concrete and masonry foundation.
- 8). Foundation for a Raised Cottage must be all concrete and masonry ie. piling, beams and slab. All sides of foundation must be enclosed with concrete or masonry.

9). Outbuilding

Outbuilding, garage and recreation rooms are allowed to be built at ground level; however, all area below the FEMA required elevation must be masonry construction with breakaway walls and floor as required in the R-1 District. Frame construction is allowed above the FEMA elevation.

10). Towers

Towers are permitted on the Raised Cottage.

11). Wall Finishes

All concrete and masonry walls, beams and foundations must be finished with a smooth stucco finish.

All exterior frame walls of the Raised Cottage must be finished with wood siding or smooth Hardie Board siding. Stucco finish is not allowed on wood-frame construction.

12). Ground Floor Finishes

All ground floor walks, driveways, patios, decks, pool decks, recreation room and garage floors must be constructed of brick pavers, except where a floor is constructed with masonry breakaway design or a porch or stairs must be finished with a ceramic tile or brick pavers. No unfinished masonry concrete is permitted.

13). Wood-Frame Construction

All wood-frame construction is only permitted on a house defined as a Raised Cottage. Wood beams and columns may be used on balconies and towers. Wood-porch floors must be constructed of treated T & G 1 x 4 lumber. Wood exterior stairs Treads may either be constructed of treated wood or Trex.

14). Elevation

The minimum elevation of the first habitable living area of a Raised Cottage must meet the minimum FEMA requirements.

15). Parking

The minimum number of parking spaces provided within a lot for a Raised Cottage Plan is 2 parking spaces, with one additional parking space for each bedroom over three bedrooms.

16). Street Entry

All residences must have a gated pedestrian entry from the street.

The maximum driveway entry (curb cut) from the street is 12 feet for single car entry. If 2 cars enter to park side by side, the maximum driveway entry (curb cut) is 18 feet.

17). In the front yard of a Raised Cottage, the front porch steps may encroach into the front yard setback a maximum of 5 feet.

18). First Habitable Floor

The first floor of the Raised Cottage may be used as a habitable living area as long as it meets FEMA required elevation.

19). First Floor A/C

The first habitable floor meeting FEMA elevation requirement may be heated and cooled (HVAC).

## Definition

**Raised Cottage:** A Raised Cottage is a one story, two-story or three story single-family house that is comprised of a wood-frame construction over a concrete slab and concrete and masonry foundation.

(I) **Area of Lot:** the minimum area of a lot shall be 5,000 square feet.

(J) **Width of lot:** The minimum width of a lot shall be thirty-five (35) feet. *Note: the front yard of an irregular shaped lot is measured at the front yard set-back when determining the lot width.*

(K) **Dept of lot:** The minimum depth of a lot shall be as required to meet the 5,000 square feet minimum lot size.

(L) **Front Door:** the Primary Residences must have the front door visible from the street.

(M) **Garage Door:** Decorative garage doors are required. The maximum width of a garage door is 9.0 feet. The Primary Residence may have a maximum of one (1) garage door

and one (1) golf cart door (maximum 5' wide) facing the street. Outbuilding may have a maximum of one (1) garage door facing the street.

- (N) **Garage Floor Elevation:** The required elevation of the garage floor above the crown of the street in a R-1 or R-2 zoned district is as follows:

Garage floor must be elevated above the crown of the street .6 of an inch for each foot of distance between the property line at the street and the front of the house.

Example:

20' = 12"	/ <u>required</u> elevation of garage floor above crown of street
24' = 14.4"	/ <u>required</u> elevation of garage floor above crown of street
60' = 36"	/ <u>required</u> elevation of garage floor above crown of street

- (O) **First Floor A/C Area:** A maximum of 35% of the first floor (ground floor) may be air conditioned. The intent is that the first floor of the house is not to be used as living area. All bona fide living area is to be located on the second floor and above. The first floor must be constructed with breakaway walls and is considered an expendable area in case of significant storm. The air-conditioned area allowed on the first floor is to provide for the entry, stairs, elevator and servant quarters.

- (P). **Lot Contour:** Yard areas must contour around House and driveway and may not be inappropriately elevated.

All lots must drain to the street or waterway.

- (Q) **Other Requirements**

General Requirements	Section 2.4.4A
Architectural Guidelines	Section 2.9
Site Improvements	Section 2.10
Miscellaneous Guidelines	Section 2.11
Landscape Guidelines	Section 2.12
Shores DRB Approval Process	Section 2.13



**2.6 R-2 -Low-rise Multiple Family Residential, Apartments, Condominium, Townhouse District**

(A) **Use regulations:** Low-rise Multiple Family Residential, Apartments, Condominiums, Townhouse District; no lot shall be used and no buildings shall be erected or converted to any use other than:

1. Any use authorized in an “R-1” (must follow guidelines for that district).
2. When single-family dwelling is constructed, it must be built to meet all single-family requirements (See R-1).
3. Low-rise multiple-family residential, with a maximum of 3 stories which include:
  - (a) Apartments
  - (b) Condominiums
  - (c) Townhouses
4. All units within the building envelope (Townhouse sharing a common wall or other multi unit buildings) must be built in their entirety at the same time.

(B) **Lot Types Allowed in R-2 District**

1. Lot Type V
2. Lot Type VIII

(C) **Maximum Size of Structures**

1. The Maximum Impervious Area on any residential lot may not exceed 65% of the area of the lot.
2. Site Coverage must be calculated to include the number of square feet of all heated and cooled space at all floors as they project down to the site and create a footprint. Roof projections from the exterior wall or porch beams are not included. For example, when heated and cooled space is located above unheated cool space or above a porch, the calculation of the heated and cooled space (above) must be included as part of the footprint below when calculating the Maximum Site Coverage. When a balcony or a porch at an upper level projects over an open space below, that area must be included in the site coverage when calculating the Maximum Site Coverage (Including Porches)
3. Townhouse: Maximum of four (4) units can be attached as one townhouse building.
4. Condominiums and Apartments: The maximum number of units per floor in a condominium or apartment project is five (5) units, maximum per building ten (10) units.

5. When a project contains two or more buildings, the minimum space between buildings is ten (10) feet.
6. The maximum density for a townhouse, condominium or apartment project shall be determined by Shores Development Inc. and the Design Review Board.
7. Maximum Height: Three (3) Stories (Plus Tower)
8. Primary Structure: Two (2) Unit Building (Only)  
*Two or Three Story Structure*  
 Maximum Site Coverage 40% of the Lot area (Excluding Porches)  
 53% of the Lot Area (Including Porches)
9. Primary Structure: Three (3) Or More Unit Building  
*Two or Three Story Structure*  
 Maximum Site Coverage 28% of the Lot area (Excluding Porches)  
 38% of the Lot Area (Including Porches)
10. Outbuilding:  
*One Story Structure:*  
 Maximum Footprint 550 Square Feet  
 (Including Porches: Porches not required)  
*Two Story Structure:*  
 Maximum Footprint 450 Square (Excluding Porches)  
 550 Square Feet (Including Porches)
11. Garages (Outbuildings): (One Story: Maximum Footprint Area: 550 square feet)  
Carports (Outbuildings): (Maximum Area: 500 square feet)
12. Maximum Size:  
 Garden Structure: (Maximum Area: 300 square feet)  
 Storage Building: (Maximum Area: 120 square feet)  
 Deck: (Maximum Area: 400 square feet)  
 Patios: (Maximum Area: 400 square feet)  
 Swimming Pools: (No Maximum Size)  
 Boathouse: (Maximum Footprint: 600 square feet)  
 Pergolas: (Maximum Area: 300 square feet)  
 Gazebos: (Maximum Area: 150 square feet)  
 Tower: (Maximum Area: 225 square feet)

(D) **Setback Requirements**

- Measurement: All setbacks must be measured from the property line to the exterior wall of a structure. Roofs, bay windows above first floor, and balconies are permitted to overhang the required setback a maximum of 3'-0" but must be a minimum of 3' from the property line. Chimneys and upper floor projections are considered part of the structure and are not permitted to protrude into the

required setback. Steps, trash enclosures, and outdoor showers may protrude into the required setbacks to within 3'-0" of the side property line.

- Required: Primary Residential structure must be located on front yard setback. Alternatives to this requirement must be approved by the Design Review Board and require addressing the street. See Note 2.
- Eaves Requirement: All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.

### Setbacks

#### **Lot Type V Interior R-2**

		<u>2 unit</u> <u>bldg Side</u>	<u>3 + unit</u> <u>bldg Side</u>	<u>Rear</u>
	Front			
Primary Residence	20'-24' Note 2	5'	10'	15'
Towers	30'	5'	10'	20'
Outbuildings	20' - 24''	5'	10'	15'
Garden Structure	10' - 20'	3'	3'	3'
Storage Buildings	40' min	3'	3'	3'
Deck	30' min	3'	3'	3'
Patios	30' min	3'	3'	3'
Swimming Pools/Spas	25' min	3'	3'	3'

#### **Lot Type VIII Waterfront R-2**

	<u>Front</u>	<u>2 unit</u> <u>bldg</u> <u>Side</u>	<u>3 or more unit</u> <u>Bldg</u> <u>Side</u>	<u>Rear</u>
Primary Residence	20'-24' Note 2	5'	10'	20'
Towers	30' min	5'	10'	20'
Outbuildings	20'-24'	5'	10'	20'
Garden Structure	10' - 20'	3'	3'	3'
Storage Buildings	40' min	3'	3'	20'
Deck	20' min	3'	3'	0'
Patios	20' min	3'	3'	0'
Swimming Pools/Spas	25' min	3'	3'	20' *
Boathouses	N/A	30'	30'	0'

### Notes

- \* Note: On Marina Lots, a swimming pool may be built within 3' of the rear lot line if bulkhead (seawall) tiebacks are reengineered with piling or other means of support for bulkhead, designed by a professional engineer and approved by the Shores Design Review Board. On water front lots, a swimming pool may be built within 10' of the rear bulkhead under the same term as on a "Marina Lot".

Note 2: On Type I, II, III, IV, V, VI, VII & VIII Lots, if approved by Shores DRB, the Primary Residence may be located on or near the rear setback line. If the Primary Residence is located to the rear of the front yard setback (street side) then, the front (street side) must be **addressed** in one of the following ways:

(a) with a garden structure: When a garden structure is constructed, it must be a minimum of 100 square feet in area, have a deck to allow seating, be a minimum of 18" above finish grade, and must have a roof or an open pergola roof structure.

(b) with a two story outbuilding: When a two-story outbuilding is constructed on the required front setback, it must have a street facing porch or balcony a minimum of 48 square feet. The minimum depth of an Outbuilding porch or balcony is 6'.

(c) with a one car garage: When a one-car garage is constructed, the garage opening may face the street provided that decorative garage door approved by the DRB is used.

(d) with a two car garage: If a two car garage is constructed, the garage opening may not face the street. When the garage is part of a two-story outbuilding it must comply with Note 2(b) above. When it is only one story, a minimum of 50% of the facade facing the street must be comprised of fenestrations (windows or doors).

Note 3: Double Fronting Lots:

Lots having a double frontage (running from street to street) must have a front yard setback on both streets.

Lots having a double frontage and being located on a corner must place the widest side yard setback on the corner street side.

(E) **Height Regulations Lot Type V, VIII**

**Maximum Height**

Primary Residence	60' (Above Mean Sea Level)
Towers	70' (Above Mean Sea Level)
Outbuildings	40' (Above Mean Sea Level)
Garages	27' (Above Mean Sea Level)
Carports	23' (Above Mean Sea Level)
Garden Structure	23' (Above Mean Sea Level)
Boathouse	32' (Above Mean Sea Level) (Where Permitted)
Storage Building	23' (Above Mean Sea Level)
Deck	2' (Above Grade)
Patios	2' ( Above Grade)

1. Measurement: Building Heights of all structures must be measured from the highest point of the roof, excluding chimneys and finials.
2. Floors to Ceiling Heights: Primary residences must have a minimum 10'-0" floor-to- ceiling height at the first living level and a minimum of 10'-0" at the

second living ground level as measured from finish floor to finish ceiling. Outbuildings must have a minimum of 9'-0" floor to ceiling height.

3. Minimum Elevations: The first habitable living area of a residence must be a minimum of 16 feet above sea level. Note: The owner is also responsible for complying with the requirements of FEMA and the Town of South Padre Island Building Regulations, and where these regulations are more stringent than those defined in this code, the more stringent regulations will govern.
4. First Floor Level: The top of the finish floor of the first floor (ground level) level of a primary residence, outbuilding or garage must be a minimum of one foot above crown of the street directly in front of the residence. If the first floor of the Primary Residence, Outbuilding or garage contains a bathroom, the top of the finish floor must comply with FEMA Regulations. Note: The owner is responsible for complying with the requirements of FEMA and the Town of South Padre Island Building Regulations.

(F) **Uses of First Floor of Residence**

See (N) for maximum a/c area.

1. Garage
2. Entry foyer (including elevator & stairs)
3. Bathroom \*
4. Storage
5. Servant's quarters (including the bath) not to exceed 225 sq. ft. \*
6. Recreational Area

\* Must comply with FEMA and Town Flood Hazard Ordinance.

(G) **Required Parking**

1. Condominiums, apartments, multifamily and town houses shall provide two (2) off-street parking spaces for each unit in the building plus an additional space for each bedroom over 3 bedrooms.
2. Size: The minimum size of a parking space is to be 9 feet by 18 feet. For all lots, the hard surfaced portion of driveways is limited to a maximum of 12 feet wide. Each Residential lot shall be allowed one driveway from the street with maximum fence cut of 12 feet. Residences with a two-car garage (side by side) shall be allowed one driveway from the street with a maximum fence cut of 14 feet.
3. Location: Driveways for lots located on traffic circles must be placed on the adjacent street and not in the circle.
4. Material: Driveway, walks, garages, and on-site parking must be constructed of concrete pavers. Concrete is prohibited. Paver types, patterns and colors shall be submitted to DRB for review and approval.

- (H) **Area of Lot:** The minimum area of a lot shall be 5,000 square feet.
- (I) **Width of Lot:** The minimum width of a lot shall be thirty-five (35) feet. *Note: the front yard of an irregular shaped lot is measured at the front yard setback when determining the lot width.*
- (J) **Depth of Lot:** The minimum depth of a lot shall be as required to meet the 5,000 square feet lot size.
- (K) **Front Door:** The Primary Residences must have the front door visible from the street.
- (L) **Garage Door:** Decorative garage doors are required. The maximum width of a garage door is 9.0 feet. The Primary Residence may have a maximum of one (1) garage door and one (1) golf cart door (maximum 5' wide) facing the street. Outbuilding may have a maximum of one (1) garage door facing the street.

- (M) **Garage Floor Elevation:** The required elevation of the garage floor above the crown of the street in a R-1 or R-2 zoned district is as follows:

Garage floor must be elevated above the crown of the street .6 of an inch for each foot of distance between the property line at the street and the front of house and garage door.

Example:

20' = 12"	/ <u>required</u> elevation of garage floor above crown of street
24' = 14.4"	/ <u>required</u> elevation of garage floor above crown of street
60' = 36"	/ <u>required</u> elevation of garage floor above crown of street

- (N) **First Floor A/C Area:** A maximum of 35% of the first floor (ground floor) may be air-conditioned. The intent is that the first floor of the house is not to be used as living area. All bona fide living area is to be located on the second floor and above. The first floor must be constructed with breakaway walls and is considered an expendable area in case of significant storm. The air-conditioned area allowed on the first floor is to provide for the entry, stairs, elevator and servant quarters, etc

- (O) **Townhouse Lots**

1. Minimum area of 2,500 square feet
2. Minimum width of 25 feet
3. Minimum depth of 100 feet

- (P). **Lot Contour:** Yard areas must contour around House and driveway and may not be inappropriately elevated.

All lots must drain to the street or waterway.

(Q)    **Other Requirements**

General Requirements	Section 2.4.4A
Architectural Guidelines	Section 2.9
Site Improvements	Section 2.10
Miscellaneous Guidelines	Section 2.11
Landscape Guidelines	Section 2.12
Shores DRB Approval Process	Section 2.13

### **R-3 -High-rise Multiple Family Residential, Apartments, Condominiums and Hotel District**

- (A) **Use Regulations:** High-rise Multi-family Residential Apartments, Condominiums, Hotel District - no lot shall be used and no buildings shall be erected or converted to any use other than:
1. Any use authorized in an “R-2” District (must follow guidelines for that district).
  2. High-rise Multiple Family Residential, Apartments, Condominiums and Hotels with four (4) Stories or more.
- (B) **Lot Types allowed in R-3 District**  
Lot Type VII
- (C) **Maximum Size** of Structures will be determined by required setbacks and parking requirements.
- (D) **Setback Requirements:**

#### **Principal Structure Setback:**

- **Front Yards:** (minimum of 25') The minimum front yard shall be increased one (1) foot for each two (2) feet in height if a building exceeds six (6) stories.
- **Side Yards:** (minimum of 5'), except the side yard shall be increased four (4) feet for each story the building exceeds three (3) stories in height.
- **Rear Yards:** (minimum of 20'), except that the structure may have decks and/or balconies extending within 10 feet of the rear property line, as long as said decks or balconies are not enclosed.
- Minimum rear yard depth shall be increased one (1) foot for each two (2) feet in height if the building exceeds six (6) stories, except for Beachfront properties which may build to the rear property line. Marina Lots may be built within 3' of the rear Lot line if bulkhead tiebacks are reengineered with piling or other means of support for the bulkhead, designed by a professional engineer and approved by the Shores Design Review Board. Water front lots may be built within 10' of the rear lot line under same conditions as a “Marina Lot”.



**Accessory Structures / Buildings / Setbacks:**

	Front	Side	Rear	Max. Height
Gate House	10'	10'	10'	1 story with tower
Garden Structure	10'	5'	10'	1 story with tower
Carport	5'	5'	5'	1 story with tower
Trash or Utility Enclosure	10'	5'	5'	1 story
Storage Building	10'	5'	5'	1 story
Swimming Pool	10'	5'	5'	In ground
Boardwalk	0'	0'	0'	36"
Outbuilding	10'	5'	10'	2 stories with tower
Boat House	n/a'	30'	0'	1 story with tower
Pool House	10'	5'	10'	1 story with tower
Parking Structure	25'	5'	10'	3 stories
Fence	18" *	0'	0'	36" **
Dune Walkover	n/a	25'	0'	Top deck 36" above dune
Deck	10'	5'	10'	18"
* Fence Along Highway may be on property line.				
** Except around pool 4' high – see Exhibit				

**(E) Setback – Stair Step Provision:**

This provision is only available with Shores DRB approval. When determining setback requirements of a high-rise building, the setback lines for the structure may vary for different portions of the structure as it increases in height, thereby allowing stair stepping in determining the setback requirements as a building reaches a height that requires an additional setback. Only that portion of the building at that height must meet the additional setback. The lower portion must only comply with the setback, as applied to it.

**(F) Height Regulations:**

1. Maximum building height will be determined by setbacks and parking requirements.
2. If the ground floor of a high-rise building is used for parking, storage and site amenities that space will not be counted as a story when determining the height of the building.

**(G) Required parking for a “R-3”**

1. (a) Condominiums and Apartments: Condominiums and apartments shall provide, two (2) \* off-street parking spaces for each unit in the building, plus adequate parking for staff and one (1) guest parking space for each 5 units. For units with more than 3 bedrooms, 1 additional parking space shall be required for each additional bedroom.

(b) Hotels and Condominium Hotels: Hotels and condominium hotels shall comply with the parking requirements set forth in Section 2.8(I)(2).

2. Size: The minimum size of a parking space is to be 9 feet by 18 feet.
3. Location: Driveways for lots located on traffic circles must be placed on the adjacent street and not in the circle.
4. Material: Driveway, walks, patios, garages, and on-site parking must be constructed of concrete pavers. Concrete is prohibited. Paver types, patterns and colors shall be submitted to DRB for review and approval.

\* If determined by Shores Development Inc. that two (2) off-street parking spaces for each unit is excessive for the proposed project, then Shores Development Inc., at its sole discretion may reduce the parking space requirement; however, in no event shall it ever be reduced to less than 1½ spaces per unit.

(H) **Roof**:

(1) Pitch: All roofs must have a minimum pitch of 6" in 12" and a maximum pitch of 10" in 12". (Exception: the roof over a porch when used as a broken pitch extension of the main roof and not as a separate roof, must be a minimum pitch of 3" in 12"). The pitch of a roof when used with a pediment in a classical manner must be 5" in 12" pitch. Flat roofs are allowed only when the roof is used as a deck, is surrounded by a balustrade, and is accessible from an adjacent enclosed space, and does not comprise more than 30% of the house footprint.

(2) Materials: The only roofing material permitted at The Shores is all aluminum standing seams sheet metal roof with written twenty-year warranty against corrosion. The roof must be engineered to meet the 150 mph wind standard and be attached with all stainless fasteners, screws and nails. Roof finials must meet these same standards.

(3) Eaves: Roof eaves must be designed in compliance with the requirements of Exhibit 5-B.

All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.

Roof eaves may project a maximum of 3' into the required building setbacks but shall be a minimum of 3' front the property line.

(4) Color: All roofing materials must be white, off-white, or light gray. All roofing material colors must be approved by the DRB.

(5) Design Criteria: Roofs and roofing materials must be engineered to withstand a minimum of 150 miles per hour wind.

- (I) **Lot Area, Width & Depth:** the minimum area, width, and depth of a lot shall be determined by The Shores Design Review Board on an individual basis.

If R1 or R-2 District Development occurs within the R-3 District, then that development must follow the R-1 or R-2 Requirements.

(J) **Other Requirements**

General Requirements	Section 2.4.4A
Architectural Guidelines	Section 2.9
Site Improvements	Section 2.10
Miscellaneous Guidelines	Section 2.11
Landscape Guidelines	Section 2.12
Shores DRB Approval Process	Section 2.13

## 2.8 C – Commercial District:

- (A) **Use regulations:** Commercial District - no lot shall be used and no building shall be erected or converted to any use other than:

1. **Allowed Uses:** The purpose and intent the “C” Commercial District is composed of those activities of the Shores, whose principal use is and ought to be general business activities which provides basic and necessary goods and services for the community and its visitors and the following are the allowed uses in the district:

- a. Any use authorized in the R-2 or R-3 Zoning District.  
Requirement – if R-2 or R-3 District Development occurs within the “C” District, then that development must follow the R2 or R-3 Requirements.
- b. The following:

General Office Uses – a place of business that generally provides services instead of good and entails, desks, files, paperwork, mail, computer, phones, etc. that would include most professional services (i.e. attorney offices; travel agencies; consultants, engineers, and architects; general building contractor and subcontractor services; title companies, banks, mortgage and other financial service companies; real estate businesses; drafting / graphic design businesses; art studios; post offices and other governmental buildings)

Retail Stores – any place of business where the customer / general public can purchase goods, generally for off sight use and/or consumption. (i.e. antiques; arts and crafts & art galleries; apparel & accessories & alterations; books and curio shops; bicycle, vehicle, and water sport sales & rental; pharmacy, dry goods & general merchandise; liquor, cigarette, & cigar stores; newsstands; hardware stores; office supply & printing; photography development & supply; gasoline service stations, etc.)

Food & Beverage Service Providers – places of business where food and beverages can be purchased for on or off site consumption. (i.e. Grocery stores, restaurants, bars/nightclubs, cafés, specialty food shops / bakeries, & caterers.)

Personal Services – places of business where the general public can go to receive general body and grooming services. (i.e. Barber & beauty shops, nail grooming services; tanning, massage & spa facilities.) However, tattoo and body piercing studios / facilities are specifically not allowed uses within this district.

Medical Facilities – small-scale businesses that provide general well being for town residents and visitors. (i.e. medical doctor,

chiropractor & dental offices and examining rooms; medical labs; licensed therapeutic massage.)

Repair Services – business that provide small-scale repair services for item of the general public (i.e. watch, clock & jewelry repair; TV / VCR repair; shoe and apparel alteration facilities; bicycle and vehicle repair; household appliance & general electric repair; reupholstery & furniture repair; etc.)

Meeting Location Facilities – indoor facilities that provide opportunities for organized education, and / or the assembly of people (i.e. Primary, secondary, vocation/technical, and university level educational facilities; drivers education facilities; art, dance & music schools / studios; churches, temples, synagogues, & mosques; civic, social & fraternal organizations; etc.)

Miscellaneous – businesses that serve the Shores and its Visitors, that generate moderate levels of car and pedestrian traffic but which do not provide extensive pollution, noise, light, or other negative impacts on the immediate area (i.e. Dry cleaners & coin-operated laundry facilities; car washes; indoor movie and stage theaters; convenience storage facilities; libraries; day care centers; etc.) and the following specific entertainment facilities: amusement centers, recreational centers, miniature golf, and tennis courts.

Equestrian Facilities – facilities that allow for the enjoyment of the equestrian sports, including the boarding of horses, riding of horses and the facilities associated therewith.

(B) **Prohibited Uses**

1. Sexually Oriented Businesses
2. Tattoo Parlors

(C) **Lot Types Allowed in Commercial District**

1. Lot Type VII Mixed Use

(D) **Maximum Size of Structures** will be determined by required setbacks and parking requirements.

(E) **Setbacks**

**Principal Structure Setbacks:**

1. Front yard: a minimum setback of twenty-five (25) feet.

- (a) Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

- (b) Minimum front yard shall be increased one (1) foot for each two (2) feet in height if building exceeds six (6) standard stories.
2. Side yards: No side yard shall be required for a business use, except on a corner lot. In all cases where the side yard is adjacent to a street, the side yard shall be not less than ten (10) feet in depth. Any building exceeding three (3) stories shall increase the side yard four (4) feet for each additional story.
  3. Rear yard: No structure of any classification shall be erected any closer than ten (10) feet of the rear lot line. The minimum rear yard shall be increased one (1) foot for each two (2) feet in height if the building exceeds six (6) standard stories, except for beachfront properties, which may build to the rear property line. Marina Lots have a minimum setback of 20' except, that they may be built within 3' of the rear Lot line if bulkhead tiebacks are reengineered with piling or other means of support for the bulkhead, designed by a professional engineer and approved by the Shores Design Review Board. Water front lots may be built within 10' of the rear lot line under same conditions as a "Marina Lot".

**Accessory Structures / Buildings / Setbacks:**

	Front	Side	Rear	Max. Height
Gate House	10'	10'	10'	1 story with tower
Garden Structure	10'	5'	10'	1 story with tower
Carport	5'	5'	5'	1 story with tower
Trash or Utility Enclosure	10'	5'	5'	1 story
Storage Building	10'	5'	5'	1 story
Swimming Pool	10'	5'	5'	In ground
Boardwalk	0'	0'	0'	36"
Outbuilding	10'	5'	10'	2 stories with tower
Boat House	n/a'	30'	0'	1 story with tower
Pool House	10'	5'	10'	1 story with tower
Parking Structure	25'	5'	10'	3 stories
Fence	18" *	0'	0'	36" **
Dune Walkover	n/a	25'	0'	Top deck 36" above dune
Deck	10'	5'	10'	18"

\* Fence Along Highway may be on property line.

\*\* Except around pool 4' high – see Exhibit

**(F) Roof:**

(1) Pitch: All roofs must have a minimum pitch of 6" in 12" and a maximum pitch of 10" in 12". (Exception: the roof over a porch when used as a broken pitch extension of the main roof and not as a separate roof, must be a minimum pitch of 3" in 12"). The pitch of a roof when used with a pediment in a classical manner must be 5" in 12" pitch. Flat roofs are allowed only when the roof is used as a deck, is surrounded by a balustrade, and is accessible from an adjacent enclosed space, and does not comprise more than 30% of the house footprint.

(2) Materials: The only roofing material permitted at The Shores is all aluminum standing seams sheet metal roof with written twenty-year warranty against corrosion. The roof must be engineered to meet the 150 mph wind standard and be attached with all stainless fasteners, screws and nails. Roof finials must meet these same standards.

(3) Eaves: Roof eaves must be designed in compliance with the requirements of Exhibit 5-B.

All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.

Roof eaves may project a maximum of 3' into the required building setbacks but shall be a minimum of 3' front the property line.

(4) Color: All roofing materials must be white, off-white, or light gray. All roofing material colors must be approved by the DRB.

(5) Design Criteria: Roofs and roofing materials must be engineered to withstand a minimum of 150 miles per hour wind.

(G) **Setback – Stair Step Provision:**

This provision is only available with Shores DRB approval. When determining setback requirements of a high-rise building, the setback lines for the structure may vary for different portions of the structure as it increases in height, thereby allowing stair stepping in determining the setback requirements as a building reaches a height that requires an additional setback. Only that portion of the building at that height must meet the additional setback. The lower portion must only comply with the setback, as applied to it.

(H) **Height Regulations**: Will be determined by setback and parking requirements

(I) **Required Parking**

1. Parking required when property is developed as an "R-2" "R-3" uses located "C" Districts shall be the same as those outlined "R-2" "R-3" districts.
2. Hotels or Condominium Hotels, the number of parking spaces required shall be one (1) off-street parking space for each guestroom in the building plus 50% of the off-street parking requirements for the various accessory uses operated upon the property, such as restaurant and retail space, computed in accordance with the requirements of this section.
3. Restaurant, Café or Bar - Parking shall be provided in a ratio of one (1) space per One Hundred square feet (100 sq. ft.) of gross restaurant/bar seating floor area.

4. Retail Store, barber and beauty shops, curio shops. Dry Cleaners, Laundromats Bakery Retail stores and office buildings shall provide off-street parking space in a ratio of one (1) space for each two hundred fifty (250) square feet of gross sales or office floor area.
5. Nightclubs, off-street parking spaces shall be provided in a ratio of one (1) space for every One Hundred Square feet (100 sq. ft.) of gross nightclub seating floor area.
6. Theaters shall provide off-street parking space in a ratio of one (1) space for each five (5) seats.

7. Shared Parking

- (a) Unassigned shared parking within a parking lot is approved so long as the total number of parking spaces in the parking lot total the numbers of required spaces for each of the business uses. If it can be demonstrated that certain businesses will operate at different times of the day the required parking spaces for those businesses may be reduced by 50 %.
- (b) The applicant is responsible for providing the necessary information, which demonstrates that shared parking is possible and appropriate at the proposed location.
- (c) Special Provision Commercial Area: A structure providing a covered parking area for a maximum of 6 cars may be located on a commercial lot along the West side of Highway 100 provided that it is located off of the back (rear) entry of the buildings along the access drive. The structure must be located at least 75 feet East of the Main Street right-of-way with supporting columns setback at least 3 feet from the property line and roof overhand not exceeding the property line.

8. Offsite Parking

Based on the unique circumstances inherent with the commercial development of The Shores, unassigned offsite parking may be used to satisfy parking requirements if approved in writing by The Shores Design Review Board, which approval may be granted or withheld in the sole discretion of the DRB. Unassigned offsite parking that may be approved as provided above, may include parking located in a common area street, parking lot or parking structure; however, provided that nothing contained herein shall be deemed to reduce or increase the minimum number of required parking spaces as may be required for a particular business use. Shared parking, as provided above, may be utilized in conjunction with the offsite parking contemplated herein.

- (J) **Lot Area, Width & Depth:** the minimum area, width, and depth of a lot shall be determined by The Shores Design Review Board on an individual basis.

If R1, R-2 or R-3 District Development occurs within the (C) District, then that development must follow the R-1, R-2 or R-3 Requirements.



**(K) Other Requirements**

General Requirements	Section 2.4.4A
Architectural Guidelines	Section 2.9
Site Improvements	Section 2.10
Miscellaneous Guidelines	Section 2.11
Landscape Guidelines	Section 2.12
Shores DRB Approval Process	Section 2.13

## **2.9 ARCHITECTURAL GUIDELINES**

### **2.9.1 General**

The Guidelines set forth in this section are intended to maintain standards of quality in building construction and aesthetic integrity for the community. All Primary Residences and Outbuildings must have certification by a structural engineer, registered in the State of Texas, that the respective building has been designed to withstand a minimum of 150 mile per hour winds.

### **2.9.2 Construction Types and Materials**

#### **(F) Construction Types and Materials:**

1. Permitted Types of Construction
  - \* Reinforced Concrete masonry
  - \* Reinforced Concrete

#### **Type I: Wood**

Exterior wood, including but not limited to siding, trim, columns, balustrades, porch flooring, decks, facias, and shutters must be capable of withstanding the elements and be resistant to rot and decay. All exterior wood must be pressure treated or be of a species resistant to rot such as cedar, redwood, cypress, or mahogany.

In Addition, the composite material “Hardi Plank” is an approved siding material. The composite material “Trex” is an approved material for exterior stair treads and pergola decking. Trex may not be used on porch floors or in any other applications.

Fiberglass and aluminum shutters are permitted (Reference Exhibit 2.15); however, a material sample must first be approved by the DRB for both the fiberglass and aluminum shutters.

Horizontally applied boards (beveled or drop siding) and wooden shingles are permitted. Plywood and diagonal siding are not permitted.

#### **Type II: Stucco**

Stucco is allowed only over masonry construction. Stucco must have a smooth, trowel applied, smooth sand finish. Sprayed applications and swirl or other heavily textured patterns are prohibited. Stucco color must be white (See Section 2.9.15).

#### **Type III: Brick**

Brick veneer is allowed provided the brick is painted one of the approved colors. Unpainted brick and exposed concrete masonry are not permitted.

Note: Tile used as a finish material must be submitted to the DRB for review and approval.

(b) Nails:

All exterior nails and screws exposed to the weather shall be marine grade stainless steel.

### **2.9.3 Intentionally Omitted**

### **2.9.4 Roofs**

(a) Pitch: All roofs may have a minimum pitch of 6" in 12" and a maximum pitch of 10" in 12". (Exception: the roof over a porch when used as a broken pitch extension of the main roof and not as a separate roof, may be a minimum of 3" in 12"). The maximum pitch of a roof when used with a pediment in a classical manner must be 5" in 12". Flat roofs are allowed only when the roof is used as a deck, is surrounded by a balustrade, and is accessible from an adjacent enclosed space, and does not comprise more than 30% of the house footprint.

(b) Materials: The only roofing material permitted at The Shores is all aluminum standing seams sheet metal roof with written twenty-year warranty against corrosion. The roof must be engineered to meet the 150 mph wind standard and be attached with all stainless fasteners, screws and nails. Roof finials must meet these same standards.

(c) Eaves: Roof eaves must be designed in compliance with the requirements of Exhibit 5-B.

All buildings must have an eave (Roof Projection or overhang) with a minimum dimension of 12" from the exterior face of the exterior wall to the exterior face of the Eaves.

Roof eaves may project a maximum of 3' into the required building setbacks but shall be a minimum of 3' front the property line.

(d) Color: All roofing materials must be white, off-white, or light gray. All roofing material colors must be approved by the DRB.

(e) Design Criteria: Roofs and roofing materials must be engineered to withstand a minimum of 150 miles per hour wind.

### **2.9.5 Towers**

(a) Where Permitted: Towers are permitted on Lot Types II, III, IV, V, VI, VII, & VIII.

(b) Where Prohibited: Towers are not permitted on Lot Type I.

(c) Sizes: Refer to Section 2.5, R-1 (C) for maximum size permitted for towers.

## **2.9.6 Doors**

- (a) Height Requirements: All exterior doorways on the first floor, front facade of the house, must be a minimum height of 7'-6". When transoms above doors are used, 6'-8" doors may be used provided the height of the door and transom is at least 8'-0".
- (b) Divided Lights: Doors with glass panels that are divided into lights, must be comprised of true divided lights. Applied muntins are permitted if they are applied to each side of the glass.
- (c) Sliding Glass Doors: Sliding glass doors must have rails and styles with a minimum width of 3 inches. Sliding glass doors are not permitted on any facade facing a street except when they are used in conjunction with a Romeo balcony and not to access exterior space such as porches, balconies, terraces, decks, or patios.
- (d) Colors: Exterior of door must be white (See Section 2.9.15).
- (e) Prohibited: Flush faced doors are not permitted on the exterior of a house.
- (f) Design Criteria: Exterior doors must be impact resistant. All doors must be engineered to withstand a minimum of 150 mph wind and must comply with the requirements of the Texas Department of Insurance / Windstorm Standards.
- (g) Front Door: the Primary Residences must have the front door visible from the street.
- (h) Garage Door: Decorative garage doors are required. The maximum width of a garage door is 9.0 feet. The Primary Residence may have a maximum of one (1) garage door and one (1) golf cart door (maximum 5' wide) facing the street. Outbuilding may have a maximum of one (1) garage door facing the street.
- (i) Materials: Wooden doors, wooden doors with vinyl or aluminum exterior cladding and vinyl doors are permitted.

## **2.9.7 Windows**

- (a) Materials: Wooden windows, wooden windows with vinyl or aluminum exterior cladding and vinyl windows are permitted.
- (b) Design Criteria: Exterior windows must be impact resistant. All windows must be engineered to withstand a minimum of 150 mph wind and must comply with the requirements of the Texas Department of Insurance / Windstorm Standards.
- (c) Conditional: If all-aluminum and all-vinyl windows are used, then the rails and stiles must be a minimum of 2" in width.
- (d) Divided Lights: When windows are divided into lights, they must be true divided lights. Applied muntins are permitted if they are applied to each side of the glass.
- (e) Colors: Exterior of windows must be white (See Section 2.9.15).

(f) Prohibited: Jalousie windows are not permitted.

(g) Graphic Reference: Windows must comply with the requirements of Exhibit 6.

### **2.9.8 Glazing**

Highly reflective, mirror glass is not permitted. Energy efficient glass is encouraged.

### **2.9.9 Porches**

(a) Required: Porches are required on the front facade (the facade facing the primary street) and rear façade of all Primary Residences. The minimum size of the required front porch is 8' deep by 12' wide.

(b) Allowed: Side porches are allowed (Charleston house type) in lieu of front porches upon approval of the DRB.

(c) Encouraged: Wrap-around porches, especially on corner lots, are strongly encouraged.

(d) Graphic Reference: Porches must comply with the bay proportion requirements of Exhibit 7.

(e) Materials: Wood frame construction is not permitted, except that wood beams and columns may be used above the first floor on balconies and towers. Wood porch floors must be constructed of Treated TG 1 x 4 lumber. Wood exterior stair may use either treated wood or Trex for stair treads.

(f) Porch Floor: Spaced wood or Trex are prohibited on any porch floor.

### **2.9.10 Balustrades / Guardrails / Rails**

a. Materials: Balustrades, guardrails or rails may be constructed of wood or aluminum. The following materials are not permitted to be used as a balustrade, guardrail or rail material: pvc pipe or other vinyl products, concrete, stucco or cut stone.

b. Design Criteria:

(i.) The maximum size permitted for wood balusters in a wood balustrade is 2" x 2". Reference Exhibit 8.

(ii.) The maximum size permitted for metal balusters in a metal balustrade is 1" x 1". Reference Exhibit 8.

(iii.) A wood top cap handrail may be used on a metal balustrade. Reference Exhibit 8.

c. Graphic Reference: Balustrades, guardrails or rails must comply with the above referenced requirements and all of those requirements noted in Exhibit 8.

### **2.9.11 Columns**

Columns must comply with the requirements as described in Exhibit 9. Reference the note in Exhibit 9.

### **2.9.12 Alignment**

Alignment of walls at porches / balconies and roofs must comply with the requirements of Exhibit 10.

### **2.9.13 Overhead Connections**

Overhead Connections (raised walkways) between Outbuildings and the Primary Residence are prohibited. Pergola roofed ground level connectors are allowed.

### **2.9.14 Shutters**

(a) Required: Exterior shutters are required on all windows, unless the window is (i) on a porch or (ii) made of leaded glass (and permanently installed on the inside of the impact glass). Exterior shutters must be of the swing or Bahama type and be of sufficient size to completely cover the door or window opening when closed. When closed, shutters must fit inside of the window opening or door opening. Shutters must be able to be secured in both an open and closed position. Shutters must be finished on both sides in an appropriate and aesthetically pleasing manner. Impact resistant shutters are encouraged.

1. Shutters may be constructed of fiberglass, wood, aluminum or pvc and must be made of full dimension material with individual blades. Shutters must be full working shutters.

2. Plywood or Board Shutters are prohibited.

(b) Graphic Reference: Shutters must comply with the requirements of Exhibit 15.

(c) Rolldown shutters are prohibited.

### **2.9.15 Colors**

For current approved colors for buildings in the Shores, refer to the “Shores Design Code” Article 2.9.15.

### **2.9.16 Exterior Repainting, Refinishing or Remodeling**

The exterior repainting, refinishing, or remodeling of any building or structure must be approved in writing by The Shores Design Review Board prior to any work commencing. Repaint colors must conform with the current Shores Design Code approved colors, as per Section 2.9.15 of The Shores Design Code.

### **2.9.17 Dormers**

If dormers are used, they must be designed within a building framework and must conform to the requirements of Exhibit 13. Shores Design Code.

### **2.9.18 Finishes**

All exterior surfaces of structures including wooden decks must be painted or stained. (Exception: walks, drives, pavers, brick pavers, “Trex” walks and decks are not required to be painted).

### **2.9.19 Piling**

All buildings including primary residence, garden structures, out buildings, garages, carports, storage buildings and boathouses must be pile supported. All piling must be cased augured piling constructed of reinforced concrete, designed by a structural engineer. (Ref. 2.22) Pilings may not be exposed to view. Driven and precast water jetted pilings are prohibited.

### **2.9.20 Latticework**

- (a) Material: Latticework must be fabricated from rot resistant wood.
- (b) Graphic Reference: Latticework must comply with the requirements of Exhibit 14.

### **2.9.21 Exterior Lighting**

- (a) General: Exterior lighting must not be intrusive to adjacent properties or common areas.
- (b) Porch Lighting: Every house or building must have appropriate architectural lighting on the front porch or entry and lighting must be on a photocell and **operated daily**.
- (c) Landscape Lighting: Landscape lighting must be appropriate architectural lighting located as close to grade as practical. There must be lighting in the landscaping on the street side of the fence and the lighting must emphasize the front entry gate and the driveway. All wiring must be placed underground and the lights must be connected to an electric photocell and **operated daily**.

### **2.9.22 Awnings**

Awnings of fabric and soft synthetic materials are permitted. A sample of the material and color of any proposed awning must be submitted to the DRB for approval. Metal awnings are not permitted.

### **2.9.23 Foundations**

The foundation system of all must be designed by a registered professional engineer Licensed in the State of Texas and must be based on recommendations given in a soils report prepared by a soils engineering firm. The soils investigations and analysis and the design of the foundation system must be made by a registered professional engineer. The soils report must include recommendations for type, size, and depth of piers, number and size of reinforcing steel within the piers, and method and extent of isolation of foundation beams from adjacent soil.

### **2.9.24 Lightning Protection**

The developer strongly encourages each owner to provide a lightening protection system for each of the Primary Residences, Outbuildings or other building.

### **2.9.25 Air Conditioning**

Air Conditioning units must be located within the envelope of the primary residence, outbuilding or high-rise building and vented with louvers thru the exterior wall. No a/c condenser units are permitted on the exterior of the building.

### **2.9.26 Pool Pumps and Other Equipment**

All pool pumps and other equipment must be located within the building. No pumps or other equipment are permitted on the exterior of the building.

### **2.9.27 Butane Tank and Other Tanks**

Butane tank and other tanks must be buried in the ground.



## **2.10 SITE IMPROVEMENTS**

### **2.10.1 General**

Consistent with The Shores' standards for the community buildings this section of the Code is intended to establish quality controls, as well as aesthetic and safety controls regarding the site features for the community.

### **2.10.2 Decks & Patios**

Refer to "Planning Guidelines," for sizes and setback requirements for decks and patios. Location and design of decks and patios must be reviewed and approved by the DRB on a case-by-case basis. Patios must be constructed of concrete pavers.

### **2.10.3 Walks/Drives**

(a) Location: Driveways for lots located on traffic circles must be located on the adjacent street and not the circle.

(b) Materials: Driveways, walks, garages, and on-site parking must be constructed of brick pavers. Concrete is prohibited except for curbs. Paver types, patterns and colors shall be submitted to the DRB for review and approval.

(c) Pedestrian Walk: Each Primary Residence is required to provide pedestrian walk with gate located between street and residence.

### **2.10.4 Fences**

(a) General: Any fence located adjacent to a street, commons, or pedestrian walk, must be constructed with the finished side facing the street, commons, or walk. Gates, compatible in design with the fence, must be provided in fences abutting streets.

(b) Location: Residential lot owners must provide continuous fences along property lines abutting streets and common areas, with a minimum 30' turnback along side property lines (Exception, Lot Type II: Lot owners must provide continuous fences along the entire perimeter of the property.) Fences are permitted along all property lines except on Gulf-front property lines of Type I lots. Fences must be located 18 inches to the rear of any property line abutting a street and must be located on the side and rear property lines, with no part of the fence protruding beyond the property line.

(c) Height: Fences must be 3'-0" high above grade on any property line abutting a street and along the side property line for a distance of 30', except that fences around swimming pools must meet all applicable codes, including federal, state and local codes and therefore may need to be higher than 3'-0" (with a maximum of 4'). Wood post and stucco piers may be a maximum of 3'-6" in height, not including finials, except on Lot Type III, Type IV and Type V Lots when the rear lot line abuts the rear or side yard of another similar type lot, except not on lots that have a side or rear lot line fronting a street, where in order to create rear courtyards, solid walls constructed of reinforced concrete block with a smooth stucco finish

on both sides, and masonry cap, may be 6'-0" high and must be constructed to form a common rear perimeter wall along the rear and both side property lines for a distance of 40 feet.

(d) Material: Fences must be constructed of wood pickets, masonry and stucco piers with aluminum railings or wood pickets, or masonry and stucco.

Wood Pickets: Fences using wood pickets must have a transparency factor between 25% and 60% when 2" x 2" pickets are used, and between 20% and 40% when flat pickets are used. Fences with patterns that do not conform to the transparency factor as stated above may be approved by the DRB based on design merit. Wooden fences must be constructed of wood resistant to decay, and termite infestation. (See g. below)

Masonry and Stucco: Masonry piers must be a minimum of 18" wide by 12 inches deep or 16 inches square. Wood pickets or aluminum railing are permitted. A knee wall, a maximum of 18 inches high, may be constructed under the railing between the piers. (See g. below)

Solid Masonry and Stucco: A 2'-0" high solid fence is permitted provided that 18 inches piers, 3'-0" high, are constructed in each section of the fence, including all openings. (See g. below)

(e) Colors: All wood fences must be painted The Shores approved white as listed in Section 2.9.15. The masonry portion of masonry and railing fences must be painted white. Masonry and stucco fences must be painted The Shores approved standard white as listed in Section 2.9.15.

(f) Construction Timing: Required fences (along street with returns) must be constructed within 12 months from the date of closing on the lot, unless the Primary Residence or Outbuilding is under construction, in which case the fence must be constructed upon completion of the residence.

(g) Fences at Swimming Pools: On a public walkway or street, the fence adjacent to a swimming pool may be constructed with less transparency than other fences subject to approval by the Shores Design Review Board.

(h) Graphic Reference: Picket fences must comply with the requirements set forth in Exhibit 17.A. Masonry fences must comply with the requirements set forth in Exhibit 17.B.

## **2.10.5 Swimming Pools/Spas**

(a) General: Above ground-level swimming pools are prohibited. Ground level swimming pools are permitted, subject to review and approval by the DRB. Spas are permitted subject to review and approval by the DRB.

(b) Design Criteria: Swimming pools must be designed by a registered professional engineer and must be based on recommendations given in a soils report prepared by a soils engineering firm, including surface and subsurface drainage requirements.

### **2.10.6 Electrical & Mechanical Equipment**

(a) Screening: All exterior electrical and mechanical equipment, including but not limited to transformers, meters, etc., must be concealed from view by opaque screening approximately 4 feet high and sympathetic in design to the Primary Residence or Outbuilding it is intended to serve.

(b) Location: Air conditioning condenser units, pool pumps and equipment must be located within the structure.

### **2.10.7 Garbage & Trash Containers**

(a) Screening: Garbage and refuse must be placed in containers such that they are inaccessible to animals. Containers must be stored in a walled enclosure, a minimum of 3'-0" high and a maximum of 4'-0" high. The design of the enclosure must be compatible with the design of the house.

(b) Location: Garbage enclosures must be located a minimum of 30 feet from any property line abutting a street and any property line facing the Gulf, Laguna Madre, or canals, and may be located no closer than 3 feet from any property line.

### **2.10.8 Outdoor Showers**

(a) Location: Outdoor showers may not be located in the front of the house or in the case of corner lots on the side of a house facing a side street. Outdoor showers may protrude into the side and rear yard setback to within 3 feet of the property line provided that the enclosure is no greater than ten feet in height above existing grade.

(b) Design: Outdoor showers must be designed in harmony with the structure to which it is attached.

### **2.10.9 Boating Facilities**

(a) General: Residential lots with frontage on Laguna Madre or the canals may have boating facilities that consist of Terminal Structures, Overwater Walkways, Boat Slips, and Boathouses, or combinations thereof as approved by the DRB on a case-by-case basis. Under no circumstances may the boating facilities in their entirety cover 50% or more of the property line waterward of the bulkhead, except only a boatlift built parallel to the bulkhead, in which the total coverage for the dock and boatlift may not exceed 80% of the property line waterward of the bulkhead.

(b) Overwater Walkways and Terminal Structures: Walkways and Terminal Structures of any type are not allowed to protrude more than ten (10) feet beyond the water side of the bulkhead into the channel and their design and construction must comply with the requirements as shown in Exhibit 4.A and comply with the approved Dock and Boat Lift Systems specified by the Shores Design Review Board. These facilities may not be constructed above the height of the channel bulkhead.

(c) Boat Slips: All boat slips must be completely bulkheaded and all bulkheads must be constructed similar to the adjacent bulkhead. Governing dimensions and setbacks are

shown in Exhibit 4.B. Boat slips cut through the channel bulkheads must be approved by the DRB. The maximum depth a boat slip may be cut is minus 5 feet MSL.

(d) Boathouses: Boathouses will be allowed only where boat slips have been opened into the bulkhead and the boathouse is located on the land behind the bulkhead. Governing dimensions and setbacks are shown in Exhibit 4.C. No portion of a boathouse may protrude over the water beyond the channel bulkhead. No overhead boatlifts will be allowed except inside a boathouse. Only boat elevators will be allowed at channel bulkhead or dock.

(e) Lighting: Lighting on docks and piers must be shielded such that the source of the light is not visible from adjacent properties or from the waterway.

(f) Pilings: All pilings must be made of concrete and are limited to a maximum of 3 feet above the top of the channel bulkhead, except when the pilings are used to support floating docks. The maximum height of the pilings may not exceed 12 feet above MSL.

(g) Engineering: All bulkheads must be designed by a qualified engineer registered in the State of Texas.

(h) Dock Boxes: Dock boxes are subject to review and approval by the DRB.

## **2.11 MISCELLANEOUS GUIDELINES**

### **2.11.1 General**

This section of the Design Code is intended to address specific quality issues for all aspects of the development that are not covered in other sections.

### **2.11.2 Utilities**

(a) Location: All utilities must be placed below grade and concealed from view.

(b) Prohibited: Individual water supply systems and individual sewerage disposal systems, including septic tanks are prohibited.

### **2.11.3 Mail Boxes**

The development will provide a central mail pickup facility. Therefore, individual mailboxes are not allowed.

### **2.11.4 Antennas**

Antennas, satellite dishes, radio receivers, or similar devices are prohibited.

### **2.11.5 Solar Energy**

Solar equipment is permitted only upon approval of the DRB.

### **2.11.6 Play Equipment**

All fixed play equipment such as swings, slides, etc. must be submitted to the DRB for review and approval.

### **2.11.7 Signage**

The only signage allowed on residential lots will be as follows:

- \* Project sign – describing the development
- \* Contractor, architect and lender sign
- \* For Sale Sign

A Real Estate Lot Development sign or a contractor, architect and lender sign may be a maximum of three (3) square feet in size and be mounted no more than 3 feet above the grade level of the lot. Only one of each of the signs is allowed.

A For Sale Sign may be a maximum of 1 ½ square feet in size and must be located on the fence, along the street next to the gate.

#### **2.11.8 House Numbers**

(a) General: House numbers and names must be in compliance with the development standard and must be located on the front fence, one foot to the left or right of the front entrance gate.

(b) Graphic Reference: House numbers and names must comply with the standards as described in Exhibit 16 of the Shores Design Code.

#### **2.11.9 Walkovers**

Dune walkovers on Gulf-front lots must comply with the requirements of Exhibit 3 of the Shores Design Code. Color must be white (See Section 2.9.15).

#### **2.11.10 Miscellaneous Structures**

Clotheslines or similar type structures are prohibited.

## **2.12 LANDSCAPING GUIDELINES**

### **2.12.1 General**

Landscaping is a very important element in the Master Plan for The Shores Development. It is therefore a requirement that each owner significantly landscape their property to truly reflect the Spirit of The Shores.

In addition to the ecstatic value, a well landscaped property will help stabilize the environments ecological balance by contributing to the processes of air purification, oxygen regeneration, ground water recharge and storm water run-off retardation, while at the same time aiding in noise, glare, and heat abatement.

All landscape plans must be prepared by a Landscape Architect.

All landscape plans must be approved by the Shores Design Review Board.

All landscaping must be completed within 30 days after completion of the residence.

### **2.12.2 Grading**

Materials and debris resulting from clearing and grubbing operations must be removed from the site promptly. Grading operations must not adversely affect adjacent properties. Finished grading must be such that water runs off onto adjacent properties is prevented. Newly graded areas must be protected against erosion at all times.

### **2.12.3 Existing Vegetation**

On the East side of the Beachfront lots, no dunes or vegetation may be removed East of the building lot line.

### **2.12.4 New Planting**

(a) Native Plants: When planning and preparing the landscape plan, it is recommended that native plants and plants that adapt well to the coastal environment be utilized to ensure healthy growth, low maintenance, and hardiness. For a list of plants, please refer to Section 5.5.

(b) Required: The homeowner is required to plant on his property a minimum of twelve large trees, sufficient shrubs, ground cover and small trees to properly landscape the entire lot. Please refer to 2.12.5 for approved list of plants.

(c) Lawns: The Shores encourages low maintenance landscaping utilizing hardy and well-adapted plant materials. To this end, a maximum of 20% of the yard area may be utilized as a lawn however, no lawn is allowed in the front yard.

### **2.12.5 Approved Plants**

#### **Trees, Palms / Minimum Size:**

Chinese Fan Palm (*Livistona Chinensis*) / 4' trunk height  
Washington Palm (*Washingtonia Robusta*) / 6' trunk height  
Mediterranean Fan Palm (*Chamaerops Humilis*) / multi-trunk, 4' height  
Texas Sabal Palm (*Sabal Texana*) / 6' trunk height  
Florida Sabal Palm (*Sabal Palmetto*) / 6' trunk height  
Phoenix *Sylvestris* (Wild Date Palm) / 4' trunk height  
Cycas *Revoluta* (Sago Palm) / 15 Gal  
Hau Tree (*Hibiscus Tiliaceus*) / 6' height  
Norfolk Pine (*Araucaria Heterophylla*) / 3" caliper, 6' height  
Pigeon Plum (*Coccoloba Diversifolia*) / 2" caliper, 6' height  
Autograph Tree (*Clusea Rosea*) 2" caliper, 6' height  
Texas Huisache (*Acacia Smallii*) 2" caliper, 6' height  
Geiger Tree (*Cordia Sebestena*) 2" caliper, 6' height  
Mesquite (*Prosopis Glandulosa*) / 2" caliper, 6' height  
Seagrape (*Coccoloba Uvifera*) / 2" caliper, 6' height  
Spanish Dagger (*Yucca Treculeana*) / 4' height

#### **Shrubs, Groundcovers / Minimum Size:**

Asparagus Fern (*Asparagus Sprengeri*) / 1 gal  
Beach Vitex (*Vitex Rotundifolia*) / 3 gal  
Beach Morning Glory (*Ipomoea Pes-Caprae*) / 1 gal  
Cenizo (*Leucophyllum Frutescens*) / 3 gal  
Confederate Jasmine (*Trachelospermum Jasminoides*) / 4" pots  
Crown-of-Thorns (*Euphorbia Milii*) / 3 gal  
Dwarf Oyster Plant (*Rhoeo Discolor*) / 1 gal  
Golden Eye Daisy (*Viguiera Stenoloba*) / 1 gal  
Green Island Ficus (*Ficus Microcarpa* 'Green Island') / 3 gal  
Manzanita (*Malpigia Glabra*) / 5 gal  
Natal Plum (*Carissa Grandiflora*) / 3 gal  
Naupaka (*Scaevola Frutescens*) / 3 gal  
Oleander (*Nerium Oleander*) / 3 gal  
Padre Island Mistflower (*Eupatorium Betonicifolium*) / 1 gal  
Purslane (*Portulaca spp.*) / 4" pots  
Pittosporum (*Pittosporum Tobira*) / 3 gal  
Purple Trailing Lantana (*Lantana Montevidensis*) / 1 gal  
Turk's Cap (*Malvaviscus Drummondii*) / 3 gal  
Yellow Sophora (*Sophora Tomentosa*) / 1 gal  
Wedelia (*Wedelia Trilobata*) / 4" pots

### **2.12.6 Landscape Lighting**

Landscape lighting must be appropriate architectural lighting located as close to grade as practical. There must be lighting in the landscaping on the street side of the fence and the lighting must emphasize the front entry gate and the driveway. All wiring must be placed underground and the lights must be connected to an electric photocell and **operated daily**.



### **2.12.7 Irrigation System**

An automatic irrigation system must be installed on every property, sufficient to service the landscaping for the entire property.

## **2.13 SHORES DRB APPROVAL PROCESS**

### **2.13.1 General**

All houses constructed at The Shores must be designed by, and all construction documents for permit, stamped by an Architect licensed in the State of Texas. The architect will also be responsible for signing a form upon completion of the project certifying that the house has been constructed in accordance with the approved construction documents.

The property owner shall be responsible for contacting the DRB office to determine the time and dates of the DRB meetings and the cutoff dates for submission of applications. Application forms may be obtained from the DRB office.

In addition to the requirements of the Design Code, the owner is responsible for making sure that construction conforms to all Federal, State, County, and Local codes, ordinances, and regulations.

### **2.13.2 Basis For Decision**

Applications must be approved or denied based upon compliance with the provisions of the Design Code. The Design Review Board may also consider the quality of materials, harmony of the design with the spirit of the development, as well as purely aesthetic considerations, which in the sole opinion of the DRB will affect the overall concept and intent of the development.

### **2.13.3 Design Review Board**

The Design Review Board (DRB) is the vehicle for maintaining adherence to the DESIGN CODE. The DRB shall have an administrator responsible for coordination between the DRB and the property owner and the owner's architect. It is not the intent of the DRB to make arbitrary and subjective value judgments, nor to discourage creativity, but to ensure that all construction is in compliance with the design standards and to ensure compatibility with the overall concept, character, and design quality of the community. The goal of the DRB is to review and process all applications fairly and to evaluate their compatibility with the DESIGN CODE.

The DRB assumes no responsibility for structural adequacy, soil erosion, soil conditions, or compliance with Federal, State, County, or local codes, ordinances, and regulation.

### **2.13.4 Process and Scheduling**

If a property owner elects to use an architect other than one of The Shores approved architects, the owner must advise the DRB in writing of this decision, and submit the architect's resume of qualifications and related experience in working in waterfront locations. The architect must schedule an appointment to meet with the Design Review Board to discuss the approval process, the Design Code, and the intended "spirit" of the development. It is imperative that the architect have a clear understanding of the Code prior

to commencing with design in order to prevent unnecessary modifications and revisions to the plans.

Submission of plans for review will not be accepted or reviewed by the DRB prior to the Architect-DRB meeting.

### **2.13.5 Preliminary Review**

(a) Concept Plan: Prior to the Preliminary Review submittal as described below, the Owner and his Architect may submit a concept plan to the DRB for comment. This submittal should consist of floor plans, exterior elevations, and general notes indicating building materials, heights, and overall character of the residence. The DRB's response will be informal and is intended to assist the architect with compliance with the Design Code in the early phase of design.

(b) Submission Requirements: Three complete sets of the following material must be submitted to the DRB for review. These materials will be reviewed for adherence to the Code and for overall character and design quality. The submission must be accompanied by a completed Application Form (which is available from the administrator of the Design Review Board) and the Administration fee.

If any of the information as described below is not submitted with the application for review, the plans will not be reviewed and a request will be sent to the applicant for the missing materials. When all of the materials are submitted, the plans will be reviewed.

- (1) Application Form
- (2) Design Review Fee (\$500.00). If a structural plan review is required by DRB, an additional fee of \$500.00 to \$1,000.00 will be added.
- (3) Certified topographic and boundary survey in 1 foot intervals.
- (4) Plans – 3 sets of plans (1/2 size plans preferred).
- (5) Preliminary site plan with north arrow and scale, showing building placement, required setbacks, actual setbacks, structures, walks, drives, patios, fences, pools, existing vegetation to be removed, schematic drainage, spot elevations, preliminary grading, and landscaping plan.
- (6) Preliminary floor plans and roof plan with area tabulation for each floor, including towers and dimensions of all porches.
- (7) Preliminary elevations indicating doors, windows, proposed exterior materials, floor heights, and overall building heights.
- (8) Landscaping plan indicating existing vegetation to remain and proposed landscaping.

(c) DRB Response: Following review of the preliminary submission, the DRB will render one of the following decisions:

- 1) Approve the submission so that it may proceed to Final Review.
- 2) Return the submission to the owner with recommendations for modification.

- 3) Disapprove the submission, with an explanation of the reasons for disapproval.

The DRB shall have 14 calendar days in which to review and respond to submissions for initial review. If the Initial Review Submission is returned for modifications, the DRB shall have the discretion to allow the process to proceed to final review providing the modifications are made, or to require another initial review. If the submission is disapproved, another Initial Review shall be required, and the process shall be repeated.

#### **2.13.6 Final Review**

Upon approval of the Initial Review Submission by the DRB, the property owner shall submit a complete set of the final construction documents for all improvements to the DRB for review and final approval to include the information as listed below.

If any of the information as described below is not submitted with the application for review, the plans will not be reviewed and a request will be sent to the applicant for the missing materials. When all of the materials are submitted, the plans will be reviewed.

- (1) Application Form
- (2) Plans – 3 sets of plans (1/2 size plans).
- (3) Site Plan with north arrow and scale, indicating property lines, easements, required setbacks, actual setbacks, topography, existing vegetation, location of all proposed structures including primary residence, outbuildings, garage, carport, decks, patios, pools, fences, walks, drives, terraces, mechanical equipment and garbage container enclosures, existing grades, proposed grades, spot elevations, contours, finished floor elevations, roof overhangs, and proposed tree removal and site clearing.
- (4) Exterior Elevations indicating exterior materials, roof pitch, first floor elevation, second floor elevation, and building heights.
- (5) Building Sections with eave condition details.
- (6) Fence and Balustrade Details.
- (7) Construction Specifications.
- (8) Exterior Color Selections with color samples, if other than approved colors.
- (9) Landscape Plan indicating existing vegetation to remain, proposed new vegetation identified by botanical name, common name, size, and quantity.

The DRB shall have 14 calendar days in which to review and respond to submissions for final approval.

(c) DRB Response. Following review of the Final Review submission, the DRB will render one of the following decisions:

- 1) Approve the submission so that the project may proceed to construction.
- 2) Return the submission to the owner with recommendations for modifications.
- 3) Disapprove the submission with an explanation of the reasons for disapproval.

If the submission is returned with recommendations for modifications or disapproved, another Final Review shall be required and the process repeated.

#### **2.13.7 Variances**

Variances may be granted for architectural merit, unique topographical conditions, or irregular shaped lots, and are solely at the discretion of the DRB.

#### **2.13.8 Modifications to Approved Plans**

If modifications are made after the plans have been approved, the proposed revisions must be submitted to the DRB for prior approval.

Proposed revisions or additions to an existing structure are subject to the same review process and submissions as new construction projects. Additional fees may be required to cover the cost of administration.

#### **2.13.9 Governmental Approval**

Following final approval by the DRB, the property owner will submit approved construction documents to the local governing agencies, and any other agencies as required for review, approval, and building permits. Any changes required by any governmental agency must be submitted to the DRB for review and approval.

Upon approval by the DRB, a building permit shall be submitted to the Contractor from the DRB, subject to the approval of all governing agencies. Approval by the DRB in no way implies governmental or regulatory approval of any nature.

#### **2.13.10 Fees**

An administrative fee of \$500 will be charged for the review and approval process of the Architectural Plans. This fee must be included with the Preliminary Plans and Application. If a Structural Plan Review is required by DRB, an additional fee of \$500 to \$1,000 will be added.

#### **2.13.11 Extra Plan Review**

After plans have been reviewed two times for compliance to the Shores Design Code by The DRB, each additional review will require an additional fee of \$200 payable when plans are submitted for review.

## **2.14 THE CONSTRUCTION PROCESS**

### **2.14.1 Property Owner/Contractor**

- (a) General: The property owner and contractor shall be responsible for complying with all of the rules and regulations of all governing agencies as well as this DESIGN CODE.
- (b) Insurance: The contractor must be approved by the DRB and must submit a certificate of insurance to the DRB certifying Workmen's Compensation as required by law, bodily injury and property damage occurrence with a minimum limit of \$500,000 with a general aggregate of at least \$1,000,000.
- (c) Construction Schedule: The property Owner must file a construction schedule with the DRB, indicating the construction commencement date and the construction completion date.
- (d) Construction Agreement: The Contractor will be required to sign a construction agreement with the DRB and post a deposit as required therein before commencing work. The contractor's failure to comply with any of the rules and regulations as described herein, or failure to require compliance by any of his employees or subcontractors, or the lapse of any of the insurance requirements will, at the Developer's discretion, result in suspension of building privileges within the Shores.

### **2.14.2 Construction Regulations**

- (a) Responsibility. The Contractor shall be responsible for the behavior and actions of all of his employees and subcontractors who perform work on his project while they are in the Shores.
- (b) Disturbances. The Contractor shall take the necessary precautions so as not to create undue noise. Radios, tape players, etc. will not be allowed to be played on the construction site at any time. Pets are not allowed on the construction site. Construction workers must wear shirts at all times.
- (c) Damage. The Contractor shall be responsible for any and all damage to the sidewalks, curbs, streets, or any other existing construction during construction. Upon completion of construction, the contractor shall be responsible for restoring any damaged improvements to their original condition to match adjacent undamaged improvements.
- (d) Construction Site. The Contractor shall maintain the construction site clean and free from all debris and waste materials to the degree practical as determined by the DRB. Construction trailers will not be allowed on the construction site.
- (e) Material Storage. Building materials must be kept within the property lines and shall be stored in a neat and orderly fashion. The use of adjoining properties for access to the property or storage of materials, without the written consent of the property Owner, is prohibited. If construction is suspended for more than thirty days, all stored building materials shall be removed until which time construction is resumed.

(f) Existing Vegetation. The Contractor shall take all necessary precautions to protect existing vegetation.

(g) Construction Hours. Construction will be allowed only between the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 p.m. on Saturdays. Construction is prohibited on Sundays, January 1st, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas.

### **2.14.3 Construction Commencement**

The Owner/Contractor may not commence construction until building permits have been received from the DRB, the Town of South Padre Island, and all other governing agencies as required. The DRB will issue a permit only after Design Review Approval and receipt of copies of all other required permits.

### **2.14.4 Construction Observations**

(a) Form Check. When all Form Work is complete and prior to pouring concrete, contractor will provide the DRB a survey of all forms to ensure that all forms are properly located on the lot.

(b) Foundation Survey. The Owner shall provide the DRB with a foundation survey upon completion of the foundation. Construction may not continue until the foundation is approved. The DRB will have 14 calendar days from the receipt of the survey to respond.

(c) Periodic Observations. The DRB shall have the right to make periodic inspections of the property during the construction phase and shall have broad discretionary powers regarding the correction of any non-complying construction.

(d) Completion. The contractor shall notify the DRB when the project is complete, including all landscaping. The DRB shall inspect the project for final approval and upon approval will issue a certificate of final approval to the property owner.

**THE SHORES  
PRELIMINARY REVIEW OF PLANS AND SPECIFICATIONS**

**2.15**

*Please complete and return this application along with a check in the amount of \$500 payable to The Shores Owners Association and two complete sets of the following items. Submit to Shores Design Review Board, 8605 Padre Boulevard, South Padre Island, Texas 78597.*

- \_\_\_\_\_ 1. Topographic and boundary survey
- \_\_\_\_\_ 2. Preliminary site plan
- \_\_\_\_\_ 3. Preliminary floor plans
- \_\_\_\_\_ 4. Preliminary exterior elevations
- \_\_\_\_\_ 5. Design Code Analysis form

Date: \_\_\_\_\_

Lot#: \_\_\_\_\_ Block#: \_\_\_\_\_

**OWNER:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

(\_\_\_\_\_) \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_

Phone No.

Fax No.

**ARCHITECT:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Mailing Address

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

(\_\_\_\_\_) \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_

Phone No.

Fax No.

**Signed:**

\_\_\_\_\_  
Architect



**THE SHORES  
DESIGN CODE ANALYSIS FORM**

**2.16**

*Please complete and return this form with the Application for Preliminary and Final Review of Plans and Specifications.*

Preliminary Review Date: \_\_\_\_\_ Final Review Date: \_\_\_\_\_  
Lot#: \_\_\_\_\_ Block#: \_\_\_\_\_  
Owner Name: \_\_\_\_\_  
Architect Name: \_\_\_\_\_

**Code Analysis**

**1.1 Site Coverage**

Total Area of Lot: \_\_\_\_\_ sq. ft.

**Primary Structure**

Two story without Porches: \_\_\_\_\_ sq. ft. \_\_\_\_\_ % of Lot

Two story with Porches: \_\_\_\_\_ sq. ft. \_\_\_\_\_ % of Lot

Three story without Porches: \_\_\_\_\_ sq. ft. \_\_\_\_\_ % of Lot

Three story with Porches: \_\_\_\_\_ sq. ft. \_\_\_\_\_ % of Lot

**Towers**

Enclosed Area: \_\_\_\_\_ sq. ft. excluding decks

Total Area: \_\_\_\_\_ sq. ft. including decks

**Outbuilding**

One Story Structure: \_\_\_\_\_ sq. ft. including porches

Two Story Structure: \_\_\_\_\_ sq. ft. excluding porches

Two Story Structure: \_\_\_\_\_ sq. ft. including porches

**Other**

Garden Structures: \_\_\_\_\_ sq. ft.

Storage Building: \_\_\_\_\_ sq. ft.

Decks: \_\_\_\_\_ sq. ft.

Patios: \_\_\_\_\_ sq. ft.

Boat Houses: \_\_\_\_\_ sq. ft.

Pergolas: \_\_\_\_\_ sq. ft.

Gazebos: \_\_\_\_\_ sq. ft.

**THE SHORES  
DESIGN CODE ANALYSIS FORM**

**2.16.1**

**1.2    Building Setback**

Primary Residence:	Front: _____	Rear _____	Sides: _____/_____
Tower:	Front: _____	Rear _____	Sides: _____/_____
Outbuilding:	Front: _____	Rear _____	Sides: _____/_____
Garages & Carports:	Front: _____	Rear _____	Sides: _____/_____
Garden Structure:	Front: _____	Rear _____	Sides: _____/_____
Decks:	Front: _____	Rear _____	Sides: _____/_____
Patio:	Front: _____	Rear _____	Sides: _____/_____
Swimming Pool/Spas:	Front: _____	Rear _____	Sides: _____/_____
Storage Buildings:	Front: _____	Rear _____	Sides: _____/_____

**1.3    Structure Height**

**Building Height (Highest Point)**

Primary Residence:	_____ feet above sea level
Tower:	_____ feet above sea level
Outbuilding:	_____ feet above sea level
Garden Structure:	_____ feet above sea level
Garages & Carports:	_____ feet above sea level
Storage Buildings:	_____ feet above sea level

**Primary Residence**

Floor to Ceiling/1st Floor (Ground):	_____ feet
Floor to Ceiling/2nd Floor:	_____ feet
Floor to Ceiling/3rd Floor:	_____ feet

**Elevation (Primary Residence)**

1st Floor (Ground):	_____ feet above sea level
2nd Floor:	_____ feet above sea level
3rd Floor:	_____ feet above sea level

**Other**

Decks:	_____ feet above grade
Patios:	_____ feet above grade

**2.2    Building Materials (Exterior)**

Type of Construction:	_____
Exterior Finish:	_____

**THE SHORES  
DESIGN CODE ANALYSIS FORM**

**2.16.2**

2.4 Roofs

Roof Pitch: \_\_\_\_\_ in 12  
Roof Material: \_\_\_\_\_  
Roof Color: \_\_\_\_\_

2.6 Doors

Materials: \_\_\_\_\_  
Manufacturer: \_\_\_\_\_

2.7 Windows

Materials: \_\_\_\_\_  
Manufacturer: \_\_\_\_\_

2.8 Glazing

Type of Glass: \_\_\_\_\_

2.9 Porches

Size of Front Porch: \_\_\_\_\_ feet x \_\_\_\_\_ feet  
Size of Rear Porch: \_\_\_\_\_ feet x \_\_\_\_\_ feet

2.13 Shutters

Material: \_\_\_\_\_  
Type: Swing/Bahama: \_\_\_\_\_

2.14 Colors

Field:	Color: _____	Manufacturer: _____ ; # _____
Trim:	Color: _____	Manufacturer: _____ ; # _____
Shutters:	Color: _____	Manufacturer: _____ ; # _____
Fence:	Color: _____	Manufacturer: _____ ; # _____

3.3 Parking

Number of Bedrooms: \_\_\_\_\_  
Number of Parking Spaces: \_\_\_\_\_

3.4 Fences

Height of Fence: \_\_\_\_\_ feet

3.5 A/C Area

1 <sup>st</sup> Floor (ground)	_____ square feet	_____ % of 1 <sup>st</sup> floor enclosed area
2 <sup>nd</sup> Floor	_____ square feet	
3 <sup>rd</sup> Floor	_____ square feet	

Total (all floors) \_\_\_\_\_ square feet

**THE SHORES  
DESIGN CODE ANALYSIS FORM**

**2.16.3**

**COMMENTS:**

**VARIANCE(S) REQUESTED:**

I hereby certify that the information provided is true and correct to the best of my knowledge.

\_\_\_\_\_  
Architect Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Firm Name

## 2.17 SIGN GUIDELINES

**2.17.1 Definitions:** For purposes of The Shores Planned Development District the following definitions shall apply:

**Abandoned Sign:** A sign which no longer correctly directs or exhorts any person, advertises a bona fide business or service provided, lessor, owner, project, activity conducted, or product available on the premises where the sign is displayed. (A temporary closing of a business, not to exceed 90 days, shall not be considered an abandoned sign.)

**Airborne Sign:** A sign on a balloon, flag, pennant, or inflatable sign.

**Altered:** A change of copy, logo, or other means in which the message is changed or enlarged, changing shape or location.

**Animated Sign:** Any sign that includes action or motion.

**Average Grade:** The grade of the finished ground level at the midpoint of each exterior surface of a sign, or a structure, in the event that the sign is attached to the structure. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filing, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure of the zone lot, whichever is lower.

**Banner:** A temporary sign made of fabric, plastic, paper, or other light, pliable, or non-rigid material, not enclosed in a rigid frame (not including a "fabric sign" as defined herein).

**Billboard:** Any sign that is freestanding or attached to or part of a building and is an off-premise sign.

**Building Face or Wall:** All window and wall area of a building in one plane or elevation.

**Canopy:** Any structure attached to a building at the inner end or a free-standing structure, with one or more supports, meant to provide shelter from the weather

**Changeable Copy Sign (Manual):** A sign on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels.

**Changeable Copy Sign (Automatic):** A sign such as an electronically or electrically controlled public service time, temperature and date sign, message center, or reader board where different copy changes are shown on the same lamp bank.

**Charitable Project or Benefit:** Proceeds must be for a qualified 501C entity pursuant to the Internal Revenue Code.

**Commercial Sign:** A sign other than a real estate "For Sale" or "For Lease" sign, "Open House" sign, political sign, residential nameplate sign, public information sign, traffic control sign, temporary new business opening sign, or exempted sign, which directs the attention of the general public to a business, product, service, or other commercial or business activity.

**Conforming Sign:** Signs built and maintained in accordance with the terms of this Document.

**Contractor's Sign:** A sign intended to identify a contractor, subcontractor or architect on the site of a construction project where the contractor, subcontractor or architect is conducting work.

**Copy:** The wording or graphics on a sign surface.

**Erect:** To build, construct, alter, reconstruct, pour, lay, move upon, attach, hang, place, suspend or affix, and also includes the painting of wall signs, murals or super graphics, or any physical operations on the premises which are required for the construction of a sign including excavation, site clearance, landfill and the like.

**Fabric Sign:** A sign made of fabric or other non-rigid material, enclosed in a permanent frame and erected as a permanent, on-site sign for a business, service, product, or person.

**Facade:** The front or main part of a building facing a street.

**Face of Sign:** The entire area of a sign on which copy could be placed. The area of a sign which is visible from one direction as projected on a plane.

**Fine Art:** Sculpture, fountains, or similar objects, which have been identified as fine art by the City Manager or designee, and which in no way identifies or advertises a product or business.

**Flashing Sign:** Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an extremely mounted intermittent light source.

**Freestanding Sign:** Any sign that is not attached to or on the walls, face, or exterior of a building.

**Grand Opening:** The initial opening of an entirely new business.

**Ground Level:** The immediate surrounding grade.

**Height of Sign:** The vertical distance measured from the surrounding grade to the highest point on the sign or sign structure.

**High Rise Building:** A structure of more than Six (6) stories in height.

**Illegal Sign:** Signs which are not registered in accordance with the terms of this Subsection shall be categorized as illegal.

**Indirect Lighting:** A light source separated from the surface and illuminating the sign surface by means of spot lights or similar fixtures.

**Joint Directory Sign:** A sign that consists of a composite of several individual signs identifying the businesses located in a commercial or office complex.

**Landscaping:** For the purposes of this Ordinance, landscaping shall include any combination of shrubs, vines, hedge plantings, plants, trees or palms located in a planting area at the base of the sign. For the purposes of this ordinance, the term "landscaping" shall not mean solely turf or grass, or the total absence of vegetable matter.

**Legally Non-Conforming:** Signs existing on the effective date of the adoption of this Ordinance that are not in conformance with the Ordinance.

**Logo:** A letter, character, or symbol used to represent a person, corporation, or business enterprise.

**Lot:** A parcel, tract, plot or area of land accessible by means of a street or other permanently reserved principal means of access. It may be a single parcel separately described in a deed or plat, or it may include parts of or a combination of such parcels when adjacent to one another and used as a whole.

**Major Corporate Sponsor:** The sponsor of a public event, listed on all advertising and other public promotions, resulting from the contribution of funds, equipment, products, and/or in-kind services to the event.

**Marquee:** Any permanent roof-like structure at the entry to a building, that projects beyond the building or extends along and projects beyond the wall of the building, and which generally contains a commercial message(s), and is designed to provide protection from the weather.

**Minimum Sight Triangle:** A triangular area bounded by the right-of-way lines of a corner lot and a line connecting the two points on the right-of-way lines measured twenty (20) feet from the point of intersection of the right-of-way lines. For ingress/egress points and private roads, the minimum sight triangle shall be determined using the intersection of the curb line or edge of pavement for the ingress/egress point or private road and the public right-of-way.

**Monument Sign:** A freestanding sign, other than a pole sign, which has a skirt, dressed base, or other means of enclosing the structural members which support the sign, and which skirting or dressing has been approved by the DRB, base must equal at least Fifty Percent (50%) of sign width and not to exceed One Hundred Twenty Percent (120%) of the width of the sign for signs up to Eight (8) feet in height. For signs proposed to be taller than Eight (8) feet in height, the width of the of the approved skirting or dressing must equal a minimum of Fifty Percent (50%) of the sign width, but shall in no case exceed Four (4) feet in width. For the purposes of this Ordinance, the terms "skirting" and/or "dressing" shall mean the enclosing of the structural members which support the sign with materials such as decorative masonry, natural and decorative stone, masonry with a stucco finish, and decorative wood such as redwood or cedar when appropriately finished to prevent decay and discoloration..

**Multi-Pole, Single Pole Sign:** A sign whose only structural support consists of exposed poles, posts, beams, or other devices mounted in the ground.

**Office Complex/Multi-Tenant Shopping Center:** Means Two (2) or more offices or stores sharing customer parking area, regardless of whether said offices or office establishments occupy separate structures or are under separate ownership.

**Official Sign:** Any sign erected by or at the direction of any governmental body.

**Off-Premises Sign:** Any sign other than an on-premise sign.

**On-Premises Sign:** A sign that advertises only goods, services, facilities, events or attractions available on the premises where located, or identifies the owner or occupant or directs traffic on the premises. All other signs are off premises signs.

**Owner:** A person recorded as such on official records and including duly authorized agent, notary, purchaser, lessee, devisee, or judiciary; anyone



having a vested or contingent interest in the property or business in question.

**Painting:** The application of paint in the course of normal maintenance which in no way shall alter the message or group of works or letters.

**Permanent Multi-Family or Subdivision Identification Sign:** A sign which designates the name of a project, subdivision, or other residential district, and which is located at or in close proximity to the main entrance.

**Person:** Any natural person, firm, partnership, association, corporation or organization of any kind.

**Political Sign:** Any sign which is designated to influence the action of voters for the passage or defeat of a measure appearing on the ballot in connection with any national, state or local election.

**Portable Sign:** Any sign not permanently affixed to a building, structure or the ground, and designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes. This definition includes, but is not limited to, A-frame signs, sandwich signs, curb signs and signs on trailers with or without wheels or on other vehicles which are primarily used as signs.

**Premises:** An area of land, with its appurtenances and buildings, which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

**Project Development Sign:** A temporary sign for a commercial or multi-family tract which may identify a project under construction and may include the project's name and address, general contractor, architect, financing, and contact agent, with appropriate phone numbers.

**Projecting Sign:** A wall-mounted sign, erected in lieu of the permitted, freestanding monument sign, which projects from the face of a structure, meeting the following requirements:

- The sign shall be pinned away from the wall of the structure a minimum of six (6) inches.
- The sign shall not extend over any adjacent right-of-way or property line.
- Projecting signs shall be designed as an integral architectural element of the building to which it principally relates. The mounting brackets of such signs will be an integral part of the sign and complementary to the design of the sign.
- No projecting sign shall be entirely supported by an unbraced parapet wall.
- No unshielded lights will be permitted. All lighting fixtures shall be placed in such a way as they will not be struck or otherwise damaged by the sign in the event of high wind.

- Projecting signs shall be designed to meet the wind resistance requirements.

**Public Information Sign:** Any sign or banner that is intended to identify community, civic and social events, special events, facilities, no-trespassing areas and is not a commercial sign or official sign as defined herein.

**Reader Board:** A sign that has changeable or removable lettering.

**Real Estate "For Sale", "For Lease", or "Open House" Sign:** A temporary sign designating that the premises upon which it is erected is for sale, rent, or lease or that an open house is being held on the day on which the sign is displayed. A For Sale sign may not be placed on a lot by a prospective Buyer until the title to the property has been conveyed to him.

**Reflective Surface:** Any material or device that has the effect of intensifying reflected light, including but not limited to scotch light, day glow, glass beads and luminous paint.

**Required Signs:** Any sign required by law for the protection of the general health, safety and welfare of the public. For the purposes of this Ordinance, numbers attached to the front plane of a facing and visible from the adjacent public right-of-way or private ingress/egress for the purpose of identifying the street address of the structure shall be considered a required sign. Such numbers shall be a minimum of four (4) inches in height, shall be of a color in distinct contrast to the color of the wall to which it is attached, and shall be plainly visible from the adjacent public right-of-way or private ingress/egress.

**Residential Nameplate Sign:** A sign permitted for the sole purpose of identifying the inhabitant residing therein, the house name, or identifying the address of the house. The sign may contain no advertising of any kind

**Roof Line:** The highest point of the coping on a flat roof, false mansard, or parapet wall; the deckline of a true mansard roof; the ridge line between the upper and lower slopes of a gambrel roof; or the mean height level between the eaves and the ridge of a gable or hip roof.

**Roof Sign:** A sign attached to, and wholly or partially dependent upon, the roof of a structure for support, or attached to the roof in any way, but not extending above the roof line, as defined by this Ordinance. Such signs will be completely enclosed between the sign and the corresponding roof, and shall be designed to meet the wind resistance requirements of.

**Sign:** Any thing of visual appearance primarily used for, or having the effect of, attracting attention from the streets, sidewalks, or other curbside 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 those signs painted directly upon a building or other structure or vehicle. 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.

**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.

**Sign Structure:** The sign and all parts associated with its construction.

**Snipe Sign:** A sign which is tacked, nailed, posted, pasted, glued or otherwise attached to trees, utility poles, stakes, or fences or to other objects, and whose message is not associated with the premises upon which such sign is located.

**Swinging Sign:** A sign secured in place by means of a bracket, chain and or other means designed to allow for some movement. In the event that a Tropical Storm and or Hurricane is forecasted to make landfall within a 100 mile radius of South Padre Island, the owner of sign shall make provisions to remove sign and place in secure location.

**Temporary Signage:** A sign erected for a special purpose and for a specifically stated short term of duration, as regulated by DRB. Temporary signage may include such otherwise prohibited forms of signage as portable signs and banners

**Traffic Control Sign:** A permitted sign for the purpose of identifying parking areas and directing the flow of traffic on private property.

**Wall Sign:** A sign attached to, painted on, or erected against the wall of a building or structure with the exposed face of the sign in a plan parallel to the face of the wall and not projecting more than Nine (9) inches from the face of the wall at any point.

**Window Sign:** A sign painted, drawn, or otherwise affixed to the inside of an exterior window or glass door of a commercial or office

**2.17.2     PROHIBITED SIGNS.** The following signs shall be prohibited in the Shores Subdivision:

- Airborne signs,
- Moving, Flashing and Animated Signs, including electronic message centers, with the exception of time and temperature signs, however, such time and temperature signs shall be for that purpose only, shall be constant in nature, and shall not grow, melt, x-ray, up or down scroll, write-on travel, inverse, roll, snow or present pictorial or other animation,
- Portable signs, except those used for temporary purposes as authorized by this Document,
- Banners,
- Pole signs,
- Snipe signs,
- Signs with a reflective surface as herein defined,
- Signs that contain characters, cartoons, or other representation, or statements, words or pictures of an obscene, prurient, or immoral character,
- Signs that contain or are an imitation of an official traffic sign or signal, or which are of a size, location, movement, content, coloring, or manner of illumination which may be confused with or construed as a traffic control device, or which may hide from view any traffic or street sign or signal,
- Any sign construed or located in such a manner that is or becomes an immediate hazard or danger to persons or property because of being in an unsafe condition, or which obstructs any window, door, or fire escape of any building. Such signs will be subject to immediate removal by the Shore Development, without notice, at the expense of the owner.
- Paper Signs

### 2.17.3 SIGN PERMITTED -Number, Area and Height Regulations

SIGN TYPE	MAXIMUM NO. PER LOT	MAXIMUM SIZE IN AREA	MAXIMUM HEIGHT	SETBACK
<b><i>Residential Signs</i></b>				
<i>1) Residential Nameplate signs &amp; House Numbers</i>	1 per dwelling unit	7" X 15"	3 ft. from average grade	1.5 ft. from ROW and Prop line
<i>2) Permanent multi-family</i>	1 per project	24 sq. ft.	6 ft. from average grade	1.5 ft. from ROW and Prop Line
<b><i>Commercial Signs for Multi-Tenant Centers and Offices Complexes</i></b>				
<i>1) Monument Signs (Doubled center Faced)</i>	1 sign per center	72 sq. ft. per face	8 ft. from Average grade	15 ft. ROW
<i>2) Awning, Wall, Roof Signs, Shingle</i>	As determined by tenant	64 sq. ft. total of all signs		15 ft. ROW
<i>3) Joint directory commercial signs per tenant</i>	1 per tenant	2 sq. ft.	8 ft. from	15 ft. ROW
<i>4)sandwich sign (a-frame)</i>	1 per tenant	10 sq. ft./phase	Floor level	15 ft ROW
<i>5) Nameplate Sign</i>	1 per tenant	2 sq. ft.		15 ft ROW
<b><i>Commercial Signs for Single Business Use</i></b>				
<i>1) Monument (Double Faced)</i>	1 sign *	50 sq. ft. per face	8 ft. from average grade	15 ft. ROW
<i>2)Projecting Sign</i>	1 sign in lieu of monument sign	36 sq. ft. per face	8 ft. from floor level	15 ft. ROW
<i>3) Awning, Wall, Roof Signs, Shingle</i>	1 per tenant	64 sq. ft. total of all signs		15t ft. ROW
<i>4) Nameplate Sign</i>	1 per tenant	12 sq. ft.	Floor level	15 ft. ROW
<i>5)A- Frame Sandwich</i>	1 per tenant	10 sq. ft.		
<b><i>High Rise Buildings</i></b>				
<i>1) Monument Double-Faced</i>	1 sign	72 sq. ft. per face	8 ft. from average grade	15 ft. ROW
<i>2) Awning &amp; Wall Signs</i>	1 sign	10% of the wall plane surface area, or 250 sq. ft., whichever is smaller	Height of the wall	15 ft. ROW

SIGN TYPE	MAXIMUM NO. PER LOT	MAXIMUM SIZE IN AREA	MAXIMUM HEIGHT	SETBACK
<b>Miscellaneous Signs</b>				
<i>Traffic Control Signs located on Private Property</i>	Comply with state standards	2 sq. ft.	8 ft. from average grade	
<i>Freestanding Real Estate Signs</i>  <i>(For Sale For Lease Open House)</i>	1 per site	Sites with less than 1 acre 1.5 sq. ft. Sites with more than 1 acre and less than 5 acres 16 sq. ft. Sites with more than 5 acres 32 sq. ft.	3 ft. from average grade  8 ft. from average grade  8 ft. from average grade	1.5 ft. ROW  15 ft. ROW  1.5 ft. ROW
<i>Freestanding Real Estate Lot Development / Project</i>	1 per site	3 square feet	3 ft. from average grade	1.5 ft. ROW
<i>Project Development Signs 3 to 12 Units</i>	1 per site	16 sq. ft.	8 ft.	15 ft. from ROW
<i>Project Development Signs 13 or More Units</i>	1 per site	32 sq. ft.	8 ft. from average grade	15 ft. ROW
<i>Project Contractor, Sub-Contractor or Architect Sign 3 to 12 Units</i>	1 per site	3 sq. ft.	3 ft. average grade	15 ft. from ROW
<i>Project Contracto, Sub-Contractor or Architect Sign 13 or More Units</i>	1 per site	6 sq. ft.	3 ft. from average grade	15 ft. ROW
<i>Temporary Signs</i>	1 per business	32 sq. ft. per sign	8 ft. from average grade, if free standing	15 ft. ROW
<i>Subdivision Identification Sign</i>	1 per entrance	72 sq. ft.	8 ft. from average grade	1.5 ft ROW
<i>Subdivision Phase of Development Sign (Only available to developer)</i>	1 per phase	96 sq. ft.	12 ft. above grade	1.5 ft from R.O.W.





## **ARTICLE 3 : MINIMUM STANDARDS FOR STREET DESIGN AND CONSTRUCTION**

### **3.1. Street Categories**

Street Types utilized in this development shall consist of the following:

**3.1.1 Type A – 22’ R.O.W. Access Street:** These are driveways typically used to serve commercial and/or multi-family residential developments. Typically used to direct traffic into designated parking areas with no sidewalks or shoulders and provides 11’ drive lanes.

**3.1.2 Type B – 44’ R.O.W. Street:** These are private streets generally serving commercial areas. Typically used to convey off-site traffic into access drives and parking areas with some accommodation for through traffic volume. This street type is characterized with a 44’ ROW, 17.5’ drive lanes, with a 4’ planter bed, and a 5’ sidewalk on one side of the street.

**3.1.3 Type C – 50’ R.O.W. Street:** These are private streets used primarily to serve single and/or multi-family residential units or light business traffic. These streets are generally characterized with short block distances with relatively low volume of through traffic. This street type is characterized with a 50’ ROW and includes a 12’ Drive Lane, a 9’ shoulder, and 4’ sidewalk.

**3.1.4 Type D – 52’ – 56’ R.O.W. Street:** These are private streets used primarily to serve single, multi-family residential and commercial traffic. This street type is characterized with a minimum 52’ R.O.W., 13’ drive lanes, 9’ shoulder, and a 4’ sidewalk. The 56’ R.O.W. is used when a 4’ median is included.

**3.1.5 Type E 56’ R.O.W. Street:** These are private streets that will primarily serve commercial areas. This street type is characterized with a 56’ ROW, 17.5’ drive lanes including curb and gutter, 4.5’ planter, and 6’ sidewalk.

**3.1.6 Type F 40’ R.O.W. Street:** This street section will be used for all bridge sections. The section includes 13’ drive lanes, and 5’ sidewalks.

**3.1.7 Type G 44’ R.O.W. Street:** These are private streets that may be used for internal drives or streets primarily serving single-family, townhouse or multi-family developments. This street type is characterized with a 44’ ROW, 13.5’ drive lanes, including 18” rollover curb, 4.5’ planter, and 4’ sidewalk on both sides of the street.

- 3.2 Minimum Right-of-Way Widths:** The minimum widths of Street right-of-ways, from lot line to lot line shall not be less than the following:

Street Type	Right-of-Way (ft)
Type A	22
Type B	44
Type C	50
Type D	52
Type E	56
Type F	40
Type G	44

\* Refer to corresponding Roadway Exhibits

- 3.3 Minimum Street Pavement Widths:** The minimum width of the street pavement shall be as follows:

Street Type	Drive Width (ft)	Shoulder Width (ft)	Sidewalk Width (ft)
Type A	22	N/A	N/A
Type B	35	N/A	5
Type C	24	9	4
Type D	26	9	4
Type E	35	N/A	6
Type F	26	N/A	5
Type G	27	N/A	5

Note: Refer to corresponding Roadway Exhibits for Shoulder and sidewalk widths

### **3.4 General Street Design Standards**

- 3.4.1** Intersecting streets shall be located directly opposite another existing or proposed street, or shall be a minimum of one hundred (100) feet distance, as measured between the ends of the nearest turning radii, at the curb.
- 3.4.2** Multiple intersections involving the junction of more than two streets shall not be permitted without the use of adequate signage and/or striping.
- 3.4.3** Streets that intersect at angles less than 90 degrees shall be limited to controlled intersections with a stop sign for each street.
- 3.4.4** The dedication of new half streets along tract boundaries is not permitted.
- 3.4.5** Distance between intersecting streets shall not exceed 1000 feet without the use of traffic calming devices.
- 3.4.6** Where a street does not extend beyond the boundary of a development, and its continuation is not required for access to adjoining property, a cul-de-sac

turnaround shall be provided at the end of such permanent dead-end streets. Such cul-de-sac streets shall not exceed five hundred (500) feet in length. This length is measured from the nearest intersecting street.

- 3.4.7** Temporary dead-end streets with a length exceeding 300 feet will require the construction of a temporary turn-around. The additional ROW for the turn-around shall be shown on the plat with a notation that such additional R.O.W. shall revert to abutters upon the continuation of the street. No building permits shall be issued for any lots abutting a temporary turn-around as shown on any recorded subdivision plat unless and until the temporary turn-around is actually constructed, and has been approved by the Director of Public Works. A Type III Barricade, a type 4 marker, or approved equal shall be constructed at all dead ends and shall comply with the Texas Manual on Uniform Traffic Control Devices.
- 3.4.8** Horizontal Curves: Where there is a deflection angle of more than 10 degrees in the alignment of streets, a horizontal curve shall be included. A tangent length of 50 feet shall be used between reverse curves. The minimum centerline radius for the various streets is 300 feet. A reduced centerline radius is acceptable if the subject curve is located within 100 feet of a controlled intersection and/or traffic calming device and that are engineered to provide results from a computer simulation illustrating that a Fire Truck can adequately maneuver the curve.
- 3.4.9** Vertical Curves: Where there is a change in grade of 1.5 degrees or more, a vertical curve shall be included in the design
- 3.4.10** Street Grades: The minimum street grade shall not be less than two tenth (0.20) of one percent along the pavement. The maximum street grades shall not exceed 12 percent.
- 3.4.11** Cross-slopes: The cross-slopes on all streets shall be a minimum of 2% and a maximum of 4%.
- 3.4.12** Intersecting radii: A minimum radius of 15 feet will be required for intersecting streets, as measured from the outside edges of the travel lanes.
- 3.4.13** Cul-de-sac: A cul-de-sac shall have a minimum ROW radius of 50'.
- 3.4.14** Clear View of Intersecting Streets: A triangular area of clear vision formed by two intersecting streets shall be maintained. The size of the triangular area is a function of traffic volume and speed. On any portion of the triangular area, no obstruction shall be placed in such a manner such as to impede vision between a height of 36 inches above street grade.
- 3.4.15** All streets must be surfaced with Brick Pavers. Alternative designs must be approved by DRB.
- 3.4.16** Street Right of Way may be allowed to transition to match Rights of Way at Bridge Locations within 100' of Bridge Structures.

### **3.5 CONSTRUCTION SPECIFICATIONS**

Unless specifically noted in this document, construction specifications shall conform to the Texas Department of Transportation's Standard Specifications for Construction of Highways, Streets and Bridges (1993 Edition) and/or the Town of South Padre Island's Standards and Specification's Manual, where applicable. Any deviation must receive approval by the Town of South Padre Island's Director of Public Works and DRB.

### **3.6 BRICK PAVERS**

Brick Pavers shall meet the requirements set forth in ASTM C936, Standard Specification for Interlocking Concrete Paving Units including but not limited to the following: Average compressive strength of 8,000 psi with no individual unit under 7,200 psi. Color and style to be determined by the Shores Design Review Committee. Installation shall follow manufacture recommendations. Construction drawings shall clearly detail brick restraint methods, bedding, base and subgrade requirements and shall be prepared by a licensed professional engineer.

### **3.7 SIGNAGE AND TRAFFIC CONTROL DEVICES**

Signage and traffic control devices shall comply with the latest edition of Texas Manual on Uniform Traffic Control Devices

### **3.8 PARKING ACCESS AND CIRCULATION**

#### **3.8.1 INTENT**

To encourage comprehensive, multi-site parking strategies that minimize redundant access and that maximize open space and landscaping as well as convenient auto and pedestrian circulation within and between sites. To create a clearly organized system of entrances, driveways, parking areas and pedestrian circulation. To minimize driveway and curb cut width at the sidewalk in order to reduce their impact on pedestrian safety and the continuity of the tree lawn and street trees.

#### **3.8.2 STANDARDS**

Access for each lot will be reviewed with the project's overall traffic circulation and capacity needs and located according to Shores requirements.

Direct driveway access to arterial streets and collectors shall be limited.

Contiguous developments shall coordinate circulation plans to minimize curb cuts.

Access Street locations for non-residential and large multi-family uses shall coordinate with the locations of other such access drives. Opposing access streets either shall be aligned to provide a full intersection or separated by not less than 150 feet.

Vehicular circulation on-site shall be clearly organized to facilitate movement into and throughout parking areas. Parking drive lanes and intersections shall align wherever practicable. On-site intersections shall be located to preclude stacking of vehicles across intersections and onto public streets.

Pedestrian crossings of drive aisles shall be clearly marked with signage, special paving, special landscaping, or other methods.

All parking areas located between a street and a building shall include a landscaped pedestrian walk linking the building(s) with the public sidewalk. Sidewalks may be attached to internal drives or parking areas if they are a minimum of 5 feet wide along drives or 6 feet wide where parked vehicles overhang the curb.

### **3.8.3 GUIDELINES**

Pedestrian sidewalks should be located along islands within parking lots to minimize conflicts between pedestrians and vehicles.

Parking area sidewalks should conveniently lead to primary building entries.

Developments bounded by undeveloped parcels should consider potential opportunities for future auto, pedestrian and bicycle connections.

## **3.9 LIGHTING**

### **3.9.1 STREET LIGHTING —PUBLIC RIGHTS-OF-WAY**

**INTENT** To provide lighting that provides for safety and consistent appearance in conformance with Shores Standards along Public Right of Ways.

**STANDARDS** The spacing, location, height, fixture style, light source and level of illumination shall be subject to the Standards and review of the DRB. All street light fixtures shall be of a uniform design. 13 ft concrete pole and fixture 100 w HPSV Post Top Luminaries. Placement of fixtures should provide a coordinated and organized appearance that works with placement of street trees, curb cuts, signage and other features to contribute to the overall continuity of the streetscape. Spacing shall not exceed 200' apart/

### **3.9.2 PEDESTRIAN LIGHTING — PUBLIC RIGHTS-OF-WAY**

#### **INTENT**

To provide consistent systems of pedestrian lighting that add to the character, aesthetic appeal and safety of the Shores Development and thereby promote greater pedestrian activity.

#### **STANDARDS**

Pedestrian lighting shall use consistent fixtures, source colors and illumination levels.

To prevent glare and light pollution, light fixtures shall be downcast or low cut-off fixtures.

### **GUIDELINES**

When pedestrian lighting is used in conjunction with street lighting, the pedestrian lighting should be clearly distinguishable from the ambient street lighting to clearly define the pedestrian path of travel.

Light sources should generally be florescent; however, low wattage high pressure sodium or metal halide may be desirable in some residential settings where glare may be an issue.

Lighting should be designed to provide even and uniform light distribution without hot spots, dark spots or glare. Lighting should be designed to minimize dark areas that could pose a security concern near pedestrian areas. Pedestrian circulation systems should be highlighted by visible light sources that clearly indicate the path of travel ahead.

Placement of fixtures should provide a coordinated and organized appearance that facilitates uniform light levels and works with the placement of sidewalks, landscaping, signage, building entries and other features to contribute to the overall continuity of the streetscape and development. The use of a greater number of low fixtures in a well organized pattern is preferred over the use of a minimum number of tall fixtures.

## **3.9.3 PARKING AREA LIGHTING**

**INTENT** To light parking areas in a consistent, attractive and unobtrusive manner that minimizes off-site impacts.

**STANDARDS** Parking and interior drives shall be lighted to provide functional, attractive, and unified lighting system throughout the lot.

Fixtures shall be of low cut off, flush lens design to minimize spill light and glare onto adjacent properties. Parking area lighting adjacent to residential development shall direct the light away from residential units and limit off-site light levels.

The maximum height of parking lot light fixtures shall be 30 feet.

Parking area lighting shall be extinguished one hour after the close of business, except as needed to provide for minimum security levels.

**GUIDELINES** Parking area lighting should complement the lighting of adjacent streets and properties and should use consistent fixtures, source colors and illumination levels. When adjacent to pedestrian circulation and gathering areas,

parking area lighting should not over power the quality of pedestrian area lighting.

Poles should be placed to provide a unified, organized appearance throughout the parking area or development and should provide even and uniform light distribution. The use of a greater number of low fixtures in a well organized pattern is preferred over the use of a minimum number of tall fixtures.

Light sources should be High Pressure Sodium Vapor or Metal Halide.

At no point should lighting levels in parking and service areas be less than 0.5 foot-candles with a maximum to minimum ratio of 6:1 and shall conform to Illuminating Engineering Society Standards.

### **3.9.4 ACCENT AND SECURITY LIGHTING**

**INTENT:** To light building architecture and site areas so as to accentuate design features and promote security in an attractive and understated manner that minimizes off-site impacts.

**STANDARDS:** Architectural accent lighting shall be limited to indirect lighting of architectural features only. No bare bulb or exposed neon lighting shall be used to accentuate building forms or details. Colored accent lighting is not permitted. Holiday lighting displays are exempted from restrictions on bare bulbs and colored accents.

Accent fixtures providing direct illumination shall be in character with the architectural and landscape design character of the development.

Service area lighting shall be confined within the service yard boundaries and enclosure walls. No spill-over shall occur outside the service or storage area. The lighting source shall not be visible from the street. Lights at service or exit doors shall be limited to low wattage downcast or low cut-off fixtures that may remain on through out the night.

**GUIDELINES:** Building lighting should only be used to highlight specific architectural features. Lighting of architectural features should be designed with the intent of providing accent and interest or to help identify entry and not to exhibit or advertise buildings or their lots.

Accent lighting of landscape should be low level and background in appearance.

Outdoor storage areas including auto and truck parking and storage should be illuminated from poles similar to those used for parking lot lighting, but at lower illumination levels.

Security lighting should be limited to low intensity specialty fixtures. The light source should not be visible from the street or adjoining properties. Other wall mounted security lighting is discouraged.

### **3.10 Street Curbs**

Portland Cement Concrete Curbs shall be required on both sides of roadways. Concrete shall achieve a minimum 4000 psi at 28 day compressive strength and will contain 1.5 lbs of fiber mesh per cubic yard. Refer to Article 9 for illustration of typical curb details.

### **3.11 Sidewalks**

Sidewalks shall be a minimum of 4.0 feet wide and shall be constructed with a Brick-Paver surface. Sidewalks shall incorporate a means for restraining Brick Pavers. The sidewalks shall meet all applicable ADA requirements.

### **3.12 Bridges**

The plans shall be designed to meet the criteria set forth in AASHTO “Standard Specifications for Highway Bridges” and Texas Department of Transportation’s Standard Specifications for Construction of Highways, Streets, and Bridges in effect at the time of the design.

The design of Bridge Structures shall incorporate means for adequate circulation of water.

The driving lanes across the Bridge shall be no less than 13 feet.

The Bridge shall include a sidewalk on at least one side of the road.

The maximum street grades across the Bridge shall not exceed 8 %.

## **ARTICLE 4 – WATER DISTRIBUTION SYSTEM**

The proposed water distribution system shall comply with minimum design regulations from the Laguna Madre Water District and the Texas Commission on Environmental Quality (TCEQ). A letter of approval shall be provided by the appropriate regulatory agency prior to construction. Water mains shall be placed in either Public R.O.W. or public utility easements.

## **ARTICLE 5 – SANITARY SEWER COLLECTION SYSTEM**

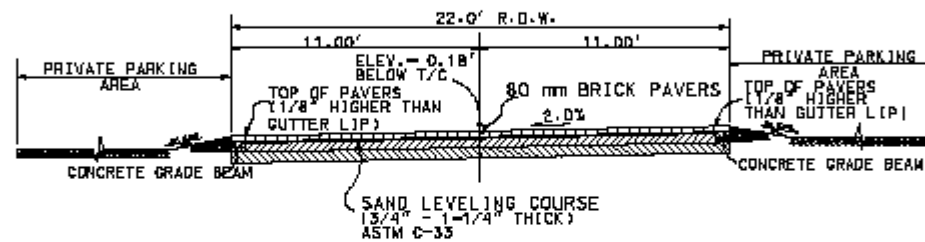
The sanitary sewer collection system shall consist of conventional gravity collection system. In areas where utilizing a gravity system is proven non-practical, the owner may request the use of a low pressure sewer system. In all cases, the system shall comply with minimum design regulations from the Laguna Madre Water District and the Texas Commission on Environmental Quality (TCEQ). A letter of approval shall be provided by the appropriate regulatory agency prior to construction. Sewer mains shall be placed in either Public R.O.W. or public utility easements.

## **ARTICLE 6 – STORMWATER DRAINAGE SYSTEMS**

Stormwater drainage requirements shall comply with the minimum standards specified in Article 5 of the Standards and Specifications for the Town of South Padre Island.



## **ARTICLE 7 – EXHIBITS**



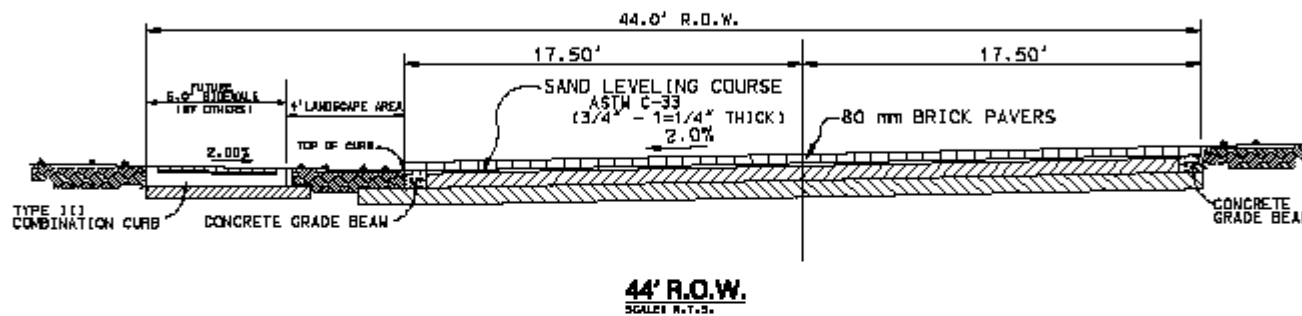
**22' R.O.W.**  
SCALE: 1/4" = 1'-0"

**NOTES:**

1. BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER
2. ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE
3. STREET CROSS-SLOPE MAY BE MODIFIED TO REFLECT A TYPICAL CROWN-SECTION
4. A LESSER R.O.W. FOR STREET SECTION "E-E" MAY BE ACCEPTABLE IF SIDEWALKS ARE PLACED WITHIN SIDEWALK EASEMENT
5. THE 4' MEDIAN IN STREET SECTION "D-D" IS OPTIONAL
6. STAMPED CONCRETE MAY BE USED IN LIEU OF BRICK PAVERS FOR THE BRIDGE PAVEMENT SECTION.
7. LOCATION OF GUARD RAILS MAY VARY.
8. ROADWAY R.O.W. TRANSITIONING MAY OCCUR WITHIN 100' OF BRIDGE STRUCTURE.

**7.1.1 - TYPE A STREET**

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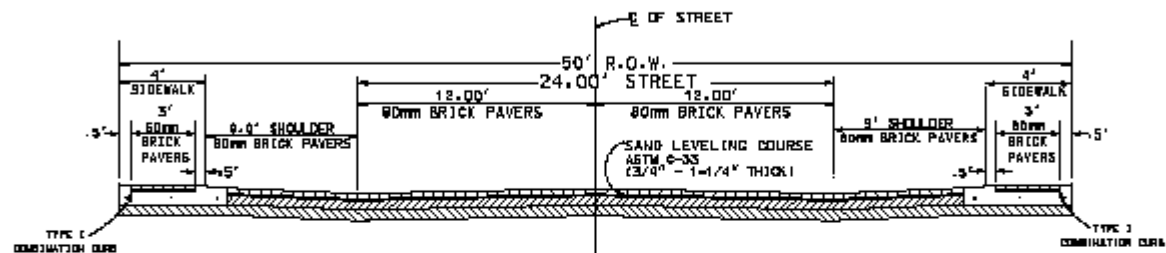


**NOTES:**

1. BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER
2. ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE
3. STREET CROSS-SLOPE MAY BE MODIFIED TO REFLECT A TYPICAL CROWN-SECTION
4. A LESSER R.O.W. FOR STREET SECTION "E-E" MAY BE ACCEPTABLE IF SIDEWALKS ARE PLACED WITHIN SIDEWALK EASEMENT
5. THE 4' MEDIAN IN STREET SECTION "D-D" IS OPTIONAL
6. STAMPED CONCRETE MAY BE USED IN LIEU OF BRICK PAVERS FOR THE BRIDGE PAYEMENT SECTION\$.
7. LOCATION OF GUARD RAILS MAY VARY.
8. ROADWAY R.O.W. TRANSITIONING MAY OCCUR WITHIN 100' OF BRIDGE STRUCTURE.

**7.1.2 – TYPE B STREET**





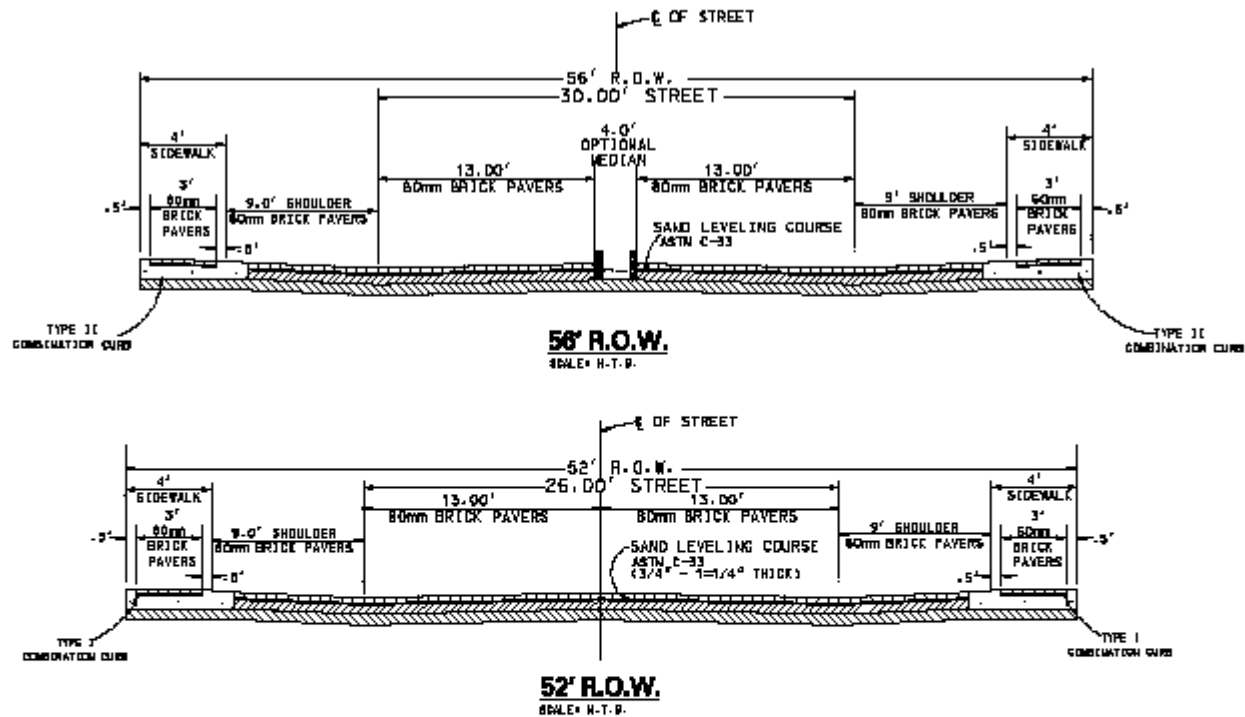
**50' R.O.W.**  
SCALE: N.T.S.

**NOTES:**

1. BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER
2. ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE
3. STREET CROSS-SLOPE MAY BE MODIFIED TO REFLECT A TYPICAL CROWN-SECTION
4. A LESSER R.O.W. FOR STREET SECTION "B-E" MAY BE ACCEPTABLE IF SIDEWALKS ARE PLACED WITHIN SIDEWALK EASEMENT
5. THE 4' MEDIAN IN STREET SECTION "D-D" IS OPTIONAL
6. STAMPED CONCRETE MAY BE USED IN LIEU OF BRICK PAVERS FOR THE BRIDGE PAVEMENT SECTION\$.
7. LOCATION OF GUARD RAILS MAY VARY.
8. ROADWAY R.O.W. TRANSITIONING MAY OCCUR WITHIN 100' OF BRIDGE STRUCTURE.

**7.1.3 - TYPE C STREET**

**Half Associates**  
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2000 WEST HOLLYWAY DRIVE, SUITE 100, CHALLIS, ID 83201 • PHONE: 208-885-1000

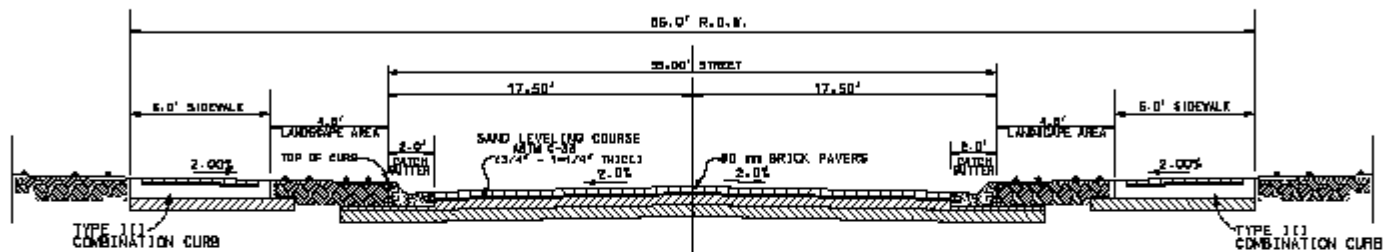


**NOTES:**

1. BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER
2. ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE
3. STREET CROSS-SLOPE MAY BE MODIFIED TO REFLECT A TYPICAL CROWN-SECTION
4. A LESSER R.O.W. FOR STREET SECTION "E-E" MAY BE ACCEPTABLE IF SIDEWALKS ARE PLACED WITHIN SIDEWALK EASEMENT
5. THE 4" MEDIAN IN STREET SECTION "D-D" IS OPTIONAL
6. STAMPED CONCRETE MAY BE USED IN LIEU OF BRICK PAVERS FOR THE BRIDGE PAVEMENT SECTION.
7. LOCATION OF GUARD RAILS MAY VARY.
8. ROADWAY R.O.W. TRANSITIONING MAY OCCUR WITHIN 100' OF BRIDGE STRUCTURE.

**7.1.4 – TYPE D STREET**

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### 68' R.O.W. WCURB & GUTTER

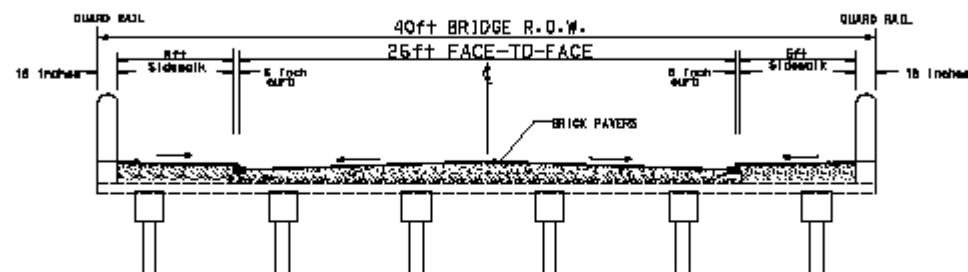
SCALE: H.T.S.

#### NOTES:

1. BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER
2. ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE
3. STREET CROSS-SLOPE MAY BE MODIFIED TO REFLECT A TYPICAL CROWN-SECTION
4. A LESSER R.O.W. FOR STREET SECTION "E-E" MAY BE ACCEPTABLE IF SIDEWALKS ARE PLACED WITHIN SIDEWALK EASEMENT
5. THE 4' MEDIAN IN STREET SECTION "D-D" IS OPTIONAL
6. STAMPED CONCRETE MAY BE USED IN LIEU OF BRICK PAVERS FOR THE BRIDGE PAVEMENT SECTION\$.
7. LOCATION OF GUARD RAILS MAY VARY.
8. ROADWAY R.O.W. TRANSITIONING MAY OCCUR WITHIN 100' OF BRIDGE STRUCTURE.

### 7.1.5 - TYPE E STREET

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 2000 WEST BOLDWIN AVENUE, SUITE 200, DENVER, CO 80202 • (303) 733-8888



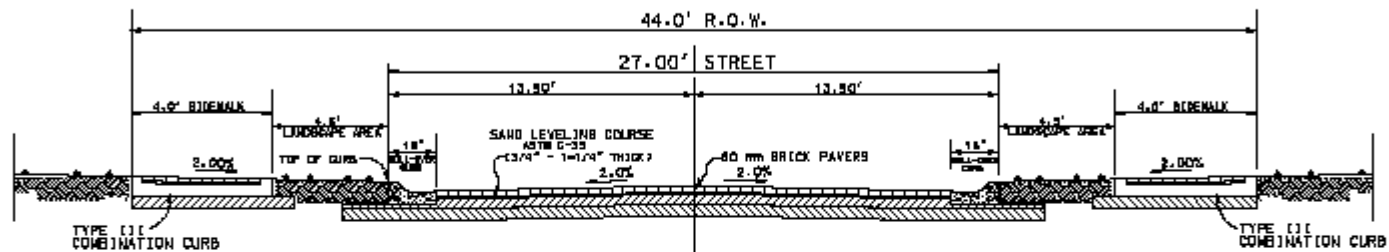
**TYPICAL 40' BRIDGE R.O.W.**  
SCALE: H.T.D.

**NOTES:**

1. BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER
2. ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE
3. STREET CROSS-SLOPE MAY BE MODIFIED TO REFLECT A TYPICAL CROWN-SECTION
4. A LESSER R.O.W. FOR STREET SECTION "E-E" MAY BE ACCEPTABLE IF SIDEWALKS ARE PLACED WITHIN SIDEWALK EASEMENT
5. THE 4' MEDIAN IN STREET SECTION "D-D" IS OPTIONAL
6. STAMPED CONCRETE MAY BE USED IN LIEU OF BRICK PAVERS FOR THE BRIDGE PAVEMENT SECTION\$.
7. LOCATION OF GUARD RAILS MAY VARY.
8. ROADWAY R.O.W. TRANSITIONING MAY OCCUR WITHIN 100' OF BRIDGE STRUCTURE.

**7.1.6 – TYPE F STREET**

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**44' R.O.W.**  
SCALE: H.T.G.

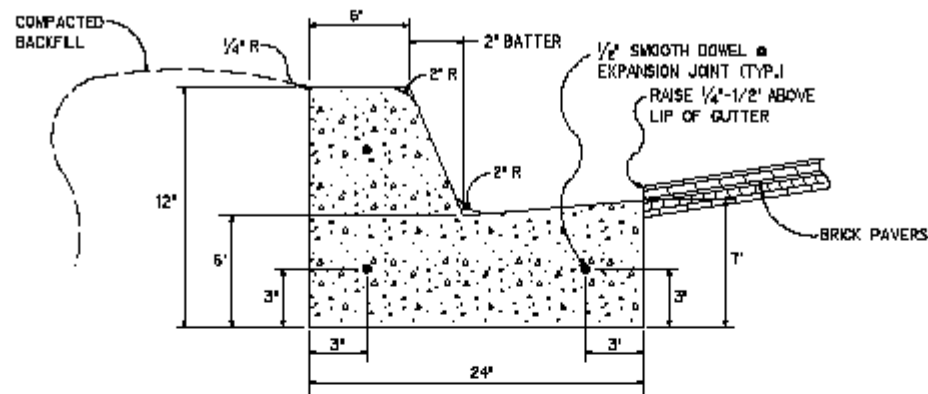
**NOTES:**

1. BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER
2. ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE
3. STREET CROSS-SLOPE MAY BE MODIFIED TO REFLECT A TYPICAL CROWN-SECTION
4. A LESSER R.O.W. FOR STREET SECTION "E-E" MAY BE ACCEPTABLE IF SIDEWALKS ARE PLACED WITHIN SIDEWALK EASEMENT
5. THE 4' MEDIAN IN STREET SECTION "D-D" IS OPTIONAL
6. STAMPED CONCRETE MAY BE USED IN LIEU OF BRICK PAVERS FOR THE BRIDGE PAVEMENT SECTION.
7. LOCATION OF GUARD RAILS MAY VARY.
8. ROADWAY R.O.W. TRANSITIONING MAY OCCUR WITHIN 100' OF BRIDGE STRUCTURE.

**7.1.7 – TYPE G STREET**

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Expansion joints will be placed at curb tangents, handicap ramps, curb inlets and intervals not to exceed 40'. Joints will consist of 1/2" pre-molded asphalt expansion joint material conforming with ASTM D-944. The dowels will be smooth 1/2" bars and 36" long, greased and wrapped with tar paper on one end and fixed on the other end. Dowels will be spaced a minimum 24" on center.

Care must be taken in installing the dowels straight and making sure no concrete is allowed in the dowel holes that might prevent the joint from operating as an expansion joint. All joints will be filled with joint sealer.

Bummy joints will be 0.25" wide and 1.25" deep (tooled or saw-cut) with maximum 10: spacing. All joints will be filled with joint sealer.

Concrete will achieve minimum 4000 psi at 28 day break and will contain 1.5 lb. Fibermesh per cubic yard.

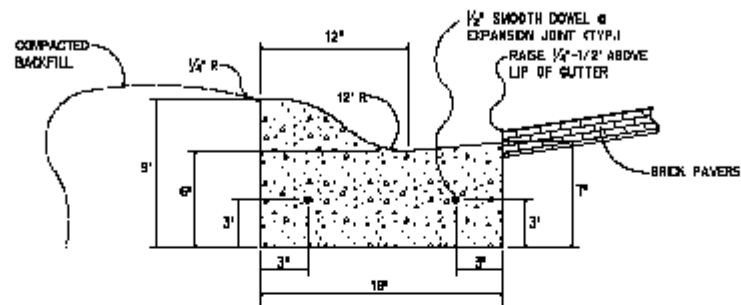
All exposed concrete surface will be treated with curing compound, resin base ASTM C-309, Type 2.

## 6" CONCRETE CURB AND GUTTER

NTS

### 7.2.1 – Concrete Curb and Gutter





Expansion joints will be placed at curb tangents, handstop ramps, curb inlets and intervals not to exceed 40'. Joints will consist of 1/2" pre-molded asphalt expansion joint material conforming with ASTM D-944. The dowels will be smooth 1/2" bars and 36" long, grouted and wrapped with tar paper on one end and fixed on the other end. Dowels will be spaced a minimum 24" on center.

Care must be taken in installing the dowels straight and making sure no concrete is allowed in the dowelholes that might prevent the joint from operating as an expansion joint. All joints will be filled with joint sealer.

Bumby joints will be 1/2" wide and 1.25' deep (tied or saw-cut) with maximum 10' spacing. All joints will be filled with joint sealer.

Concrete will achieve minimum 4000 psi at 28 day break and will contain 1.5 lb. Fibermesh per cubic yard.

All exposed concrete surfaces will be treated with curing compound, resin base ASTM D-309, Type 2.

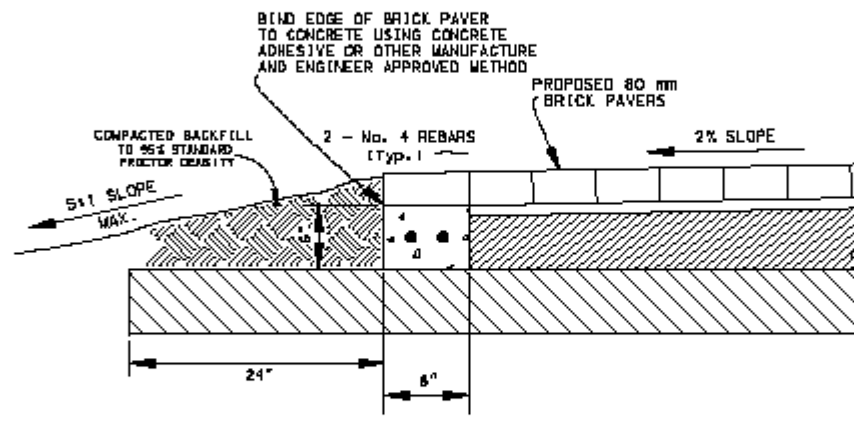
### 3" ROLLOVER CURB

NTS

## 7.2.2 – ROLL-OVER CURB AND GUTTER

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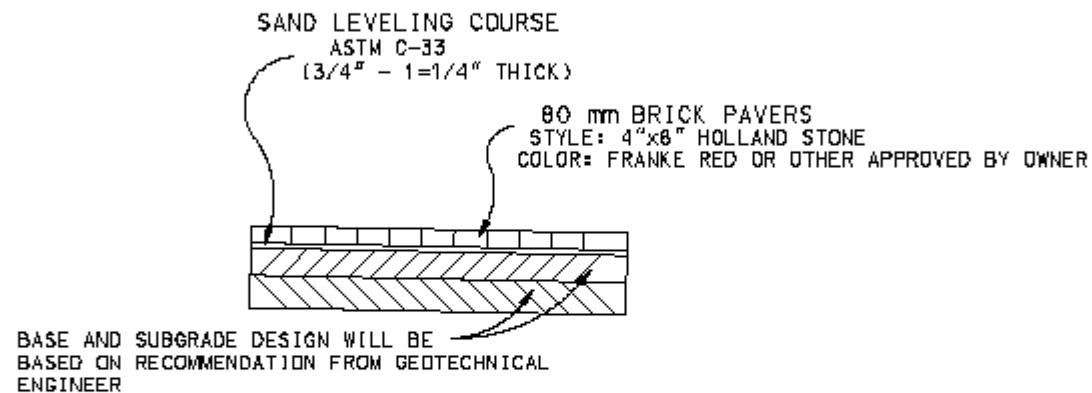


NOTE: BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER

ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE

### 7.3 – Concrete Grade Beam



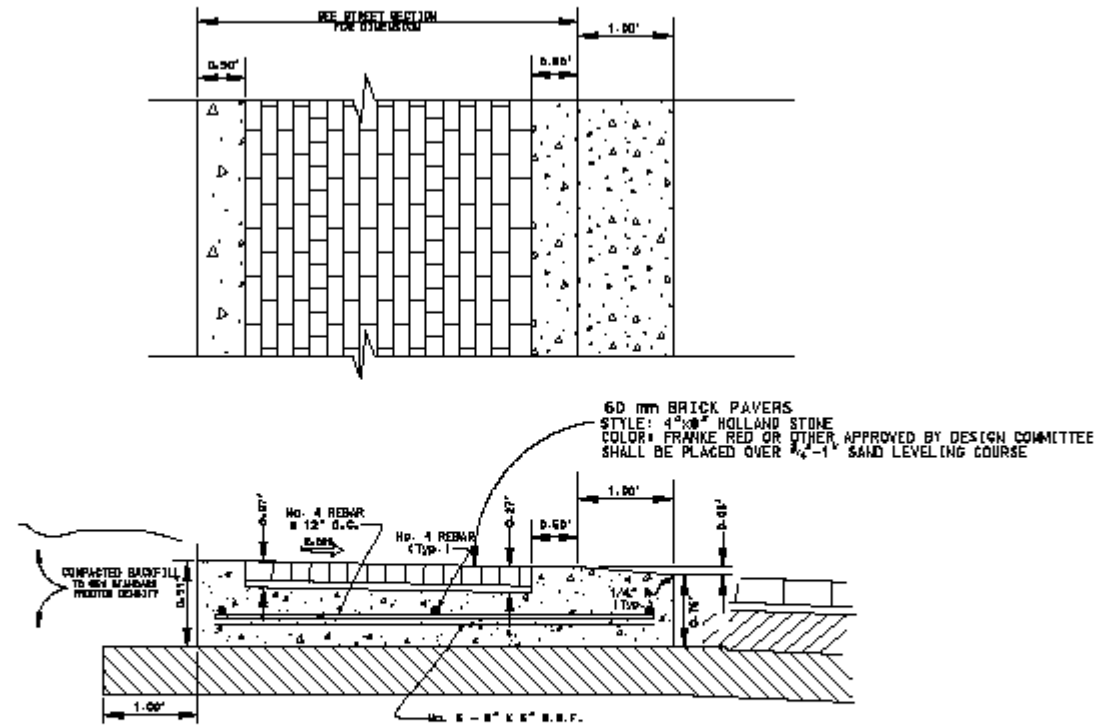


NOTE: BASE AND SUBGRADE REQUIREMENTS TO BE  
DETERMINED BY GEOTECHNICAL ENGINEER

ALTERNATE TYPE AND/OR STYLE OF  
BRICK PAVERS SHALL BE APPROVED BY  
DESIGN COMMITTEE

#### **7.4-Typical Pavement Section Detail**



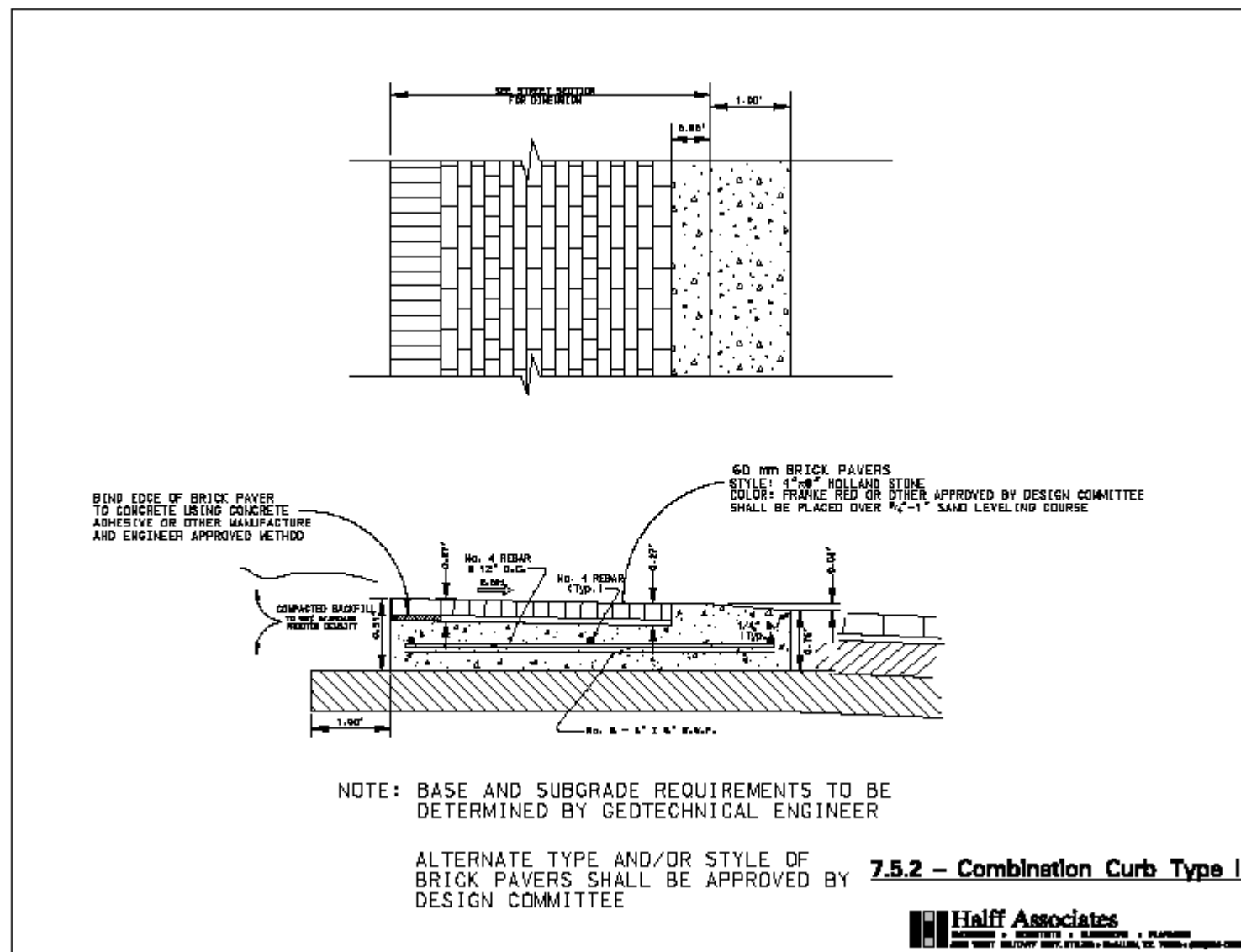


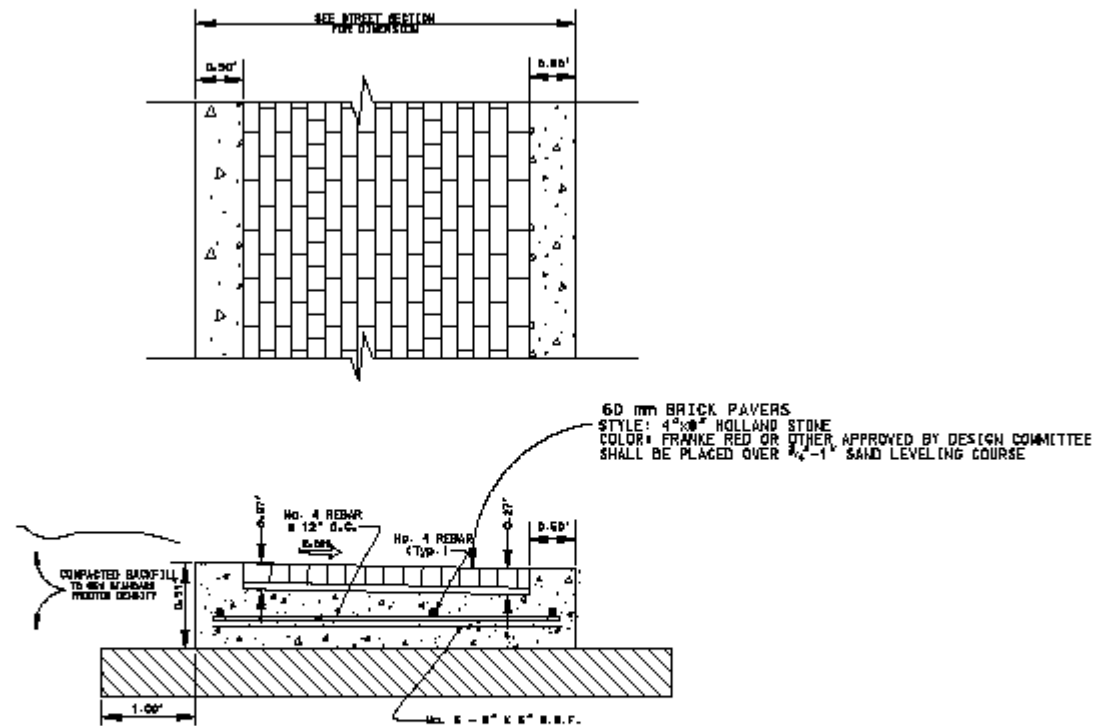
NOTE: BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER

ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE

### 7.5.1- Combination Curb Type I

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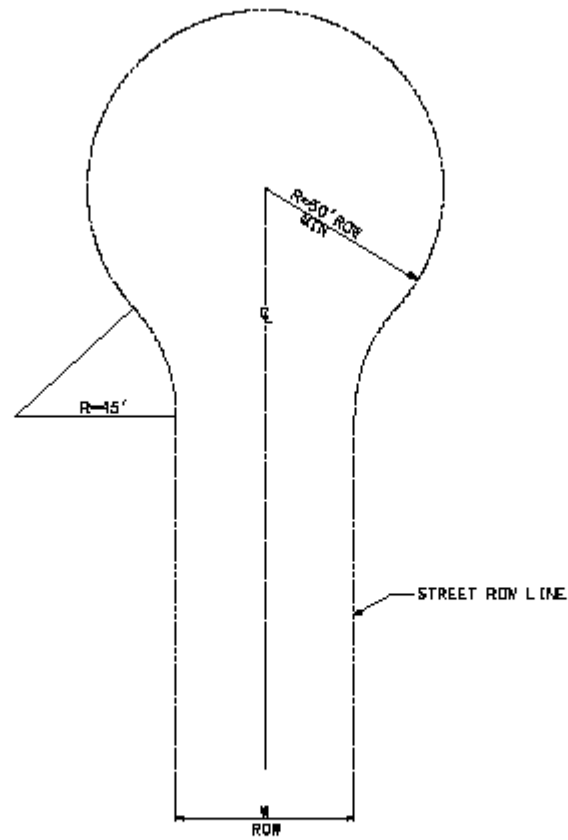
NOTE: BASE AND SUBGRADE REQUIREMENTS TO BE DETERMINED BY GEOTECHNICAL ENGINEER

ALTERNATE TYPE AND/OR STYLE OF BRICK PAVERS SHALL BE APPROVED BY DESIGN COMMITTEE

### 7.5.3 – Combination Curb Type III

**Half Associates**  
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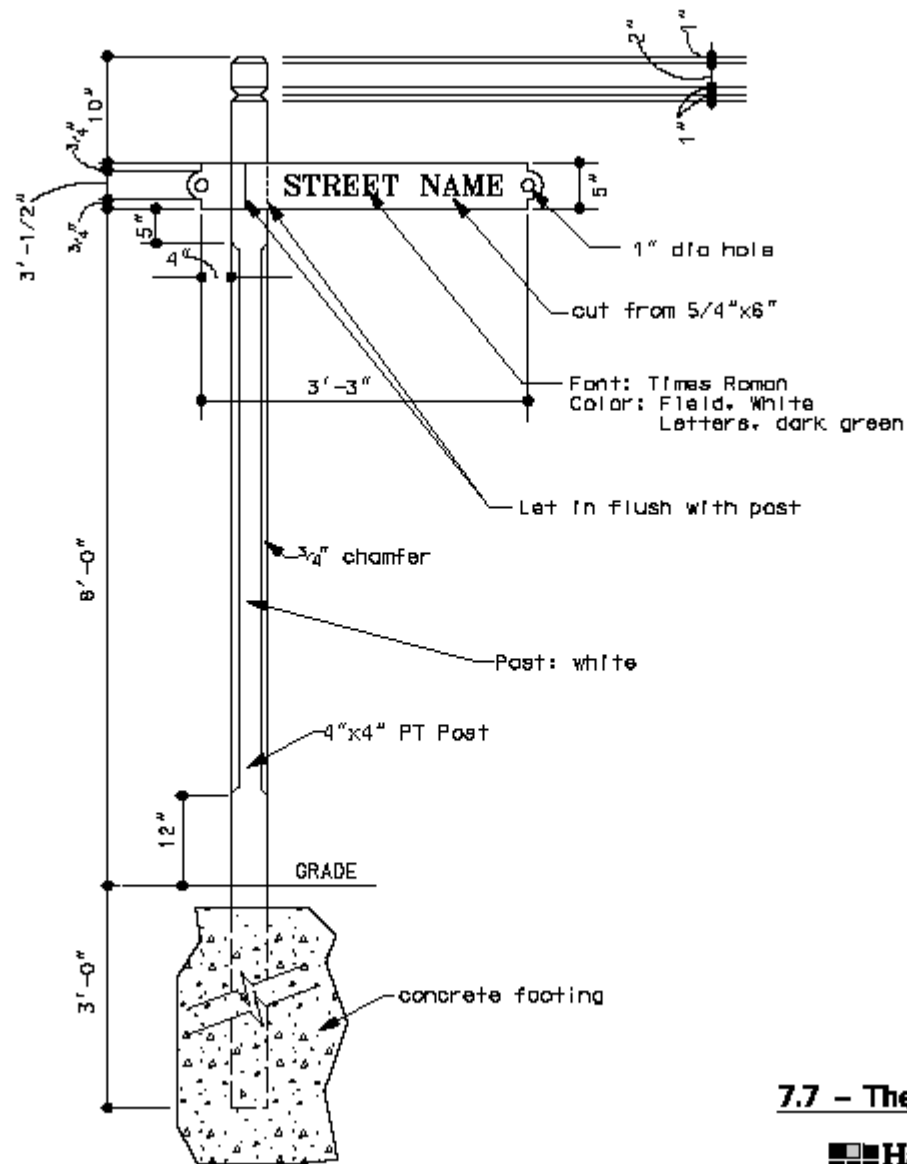




W- Varies in accordance to Street Type

## 7.6 - TYPICAL CUL-DE-SAC-DETAIL

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## 7.7 - The Shores: Street Signs



