

ORDINANCE NO. 14-10

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING CHAPTER 20 ZONING ORDINANCE, SECTION 20-8.9 APPENDIX “Z” PADRE BOULEVARD AND ENTERTAINMENT DISTRICT CODE, BY REVISING SUBSECTIONS 9.2.2, 9.3.7 AND 9.4.7 REGARDING COLOR PALETTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF UP TO TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; PROVIDING FOR THE EFFECTIVE DATE; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island has heretofore adopted the Form-Based Code, which was incorporated into Chapter 20 (Zoning) of the Code of Ordinances; and

WHEREAS, the City Council finds that Chapter 20 (Zoning) Section 20-8.9 Appendix “Z” Padre Boulevard and Entertainment District Code should be amended to make the existing non-residential color palette a business-friendly; and

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

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

Section 1. The Sections 20-8.9 Appendix “Z” Padre Boulevard and Entertainment District Code of Chapter 20 Zoning is hereby amended and restated in its entirety to read as follows:

9.2.2 Colors

~~(i) Shall follow the color palette established in Appendix C.~~

(i) See 9.4.7

9.3.7 Colors

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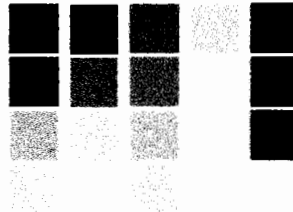
The colors, which are specified based on the Munsell Color System, of a building are restricted to those below:

(i) Areas for color application shall be categorized into (1) body, (2) trim, (3) accent and (4) roof. Body colors indicates colors applied to wall areas. Trim colors include areas of shutters, doors, windows, and wainscot. Accent colors cover fascia and soffit. Roof colors indicate entire roof areas.

(ii) General Provisions.

a. Colors that are recommended:

- i. Existing color palette (see Appendix C); and
- ii. Earth tone and/or colors of natural materials.



b. Colors that are not allowed:

- i. Fluorescent, neon or any illuminated colors.

(iii) Specific Provisions.

a. Body and roof colors are restricted to those in the table below:

	<u>Hue</u>	<u>Value</u>	<u>Chroma</u>
<u>Body</u>	<u>All</u>	<u>8 or above</u>	<u>6 or below</u>
<u>Roof</u>	<u>All</u>	<u>6 or below</u>	<u>6 or below</u>

b. Accent and trim colors shall be in the same hue and be selected from the recommended colors, which includes any colors in the existing color palette (Appendix C), earth tone and/or colors of natural materials.

c. Number of colors allowed:

- i. Four (body, trim, accent and roof) colors up to 5,000 sq.ft. (building footprint).
- ii. Five colors for buildings greater than 5,000 sq.ft. (building footprint)

- (1) Two (2) body colors may be applied to façade rhythm of 20' to 30' bays to be consistent with the required Façade Composition (PBEDC 8.1.3).
- (2) No pattern of narrower stripes than 20' is allowed.

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

Section 3. Any violation of the above mentioned section of Chapter 20 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed two thousand Dollars (\$2000.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-2 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

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

PASSED, APPROVED AND ADOPTED on First Reading, the 16th day of July 2014.

PASSED, APPROVED AND ADOPTED on Second Reading, the 6th day of August 2014.

ATTEST:

CITY OF SOUTH PADRE ISLAND,
TEXAS



SUSAN HILL, CITY SECRETARY



ROBERT N. PINKERTON, JR., MAYOR

