

City of Galveston



Department of Planning and Community Development

P.O. Box 779 / Galveston, Texas 77553-0779 / Ph (409) 797-3660 / Fax (409) 797-3661

March 3, 2004

Eddie Fisher, Director
Coastal Stewardship
Texas General Land Office
P O Box 12873
Austin, Texas 78711-2873

RECEIVED

MAR 05 2004

GENERAL LAND OFFICE

Re: City of Galveston Beach Access Plan (Ordinance No. 04-026)
Request for Certification

Dear Mr. Fisher:

Please find enclosed, Ordinance No. 04-026, adopted by City Council on February 26, 2004. The adopted ordinance amends the City of Galveston's zoning regulations relating to such areas as access dedication, free parking, signage and maintenance. In addition to the adopted ordinance, enclosed are various elements of the beach access plan, including, but not limited to: plan implementation, methodology, and definitions.

Pursuant to the official procedures relating to state certification of local beach/dune regulations, a certified copy of the amendments is being forwarded to the Texas General Land Office (GLO) for review and publication in the Texas Registry.

The City of Galveston appreciates the communication, support and guidance of the Texas General Land Office throughout the beach access plan process. Please contact me at 409/797-3660, should you have any questions, or need additional information.

Sincerely,

Wendy O'Donoghue, Director
Department of Planning and Community Development

enclosures: Ordinance No. 04-026 (48 pages)
Department of Planning and Community Development Staff Report 04P-72 (7 pages)
Staff Report 04P-72 Attachment A: Beach Access Linear Footage
Staff Report 04P-72 Attachment B: Parking Calculation Methodology
Staff Report 04P-72 Attachment D: Beach Access Definitions
Staff Report 04P-72 Attachment E: Implementation Element (7 pages)
Final Beach Access Maps: February 26, 2004 (9 pages)

xc: Honorable Mayor Roger "Bo" Quiroga (*without enclosures*)
Galveston City Council Members (*without enclosures*)
Steven J. LeBlanc, City Manager (*without enclosures*)
Susie Green, City Attorney (*without enclosures*)
Barbara Lawrence, City Secretary (*without enclosures*)
Andrea Madison, Planning Division (*without enclosures*)
Lori Feild, Planning Division (*without enclosures*)

/data/word/bf/beach access/glo corres and submit info/030304 draft submittal packet

ORDINANCE NO. 04- 026

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING THE "GALVESTON ZONING STANDARDS", SECTION 29-90, "DEVELOPMENT, PRESERVATION AND PROTECTION OF SAND DUNES", (O) "PUBLIC BEACH USE AND ACCESS", TO ADOPT A BEACH ACCESS PLAN, AND RELATED PROVISIONS SUCH AS, BUT NOT LIMITED TO ACCESS DEDICATION, FREE PARKING, SIGNAGE, AND MAINTENANCE; AMENDING SECTION 29-90 "APPENDIX A: BEACH ACCESS AND PARKING PLAN" FOR THE PURPOSE OF MODIFYING BEACH ACCESS POINTS AND CONDITIONS; AMENDING SECTION 29-90 (o)(7) "BEACH USER FEES", TO CLARIFY LANGUAGE REGARDING A MAXIMUM BEACH USER FEE CHARGE; AMENDING SECTION 29-90(o)(7)(f), IN CONJUNCTION WITH AN INCREASE IN THE MAXIMUM FEES CHARGED AT R.A. APFFEL AND STEWART BEACH PARKS FROM \$7.00 TO \$8.00, AND AT DELLANERA PARK FROM \$5.00 TO \$8.00; AMENDING SECTION 29-90(o)(7): "BEACH USER FEES", TO ESTABLISH A MAXIMUM BEACH USER FEE CHARGE OF \$25.00 FOR BEACH ACCESS POINTS ON THE EAST AND WEST ENDS OF THE ISLAND; AMENDING SECTION 29-90 "DEVELOPMENT, PRESERVATION AND PROTECTION OF SAND DUNES", IN ITS ENTIRETY TO CORRECT NOTATION AND ENUMERATION; SUBMITTING THE BEACH ACCESS PLAN TO THE TEXAS GENERAL LAND OFFICE FOR FORMAL CERTIFICATION; SUBMITTING THE CITY OF GALVESTON LOCAL BEACH/DUNE REGULATIONS, ZONING STANDARDS 29-90, "DEVELOPMENT, PRESERVATION AND PROTECTION OF SAND DUNES" TO THE TEXAS GENERAL LAND OFFICE FOR COMPLETE CERTIFICATION; PROVIDING FOR A PENALTY CLAUSE; PLANNING CASE 04P-72; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City of Galveston is required to provide public beach access, in accordance with the Texas Administrative Title 31, Chapter 15, and the Texas Natural Resource Code, Chapters 61 (the "Open Beaches Act") and 63 (the "Dune Protection Act"); and,

WHEREAS, on May 12, 1994, the City Council adopted its initial Beach Access Plan within Ordinance No. 94-26, which the General Land Office conditionally certified; and,

WHEREAS, on December 8, 2003, City Council adopted Resolution 03-041, a draft beach access plan, that included recommendations from the Texas General Land Office and a combination of recommendations from both Planning Commission and Planning Division Staff; and,

WHEREAS, in accordance with the City Charter, the Galveston Planning Commission is charged with providing a recommendation to City Council regarding amendments of the Zoning Standards.

WHEREAS, on February 24, 2004, the Planning Commission recommended approval of proposed amendments to Section 29-90 of the Zoning Standards, with Staff recommendations and the following changes:

1. Beach Area adjacent to Bay Harbor, Miramar Beach, Caribbean Village, and

Half Moon Beach (AP 33 thru AP 35) shall be pedestrian access only, in lieu of seasonal access as proposed in staff report dated February 24, 2004:

2. The Planning Commission shall review and discuss the City's beach plan within one year of adoption. *(Please note, the intent of this condition is to allow the Planning Commission to review the effectiveness and implementation of the adopted beach access plan for potential amendment recommendations.)*

WHEREAS, in accordance with State law, the City developed its comprehensive Beach Access Plan over a two and one-half year period, taking into account the existing conditions and needed improvements. The City of Galveston is charged with developing a plan that will preserve the public's right to use the beach, while recognizing the safety issues associated with beach recreation. Based on its continuous coordination with the General Land Office, the City believes its comprehensive Beach Access Plan accomplishes the State mandate that it provide access for the public, while protecting the diversity of access and public safety; and,

WHEREAS, in order to proceed with a formal request for state certification of the City's Beach Access Plan, amendments to Section 29-90, "Development, Preservation and Protection of Sand Dunes" of the Zoning Standards are necessary, including but not limited to, access dedication, free parking, signage and maintenance; and,

WHEREAS, Staff recommends further changes to the submitted Beach Access Plan for the purpose of modifying beach access points and conditions, and to clarify language regarding a maximum beach user fee charge; and,

WHEREAS, the City is requesting an increase in the maximum fees charged at R.A. Apffel and Stewart Beach parks from \$7.00 to \$8.00 and at Dellanara Park from \$5.00 to \$8.00; and,

WHEREAS, Planning Staff has revised Section 29-90, the City's the City's local beach/dune plan, Section 29-90, "Development, Preservation and Protection of Sand Dunes" of the "Galveston Zoning Standards", to correct the outline format and enumeration and desires to submit the plan the Texas General Land Office for formal review and final certification, pursuant to State law; and,

WHEREAS, the City Council of the City of Galveston hereby formally submits a final draft of the City of Galveston Beach Access Plan and supporting documentation to the Texas General Land Office for formal review and final certification, pursuant to State law;

WHEREAS, on February 26, 2004, City Council approved amendments to Section 29-90 of the Zoning Standards, with Staff recommendations, including all staff report attachments and maps, and the following changes:

1. Seasonal Access shall begin at 6:00 PM on Friday, in lieu of 12:01 AM Saturday, as defined in staff report dated February 26, 2004;
2. In accordance with the Planning Commission recommendation, the City of Galveston shall review and discuss the City's beach plan within one year of adoption.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. Section 29-90, "Development, Preservation and Protection of Sand Dunes" of the "Galveston Zoning Standards", Subsection (o) "Public Beach Use and Access", is hereby amended to read and provide as follows:

(o) Public Beach Use and Access

Authority: 31 TAC, §15.7, requires that the City of Galveston's regulation of the pedestrian and vehicular access, traffic and parking on the beach in a manner that preserves or enhances existing public right to use and have access to and from the beach.

The City of Galveston shall presume that any beach fronting the Gulf of Mexico within its jurisdiction is a public beach unless the owner of the adjacent land obtains a declaratory judgment finding otherwise under the Open Beaches Act, Sec. 61.019. The Attorney General shall make the determination on issues relating to the location of the boundary of the public beach and encroachments on the public beach pursuant to the requirements of the Open Beaches Act.

The City of Galveston shall regulate pedestrian and vehicular beach access, traffic and parking on the public beach only in a manner that preserves or enhances existing public access and use. The following standards will be observed when regulating access and parking on the public beach:

- (1) Parking requirements for all new or replatted developments, on or adjacent to the beach, where there is no existing public parking, will be calculated at one (1) space for each 15 linear feet of beach frontage, calculated to meet Galveston Zoning Standards for space requirements. ~~Off-beach parking will be paved in compliance with standards in Section 29-67, Galveston Zoning Standards~~ **boundaries will be identified with signage and maintained on a continuous basis.** Furthermore, at the election of the Planning Commission and in accordance with Subdivision Regulations, **the Galveston Zoning Standards and Title 31, TAC, Natural Resources and Conservation, Part I, Chapter 15, and state law,** the Commission may request all parking consolidated and so dedicated;
- (2) All access ways to the beach will be constructed so as to avoid ~~dune cuts~~ **breaches in the dune system** and maintain the dune integrity;
- (3) Signs shall be displayed in a conspicuous location identifying access and parking for the public beach;
- (4) All parking and access plans must be consistent with General Land Office regulations as promulgated in ~~31 TAC, §15.7 and §61.015 of the Natural Resources Code~~ **state law.** The City of Galveston therefore, adopts ~~Section 8-3, Beach Access and Parking Plan, Galveston City Code,~~ as it appears in Appendix A of this Section.
- (5) Beach Traffic Orders

All beach traffic orders, including but not limited to, parking, access, signage, obstructions, and speed limits shall be in conformance with ~~Chapter 8,~~ Galveston City Code.

(6) Beach Maintenance Activities

- a. The City of Galveston shall prohibit beach maintenance activities, which will result in the significant redistribution of sand, which will significantly alter the beach profile.
- b. All sand moved or redistributed due to beach maintenance activities shall be returned to a location within the Critical Dune Areas.
- c. It is prohibited to display on or adjacent to any public beach any sign, marker, or warning, or make or allow to be made any written or oral communication which states that the public beach is private property or represent in any other manner that the public does not have the right of access to and from the public beach or the right to use the public beach as guaranteed by the Open Beaches Act and the common law right of the public.
- d. The following methods are approved beach maintenance measures:
 1. Raking of any or all beach areas at any or all times of the year with tractor drawn rakes with rake height adjusted so as to allow rake teeth to draw man made and naturally occurring debris into piles or windrows, while at the same time minimizing the amount of sand moved from the beach into the stockpiles. Piles or windrows may then be relocated using a tractor-mounted front-end loader. Stockpiles or windrows of raked debris may be placed at the seaward toe of the primary dune seaward of the vegetation line and within 20-feet of the vegetation line. All sand/debris collected with debris as a part of this maintenance process shall remain in the stockpile or windrow. A dune protection permit shall be required from the Department of Planning and Community Development;
 2. Maintenance of beach parking areas at Stewart Beach Park shall be allowed if scraped sand is placed seaward of the mean high tide line and a dune protection permit is obtained from the Department of Planning and Community Development. In addition, sand collected from beach parking areas at Apffel Park may be stockpiled and used for dune enhancement projects within the critical dune areas if the sand is obtained from accreting beaches and with proper Texas Parks and Wildlife permits, notwithstanding (6)b above;
 3. During periods of heavy seaweed influx, as identified by the Park Board of Trustees of the City of Galveston, maintainers, bulldozers, boxblades, loaders, dumptrucks and other equipment designed for moving large quantities of material may be employed on a short term basis to remove seaweed and other debris collected with the seaweed from the tide line into stockpiles or windrows as described above. Blade height for all equipment shall be set only low enough to remove the majority of the seaweed and other debris and to minimize the movement of sand from the beach to the windrows or stockpiles.

All sand/seaweed collected with seaweed and other debris as a part of this maintenance process shall remain in the stockpile or windrow until such time as the sand/seaweed may be used for dune enhancement projects within critical dune areas with the proper Texas Parks and Wildlife permits. These activities will be monitored by the City of Galveston Department of Planning and Community Development to identify any potential adverse impacts that may aggravate erosion and said activities shall be modified to preclude such adverse

impacts. A dune protection permit from the Department of Planning and Community Development shall be required;

4. On the beach, seaward of the vegetation line, and landward of the high tide mark, a check-mark trench, 30-inches at the deepest point may be opened up by a maintainer or bull dozer and seaweed and any other debris accumulated within the seaweed windrow or stockpile, may be pushed into the trench and covered with beach sand from the trench cut. The trench method may only be used during emergency situations, where it will not remain open unsupervised or at any time after dusk, where no vehicular or pedestrian traffic will be endangered and where access to the beach will not be prohibited by this action. These activities will be monitored by the City of Galveston Department of Planning and Community Development to identify any potential adverse impacts that may aggravate erosion and said activities shall be modified to preclude such adverse impacts. A dune protection permit from the Department of Planning and Community Development shall be required; and,

Solid waste containers may be mounted on posts at necessary intervals to encourage beach users to deposit waste and debris in the containers provided.

SECTION 3. Section 29-90, "Development, Preservation and Protection of Sand Dunes" of the "Galveston Zoning Standards", Subsection (o) "Public Beach Use and Access", (7), "Beach User Fees" is hereby amended to read and provide as follows:

(7) Beach User Fees

- a. The City of Galveston, or the Park Board of Trustees of the City of Galveston, may charge beach users a fee in exchange for providing services to beach users in general. (Authority: Sec. 26-54, Galveston City Code).
- b. The City of Galveston, or the City of Galveston Park Board of Trustees, may only impose a beach user fee if the fee is reasonable, based on the cost of providing public services and facilities directly to the public beach, which may include administrative, accounting and planning activities necessary for the implementation of such public services and facilities, parking, public health and safety, environmental protection and other matters directly related to the public beach.
- c. A new or amended beach user fee shall be preceded by a State approved beach user fee plan submitted by the City. Neither the City of Galveston nor the Park Board of Trustees may spend more than ten percent (10%) of beach user fee revenues on administrative costs.
- d. Revenues from beach user fees may be used only for beach-related services as defined by 31 TAC §15.8 and §63.053 of the Natural Resources Code state law.
- e. Accounting and administration of all beach user fees shall be in conformance with those policies promulgated in 31 TAC §15.8. state law.
- f. In order to establish and maintain beach related services and facilities for the preservation and enhancement of access to and from and safe and healthy use of public beaches by the public, vehicles shall be charged in the following beach areas, managed by the Park Board of Trustees:

1. **Stewart Beach:** A recreational and amusement park located in the city on the East Beach:

The boundaries of Stewart Beach shall be defined as follows:

Eastern Boundary: Michael Menard Grant

Western Boundary: Fence on the eastern boundary of the children's playground established by Galveston County on Block No. 66

Northern Boundary: ~~southerly right-of-way line of~~ Seawall ~~right-of-way~~ Boulevard

Southern Boundary: Line of ordinary high tide of the Gulf of Mexico

- i. Fee: ~~\$7.00~~ **\$8.00 maximum** per vehicle

Restricted Use Area to the east of the Park: Separately manned entrance and separate \$8.00 fee for entrance to restricted use area (2,640 linear feet in width).

- ii. **A maximum** Optional ~~\$35.00~~ **\$25.00** season pass available.

~~and, bounded on the north by the county Seawall right of way, on the south by the line of ordinary high tide of the Gulf of Mexico, on the east by the eastern boundary of the Michael Menard Grant and an extension thereof southerly into the tide of the Gulf of Mexico, and on the west by the fence on the eastern boundary of the children's playground established by Galveston County on Block No. 66. The fee for entry to Stewart Beach shall be \$7.00 per vehicle.~~

2. **R.A. Apffel Park:**

The boundaries of R. A. Apffel Park shall be defined as follows:

All that property comprising 390.629 acres, more or less, more particularly described in Deed to City of Galveston from the United States of America, dated April 9, 1975, recorded in the Deed Records of Galveston County in Book 2567, page 606 et seq. All that property, comprising 64.5 acres, more or less, described in Deed to City of Galveston from the United States of America, dated April 15, 1976, recorded in the Deed Records of Galveston County, Texas, in Book 2687 at page 11 et seq. All of that property, comprising 211 acres of land, more or less, described in that certain instrument of July 30, 1976, by and between the City of Galveston and the United States Coast Guard, Eighth District.

- i. Fee: ~~\$7.00~~ **\$8.00 maximum** for entry, per vehicle.

- ii. **A maximum** Optional ~~\$35.00~~ **\$25.00** season pass available.

3. **Dellanera Park.** 10901 FM 3005 (7 Mile Road at FM 3005) Provides space for approximately 84 overnight vehicles and 300 day use camp sites. The fee schedule for Dellanera Park is ~~\$5.00~~ **\$8.00** per each vehicle, with the charge for the overnight vehicle spaces based upon services provided.

Please note, existing beach access parking shall remain, until modifications regarding the pedestrian walkway at AP 4 and improvements to AP 5 are completed.

4. **Seawall Beach Urban Park:** A recreational beach urban park with beach-related services and amenities, ~~as described below:~~

The boundaries of the Seawall Beach Urban Park shall be defined as follows:

Eastern Boundary: 1st Street
Western Boundary: 103rd Street
Northern Boundary: Northerly right-of-way line of Seawall Boulevard
Southern Boundary: The Gulf of Mexico

i. Fee: \$8.00 maximum per-vehicle per-day, through a metered system, permit system or a combination. (~~A maximum~~ Optional \$25.00 annual pass available.)

ii. Parking Rates:

South side of the Urban Park (adjacent to the seawall structure) shall not exceed \$8.00 per vehicle daily.

North side of Urban Park (northerly right-of-way of Seawall Boulevard), first ½ hour is at no charge, \$1.00 per hour, not to exceed \$2.00 per hour in beach access zones, not to exceed \$8.00 per vehicle per day.

5. **East and West areas of the island, as described in Appendix A: A maximum daily fee of \$8.00. A minimum of \$12.00 and a maximum \$25.00 annual pass available.**

g. The City of Galveston and the Park Board of Trustees of the City of Galveston shall work towards establishing a state-approved system for reciprocity of fees and fee privileges with Galveston County.

SECTION 4. Section 29-90, "Development, Preservation and Protection of Sand Dunes" of the "Galveston Zoning Standards", Subsection (o) "Public Beach Use and Access", "Appendix A: Beach Access and Parking Plan" is hereby amended to read and provide as follows:

Appendix A: Beach Access and Parking Plan

(a) Beach Access Points (Described From East To West)

AP 1: Apffel Park

On-beach: parking within Park boundaries for beach user fee
free parking outside of Park boundaries
Off-beach: n/a
Amenities: currently provided

AP 2: Stewart Beach

On-beach: parking within Park boundaries for beach user fee
free parking available
restricted use area, minimum width of 2,640 linear feet on the eastern end of the park, separately manned entrance and separate fee for entry in the amount of \$8.00

Off-beach: n/a
Amenities: currently provided

AP 3: Seawall Beach Urban Park

On-beach: n/a
Off-beach: street parking, north and south sides of Seawall Boulevard
minimum of 10% free parking spaces (approximately 230 spaces total
distributed throughout the Seawall Beach Urban Park)
Amenities: future

AP 4: End of Seawall

On-beach: n/a
Off-beach: parking lot, minimum 150 spaces
pedestrian pathway from parking area to beach
Amenities: n/a

AP 5: Dellanera RV Park

On-beach: n/a
Off-beach: overnight campsites only
wheelchair accessible dune walkover
Amenities: currently provided

AP 6: Pocket Park #1

On-beach: parking via 7 ½-Mile Road (109th Street), minimum width of 1690 linear
feet
Off-beach: parking lot
Amenities: n/a

AP 7: Sunny Beach Subdivision

On-beach: parking via 8-Mile Road, minimum width of 1,300 linear feet
Off-beach: n/a
Amenities: n/a

AP 8: Beachside Village Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 148 spaces on Sea Butterfly Street
3 dedicated pedestrian access ways for public use
Amenities: n/a

AP 9: Pocket Park #2, Escapes! Condominiums

On-beach: n/a
Off-beach: parking lot, minimum of 352 spaces
1 wheelchair accessible dune walkover for public use
1 dedicated pedestrian pathway for public use
Amenities: currently provided

AP 10: 10-Mile Road/Hershey Beach Subdivision

On-beach: parking via 10-Mile Road, minimum width of 1,065 linear feet
Off-beach: parking lot, minimum 58 spaces
Amenities: n/a

AP 11: Spanish Grant Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 46 spaces on Spanish Grant Boulevard
median
3 dedicated pedestrian pathways for public use
Amenities: n/a

AP 12: Bermuda Beach Subdivision

On-beach: parking via Pabst Road, minimum width of 150 linear feet
Off-beach: street parking, minimum of 211 parking spaces, throughout subdivision
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 13: Pocket Park #3

On-beach: n/a
Off-beach: parking lot, minimum of 273 parking spaces
wheelchair accessible dune walkover for public use
Amenities: currently provided

AP 14: 11-Mile Road

On-beach: parking via 11-Mile Road, minimum width of 300 linear feet
Off-beach: n/a
Amenities: n/a

AP 15: Palm Beach Subdivision/Pirates Beach West Subdivision

On-beach: n/a
Off-beach: street parking throughout subdivisions
3 dedicated pedestrian pathways for public use (Palm Beach)
4 dedicated pedestrian pathways for public use (Pirates Beach West)
Amenities: n/a

AP 16: 13-Mile Road

On-beach: parking via 13-Mile Road, minimum width of 640 linear feet
Off-beach: n/a
Amenities: n/a

AP 17: 15-Mile Road

On-beach: parking via 15-Mile Road, minimum width of 150 linear feet
Off-beach: n/a
Amenities: n/a

AP 18: 16-Mile Road

On-beach: parking via 16-Mile Road, minimum width of 1,000 linear feet
Off-beach: n/a
Amenities: n/a

AP 19: Karankawa Beach

On-beach: n/a
Off-beach: street parking, minimum of 27 spaces on Habla and Glei Streets
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 20: Indian Beach

On-beach: n/a
Off-beach: street parking, minimum of 200 spaces on East and West Devaca
4 dedicated pedestrian pathways for public use
Amenities: n/a

AP 21: Kahala Beach Estates, Addition #1

On-beach: n/a
Off-beach: street parking, minimum of 59 spaces on Kahala Drive East
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 22: Silverleaf Resorts

On-beach: n/a
Off-beach: parking lot, minimum of 43 spaces
1 dedicated pedestrian pathway for public use
Amenities: n/a

AP 23: The Dunes of West Beach

On-beach: n/a
Off-beach: street parking, minimum of 172 spaces on Shores Drive
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 24: Sandhill Shores Subdivision (Map Sheet W-3)

On-beach: n/a
Off-beach: street parking, minimum of 208 spaces on Sandhill Drive
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 25: Gateway Boulevard – Sea Isle Subdivision

On-beach: parking via Gateway Boulevard, minimum width of 330 linear feet
Off-beach: n/a
Amenities: n/a

AP 26: San Jacinto Street – Sea Isle Subdivision

On-beach: parking via San Jacinto Street, minimum width of 150 linear feet
Off-beach: n/a
Amenities: n/a

AP 27: “Sea Isle” parking area

On-beach: n/a
Off-beach: parking lot, minimum of 88 spaces
1 dedicated pedestrian pathway for public use
Amenities: n/a

AP 28: Sea Isle Subdivision and Terramar Beach Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 610 spaces on Kennedy/Gulf Drive
dedicated pedestrian pathways for public use throughout subdivisions
Amenities: n/a

AP 29: Isla Del Sol Subdivision

On-beach: n/a
Off-beach: parking lot, minimum 25 spaces (located north of FM 3005, via Isla Del Sol Drive)
Amenities: n/a

AP 30: Gulf Boulevard, Isla Del Sol Subdivision

On-beach: parking via Gulf Boulevard, minimum width of 150 linear feet
Off-beach: n/a
Amenities: n/a

AP 31: Terramar Drive, Terramar Beach Subdivision

On-beach: parking via Terramar Drive Boulevard, minimum width of 300 linear feet
Off-beach: n/a
Amenities: n/a

AP 32: Pocket Park #4

On-beach: n/a
Off-beach: parking lot
1 dedicated pedestrian pathway for public use
Amenities: n/a

AP 33: 2nd Street, Bay Harbor Subdivision

On-beach: parking via 2nd Street, minimum width of 300 linear feet
seasonal access to the west (one-way driving west to east)
Off-beach: n/a
Amenities: n/a

AP 34: Miramar Subdivision

On-beach: seasonal access via AP 35 at Half Moon Beach (one-way driving, west to east)
Off-beach: parking lot, minimum of 60 spaces via FM 3005
1 dedicated pedestrian pathway for public spaces
Amenities: n/a

AP 35: Half Moon Beach Subdivision and Stavanger Beach Subdivision

On-beach: seasonal access to the east
unrestricted, vehicular access to the west to AP 36: Salt Cedar Avenue
Off-beach: n/a
Amenities: n/a

AP 36: Salt Cedar Avenue

On-beach: unrestricted, vehicular access to the east to AP 35: Half Moon Beach
Off-beach: n/a
Amenities: n/a

AP 37: Playa San Luis Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 88 spaces throughout subdivision
3 dedicated pedestrian pathways for public use
Amenities: n/a

AP 38: Pointe San Luis 1 (western boundary of Playa San Luis subdivision)

On-beach: n/a
Off-beach: parking lot, minimum of 100 spaces*
25 reserve parking spaces dedicated in the event of erosion*
1 dedicated pedestrian pathway for public use*
Amenities: n/a

** Please note, beach access modifications will not occur until substantial physical improvements occur.*

AP 39: Pointe San Luis 2

On-beach: n/a
Off-beach: parking lot, minimum of 100 spaces*
1 wheelchair accessible dune walkover for public use*
Amenities: future, as part of planned development

** Please note, beach access improvements will not occur until substantial physical improvements occur.*

AP 40: Pointe San Luis 3

On-beach: n/a
Off-beach: parking lot, minimum of 100 spaces*
25 reserve parking spaces dedicated in the event of erosion*
1 dedicated pedestrian pathway for public use*
Amenities: n/a

** Please note, beach access modifications will not occur until substantial physical improvements occur.*

AP 41: Pointe San Luis 4 (toll bridge area)

On-beach: seasonal access provided, minimum width of 1,200 linear feet*
unrestricted, vehicular access, minimum width of 3,230 linear feet*

Off-beach: n/a

Amenities: pedestrian area designated by bollard placement to the north of vehicular
access areas

** Please note, beach access modifications will not occur until substantial physical
improvements occur.*

(a) (b) Regulated beach areas:

Except as otherwise permitted herein, it shall be unlawful for any person to drive, operate or park any motor vehicle in, on or upon any part of the following described public beaches bordering on the Gulf of Mexico and situated within the corporate limits of the City of Galveston with the exception of emergency vehicles, beach cleaning and maintenance and safety patrolling:

- (1) Upon East Beach, being that area extending from the western boundary of Apffel Park ~~most easterly city limits~~ to the eastern boundary of western property line of Stewart Beach Park, at all times;
- (2) **Within the boundaries of Stewart Beach Park, with the exception of those areas designated for parking, restricted use access, and/or as described within Section A of Appendix A:**
- (3) Upon the beach extending from Stewart Beach to the western end of the seawall structure 35th Street, at all times; **and,**
- (4) **Upon any area of the beach, unless otherwise provided for by traffic control measures, such as, but not limited to bollards and signage, and as described in Section A of Appendix A:**
- (5) ~~Upon the beach extending from 35th Street to 57th Street, at all times;~~
- (6) ~~Upon the beach extending from 61st Street to the end of the seawall structure, at all times;~~
- (7) ~~From the westerly end of the Seawall structure to San Luis Pass with the exception of safe vehicle driving done in a manner that will not disturb, damage or destroy wildlife or dune structures from the bollards marking the eastern boundary of Access Point 33 to the easterly groundline of San Luis Bridge;~~
- (8) ~~Effective July 15, 1990, that area in Sunny Beach, Access Location number 4, which is posted by bollards placed by city officials is open for vehicle access and parking;~~
- (9) ~~Effective February 13, 1992, that area in Sea Isle, Access Locations numbers 27, 28, and 29, which is posted by bollards placed by city officials is open for vehicle access and on-beach and off beach parking;~~
- (10) ~~Effective April 12, 1994, that area at 10 Mile Road, access Location number 7, Hershey Beach Subdivision, which is posted by bollards and signage placed by city officials is designated for on beach and off beach parking;~~
- (11) ~~Effective July 15, 1990, that area in Gulf Palms, Access Location number 19, which is posted by bollards placed by city officials, is open for vehicle access and parking;~~
- (12) ~~Effective June 28, 1990, that area at 15 Mile Road, Access Location number 17, which is posted by bollards placed by city officials, is open for vehicle access and parking;~~
- (13) ~~Effective June 28, 1990, that area at Isla Del Sol, Access Location number 30, which is designated by signage is an off beach parking area;~~
- (14) ~~Effective June 28, 1990, that area at East Bay Harbor, Access Location number 32, which is designated by signage is an off beach parking area;~~
- (15) ~~At that area at Bay Harbor, Access Location number 33, except which is posted by bollards placed by city officials is open for vehicle parking on beach;~~

- (16) Effective September 13, 1990, that area at 11 mile Road, Access Location number 11, which is posted by bollards placed by City officials is open for vehicle access and parking;
- (17) Effective November 8, 1990, that area at Palm Beach, Access Location number 13, which is designated by signage is open for vehicle access and parking along the streets as designated;
- (18) Effective November 8, 1990, that area at 13 Mile Road, Access Location number 15, which is posted by bollards placed by city officials is open for access and parking;
- (19) Effective November 8, 1990, that area at Karankawa, Access Location number 21, which is designated by signage is open for vehicle access and parking along streets as designated;
- (20) Effective November 8, 1990, that area at Indian Beach, Access Location number 23, which is designated by signage is open for vehicle access and parking along streets as designated;
- (21) Effective November 8, 1990, that area at Kahala, Access Location number 24, which is designated by signage. Beach access and parking is permitted at 18 Mile Road, access location numbers 25A, 25C, 25D;
- (22) Effective November 8, 1990, that area at Terramar, Access Location number 31, which is designated by signage is open for vehicle access and parking along the streets as designated;
- (23) Effective November 8, 1990, that area at Pointe San Luis, Access Location number 34, which is designated by signage is an off beach parking area;
- (24) Effective November 8, 1990, that area of San Luis Pass, Access Location number 37, which is designated by signage is an off beach parking area;
- (25) Effective August 22, 1991, that area at Bermuda Beach, Access Location number 9, which is posted by bollards placed by City officials is open for vehicle access and parking and parking along the streets in designated areas;
- (26) Effective September 12, 1991, that area at Spanish Grant Subdivision, Access Location number 8, which is posted by bollards placed by City officials is open for vehicle access and parking along the streets in designated areas;
- (27) At that area of Point San Luis, Access Location number 36, except which is designated by signage is an off beach and on beach parking area;
- (28) At that area of Point San Luis, Access Location number 35, except which is designated by signage is an off beach and on beach parking area;
- (29) At that area at 18 Mile Road, Access Location number 25A, except which is designated by signage is an off beach parking area;
- (30) At The Shores at Maggie's Cove Subdivision, effective October 19, 1993, on street parking and beach access, which is designated by signage;
- (31) At that area at between Westshore Subdivision and Gateway Boulevard, Access Location number 25C, except which is designated by signage is an off beach parking area;
- (32) At that area at Gateway Boulevard, Access Location number 25D, except which is designated by signage is an off beach parking area;

- ~~(33) At the western boundary of Half Moon Beach Subdivision, effective August 3, 1993, on beach parking and access designated by signage;~~
- ~~(34) Proposed on beach parking at the Big Reef Nature Park, managed by the City of Galveston Park Board of Trustees, and designated by signage;~~
- ~~(35) Potential on beach parking and access at points to be designated in the future, and indicated by signage, in an area extending from the western boundary of Apffel Park to the eastern boundary of Stewart Beach Park;~~
- ~~(36) On street parking and beach access, designated by signage, at Kahala Beach Estates Subdivision, effective June 15, 1993;~~
- ~~(37) Proposed on beach and off beach parking, designated by signage, at the eastern side of Decker Subdivision (AKA Miramar Subdivision); and,~~
- ~~(38) Effective October 17, 1990, on street parking and beach access, designated by signage, for that area at Pirates Beach Subdivision, Section 10. (Ord 93-73 and Ord 94-26 and Ord 95-9)~~

SECTION 5. Section 29-90, "Development, Preservation and Protection of Sand Dunes" of the "Galveston Zoning Standards", is hereby amended in its entirety to correct notation and enumeration as shown in "Exhibit A".

SECTION 6. The City Council of the City of Galveston hereby formally submits a final draft of the City of Galveston Beach Access Plan and supporting documentation to the Texas General Land Office for formal review and final certification, pursuant to State law.

SECTION 7. The City Council of the City of Galveston hereby formally submits the City's local beach/dune plan, Section 29-90, "Development, Preservation and Protection of Sand Dunes" of the "Galveston Zoning Standards", as shown in "Exhibit A" to the Texas General Land Office for formal review and final certification, pursuant to State law.

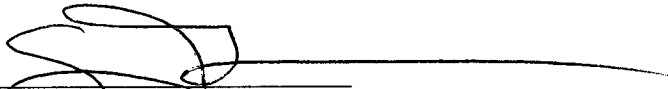
SECTION 8. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 9. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 10. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 11. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

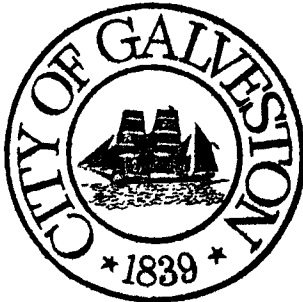
APPROVED AS TO FORM:



SUSIE GREEN
CITY ATTORNEY

I, Barbara S. Lawrence, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its regular meeting held on the 26th day of February, 2004 as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 4th day of March, 2004.




Secretary for the City Council
of the City of Galveston

EXHIBIT A

Section 29-90: Development, Preservation And Protection of Sand Dunes

[Definitions are located in Section: 29-40d]

In General, Statement of Purpose and Intention

Being located on an island in the Gulf of Mexico, Galveston is commonly subjected to such natural hazards as storm, flood and shoreline erosion. These hazards disrupt commerce and governmental services, impact the tax base and threaten public health, safety, and general welfare. It is to combat these hazards that development, preservation and protection of sand dunes is encouraged. However, many land uses reduce sand dunes' effectiveness in protecting against these hazards and are for this reason alone considered to be contrary to the public interest.

The Open Beaches Act and the Dune Protection Act require the Texas General Land Office to promulgate rules for the protection of critical dune areas and public beach use and access. The General Land Office is required to protect the public beach from erosion or reduction and adverse affects on public access and critical dune areas by regulating beachfront construction and other activities occurring along the shoreline of the Gulf of Mexico. The purpose of these Standards is to augment General Land Office rules and to protect the public health, safety and welfare by minimizing losses due to flood, storm, waves and shoreline erosion. These standards are in compliance with those minimum standards established by the General Land Office and formulated to be consistent with all Federal mandates. This Section provides standards for managing the public beach and human activities occurring on the property fronting the Gulf of Mexico, consistent with the Texas Natural Resources Code, Sec. 61.001 (Open Beaches Act), et seq, a copy of which is attached, and the Texas Natural Resources Code, Sec. 63.001, et seq, (Dune Protection Act), a copy of which is also attached, and the National Flood Insurance Act.

In the event of a conflict between the Open Beaches Act; Dune Protection Act; Texas Administrative Code Title 31, Natural Resources and Conservation, Part I, Chapter 15, Subchapter A, Sections 15.1-15.10 (hereinafter 31 TAC §§15.1 - 15.10); and the City of Galveston Zoning Standards, State law and regulations shall prevail over this ordinance.

(a) Requirement for a Dune Protection Permit and/or a Beachfront Construction Certificate

Authority: The City of Galveston is required to adopt dune protection and beach access plans within its jurisdiction, consistent with Title 31 Texas Administrative Code, §§15.1 - 15.10 (hereinafter 31 TAC §§15.1 - 15.10). By way of this Section the City of Galveston adopts the provisions of Title 31 Texas Administrative Code pertaining to Coastal Area Planning. The City of Galveston may chose to adopt higher standards for dune protection and beach access than those promulgated by the State. The City of Galveston may enter into Interlocal cooperation contracts for the administration of this program under the Interlocal Cooperation Act, Tex. Rev. Civ. Stat. Art. 4413 (32c). The City of Galveston shall map or describe the jurisdictional boundaries of the Dune Protection Line and identify said Dune Protection Line by map. The requirement for a Beachfront Construction Certificate or Dune Protection Permit shall not extend landward from the face of the Galveston Seawall.

- (1) Beachfront Construction Certificate - No person shall engage in the construction of any structure or make an addition or alteration to any structure within the land adjacent to and landward of public beaches and lying in the area either up to the first public road generally parallel to the public beach or to any closer public road not parallel to the

beach, or the area up to 1,000 feet of mean high tide, whichever distance is greater, until he has secured a Beachfront Construction Certificate.

- (2) Dune Protection Permit - No person shall engage in the construction of any structure or make an addition or alteration to any structure or sand dune in the area seaward of the Dune Protection Line until he has secured a Dune Protection Permit for such addition, alteration, or construction.
- (3) The requirement for a Dune Protection Permit and/or a Beachfront Construction Certificate shall not apply to routine repairs, maintenance and upkeep of existing structures, which do not enlarge, expand or redesign the existing structure except as prohibited in this Section.
- (4) Permitting Authorities
 - a. Final determination of whether repairs, maintenance or upkeep constitutes enlargement, expansion or redesign pursuant to Section (a) (3) above shall be the responsibility of the Department of Planning and Community Development.
 - b. Beachfront Construction Certificates and Dune Protection Permits for construction seaward of the Dune Protection Line and Beachfront Construction Certificates for construction up to 50 feet landward of the Dune Protection Line (75' landward of the north toe of the critical dune area) are subject to review by the Department of Planning and Community Development and are issued by the Planning Commission.
 - c. Beachfront Construction Certificates for the area more than 50 feet landward of the Dune Protection Line (75' landward of the north toe of the critical dune area) are issued by the Department of Planning and Community Development.
 - d. Dune Protection Permits for dune enhancement and revegetation activities only are issued by the Department of Planning and Community Development.
- (5) No building permit shall be issued for any activity for which a Dune Protection Permit and/or Beachfront Construction Certificate is required until such permit and/or certificate has been issued by the Galveston Planning Commission, or, when appropriate, the Department of Planning and Community Development.
- (6) No person shall engage in any business or occupy any structure for which a dune protection permit and/or beachfront construction certificate is required until he first secures a Certificate of Occupancy from the Building Official. Such Certificate of Occupancy shall be approved by the Department of Planning and Community Development as being in compliance with these Zoning Standards.
- (7) The City of Galveston, Department of Planning and Community Development, shall review the Dune Protection Line every five years to determine whether the line is adequately located to achieve the purpose of preserving critical dune areas. In addition to the five-year review, the City of Galveston Department of Planning and Community Development shall review the adequacy of the location of the Dune Protection Line within 90 days after a tropical storm or hurricane affects the portion of the coast. No Beachfront Construction Certificates or Dune Protection Permits for new construction will be approved until a review of the Dune Protection Line has been completed after a tropical storm or hurricane. Requirements for Permits as stated in (d) of this Section will be followed.

(b) Building Requirements

Structures required to have a Dune Protection Permit and/or a Beachfront Construction Certificate shall comply with FEMA standards for construction in flood hazard areas. Structures built seaward of the dune protection line shall comply with the following additional requirement:

- (1) Piers, if required, shall be set and the structure shall be constructed with minimum destruction of the existing terrain and vegetation;
- (2) The structure and lot design shall provide for the gradual and dispersed drainage of storm water runoff, such that runoff within the lot approximates natural rates, volumes, and direction of flow to avoid erosion and dune damage. Drain spouts, if any, shall be located so as to collect rainwater and distribute same evenly under the structure if no slab; porches, patios and balconies shall be constructed to allow rainwater to pass through. All drainage from the lot shall flow away from the beach and primary dune area; and
- (3) All permittees building structures seaward of the dune protection line must utilize the mitigation sequence defined in subsection (1) of this Section and subsection 15.4(f) of the General Land Office regulations if dunes and dune vegetation will be adversely effected.

(c) Vegetation and Topography Seaward of the Dune Protection Line

As provided in this Section unless otherwise unavoidable during construction, removal or destruction of vegetation within the area seaward of the Dune Protection Line is prohibited. Any area where vegetation was removed or destroyed shall be revegetated. Likewise, alteration of the existing topography is prohibited unless otherwise unavoidable during construction.

Any unavoidable alteration of the contour as a result of construction activities shall be restored and revegetated, and any breach in the dune area, whether caused by man or nature shall be restored and revegetated before the issuance of a Certificate of Occupancy. Restoration and revegetation shall occur as follows:

- (1) All areas shall be restored to their original elevation. Breaches shall be restored to the contour of the adjacent dunes;
- (2) If the area is located in the critical dune area, then it shall be revegetated with Bitter Panicum (*Panicum amarum*) planted on two foot (2') centers with one hundred percent (100%) coverage of the area and a mixture of Bitter Panicum (*Panicum amarum*) and Marshy Cordgrass (*Spartina patens*) planted on one foot (1') centers with one hundred percent (100%) coverage of the area;
- (3) Sand fencing shall be required;
- (4) Revegetation shall not be considered complete until the area has been returned to its original condition prior to the time of destruction, at a ratio of 1:1, as determined by the Department of Planning and Community Development; and,
- (5) Removing or altering dune vegetation is prohibited unless the permittee has obtained a Dune Protection Permit.

(d) Pre-existing Uses: Destruction-existing Uses: Destruction

Notwithstanding that a structure was in existence prior to adoption of this Section such structure or use shall comply with the provisions hereof including all other applicable provisions of the Zoning Standards where such use or structure is expanded by any degree, moved to a new location, or destroyed in excess of fifty percent (50%) of its market value by fire or other catastrophe at the time of such destruction. When a structure which has been damaged less than fifty percent (50%), but is seaward of the Dune Protection Line, and by determination by the Department of Planning and Community Development, the planned development will cause material damage to dunes or dune vegetation in the Critical Dune Area, such reconstruction of the development shall require a Beachfront Construction Certificate and Dune Protection Permit. The Department of Planning and Community Development shall use standards as identified in (k) of this Section in determining whether the planned development will cause material damage to dunes or dune vegetation in the critical dune area.

(e) Dune Walkovers

Construction of dune walkovers shall meet the following standards:

- (1) A dune walkover shall not exceed four feet (4') in width, the deck or floor of which shall be constructed at a height above the highest dune of not less than the width of said walkover, and maintain this height over the entire dune area;
- (2) Except with respect to paired posts constructed on each side of the walkover, posts shall be placed at intervals no closer than six feet (6') and in such a manner that new posts are not needed if walkway needs elevating;
- (3) Any vegetation or contours disturbed during construction shall be restored as provided herein;
- (4) Only one dune walkover shall be permitted per residential lot;
- (5) Dune walkovers must be constructed to allow rain and sand to pass through the decking;
- (6) The walkover must start at the northern boundary of the Critical Dune Area and shall end on the beach beyond any coppice mounds, no further than ten feet (10') seaward of the vegetation line. Dune walkovers may not impede or restrict access to, and use of, the public beach at normal high tide;
- (7) All walkovers built in public areas be constructed with two (2) handrails;
- (8) All walkovers be constructed according to Southern Building Code Standards **the Code of the City of Galveston**;
- (9) It shall be the duty of the property owner, pursuant to the requirements of this Section to keep and maintain said dune walkover in a good condition of repair and maintenance;
- (10) Permittees must relocate walkovers to follow any landward migration of the public beach or seaward migration of the dunes and maintain the walkover height to approved levels. The Department of Planning may inspect and require dune walkover compliance within a reasonable period of time. Notwithstanding this, compliance should not cause renewed damage to existing post locations within dunes or swales from construction or construction equipment;
- (11) All dune walkover construction, improvement or repair must be permitted through the Department of Planning, City of Galveston; and.

(12) Applicants for public dune walkovers may request approval for alternative design standards from the Department of Planning.

(f) Beachfront Construction Certificate and Dune Protection Permit Application Requirements

Authority: Title 31 TAC, § 15.3(s)(4), requires the City of Galveston to obtain the following items and information from applicants for Beachfront Construction Certificates and Dune Protection Permits.

(1) For all proposed construction (large- and small-scale), required to obtain a Beachfront Construction Certificate and/or a Dune Protection Permit, applicants shall submit the following items and information to the Department of Planning and Community Development. (No application will be accepted until all required materials are provided to the Department of Planning and Community Development):

- a. A complete application according to standards set by the Department of Planning and Community Development for a Dune Protection Permit and/or a Beachfront Construction Certificate, including the name, address, phone number, and if applicable fax number of the applicant, and the name of the property owner, if different from the applicant;
- b. An accurate map or plat of the site identifying:
 1. The site by its legal description, including, where applicable, the subdivision, block, and lot and the size in acres or square feet;
 2. The location of the property lines and a notation of the legal description of adjoining tracts;
 3. The location of the structures, the footprint or perimeter of the proposed construction on the tract, and whether the structures are amenities or habitable structures;
 4. Proposed or existing roadways and driveways, parking, dune walkovers and proposed landscaping activities on the tract; and
 5. The location of any seawalls or any other erosion response structures on the tract and on the properties immediately adjacent to the tract;
 6. If known, the location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract;
 7. The approximate duration of construction; and,
 8. A survey by a licensed surveyor; and if the Beachfront Construction Certificate is for an area defined in (a)(4)(b) of these Standards, a topographic survey is also required.

(2) For all proposed construction (large- and small-scale), located seaward of the Dune Protection Line, the applicant shall submit the following additional items and information to the Department of Planning and Community Development:

- a. A comprehensive mitigation plan which includes a detailed description of the methods which will be used to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation shall be required for all alterations and development activity seaward of the Dune Protection Line, including effects on the proposed activity on the beach/dune system which cannot be avoided should the

proposed activity be permitted, including, but not limited to, damage to dune vegetation, alteration of dune size and shape, and changes to dune hydrology;

- b. Proof of financial capability to mitigate or compensate for adverse effects on dunes and dune vegetation (e.g., an irrevocable letter of credit or a performance bond) or, if required for Special Requirements for Eroding Areas, to fund eventual relocation or demolition of structures (e.g., Upton-Jones coverage in the National Flood Insurance Program);
 - c. A copy of the FEMA elevation requirements;
 - d. A current topographic map, provided by a licensed surveyor, depicting any and all proposed changes to the terrain; indicate on topographic map any and all changes to the natural or man-made environment within the Critical Dune Area in order to build;
 - e. The approximate percentage of existing and finished open spaces (those areas completely free of structures);
 - f. The floor plan and elevation view of the structure proposed to be constructed or expanded and showing all plumbing plans;
 - g. A grading and layout plan identifying all elevations (in reference to the National Oceanic and Atmospheric Administration datum), existing contours of the project area (including the location of dunes and swales), wetlands, and proposed contours for the final grade;
 - h. Dated photographs of the site which clearly show the current location of the vegetation line and the existing dunes on the tract and the adjacent property from directions south, north, east and west;
 - i. The most recent local erosion rate data (based on published data from the Bureau of Economic Geology, University of Texas, Austin), and the activity's potential impact on coastal erosion.
- (3) For all proposed large-scale construction (construction required to have a Dune Protection Permit and/or a Beachfront Construction Certificate), applicants shall submit the following additional items and information:
- a. In the case of multiple-unit dwellings, the number of units proposed;
 - b. Alternatives to the proposed location of construction on the tract or to the proposed methods of construction which would cause fewer or no adverse effects on dunes and dune vegetation or less impairment of beach access; and the proposed activity's impact on the natural drainage pattern on the site and the adjacent lots; and,
 - c. If the tract is located in a subdivision and the applicant is the owner or developer of the subdivision, a certified copy of the recorded plat of the subdivision, or, if not a recorded subdivision, a plat of the subdivision certified by a licensed surveyor, and a statement of the total area of the subdivision in acres or square feet.
- (4) Upon completion of the development, and prior to the issuance of a "Certificate of Occupancy," for those structures requiring Planning Commission approval, the permittee shall provide the Department of Planning and Community Development with a final survey indicating finished elevations, surfaces, drainage patterns, fences, dune walkovers and landscape detail, or certification by a registered professional engineer that all Permit conditions have been met. No "Certificate of Occupancy" shall be approved until the

Department of Planning and Community Development approves a "Certificate of Completion," verifying that all Permit conditions have been satisfied.

(g) Texas General Land Office and State Attorney General's Office

A person proposing to conduct an activity for which a Beachfront Construction Certificate and Dune Protection Permit is required shall submit a complete application to the Department of Planning and Community Development. This Department shall forward the complete application, including all items and information as set forth in 31, TAC §15.3(s)(4)(D) to the General Land Office (GLO), the Attorney General's Office, and if necessary, to the Corps of Engineers.

The application, any documents associated with the application, and information as to when the decision will be made must be received by the GLO and the Attorney General's Office no later than 20 days from the date the Department of Planning and Community Development and Planning Commission, if required, is first scheduled to act on the Beachfront Construction Certificate and Dune Protection Permit. A preliminary determination as to whether the proposed construction complies with all aspects of the local government's dune protection and beach access plan will be provided by the Department of Planning and Community Development.

(h) Termination of Permit and/or Certificate of Permit and/or Certificate

- (1) The Planning Commission or the Department of Planning and Community Development may void a Beachfront Construction Certificate and/or Dune Protection Permit, for their respective responsibilities as outlined in Section (a)(4), if:
 - a. The permit is inconsistent with this Section at the time the permit was issued;
 - b. A material change occurs after the permit or certificate is issued or a permittee fails to disclose any material fact in the application; or,
 - c. If the construction comes to lie within the boundaries of the public beach.
- (2) "Material Change" includes human or natural conditions which have adversely affected dunes, dune vegetation, or beach access and use that either did not exist at the time of the original application, or were not considered by the Planning Commission in making the permitting decision because the permittee did not provide information regarding the site condition in the original application.
- (3) Unless conditions under Section (h) of these Standards apply, work approved under this Permit shall be completed within one (1) year from the date of the Permit. If work is not completed in this time period, it will be necessary for the applicant to reapply for a Beachfront Construction Certificate and/or Dune Protection Permit, unless an alternate time limit is stipulated in the Section.

(i) Beachfront Construction Certificate and Dune Protection Permit Standards

(2) Dune Protection Permit Authority: 31 TAC, §15.4, requires the City of Galveston to comply with the following standards in issuing, denying or conditioning a Dune Protection Permit for those areas within the Critical Dune Area.

Before issuing a Dune Protection Permit the Department of Planning and Community Development and the Planning Commission, for their respective responsibilities as outlined in §(a)(4), must find that:

- (1) a. The proposed activity is not a prohibited activity as defined in these Standards;

- (2) b. The proposed activity will not materially weaken dunes or materially damage dune vegetation seaward of the Dune Protection Line based on substantive findings as defined in "Technical Standards" of this Section;
- (3) c. There are no practicable alternatives to the proposed activity that is located seaward of the Dune Protection Line and adverse effects cannot be avoided as provided in the mitigation sequence as outlined in this section;
- (4) d. The applicant's mitigation plan, for an activity seaward of the Dune Protection Line, if required, will adequately minimize, mitigate, and/or compensate for any unavoidable adverse effects;
- (5) e. The proposed activity complies with any applicable requirements of: Requirements for Beachfront Construction Certificate and Dune Protection Permits and Management of the Public Beach of this Section; and,
- (6) f. The structure is located as far landward as practicable.

(1) BEACHFRONT CONSTRUCTION CERTIFICATE, Authority: 31 TAC §15/5. requires the City of Galveston to comply with the following standards in issuing, denying or conditioning a Beachfront Construction Certificate.

The request for a Beachfront Construction Certificate will be considered inconsistent with this Section and therefore, will not be approved, if the request:

- (1) a. Reduces the size of the public beach or encroaches on the public beach in any manner, except for man-made vegetated mounds and dune walkovers constructed in compliance with the requirements of this ordinance;
- (2) b. Functionally supports, depends on or is otherwise related to proposed or existing structures that encroach on the public beach, regardless of whether the encroaching structure is on land that was previously landward of the public beach, unless otherwise permitted by law, including, but not limited to, the authority granted under 31 TAC §15.5; (Ord 00-022)
- (3) c. Closes any existing public beach access or parking area, unless equivalent or better dedicated public access or parking is established;
- (4) d. Cumulatively or indirectly impairs or adversely affects public use of or access to and from a public beach, including failure to comply with any requirements in Management of the Public Beach unless equivalent or better access or parking is established; or,
- (5) e. Fails to comply with any requirements of Requirements for Beachfront Construction Certificates and Dune Protection Permits.

(j) Prohibitions

(1) Prohibited Activities seaward of the dune protection line: The Planning Commission and the Department of Planning and Community Development shall not issue a Beachfront Construction Certificate or a Dune Protection Permit authorizing the following acts seaward of the Dune Protection Line:

- (1) a. Activities that are likely to result in the temporary or permanent removal of sand from the portion of the beach/dune system located on or adjacent to the construction site, including:

- a. 1. Relocating sand; and,
 - b. 2. Temporarily or permanently moving sand off the site, except for purposes of permitted mitigation, compensation, or an approved dune restoration or beach nourishment project and then only from areas where the historical accretion rate is greater than one foot per year, and the project does not cause any adverse effects on the sediment budget;
- (2) b. Depositing sand, soil, sediment, or dredged spoil which contains any of the toxic materials listed in Volume 40 of the Code of Federal Regulations, Part 302.4, in concentrations which are harmful to people, flora, and fauna as determined by applicable, relevant, and appropriate requirements for toxicity standards established by the local, state, or federal governments;
 - (3) c. Depositing sand, soil, sediment, or dredged spoil seaward of the Dune Protection Line, which is of an unacceptable mineralogy or grain size when compared to the sediments found on the site (this prohibition does not apply to materials related to the installation or maintenance of public beach access roads running generally perpendicular to the public beach or for approved beach nourishment projects as described in (n)(3) of these Zoning Standards);
 - (4) d. Creating dredged spoil disposal sites, such as levees and weirs, without the appropriate local, state, and federal permits;
 - (5) e. Constructing or operating industrial facilities not in full compliance with all relevant laws and permitting requirements prior to the effective date of this ordinance;
 - (6) f. Operating recreational vehicles; dune buggy, marsh buggy, mini-bike, trail bike, jeep, or any other mechanized vehicle that is being used for recreational purposes, but does not include any vehicle not being used for recreational purposes (Chapter 63. §63.002(4), Texas Natural Resource Code);
 - (7) g. Mining dunes;
 - (8) h. Constructing concrete slabs or other impervious surfaces landward of the line of vegetation.
 - 1. Paving or altering the ground below the lowest habitable floor is prohibited in the area between the line of vegetation and 25-feet landward of the north toe of the dune;
 - 2. Paving used under the habitable structure and for a driveway connecting the habitable structure and the street is limited to the use of unreinforced fibercrete in 4 foot x 4 foot sections, which shall be a maximum of four inches thick with sections separated by expansion joists, or pervious materials approved by the Department of Planning and Community Development, in that area 25-feet landward of the north toe of the dune to 200-feet landward of the line of vegetation. The City shall assess a "Fibercrete Maintenance Fee" of \$200.00 to be used to pay for the clean-up of fibercrete from the public beaches should the need arise;
 - 3. Reinforced concrete may be used in that area landward of 200-feet from the line of vegetation; (Ord 97-80)
 - (9) i. Depositing trash, waste, or debris including inert materials such as concrete, stone, and bricks that are not art of the permitted on-site construction;

- (10) j. Constructing cisterns, septic tanks, and septic fields seaward of any structure serviced by the cisterns, septic tanks, and septic fields, with the exception of subdivisions platted before the enactment of this Section; or,
- (11) k. Detonating bombs or explosives.
- (2) The City of Galveston Planning Commission and the Department of Planning and Community Development shall not issue a Beachfront Construction Certificate and Dune Protection Permit that does not comply with FEMA minimum requirements or with this Section.
- (3) Prohibited Erosion Response Structures: Erosion response structures as set forth in 31 TAC §15.6 are as follows:
- (1) a. Construction of retaining walls is prohibited within 200-feet landward of the natural line of vegetation;
- (2) b. Repairing, or maintaining existing erosion response structures is prohibited within 200-feet landward of the vegetation line or within the Critical Dune Area, except in the following circumstances:
- a. 1. Where the failure to repair the structure will cause unreasonable flood hazard to a public building, public road, public water supply, public sewer system, or other public facility immediately landward of the structure; and,
- b. 2. Where the failure to repair the structure will cause unreasonable flood hazard to habitable structures because adjacent erosion response structures will channel floodwaters to the habitable structure;
- (3) c. A determination as to whether (2)(a) and (2)(b) above will occur, will be made by the Planning Commission.
- (4) Activities prohibited within the area seaward of the Dune Protection Line without a Beachfront Construction Certificate and Dune Protection Permit:
- (1) a. Removal, relocation, or movement of sand or dunes except for the clearing of sand off of dune walkover steps;
- (2) b. Construction of dunes;
- (3) c. Removal of vegetation (killing, destroying or removing in any manner any vegetation growing on a sand dune seaward of the Dune Protection Line or within a critical dune area); or,
- (4) d. Placement of fill within the critical dune area.
- (5) Prohibited activities under a Dune Protection Permit or a Beachfront Construction Certificate where it is shown that a loss of sand, silt, shell, sediment, vegetation or any other geologic or biological component of the Critical Dune Area will result are as follows:
- (1) a. Parking of any motor vehicle except in an area approved by the Planning Commission for parking of a motor vehicle;
- (2) b. Exposed storage of goods, equipment, building materials, junk, household items, boats, furniture, wares or merchandise of any kind;
- (3) c. Any type of construction work, other than that on the main structure or on a main building;
- (4) d. Construction of substructures under the main building;

- (5) e. Use/or placement of playground equipment, volley ball nets, showers, barbecues, stables, utilities, or other apparatus;
- (6) f. Grazing of any animal which is prohibited by the City of Galveston in accordance with §29-90, Galveston Zoning Standards;
- (7) g. Horse riding except as permitted in §8-8, Galveston City Code;
- (8) h. Operation of any motor vehicle except for necessary maintenance and clean up and for transportation to and from permitted habitable structures;
- (9) i. Mowing;
- (10) j. Paving of any type; or,
- (11) k. Creation of roads, trails, or paths and the use of trails or paths, except those access roads approved by the City of Galveston as part of its access plan.

(k) Technical Standards

Authority: Title 31 TAC. Natural Resources and Conservation, Part I, Chapter 15, Subchapter A, Section 15.4, requires the City of Galveston to comply with the following technical standards when issuing, denying or conditioning a Beachfront Construction Certificate and/or Dune Protection Permit seaward of the Dune Protection Line.

(1) The following standards will be used to determine material weakening and material damage of dune vegetation within a critical dune area or seaward of the Dune Protection Line. (Failure to meet any one of these standards will result in a finding of material weakening or material damage and the Planning Commission shall not approve the application for the construction as proposed):

- (1) a. The activity shall not result in the potential for increased flood damage to the proposed construction site or adjacent property;
- (2) b. The activity shall not result in runoff or drainage patterns that aggravate erosion on or off the site;
- (3) c. The activity shall not result in significant changes to dune hydrology;
- (4) d. The activity shall not result in adverse affects on dune complexes or dune vegetation;
- (5) e. The activity shall not significantly increase the potential for washovers or blowouts to occur; or
- (6) f. The Commission shall not issue a Beachfront Construction Certificate and Dune Protection Permit authorizing construction unless the construction and property design is designed so as to minimize impacts on natural hydrology. Such projects shall not cause erosion to adjacent properties, critical dune areas, or the public beach.

(2) Other considerations when determining whether to grant a Beachfront Construction Certificate and Dune Protection Permit seaward of the Dune Protection Line are as follows:

- (1) a. Cumulative and indirect effects of the proposed construction on all dunes and dune vegetation within the Critical Dune Area or seaward of the Dune Protection Line;
- (2) b. Cumulative and indirect effects of other activities on dunes and dune vegetation located on the proposed construction site;

- (3) c. The pre-construction type, height, width, slope, volume, and continuity of the dunes, the pre-construction condition of the dunes, the type of dune vegetation, and percent of vegetation cover on the site;
 - (4) d. Whether the proposed construction may alter dunes and dune vegetation in a manner that may aggravate erosion;
 - (5) e. The local historical erosion rate;
 - (6) f. The impacts on the natural drainage patterns of the site and adjacent property;
 - (7) g. Any significant environmental features of the potentially affected dunes and dune vegetation such as their value and function as flora or fauna habitat or any other benefits the dunes and dune vegetation provide to other natural resources;
 - (8) h. Wind and storm patterns including a history of washover patterns;
 - (9) i. Location of the site on the flood insurance rate map;
 - (10) j. Success rates of dune stabilization projects in the area;
 - (11) k. All comments submitted to the local government by the General Land Office and the Attorney General;
 - (12) l. The Beachfront Construction Certificate and Dune Protection Permit Application;
 - (13) m. The proposed activity's consistency with TAC Title 31, the City of Galveston's Dune Protection and Beach Access Plan, including the Dune Protection and Beachfront Construction Standards contained in both;
 - (14) n. Any other law relevant to dune protection and beach use and access which affects the activity under review;
 - (15) o. Any other relevant information the City of Galveston may consider useful to determine consistency with its dune protection and beach access plans including resource information made available to them by Federal and State natural resource entities. The City of Galveston Planning Commission shall not issue a Beachfront Construction Certificate or a Dune Protection Permit that is inconsistent with its Plan, Title 31 of the Texas Administration Code, and any other State, Federal and local laws related to the requirements of the Dune Protection Act and Open Beaches Act.
- (l) **The Mitigation Sequence** shall be used by local governments in determining whether to issue a permit for an activity seaward of the Dune Protection Line, after the determination that no material weakening of dunes or material damage to dunes will occur within critical dune areas or seaward of the Dune Protection Line. The mitigation sequence is as follows:
- (1) Avoiding the impact altogether by not taking a certain action or parts of an action;
 - (2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
 - (3) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment; and,
 - (4) Compensating for the impact by replacing resources lost or damaged.

The above sequence shall be followed as set forth in guidelines promulgated in 31 TAC, § 15.4. Dune Protection Standards. The permittee shall be deemed to have failed to achieve compensation if a 1:1 ratio has not been achieved within three years after beginning compensation efforts. If, for any reason, an applicant cannot demonstrate the ability to

mitigate adverse effects on dunes and dune vegetation, the Planning Commission is not authorized to issue the Permit. The Department of Planning and Community Development shall provide applicants with the mitigation sequence and standards to be followed.

(m) Special Standards for Eroding Areas

Authority: 31 TAC, § 15.6, requires the City of Galveston to comply with the following standards for eroding areas, when issuing, denying or conditioning a Beachfront Construction Certificate and Dune Protection Permit.

Eroding areas on Galveston Island are defined as: A portion of the shoreline which is experiencing a historical erosion rate of greater than one foot (1') per year, that is, all of the Galveston Island west of the westernmost end of the Seawall. The special standards are as follows:

- (1) That structures located on property adjacent to the public beach be designed for feasible relocation (i.e. on piers);
- (2) Paving or altering the ground below the lowest habitable floor is prohibited in the area between the line of vegetation and 25-feet landward of the north toe of the dune;

Paving used under the habitable structure and for a driveway connecting the habitable structure and the street is limited to the use of unreinforced fibercrete in 4 foot x 4 foot sections, which shall be a maximum of four inches thick with sections separated by expansion joists, or pervious materials approved by the Department of Planning and Community Development, in that area 25-feet landward of the north toe of the dune to 200-feet landward of the line of vegetation. The City shall assess a "Fibercrete Maintenance Fee" of \$200.00 to be used to pay for the clean-up of fibercrete from the public beaches should the need arise;

Reinforced concrete may be used in that area landward of 200-feet from the line of vegetation; (Ord 97-80)

- (3) Financial assurance is required to fund eventual relocation or demolition of the proposed structure (e.g. through proof of Upton-Jones coverage in the National Flood Insurance Program); and,
- (4) Structures built in eroding areas must be elevated in accordance with FEMA minimum standards or above the natural elevation.

(n) Management of the Public Beach

Authority: 31 TAC, §15.7, requires the City of Galveston to apply the following standards in issuing, denying or conditioning Beachfront Construction Certificate and/or Dune Protection Permits relating to management of the public beach:

- (1) The City shall encourage carefully planned beach nourishment for erosion response and prohibit erosion response structures within the public beach and 200-feet landward of the natural vegetation line;
- (2) Permittees are required to notify the General Land Office and the City of any discernible change in the erosion rate on their property. The City of Galveston or the State of Texas may require a permittee to conduct or pay for a monitoring program to study the effects of a coastal and shore protection project on the public beach;
- (3) Permittees must adhere to the following requirements for dune enhancement projects:

- a. An approved Beachfront Construction Certificate and Dune Protection Permit from the City of Galveston Department of Planning and Community Development;
- b. The project must be consistent with the City's dune and beach policies;
- c. The sediment to be used must be of effective grain size, mineralogy, and quality or the same as the existing beach material subject to availability. If beach quality sand is not available on Galveston Island, and in the judgment of the Department of Planning and Community Development is prohibitively expensive from mainland sources, a sub-base not of effective grain size, mineralogy, and quality, sufficient to provide a foundation for beach quality sand enhancement, may be used subject to the approval of the Department of Planning and Community Development and the Texas General Land Office;
- d. The material must be free of hazardous substances (as defined in Volume 40 of the Code of Federal Regulations, Part 302.4) in concentrations which are harmful to people, flora, or fauna as determined by applicable, relevant, and appropriate requirements for toxicity standards established by the local, state, and federal governments;
- e. There will be no adverse environmental effects on the property surrounding the area from which the sediment will be taken or to the site of the proposed nourishment;
- f. The removal of sediment will not have adverse impacts on flora and fauna;
- g. There will be no adverse effects caused from transporting the nourishment material; and,
- h. The City may allow restoration of dunes on the public beach up to 20-feet, if it is determined that the seaward migration of the dunes would occur naturally. Dune restoration seaward of the 20-foot limit must receive GLO approval. Interference with public use of the beach is prohibited. Dune reconstruction must approximate the natural formation of dunes and indigenous vegetation must be used. The following methods and materials shall not be permitted:
 1. Hard or engineered structures;
 2. Non-biodegradable items;
 3. Fine clay or silty sediments;
 4. Toxic materials as previously defined in this Section; or,
 5. Scraping or grading the beach, unless approved by the City of Galveston, approved by the Texas Attorney General, and monitored by the Department of Planning and Community Development to determine any changes that may increase erosion of the public beach. Local governments shall not allow a permittee to construct or maintain a private structure on the restored dunes within critical dune areas or seaward of a dune protection line except for specifically permitted dune walkovers or similar access ways.

Restored or man-made dunes will be protected under the same standards as natural dunes. Areas designated for stock piling of beach scrapings will not be considered as man-made dunes.

(o) Public Beach Use and Access

Authority: 31 TAC, §15.7, requires that the City of Galveston's regulation of the pedestrian and vehicular access, traffic and parking on the beach in a manner that preserves or enhances existing public right to use and have access to and from the beach.

The City of Galveston shall presume that any beach fronting the Gulf of Mexico within its jurisdiction is a public beach unless the owner of the adjacent land obtains a declaratory judgment finding otherwise under the Open Beaches Act, Sec. 61.019. The Attorney General shall make the determination on issues relating to the location of the boundary of the public beach and encroachments on the public beach pursuant to the requirements of the Open Beaches Act.

The City of Galveston shall regulate pedestrian and vehicular beach access, traffic and parking on the public beach only in a manner that preserves or enhances existing public access and use. The following standards will be observed when regulating access and parking on the public beach:

- (1) Parking requirements for all new or replatted developments, on or adjacent to the beach, where there is no existing public parking, will be calculated at one (1) space for each 15 linear feet of beach frontage, calculated to meet Galveston Zoning Standards for space requirements. Off-beach parking ~~will be paved in compliance with standards in Section 29-67, Galveston Zoning Standards~~ **boundaries will be identified with signage and maintained on a continuous basis.** Furthermore, at the election of the Planning Commission and in accordance with Subdivision Regulations, ~~the Galveston Zoning Standards and Title 31, TAC, Natural Resources and Conservation, Part I, Chapter 15,~~ **and state law,** the Commission may request all parking consolidated and so dedicated;
- (2) All access ways to the beach will be constructed so as to avoid ~~dune cuts~~ **breaches in the dune system** and maintain the dune integrity;
- (3) Signs shall be displayed in a conspicuous location identifying access and parking for the public beach;
- (4) All parking and access plans must be consistent with General Land Office regulations as promulgated in ~~31 TAC, §15.7 and §61.015 of the Natural Resources Code~~ **state law.** The City of Galveston therefore, adopts ~~Section 8-3, Beach Access and Parking Plan, Galveston City Code,~~ as it appears in Appendix A of this Section.
- (5) Beach Traffic Orders
All beach traffic orders, including but not limited to, parking, access, signage, obstructions, and speed limits shall be in conformance with ~~Chapter 8,~~ Galveston City Code.
- (6) Beach Maintenance Activities
 - a. The City of Galveston shall prohibit beach maintenance activities, which will result in the significant redistribution of sand, which will significantly alter the beach profile.
 - b. All sand moved or redistributed due to beach maintenance activities shall be returned to a location within the Critical Dune Areas.
 - c. It is prohibited to display on or adjacent to any public beach any sign, marker, or warning, or make or allow to be made any written or oral communication which

states that the public beach is private property or represent in any other manner that the public does not have the right of access to and from the public beach or the right to use the public beach as guaranteed by the Open Beaches Act and the common law right of the public.

d. The following methods are approved beach maintenance measures:

1. Raking of any or all beach areas at any or all times of the year with tractor drawn rakes with rake height adjusted so as to allow rake teeth to draw man made and naturally occurring debris into piles or windrows, while at the same time minimizing the amount of sand moved from the beach into the stockpiles. Piles or windrows may then be relocated using a tractor-mounted front-end loader. Stockpiles or windrows of raked debris may be placed at the seaward toe of the primary dune seaward of the vegetation line and within 20-feet of the vegetation line. All sand/debris collected with debris as a part of this maintenance process shall remain in the stockpile or windrow. A dune protection permit shall be required from the Department of Planning and Community Development;
2. Maintenance of beach parking areas at Stewart Beach Park shall be allowed if scraped sand is placed seaward of the mean high tide line and a dune protection permit is obtained from the Department of Planning and Community Development. In addition, sand collected from beach parking areas at Apffel Park may be stockpiled and used for dune enhancement projects within the critical dune areas if the sand is obtained from accreting beaches and with proper Texas Parks and Wildlife permits, notwithstanding (6)b above;
3. During periods of heavy seaweed influx, as identified by the Park Board of Trustees of the City of Galveston, maintainers, bulldozers, boxblades, loaders, dumptrucks and other equipment designed for moving large quantities of material may be employed on a short term basis to remove seaweed and other debris collected with the seaweed from the tide line into stockpiles or windrows as described above. Blade height for all equipment shall be set only low enough to remove the majority of the seaweed and other debris and to minimize the movement of sand from the beach to the windrows or stockpiles.

All sand/seaweed collected with seaweed and other debris as a part of this maintenance process shall remain in the stockpile or windrow until such time as the sand/seaweed may be used for dune enhancement projects within critical dune areas with the proper Texas Parks and Wildlife permits. These activities will be monitored by the City of Galveston Department of Planning and Community Development to identify any potential adverse impacts that may aggravate erosion and said activities shall be modified to preclude such adverse impacts. A dune protection permit from the Department of Planning and Community Development shall be required;

4. On the beach, seaward of the vegetation line, and landward of the high tide mark, a check-mark trench, 30-inches at the deepest point may be opened up by a maintainer or bull dozer and seaweed and any other debris accumulated within the seaweed windrow or stockpile, may be pushed into the trench and covered with beach sand from the trench cut. The trench method may only be used during emergency situations, where it will not remain open unsupervised

or at any time after dusk, where no vehicular or pedestrian traffic will be endangered and where access to the beach will not be prohibited by this action. These activities will be monitored by the City of Galveston Department of Planning and Community Development to identify any potential adverse impacts that may aggravate erosion and said activities shall be modified to preclude such adverse impacts. A dune protection permit from the Department of Planning and Community Development shall be required; and,

5. Solid waste containers may be mounted on posts at necessary intervals to encourage beach users to deposit waste and debris in the containers provided.

(7) Beach User Fees

- a. The City of Galveston, or the Park Board of Trustees of the City of Galveston, may charge beach users a fee in exchange for providing services to beach users in general. (Authority: Sec. 26-54, Galveston City Code).
- b. The City of Galveston, or the City of Galveston Park Board of Trustees, may only impose a beach user fee if the fee is reasonable, based on the cost of providing public services and facilities directly to the public beach, which may include administrative, accounting and planning activities necessary for the implementation of such public services and facilities, parking, public health and safety, environmental protection and other matters directly related to the public beach.
- c. A new or amended beach user fee shall be preceded by a State approved beach user fee plan submitted by the City. Neither the City of Galveston nor the Park Board of Trustees may spend more than ten percent (10%) of beach user fee revenues on administrative costs.
- d. Revenues from beach user fees may be used only for beach-related services as defined by 31 TAC §15.8 and §63.053 of the Natural Resources Code state law.
- e. Accounting and administration of all beach user fees shall be in conformance with those policies promulgated in 31 TAC §15.8. state law.
- f. In order to establish and maintain beach related services and facilities for the preservation and enhancement of access to and from and safe and healthy use of public beaches by the public, vehicles shall be charged in the following beach areas, managed by the Park Board of Trustees:

1. **Stewart Beach:** A recreational and amusement park located in the city on the East Beach:

The boundaries of Stewart Beach shall be defined as follows:

Eastern Boundary: Michael Menard Grant

Western Boundary: Fence on the eastern boundary of the children's playground established by Galveston County on Block No. 66

Northern Boundary: southerly right-of-way line of Seawall right-of-way Boulevard

Southern Boundary: Line of ordinary high tide of the Gulf of Mexico

- i. Fee: ~~\$7.00~~ **\$8.00 maximum** per vehicle

Restricted Use Area to the east of the Park: Separately manned entrance and separate \$8.00 fee for entrance to restricted use area (2,640 linear feet in width).

- ii. **A maximum** ~~Optional \$35.00~~ **\$25.00** season pass available.

~~and, bounded on the north by the county Seawall right of way, on the south by the line of ordinary high tide of the Gulf of Mexico, on the east by the eastern boundary of the Michael Menard Grant and an extension thereof southerly into the tide of the Gulf of Mexico, and on the west by the fence on the eastern boundary of the children's playground established by Galveston County on Block No. 66. The fee for entry to Stewart Beach shall be \$7.00 per vehicle.~~

2. **R.A. Apffel Park:**

The boundaries of R. A. Apffel Park shall be defined as follows:

All that property comprising 390.629 acres, more or less, more particularly described in Deed to City of Galveston from the United States of America, dated April 9, 1975, recorded in the Deed Records of Galveston County in Book 2567, page 606 et seq. All that property, comprising 64.5 acres, more or less, described in Deed to City of Galveston from the United States of America, dated April 15, 1976, recorded in the Deed Records of Galveston County, Texas, in Book 2687 at page 11 et seq. All of that property, comprising 211 acres of land, more or less, described in that certain instrument of July 30, 1976, by and between the City of Galveston and the United States Coast Guard, Eighth District.

- i. Fee: ~~\$7.00~~ **\$8.00 maximum** for entry, per vehicle.

- ii. **A maximum** ~~Optional \$35.00~~ **\$25.00** season pass available.

3. **Dellanera Park.** 10901 FM 3005 (7 Mile Road at FM 3005) Provides space for approximately 84 overnight vehicles and 300 day use camp sites. The fee schedule for Dellanera Park is ~~\$5.00~~ **\$8.00** per each vehicle, with the charge for the overnight vehicle spaces based upon services provided.

Please note, existing beach access parking shall remain, until modifications regarding the pedestrian walkway at AP 4 and improvements to AP 5 are completed.

4. **Seawall Beach Urban Park:** A recreational beach urban park with beach-related services and amenities, ~~as described below:~~

The boundaries of the Seawall Beach Urban Park shall be defined as follows:

Eastern Boundary:	1 st Street
Western Boundary:	103 rd Street
Northern Boundary:	Northerly right-of-way line of Seawall Boulevard
Southern Boundary:	The Gulf of Mexico

i. Fee: \$8.00 maximum per-vehicle per-day, through a metered system, permit system or a combination. (~~A maximum Optional~~ \$25.00 annual pass available.)

ii. Parking Rates:

South side of the Urban Park (adjacent to the seawall structure) shall not exceed \$8.00 per vehicle daily.

North side of Urban Park (northerly right-of-way of Seawall Boulevard), first ½ hour is at no charge, \$1.00 per hour, not to exceed \$2.00 per hour in beach access zones, not to exceed \$8.00 per vehicle per day.

5. **East and West areas of the island, as described in Appendix A: A maximum daily fee of \$8.00. A minimum of \$12.00 and a maximum \$25.00 annual pass available.**

g. The City of Galveston and the Park Board of Trustees of the City of Galveston shall work towards establishing a state-approved system for reciprocity of fees and fee privileges with Galveston County.

(8) Beach Access (Ord 02-035)

According to the Texas General Land Office (GLO), preservation and enhancement of public beach use and access is site specific and best addressed by local governments. The City has authority and responsibility for providing public safety and emergency services within its corporate limits.

The City has adopted, pursuant to state law, a beach access plan for the public beaches within its corporate limits. Changes to the City's beach access plan require the approval and adoption by rule of the GLO. For special events, federal, state, and local law enforcement agencies have determined the need for traffic control plans in the interest of public safety.

- a. Special Events – For any planned event that will eliminate public beach parking, along the southern right-of-way adjacent to a public beach, for ½ mile or greater and will continue for more than six (6) consecutive hours, the City of Galveston shall provide beach access in accordance with the following provisions: (Ord 02-035)
3. The City Manager or designee, is authorized to take whatever measures are reasonably necessary to implement a public safety and traffic control plan, for an event that affects public beach access. The plan may include provisions that temporarily eliminate, rededicate, or use for other purposes, parking spaces normally available for public beach access, to the extent such spaces do not occupy the public beach easement. "Other purposes" may include a fee-for-entry area.
4. Not less than sixty (60) days prior to the event, the City of Galveston shall provide the following to the GLO ~~and the Office of the Attorney General (OAG)~~:
 - (a) i. the number of parking spaces needed to replace the parking spaces being removed by the respective event;
 - (~~b~~) ii. the location of the alternative parking areas where the public would be required or able to park their cars to gain access to the beach;

- (e) iii. information depicting how the public will be informed of the alternative parking arrangements during the events. The public must be notified that normally available parking has been eliminated and directed to the alternative parking locations;
 - (d) iv. the method of transportation that will be provided for the public to and from the public beach. If shuttle buses are used to transport beach-goers from alternative parking locations, the schedule for the buses will be specified;
 - (e) v. a statement by the City containing an affirmative finding that the alternative parking plan preserves the public's right to access the beach. The City should evaluate the alternative parking plan based on its current access plan, the impacts to public beach access, and methods for mitigating those impacts and make the affirmative finding; and,
 - (f) vi. The implementation dates of the traffic control plan, public safety plan, and alternate parking plan.
5. Not less than thirty (30) days prior to the event, the GLO ~~and the OAG~~ shall provide comments, written objections or not comment on the alternative parking plan. The City of Galveston shall review and consider all comments received from the GLO ~~and OAG~~, for requested revisions to the alternative parking plan. However, the City of Galveston reserves the right to amend the alternative parking plan based upon public safety needs as determined by the Chief of Police or designee.
 6. In the event the respective special event continues outside of planned implementation dates, the City of Galveston will provide the necessary traffic control with regard to public safety, and will provide notice of such measures to the GLO ~~and OAG~~. In such an event, the City of Galveston will implement and maintain the guidelines of Section 29-90 (o)(8) during special events that alter public beach access and parking as described in subsection (a).

(p) Penalties

31 TAC 15.9, establishes the following penalties:

(1) Any violation of any provision of this Chapter (Chapter 29 of the City Code) shall be unlawful and a misdemeanor offense punishable by a fine not exceeding Five Hundred (\$500.00) Dollars. Each day a violation of this Chapter continues shall constitute a separate offense.

(2) Any person who violates the Dune Protection Act, the Open Beaches Act or a City of Galveston Permit condition established by this regulation is liable to the General Land Office for a civil penalty of not less than Fifty (\$50.00) Dollars nor more than One Thousand (\$1,000.00) Dollars per violation per day. Each day the violation occurs or continues is considered a separate violation.

(3) Any violation of a Permit requirement, dune protection and beach access plans, the Dune Protection Act, the Open Beaches Act, Title 31 TAC, §§15.1 - 15.10, Management of the Beach/Dune System, shall be reported by the City of Galveston to the General Land Office within 24 hours.

(q) Master Planned Developments

The City of Galveston may adopt a separate ordinance for Master Planned Developments as defined in 31 TAC, §15.32. All requirements of Subchapter A, The Dune Protection Act, The Open Beaches Act and the City of Galveston Zoning Standards shall be followed.

(r) Repeal of Conflicting Ordinances - Severability

If any section, subsection, paragraph, sentence, clause, phrase or work in this Section or the application thereof to any person or circumstance, be held invalid, such holding shall not affect the validity of the remaining portion of this order. In the case of a conflict between this Section and any other City Ordinances, the Ordinance containing higher standards for dune protection will prevail. In addition, the requirement to obtain a Beachfront Construction Certificate and/or a Dune Protection Permit supersedes the previous requirement for a Specific Use Permit for regulated activities in accordance with this Section.

Appendix A: Beach Access and Parking Plan

(a) Beach Access Points (Described From East To West)

AP 1: Apffel Park

On-beach: parking within Park boundaries for beach user fee
free parking outside of Park boundaries
Off-beach: n/a
Amenities: currently provided

AP 2: Stewart Beach

On-beach: parking within Park boundaries for beach user fee
free parking available
restricted use area, minimum width of 2,640 linear feet on the eastern
end of the park, separately manned entrance and separate fee for entry in
the amount of \$8.00
Off-beach: n/a
Amenities: currently provided

AP 3: Seawall Beach Urban Park

On-beach: n/a
Off-beach: street parking, north and south sides of Seawall Boulevard
minimum of 10% free parking spaces (approximately 230 spaces total
distributed throughout the Seawall Beach Urban Park)
Amenities: future

AP 4: End of Seawall

On-beach: n/a
Off-beach: parking lot, minimum 150 spaces
pedestrian pathway from parking area to beach
Amenities: n/a

AP 5: Dellanera RV Park

On-beach: n/a
Off-beach: overnight campsites only
wheelchair accessible dune walkover
Amenities: currently provided

AP 6: Pocket Park #1

On-beach: parking via 7 ½-Mile Road (109th Street), minimum width of 1690 linear
feet
Off-beach: parking lot
Amenities: n/a

AP 7: Sunny Beach Subdivision

On-beach: parking via 8-Mile Road, minimum width of 1,300 linear feet
Off-beach: n/a
Amenities: n/a

AP 8: Beachside Village Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 148 spaces on Sea Butterfly Street
3 dedicated pedestrian access ways for public use
Amenities: n/a

AP 9: Pocket Park #2, Escapes! Condominiums

On-beach: n/a
Off-beach: parking lot, minimum of 352 spaces
1 wheelchair accessible dune walkover for public use
1 dedicated pedestrian pathway for public use
Amenities: currently provided

AP 10: 10-Mile Road/Hershey Beach Subdivision

On-beach: parking via 10-Mile Road, minimum width of 1,065 linear feet
Off-beach: parking lot, minimum 58 spaces
Amenities: n/a

AP 11: Spanish Grant Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 46 spaces on Spanish Grant Boulevard
median
3 dedicated pedestrian pathways for public use
Amenities: n/a

AP 12: Bermuda Beach Subdivision

On-beach: parking via Pabst Road, minimum width of 150 linear feet
Off-beach: street parking, minimum of 211 parking spaces, throughout subdivision
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 13: Pocket Park #3

On-beach: n/a
Off-beach: parking lot, minimum of 273 parking spaces
wheelchair accessible dune walkover for public use
Amenities: currently provided

AP 14: 11-Mile Road

On-beach: parking via 11-Mile Road, minimum width of 300 linear feet
Off-beach: n/a
Amenities: n/a

AP 15: Palm Beach Subdivision/Pirates Beach West Subdivision

On-beach: n/a
Off-beach: street parking throughout subdivisions
3 dedicated pedestrian pathways for public use (Palm Beach)
4 dedicated pedestrian pathways for public use (Pirates Beach West)
Amenities: n/a

AP 16: 13-Mile Road

On-beach: parking via 13-Mile Road, minimum width of 640 linear feet
Off-beach: n/a
Amenities: n/a

AP 17: 15-Mile Road

On-beach: parking via 15-Mile Road, minimum width of 150 linear feet
Off-beach: n/a
Amenities: n/a

AP 18: 16-Mile Road

On-beach: parking via 16-Mile Road, minimum width of 1,000 linear feet
Off-beach: n/a
Amenities: n/a

AP 19: Karankawa Beach

On-beach: n/a
Off-beach: street parking, minimum of 27 spaces on Habla and Gleis Streets
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 20: Indian Beach

On-beach: n/a
Off-beach: street parking, minimum of 200 spaces on East and West Devaca
4 dedicated pedestrian pathways for public use
Amenities: n/a

AP 21: Kahala Beach Estates, Addition #1

On-beach: n/a
Off-beach: street parking, minimum of 59 spaces on Kahala Drive East
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 22: Silverleaf Resorts

On-beach: n/a
Off-beach: parking lot, minimum of 43 spaces
1 dedicated pedestrian pathway for public use
Amenities: n/a

AP 23: The Dunes of West Beach

On-beach: n/a
Off-beach: street parking, minimum of 172 spaces on Shores Drive
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 24: Sandhill Shores Subdivision (Map Sheet W-3)

On-beach: n/a
Off-beach: street parking, minimum of 208 spaces on Sandhill Drive
2 dedicated pedestrian pathways for public use
Amenities: n/a

AP 25: Gateway Boulevard – Sea Isle Subdivision

On-beach: parking via Gateway Boulevard, minimum width of 330 linear feet
Off-beach: n/a
Amenities: n/a

AP 26: San Jacinto Street – Sea Isle Subdivision

On-beach: parking via San Jacinto Street, minimum width of 150 linear feet
Off-beach: n/a
Amenities: n/a

AP 27: “Sea Isle” parking area

On-beach: n/a
Off-beach: parking lot, minimum of 88 spaces
1 dedicated pedestrian pathway for public use
Amenities: n/a

AP 28: Sea Isle Subdivision and Terramar Beach Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 610 spaces on Kennedy/Gulf Drive
dedicated pedestrian pathways for public use throughout subdivisions
Amenities: n/a

AP 29: Isla Del Sol Subdivision

On-beach: n/a
Off-beach: parking lot, minimum 25 spaces (located north of FM 3005, via Isla Del Sol Drive)
Amenities: n/a

AP 30: Gulf Boulevard, Isla Del Sol Subdivision

On-beach: parking via Gulf Boulevard, minimum width of 150 linear feet
Off-beach: n/a
Amenities: n/a

AP 31: Terramar Drive, Terramar Beach Subdivision

On-beach: parking via Terramar Drive Boulevard, minimum width of 300 linear feet
Off-beach: n/a
Amenities: n/a

AP 32: Pocket Park #4

On-beach: n/a
Off-beach: parking lot
1 dedicated pedestrian pathway for public use
Amenities: n/a

AP 33: 2nd Street, Bay Harbor Subdivision

On-beach: parking via 2nd Street, minimum width of 300 linear feet
seasonal access to the west (one-way driving west to east)
Off-beach: n/a
Amenities: n/a

AP 34: Miramar Subdivision

On-beach: seasonal access via AP 35 at Half Moon Beach (one-way driving, west to east)
Off-beach: parking lot, minimum of 60 spaces via FM 3005
1 dedicated pedestrian pathway for public spaces
Amenities: n/a

AP 35: Half Moon Beach Subdivision and Stavanger Beach Subdivision

On-beach: seasonal access to the east
unrestricted, vehicular access to the west to AP 36: Salt Cedar Avenue
Off-beach: n/a
Amenities: n/a

AP 36: Salt Cedar Avenue

On-beach: unrestricted, vehicular access to the east to AP 35: Half Moon Beach
Off-beach: n/a
Amenities: n/a

AP 37: Playa San Luis Subdivision

On-beach: n/a
Off-beach: street parking, minimum of 88 spaces throughout subdivision
3 dedicated pedestrian pathways for public use
Amenities: n/a

AP 38: Pointe San Luis 1 (western boundary of Playa San Luis subdivision)

On-beach: n/a
Off-beach: parking lot, minimum of 100 spaces*
25 reserve parking spaces dedicated in the event of erosion*
1 dedicated pedestrian pathway for public use*
Amenities: n/a

** Please note, beach access modifications will not occur until substantial physical improvements occur.*

AP 39: Pointe San Luis 2

On-beach: n/a
Off-beach: parking lot, minimum of 100 spaces*
1 wheelchair accessible dune walkover for public use*
Amenities: future, as part of planned development

** Please note, beach access improvements will not occur until substantial physical improvements occur.*

AP 40: Pointe San Luis 3

On-beach: n/a
Off-beach: parking lot, minimum of 100 spaces*
25 reserve parking spaces dedicated in the event of erosion*
1 dedicated pedestrian pathway for public use*
Amenities: n/a

** Please note, beach access modifications will not occur until substantial physical improvements occur.*

AP 41: Pointe San Luis 4 (toll bridge area)

On-beach: seasonal access provided, minimum width of 1,200 linear feet*
unrestricted, vehicular access, minimum width of 3,230 linear
feet*
Off-beach: n/a
Amenities: pedestrian area designated by bollard placement to the north of
vehicular access areas

** Please note, beach access modifications will not occur until substantial physical improvements occur.*

(a) (b) Regulated beach areas:

Except as otherwise permitted herein, it shall be unlawful for any person to drive, operate or park any motor vehicle in, on or upon any part of the following described public beaches bordering on the Gulf of Mexico and situated within the corporate limits of the City of Galveston with the exception of emergency vehicles, beach cleaning and maintenance and safety patrolling:

1. Upon East Beach, being that area extending from the western boundary of Apffel Park most easterly city limits to the eastern boundary of western property line of Stewart Beach Park, at all times;
2. Within the boundaries of Stewart Beach Park, with the exception of those areas designated for parking, restricted use access, and/or as described within Section A of Appendix A:
3. Upon the beach extending from Stewart Beach to the western end of the seawall structure 35th Street, at all times; and,
4. Upon any area of the beach, unless otherwise provided for by traffic control measures, such as, but not limited to bollards and signage, and as described in Section A of Appendix A:
5. Upon the beach extending from 35th Street to 57th Street, at all times;
6. Upon the beach extending from 61st Street to the end of the seawall structure, at all times;
7. From the westerly end of the Seawall structure to San Luis Pass with the exception of safe vehicle driving done in a manner that will not disturb, damage or destroy wildlife or dune structures from the bollards marking the eastern boundary of Access Point 33 to the easterly groundline of San Luis Bridge;
8. Effective July 15, 1990, that area in Sunny Beach, Access Location number 4, which is posted by bollards placed by city officials is open for vehicle access and parking;
9. Effective February 13, 1992, that area in Sea Isle, Access Locations numbers 27, 28, and 29, which is posted by bollards placed by city officials is open for vehicle access and on beach and off beach parking;

10. Effective April 12, 1994, that area at 10 Mile Road, access Location number 7, Hershey Beach Subdivision, which is posted by bollards and signage placed by city officials is designated for on beach and off beach parking;
11. Effective July 15, 1990, that area in Gulf Palms, Access Location number 19, which is posted by bollards placed by city officials, is open for vehicle access and parking;
12. Effective June 28, 1990, that area at 15 Mile Road, Access Location number 17, which is posted by bollards placed by city officials, is open for vehicle access and parking;
13. Effective June 28, 1990, that area at Isla Del Sol, Access Location number 30, which is designated by signage is an off beach parking area;
14. Effective June 28, 1990, that area at East Bay Harbor, Access Location number 32, which is designated by signage is an off beach parking area;
15. At that area at Bay Harbor, Access Location number 33, except which is posted by bollards placed by city officials is open for vehicle parking on beach;
16. Effective September 13, 1990, that area at 11 mile Road, Access Location number 11, which is posted by bollards placed by City officials is open for vehicle access and parking;
17. Effective November 8, 1990, that area at Palm Beach, Access Location number 13, which is designated by signage is open for vehicle access and parking along the streets as designated;
18. Effective November 8, 1990, that area at 13 Mile Road, Access Location number 15, which is posted by bollards placed by city officials is open for access and parking;
19. Effective November 8, 1990, that area at Karankawa, Access Location number 21, which is designated by signage is open for vehicle access and parking along streets as designated;
20. Effective November 8, 1990, that area at Indian Beach, Access Location number 23, which is designated by signage is open for vehicle access and parking along streets as designated;
21. Effective November 8, 1990, that area at Kahala, Access Location number 24, which is designated by signage. Beach access and parking is permitted at 18 Mile Road, access location numbers 25A, 25C, 25D;
22. Effective November 8, 1990, that area at Terramar, Access Location number 31, which is designated by signage is open for vehicle access and parking along the streets as designated;
23. Effective November 8, 1990, that area at Pointe San Luis, Access Location number 34, which is designated by signage is an off beach parking area;

24. Effective November 8, 1990, that area of San Luis Pass, Access Location number 37, which is designated by signage is an off beach parking area;
25. Effective August 22, 1991, that area at Bermuda Beach, Access Location number 9, which is posted by bollards placed by City officials is open for vehicle access and parking and parking along the streets in designated areas;
26. Effective September 12, 1991, that area at Spanish Grant Subdivision, Access Location number 8, which is posted by bollards placed by City officials is open for vehicle access and parking along the streets in designated areas;
27. At that area of Point San Luis, Access Location number 36, except which is designated by signage is an off beach and on beach parking area;
28. At that area of Point San Luis, Access Location number 35, except which is designated by signage is an off beach and on beach parking area;
29. At that area at 18 Mile Road, Access Location number 25A, except which is designated by signage is an off beach parking area;
30. At The Shores at Maggie's Cove Subdivision, effective October 19, 1993, on-street parking and beach access, which is designated by signage;
31. At that area at between Westshore Subdivision and Gateway Boulevard, Access Location number 25C, except which is designated by signage is an off beach parking area;
32. At that area at Gateway Boulevard, Access Location number 25D, except which is designated by signage is an off beach parking area;
33. At the western boundary of Half Moon Beach Subdivision, effective August 3, 1993, on beach parking and access designated by signage;
34. Proposed on beach parking at the Big Reef Nature Park, managed by the City of Galveston Park Board of Trustees, and designated by signage;
35. Potential on beach parking and access at points to be designated in the future, and indicated by signage, in an area extending from the western boundary of Apffel Park to the eastern boundary of Stewart Beach Park;
36. On street parking and beach access, designated by signage, at Kahala Beach Estates Subdivision, effective June 15, 1993;
37. Proposed on beach and off beach parking, designated by signage, at the eastern side of Decker Subdivision (AKA Miramar Subdivision); and,
38. Effective October 17, 1990, on street parking and beach access, designated by signage, for that area at Pirates Beach Subdivision, Section 10. (Ord 93-73 and Ord 94-26 and Ord 95-9).

Beach Access Linear Footage

The specific recommendations for changes in access have been measured against the existing access options, as they relate to the following:

Total linear feet of beachfront*:

26.04 miles/137,507 feet

*(excluding Galveston Island State Park, MUD 1 and MUD 29, and the City of Jamaica Beach)

	<u>Current Conditions</u>	<u>Proposed Conditions</u>
Pedestrian Beach	111,363 feet	115,677 feet
Vehicular Beach	26,144 feet	21,830 feet

Parking Calculation Methodology

In accordance with the City of Galveston Zoning Standards Section 29-67: Vehicle Parking Regulations, Staff utilized existing parking space dimensions adopted for use within the City. Specifically, as the parking regulations relate to the beach access plan, the following standards were used in determining the available and/or needed public parking:

Parking space dimension(s)

90° angle space: 9' x 19' with a 22' backup (driveway) space

0° (parallel) spaces: 9' x 23' with a 12' backup (driveway) space

Standards of measurement

88 parking spaces may be accommodated per ¼ mile

60-foot or greater right-of-way width – parking designated on both sides of street

less than 60-foot right-of-way width – parking only designated on one side of street

When measuring streets to determine the number of parking spaces that can be accommodated, Staff subtracted 20-feet of width for each lot to account for driveways, landscaping and mailbox/trash receptacle areas. Additionally, for conservative measurements, cul-de-sacs were not measured or accounted for in the amount of public parking available within a subdivision, even though parking on cul-de-sacs is encouraged and recognized as a public parking area. Based on conservative methods for determining parking availability, it should be noted that additional parking, both on and off-beach, exceeds what is recognized for compliance with state and local standards.

Beach Access Definitions

As stated throughout, the planning and development process for the City's beach access plan contains many elements such as types of access and standards of implementation. The following definitions are provided as part of the City of Galveston's beach access plan:

Off-Beach Parking/Pedestrian Access: The beach is closed to all vehicles for parking and driving throughout the year. Vehicular parking is available on adjacent public streets and parking lots. The beach is accessible to pedestrians by way of public footpaths, dune walkovers or from the public beach easement.

On-Beach Parking/Pedestrian Access ("T-heads"): The beach is open to all vehicles for parking throughout the year. The beach is accessible to pedestrians from the public beach easement.

On-Beach Driving/Vehicular Access: The beach is open to all vehicles for parking and driving throughout the year.

Pedestrian Only Access: The beach is accessible to pedestrians, by way of footpaths, dune walkovers or from the public beach easement. However, no public parking is available within close proximity.

Seasonal Access: Vehicular access/driving is only permitted during designated times of the year, as follows:

Vehicles are prohibited on the beach from 6:00 P.M. Friday to 6:00 P.M. Sunday during the month of March, Memorial Day through Labor Day, and all legal holidays.

Restricted Access: The beach is open to vehicles throughout the year only as a special use area for persons with disabilities, saltwater fishermen and the launching of non-motorized personal watercraft. The beach is accessible to pedestrians from the public beach easement and/or adjacent parking areas.

Substantial Physical Improvements: The Director of the Department of Planning and Community Development, or designee, will approve the determination of "substantial physical improvements", upon completion of all of the following criteria for development:

1. The filing of a final plat;
2. Installation of public and private infrastructure;
3. Installation of the associated Beach Access Point parking, signage, and walkover; and,
4. The issuance of a building permit for a private residence or public building, excluding a sales office or accessory structure.

Implementation Element

A. City of Galveston Budget

Upon final approval, implementation of the beach access plan will begin with signage, dune walkovers and bollard placement/relocation. At the discretion of the Galveston City Council, funding shall be allocated for implementation of the beach access plan. Additionally, Staff will pursue the identification of alternative funding sources, other than the City's general fund, to implement the beach access plan.

B. Signage Program

The need for additional and improved signage has developed into a primary focus for the implementation of a successful beach access plan. A collaborative effort to develop new signage is ongoing, and shall address the following: public safety, enforcement, speed limit information, mile marker location, access point identification numbers, access opportunities for persons with disabilities, dune protection standards, and litter regulations. Additionally, Staff is identifying signage options for messages relating to environmental and natural habitat programs.

C. Physical Improvements (roadways, walkovers, bollard placement)

In addition to improved signage, the construction of dune walkovers and the relocation of bollards will be necessary to implement portions of the beach access plan.

D. Vehicular Control Plan

Following certification of the beach access plan, the City may determine that a vehicular control plan is necessary for those areas where automobiles are permitted to drive on the public beach. Should the City choose to adopt a vehicular control plan, the plan will be developed in accordance with state and local laws.

E. Dedications

In order to finalize public parking areas, pedestrian access ways, vehicular drive access points, and parking easements, it may be necessary for the City of Galveston to accept dedications from subdivisions and/or groups of subdivisions. All dedications will be conveyed in accordance with the Texas Local Government Code, per the direction of the City Manager and City Attorney's office, and City Council, where necessary.

F. Maintenance of beach access roadways

The Streets Division of the Department of Public Works provides maintenance for public beach access roads on an "as-needed" basis. Specifically, more time is spent grading the roadways during dry periods and during the summer season.

G. Accessibility for Persons with Disabilities

Although specific regulations requiring certain types and placement of access for persons with disabilities do not currently exist, the City is committed to providing a variety of access types, including areas accessible by persons with disabilities. At this time, many of the

existing on-beach parking areas designate parking spaces for persons with disabilities along the bollard line.

The City, Park Board of Trustees, and County collectively provide other access alternatives for persons with disabilities not discussed at length within the staff report, such as, but not limited to modified drive-on jetty access and beach accessible wheelchairs.

H. Timeframe

The implementation schedule of the plan is a vital element to the success of the plan and is included as part of the Implementation Element (Attachment E).

I. New Developments

As noted within the analysis portion of the staff report, there are areas of the City that are currently undergoing development, are planned for development, and/or may not be developed in the near future. The City's current beach/dune regulations require only that beach access be "dedicated" at the time of final plat approval. Actual physical development of the property may not occur for an extended period of time following the filing of the plat.

In order to maintain consistency among development and to clarify the process for modification in access, the Planning Commission, Planning Staff, and the GLO recommend that modifications in access shall not take place until "substantial physical improvements" occur within the respective development. Please refer to Attachment D for the associated definition.

High-Priority/Short-Term Actions (0-2 years)		
Area/Access	Strategy/Action	Type
All beachfront areas	ORDINANCE MODIFICATIONS (Part of 2001 Comprehensive Plan) <ul style="list-style-type: none"> Complete necessary modifications to City code, zoning/land development regulations and corresponding maps, to facilitate implementation of Comprehensive Plan initiatives, including: <ul style="list-style-type: none"> Strengthened Beach and Dune Management Plan standards Increased Dune Protection Line (setback) Standards for protective wetland buffer areas Coordination with General Land Office on beach access improvements in conjunction with modifications to state laws 	Regulation
AP 33 and AP 35 AP 2 All beachfront areas	CITY-IDENTIFIED IMMEDIATE NEEDS <ul style="list-style-type: none"> Implement one-way (west to east) seasonal access between Access Point 33 (2nd Street/Bay Harbor) and Access Point 35 (Half Moon Beach) <ul style="list-style-type: none"> Install bollards, perpendicular to the shoreline, on the western boundary of AP 33 and the eastern boundary of AP 35 Install signage: including traffic signs, handicapped parking space signs, restricted use signs, etc. Implement restricted use access area – ½ mile to the east of Stewart Beach <ul style="list-style-type: none"> Install bollards, perpendicular to the shoreline, ½ mile to the east of the existing eastern boundary of Stewart Beach Install signage: traffic signs, handicapped parking space signs, restricted use signs, etc. Repair/replace existing bollard placement Pedestrian enhancement Identification and implementation of Tier One signage 	Program
All beachfront areas	SURVEY – EXISTING CONDITIONS <ul style="list-style-type: none"> City Staff to survey existing signage, walkovers, footpaths, bollards, etc. Identify existing signage, walkover and other access violations City Staff to determine ownership of existing signage, walkovers, footpaths, bollards, etc. 	Program
All beachfront areas	CITY STAFF STRUCTURE <ul style="list-style-type: none"> Review existing duties and responsibilities for beach maintenance and incorporate the current Beach Access Plan Implementation schedule. Consider separate maintenance and enforcement crews dedicated to beach related maintenance, signage replacement, improvements, etc. Coordinate beach maintenance duties and responsibilities with Park Board of Trustees 	Program
All beachfront areas	FUNDING <ul style="list-style-type: none"> Develop & implement long-term overall financial strategy for the City to address the Beach Access Plan maintenance, enforcement and related improvements Request City Council to allocate funding for Beach Access Plan implementation on an annual basis during the budget process Identify candidate funding sources among available local, state & federal opportunities to support Plan implementation Identify project opportunities for public & private/non-profit agency partnerships for implementation of the Plan and related improvements 	Capital/Program
All beachfront areas	SIGNAGE <ul style="list-style-type: none"> Develop coordinated beach access signage program <ul style="list-style-type: none"> Develop sign design Prioritize signage requirements into three (3) tiers Notify subdivisions and neighborhood associations regarding sign violations Tier One implementation of signage program <ul style="list-style-type: none"> Install “Public Beach Access” signs on FM 3005 at each access point that is currently improved. One (1) sign will be located in each of the northern and southern right-of-way 	Program

High-Priority/Short-Term Actions (0-2 years)		
Area/Access	Strategy/Action	Type
	areas, facing west-bound and east-bound traffic	
All beachfront areas	DUNE WALKOVERS <ul style="list-style-type: none"> ▪ Notify subdivisions and neighborhood associations regarding privately owned dune walkovers, which are damaged or out of compliance ▪ Replacement/repair of city-owned dune walkovers ▪ Construct at least one new accessible dune walkover with current CIAP funding ▪ Notify home owners associations/property owners of any required public dune walkover construction within subdivisions 	Program
All beachfront areas	CREATE BEACH ACCESS IMPLEMENTATION MAP <ul style="list-style-type: none"> ▪ Produce GIS compatible map to delineate the access areas, bollard placement, signage program, parking locations and public parks 	Program
AP 7, AP 10, AP 18, AP 25, and AP 31	RELOCATION OF BOLLARDS <ul style="list-style-type: none"> ▪ Widen existing vehicular beach areas by relocating bollards in accordance with approved T-head widths 	Program
All beachfront areas	IMPROVEMENTS/MAINTENANCE <ul style="list-style-type: none"> ▪ Continue maintenance of public beach access roads on an "as-needed" basis ▪ Replace/install bollards in accordance with the approved plan ▪ Research acceptable methods of improving vehicular access to the public beach, as recommended by the Texas General Land Office 	Program
West of AP 3	FM 3005 FLOODING IMPROVEMENTS (Part of 2001 Comprehensive Plan) <ul style="list-style-type: none"> ▪ Implement recommended FM 3005 flooding improvements as indicated in the 5-Year Mobility Plan 	Program
All beachfront areas	EROSION TASK FORCE (Part of 2001 Comprehensive Plan) <ul style="list-style-type: none"> ▪ Increase City participation in Erosion Task Force to ensure adequate research and evaluation of Galveston's beach and shoreline erosion issues 	Program
As needed	DEDICATION OF ACCESS <ul style="list-style-type: none"> ▪ City Staff to ensure all final plat documents contain dedicatory language for public beach parking areas, pedestrian access ways, vehicular drive access, parking easements, etc. 	Program/ Capital

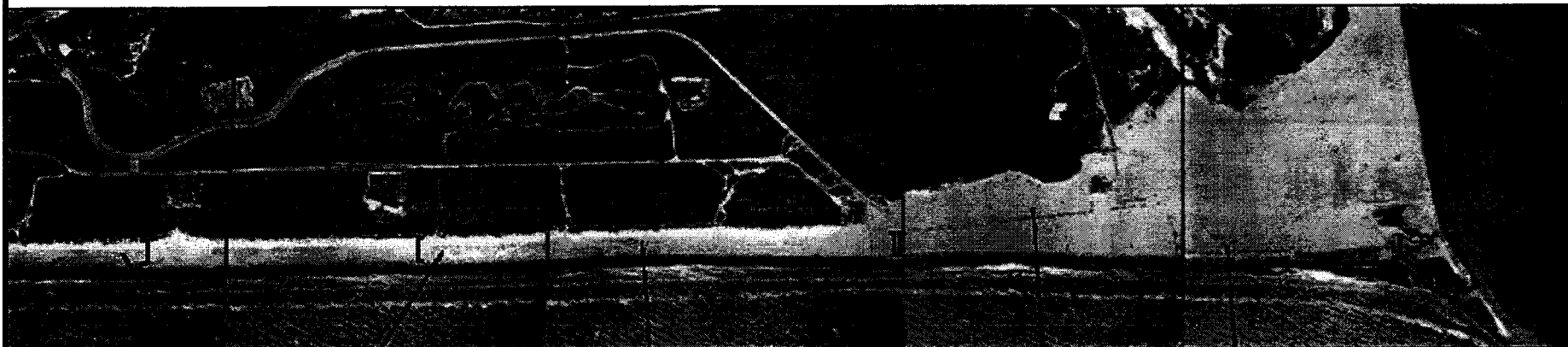
Mid-Term Actions (2-5 years)		
Area/Access	Strategy/Action	Type
All beachfront areas	FUNDING <ul style="list-style-type: none"> Request City Council to allocate funding for beach access plan implementation on an annual basis during the budget process Continue implementation of City's long-term financial strategy to address the Beach Access Plan and related improvements Continue to identify candidate funding sources among available local, state & federal opportunities to support plan implementation 	Capital
All beachfront area	SIGNAGE <ul style="list-style-type: none"> Tier Two implementation of signage program <ul style="list-style-type: none"> Complete installation of "Public Beach Access" signs on FM 3005 at each access point. One (1) sign will be located in each of the northern and southern right-of-way areas, facing west-bound and east-bound traffic Update signage at the entrance of each beach access point. Bring all traffic control signs, speed limit signs, etc into conformance with Beach Access Plan 	Program
All beachfront areas	IMPROVEMENTS/MAINTENANCE <ul style="list-style-type: none"> Implementation of bollard installation parallel to the dune system at all vehicle accessible public beach access points. Bollard installation to be in conformance with developed beach access implementation map. Order of placement to be determined by the condition of the dune system at the time of implementation. Repair/replace previously installed bollards, signage, walkovers, etc., as necessary As "substantial physical improvements occur", begin implementation of access points on the far west end. 	Program
West End subdivisions	PUBLIC IMPROVEMENT DISTRICT (PID) <ul style="list-style-type: none"> Research feasibility of a Public Improvement District to assist West End property owners with the implementation of beach related improvements. 	Capital
All beachfront areas	BEACH AND SHORELINE RENOURISHMENT (part of 2001 Comprehensive Plan) <ul style="list-style-type: none"> Identify funding for and implement beach renourishment program. 	Program/Capital
All beachfront areas	VEHICULAR CONTROL PLAN <ul style="list-style-type: none"> If deemed necessary, develop a vehicular control plan for public beach areas, which allow vehicular access Implement vehicular control plan, in phases if necessary 	Program
As needed	DEDICATION OF PROPOSED ACCESS POINTS <ul style="list-style-type: none"> Accept dedication of public beach parking areas, pedestrian access ways, vehicular drive access and parking easements from subdivisions and/or groups of subdivisions. All dedications will be completed in accordance with the Texas Local Government Code, per the direction of the City Manager and City Attorney's office, and City Council, where necessary. 	Program/Capital
All beachfront areas	INSTALLATION OF DUNE WALKOVERS/FOOTPATHS IN CITY DEDICATED EASEMENTS <ul style="list-style-type: none"> As provided for within the City of Galveston budget, and through grant-funded initiatives, install dune walkovers in dedicated public beach access easements. Order of placement to be determined by the condition of the dune system at the time of implementation. 	Program
Identified subdivisions	PILOT PROJECTS WITHIN SUBDIVISIONS TO COMPLETE PUBLIC BEACH ACCESS SIGNAGE AND PARKING SIGNAGE <ul style="list-style-type: none"> As identified by City staff, begin implementation of subdivision pilot projects to address public beach access signage and parking plans, including signage and improved parking areas. 	Program
All beachfront	BEACH RELATED AMENITIES	Program/Capital

Mid-Term Actions (2-5 years)		
Area/Access	Strategy/Action	Type
areas	<ul style="list-style-type: none"> Develop a program to implement beach related amenities, such as public restrooms, showers, etc. 	
All beachfront areas	BEACHFRONT INFORMATIONAL BROCHURE <ul style="list-style-type: none"> Pursue funding sources to develop and distribute an information brochure that will identify access points, types of access, amenities, etc. for public beach users. 	Program/Capital
All beachfront areas	BEACH MANAGEMENT AND RESTORATION PLAN (part of 2001 Comprehensive Plan) <ul style="list-style-type: none"> Update Beach Management and Restoration Plan. 	Program

Long-Term Actions (5-10 years)		
Ref. No.	Strategy/Action	Type
All beachfront areas	IMPLEMENTATION OF FEDERAL REGULATIONS REGARDING ACCESSIBILITY REQUIREMENTS FOR BEACH AREAS <ul style="list-style-type: none"> Amend local regulations in conjunction with revised state law regarding accessibility standards for public beach access points upon final adoption of the Federal Access Board's Accessibility Guidelines for Outdoor Developed Areas Begin implementation of accessibility standards for public beach access points in conjunction with revised state and local laws 	Program
All beachfront areas	FUNDING <ul style="list-style-type: none"> Request City Council to allocate funding for beach access plan implementation on an annual basis during the budget process Continue implementation of City's long-term financial strategy to address the Beach Access Plan and related improvements Continue to identify candidate funding sources among available local, state & federal opportunities to support plan implementation 	Program
All beachfront areas	SIGNAGE <ul style="list-style-type: none"> Tier Three implementation of signage program <ul style="list-style-type: none"> Informational signage at all beach access points, including information on dune protection, sea turtles, etc. 	Program
All beachfront areas	COMPLETE INSTALLATION OF BOLLARDS PARALLEL TO DUNES <ul style="list-style-type: none"> Implementation of bollard installation adjacent to the dune at all vehicle accessibly public beach access points. Bollard installation to be in conformance with developed beach access implementation map. 	Program
All beachfront areas	BEACH RELATED AMENITIES <ul style="list-style-type: none"> As provided for within the City of Galveston budget, and through grant-funded initiatives, develop a program to implement beach related amenities, such as public restrooms, showers, etc. 	Program/ Capital
Identified subdivisions	COMPLETE PROJECTS WITHIN SUBDIVISIONS TO ADDRESS PUBLIC BEACH ACCESS SIGNAGE AND PARKING SIGNAGE <ul style="list-style-type: none"> As identified by City staff, complete implementation of subdivision projects to address public beach access signage and parking plans, including signage and improved parking areas. 	Program
All beachfront areas	MAINTENANCE <ul style="list-style-type: none"> Repair/replace previously installed bollards, signage, walkovers, etc. as necessary 	Program

Islander East

Galvestonian



No data

AP 2: Stewart Beach

On-beach: Parking within Park boundaries for beach user fee
Free parking available
Restricted use area, minimum width of 2,640 linear feet on the eastern end of the park.
Separately manned entrance and separate fee for entry in the amount of \$8.00
Off-beach: n/a
Amenities: currently provided

AP 1: Apffel Park

On-beach: Parking within Park boundaries for beach user fee
Free parking outside of Park boundaries
Off-beach: n/a
Amenities: currently provided



Bollards



Pedestrian beach served by on-beach parking



Pedestrian beach served by off-beach parking



Pedestrian beach served by off-beach and on-beach parking



Vehicular Access



Restricted Access



Seasonal Access



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**CITY OF GALVESTON
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FEBRUARY 26, 2004**

NORTH



Approximate Scale



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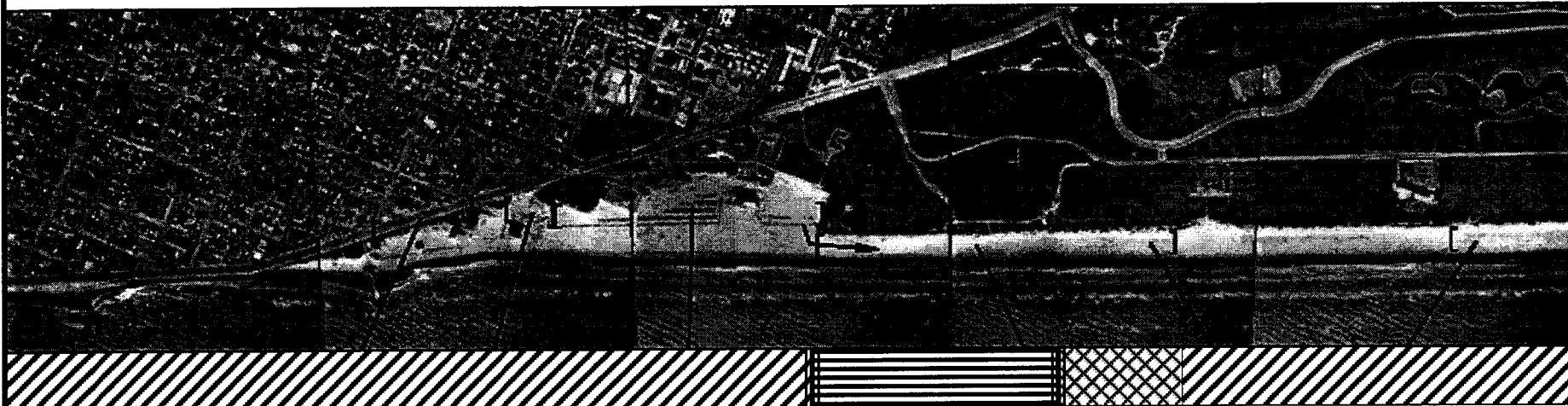
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Porretto Beach

Stewart Beach

Islander East

Galvestonian

**AP 3: Seawall Beach Urban Park**

On-beach: n/a
 Off-beach: Street parking, north and south sides of Seawall Boulevard
 Minimum of 10% free parking spaces (approximately 230 spaces total distributed throughout the Seawall Beach Urban Park)
 Amenities: future

AP 2: Stewart Beach

On-beach: Parking within Park boundaries for beach user fee
 Free parking available
 Restricted use area, minimum width of 2,640 linear feet on the eastern end of the park
 Separately manned entrance and separate fee for entry in the amount of \$8.00.
 Off-beach: n/a
 Amenities: currently provided



Bollards



Pedestrian beach served by on-beach parking



Pedestrian beach served by off-beach parking



Pedestrian beach served by off-beach and on-beach parking



Vehicular Access



Restricted Access



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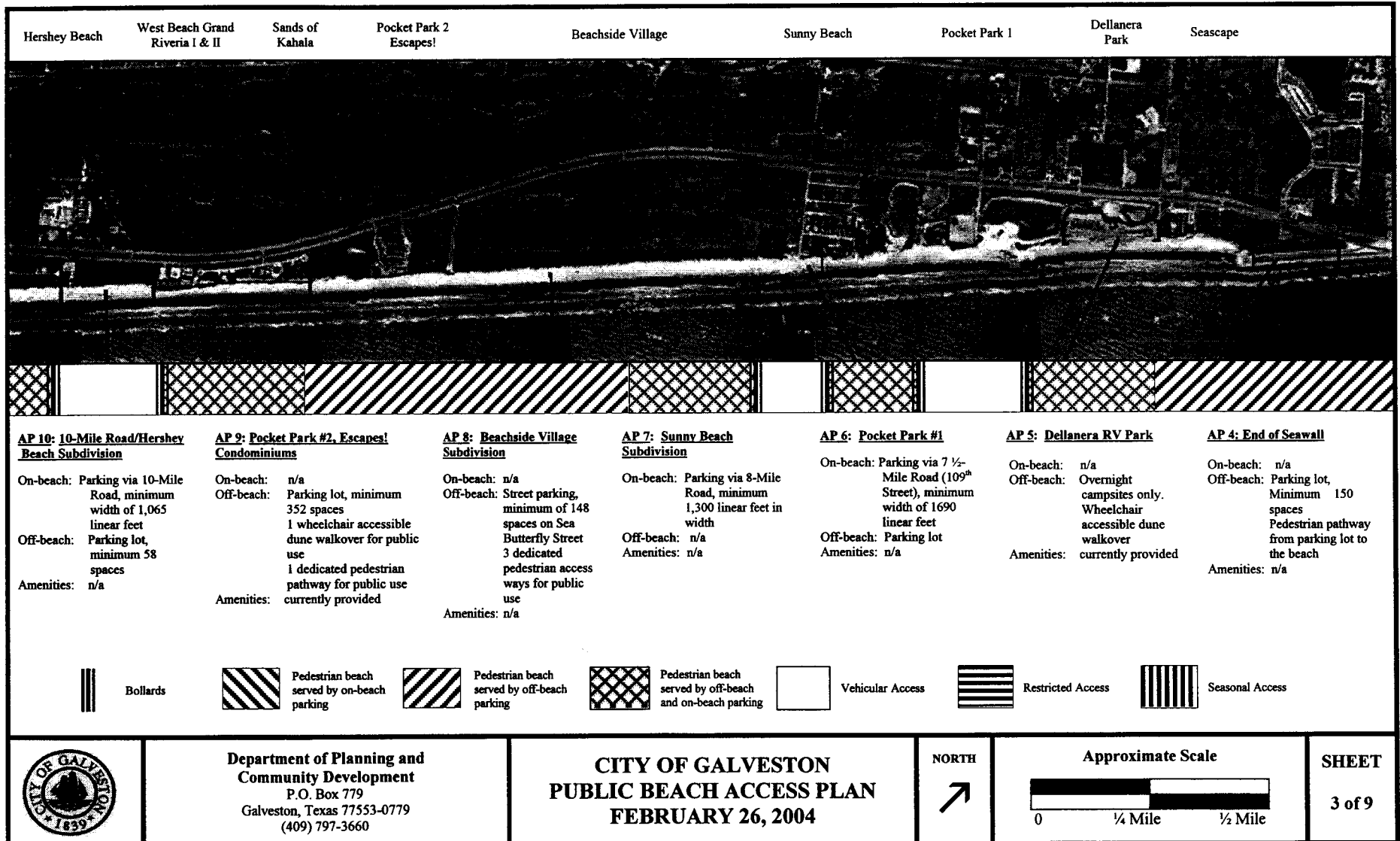


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Pirates Beach
(Municipal Utility District)

Pirates Beach
City of Galveston

Bermuda Beach

Spanish Grant

Hershey Beach

West Beach Grand
Riviera I & II

Sands of
Kahala



Outside of City of Galveston Jurisdiction

AP 14: 11-Mile Road

On-beach: Parking via 11-Mile Road,
minimum width of 300
linear feet
Off-beach: n/a
Amenities: n/a

AP 13: Pocket Park #3

On-beach: n/a
Off-beach: Parking lot, minimum of
273 parking spaces
Wheelchair accessible dune
walkover for public use
Amenities: currently provided

AP 12: Bermuda Beach Subdivision

On-beach: Parking via Pabst Road,
minimum width of 150 linear
feet
Off-beach: Street parking, minimum of
211 parking spaces,
throughout subdivision
2 dedicated pedestrian
pathways for public use
Amenities: n/a

AP 11: Spanish Grant Subdivision

On-beach: n/a
Off-beach: Street parking, minimum of
46 spaces, Spanish Grant
Boulevard median
3 dedicated pedestrian
pathways for public use
Amenities: n/a

**AP 10: 10-Mile Road/Hershey Beach
Subdivision**

On-beach: Parking via 10-Mile Road,
minimum width of 1,065
linear feet
Off-beach: Parking lot, minimum 58
spaces
Amenities: n/a



Bollards



Pedestrian beach
served by on-beach
parking



Pedestrian beach
served by off-beach
parking



Pedestrian beach
served by off-beach
and on-beach parking



Vehicular Access



Restricted Access



Seasonal Access



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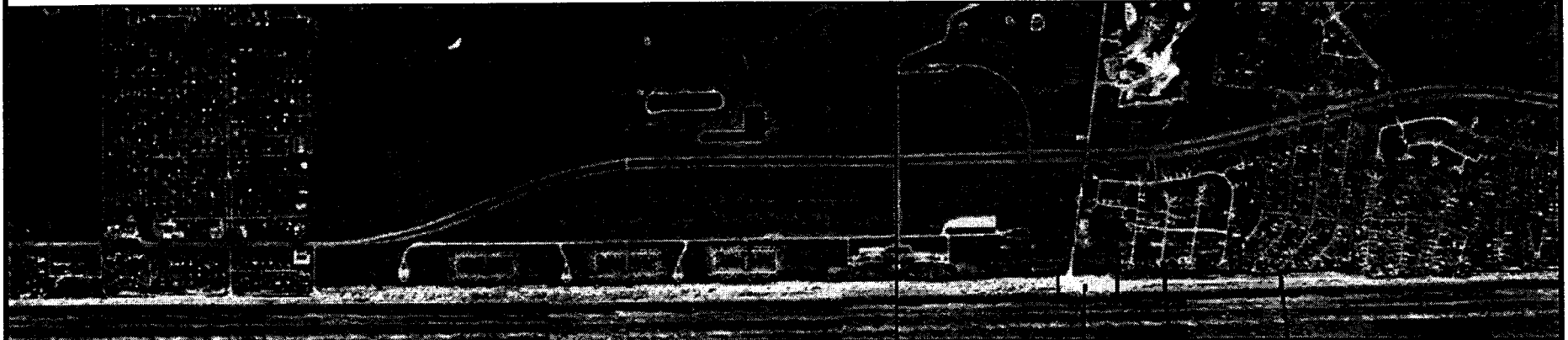
Village of Jamaica Beach

Galveston Island State Park

Pirates Beach West

Palm Beach

Pirates Beach
(Municipal Utility
District)



Outside of City of Galveston Jurisdiction

Outside of City of Galveston Jurisdiction

Outside of City of Galveston
Jurisdiction

AP 17: 15-Mile Road

On-beach: Parking via 15-Mile Road,
minimum width of 150 linear
feet
Off-beach: n/a
Amenities: n/a

AP 16: 13-Mile Road

On-beach: Parking via 13-Mile Road, minimum
width of 640 linear feet
Off-beach: n/a
Amenities: n/a

**AP 15: Palm Beach Subdivision/
Pirates Beach West Subdivision**

On-beach: n/a
Off-beach: Street parking throughout subdivisions
3 dedicated pedestrian pathways for public use
(Palm Beach)
4 dedicated pedestrian pathways for public use
(Pirates Beach West)
Amenities: n/a



Bollards



Pedestrian beach
served by on-beach
parking



Pedestrian beach
served by off-beach
parking



Pedestrian beach
served by off-beach
and on-beach parking



Vehicular Access



Restricted Access



Seasonal Access



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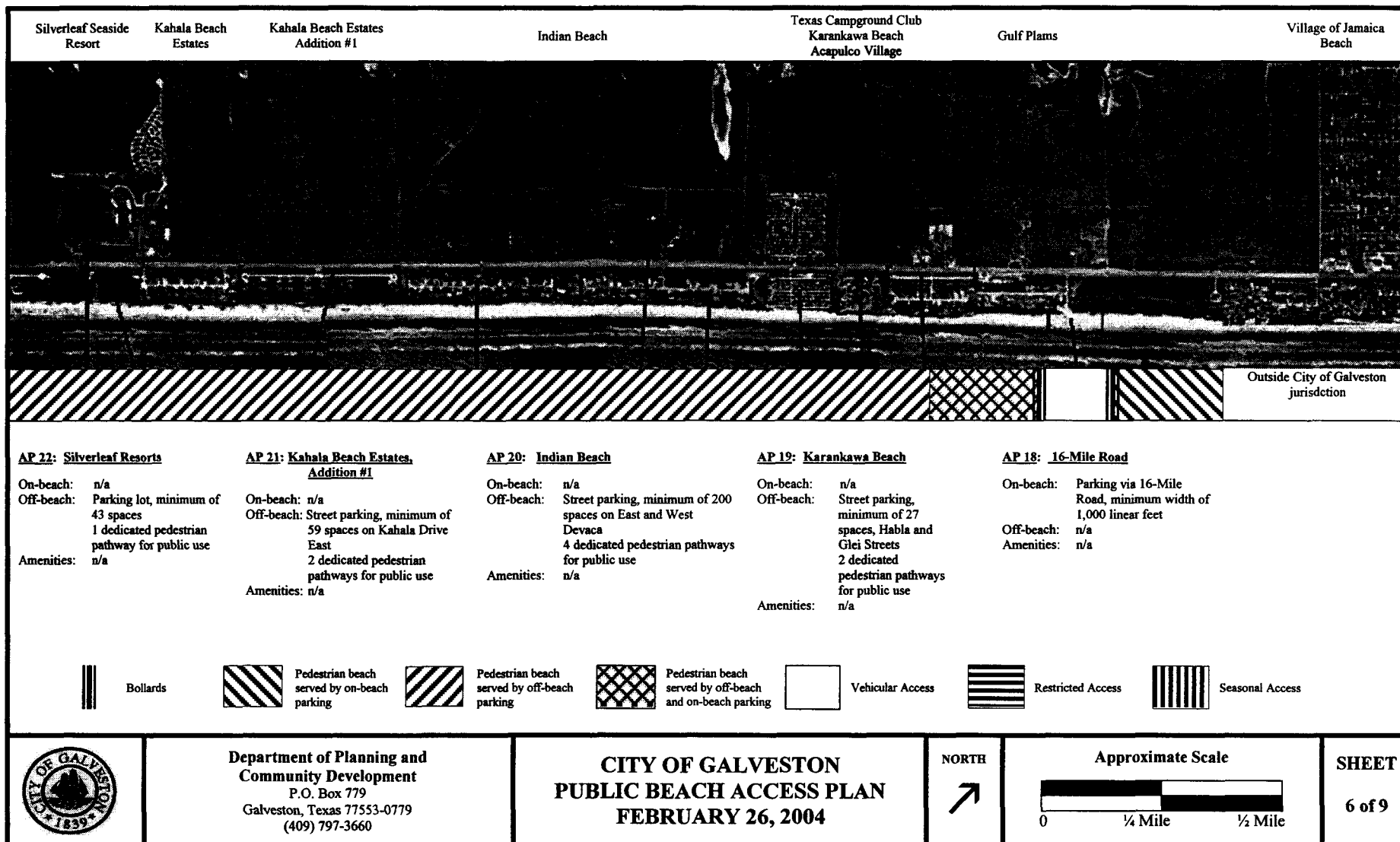


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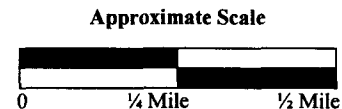
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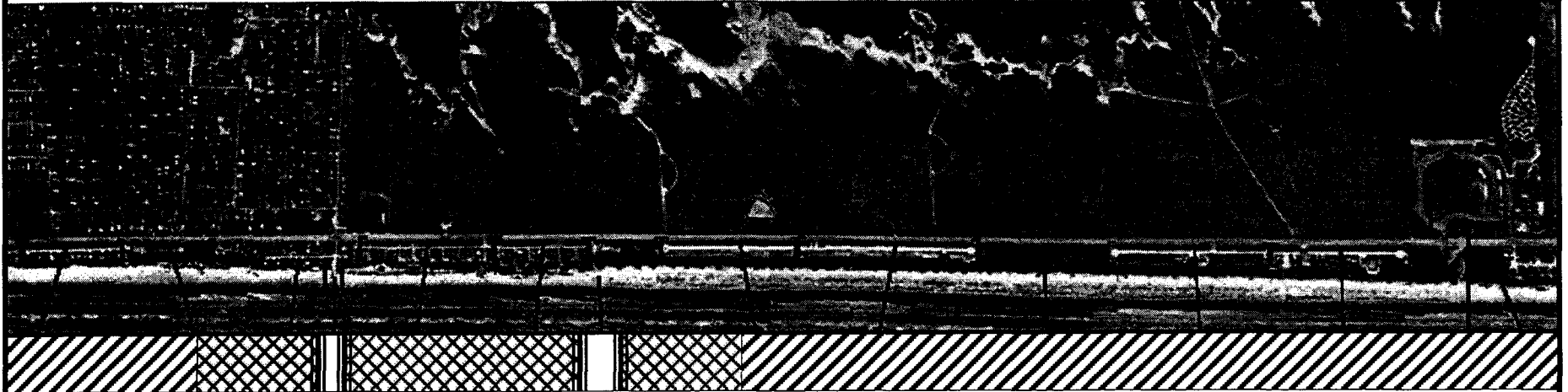
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Sea Isle

Sandhill Shores

The Dunes of West Beach

Silverleaf Seaside
Resort**AP 27: "Sea Isle" parking area**

On-beach: n/a
 Off-beach: Parking lot, minimum of 88 spaces
 1 dedicated pedestrian pathway for public use
 Amenities: n/a

AP 26: San Jacinto Street - Sea Isle Subdivision

On-beach: Parking via San Jacinto Street, minimum width of 150 linear feet
 Off-beach: n/a
 Amenities: n/a

AP 25: Gateway Boulevard - Sea Isle Subdivision

On-beach: Parking via Gateway Boulevard, minimum width of 330 linear feet
 Off-beach: n/a
 Amenities: n/a

AP 24: Sandhill Shores Subdivision

On-beach: n/a
 Off-beach: Street parking, minimum of 208 spaces on Sandhill Drive
 2 dedicated pedestrian pathways for public use
 Amenities: n/a

AP 23: The Dunes of West Beach

On-beach: n/a
 Off-beach: Street parking, minimum of 172 spaces on Shores Drive
 2 dedicated pedestrian pathways for public use
 Amenities: n/a

AP 22: Silverleaf Resorts

On-beach: n/a
 Off-beach: Parking lot, minimum of 43 spaces
 1 dedicated pedestrian pathway for public use
 Amenities: n/a



Bollards



Pedestrian beach served by on-beach parking



Pedestrian beach served by off-beach parking



Pedestrian beach served by off-beach and on-beach parking



Vehicular Access



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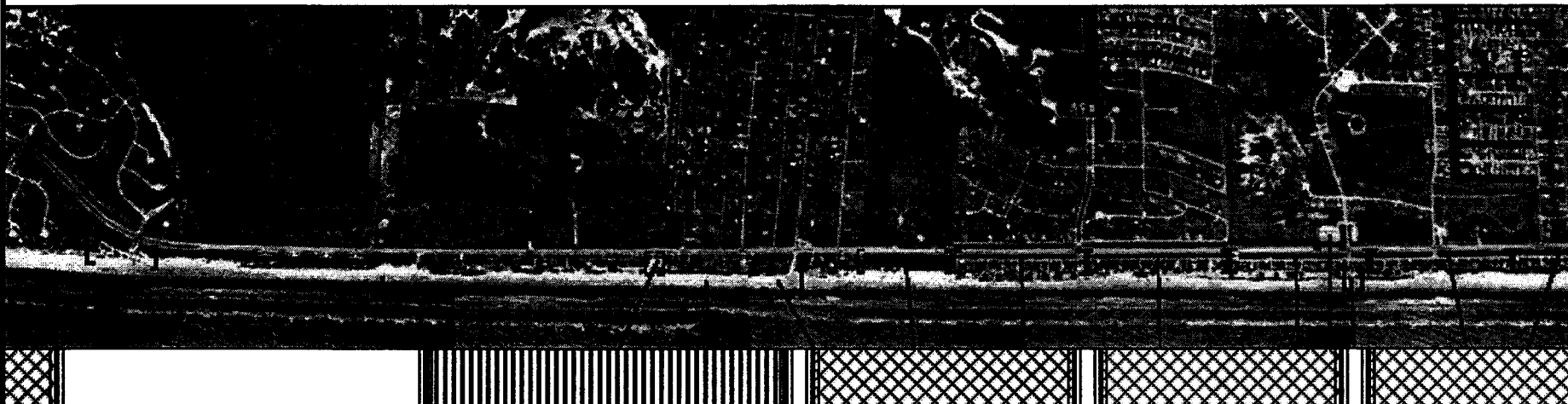
Half Moon Beach

Miramar Beach

Bay Harbor

Pocket Park 4

Terramar Beach

Isla del Sol – North
Sea Isle - South**AP 36: Salt Cedar Avenue**

On-beach: Unrestricted vehicular access to the east to AP35: Half Moon Beach
Off-beach: n/a
Amenities: n/a

AP 35: Half Moon Beach Subdivision and Stavanger Beach Subdivision

On-beach: Seasonal access to the east
Unrestricted, vehicular access to the west to AP 36: Salt Cedar Avenue
Off-beach: n/a
Amenities: n/a

AP 34: Miramar Subdivision

On-beach: Seasonal access via AP 35: Half Moon Beach (one way traffic, west to east)
Off-beach: Parking lot, minimum of 60 spaces via FM 3005
1 dedicated pedestrian pathway
Amenities: n/a

AP 33: 2nd Street, Bay Harbor Subdivision

On-beach: Parking via 2nd Street, minimum width of 300 linear feet
Seasonal access to the west, (one-way driving west to east)
Off-beach: n/a
Amenities: n/a

AP 32: Pocket Park #4

On-beach: n/a
Off-beach: Parking lot, 1 dedicated pedestrian pathway for public use
Amenities: n/a

AP 31: Terramar Drive, Terramar Beach Subdivision

On-beach: Parking via Terramar Drive Boulevard, minimum width of 300 linear feet
Off-beach: n/a
Amenities: n/a

AP 29: Isla Del Sol Subdivision

On-beach: n/a
Off-beach: Parking lot, minimum 25 spaces (located north of FM 3005, via Isla Del Sol Drive)
Amenities: n/a
AP 30: Gulf Boulevard, Isla Del Sol Subdivision
On-beach: Parking via Gulf Boulevard, minimum width of 150 linear feet
Off-beach: n/a
Amenities: n/a

AP 28: Sea Isle Subdivision and Terramar Beach Subdivision

On-beach: n/a
Off-beach: Street parking, minimum of 610 spaces on Kennedy/Gulf Drive
Dedicated pedestrian pathways for public use throughout subdivisions
Amenities: n/a



Bollards



Pedestrian beach served by on-beach parking



Pedestrian beach served by off-beach parking



Pedestrian beach served by off-beach and on-beach parking



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**AP 41: Pointe San Luis 4
(toll bridge area)**

On-beach: Seasonal access provided,
minimum width of 1,200 linear
feet*
Unrestricted vehicular access,
minimum width of 3,230 linear
feet*
Off-beach: n/a
Amenities: Pedestrian area designated by
bollard placement

* Please note, beach access modifications
will not occur until substantial physical
improvements occur.

AP 40: Pointe San Luis 3

On-beach: n/a
Off-beach: Parking lot, minimum
100 spaces*
25 reserve parking
spaces dedicated in the
event of erosion*
1 dedicated pedestrian
pathway for public use*
Amenities: n/a

* Please note, beach access
modifications will not occur until
substantial physical improvements
occur.

AP 39: Pointe San Luis 2

On-beach: n/a
Off-beach: Parking lot, minimum
100 spaces*
1 wheelchair
accessible dune
walkover for public
use*
Amenities: future

* Please note, beach access
improvements will not occur until
substantial physical improvements
occur.

**AP 38: Pointe San Luis 1 (western
boundary of Playa San Luis
subdivision)**

On-beach: n/a
Off-beach: Parking lot, minimum 100
spaces*
25 reserve parking spaces
dedicated in the event of erosion*
1 dedicated pedestrian pathway
for public use*
Amenities: n/a

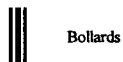
* Please note, beach access modifications will
not occur until substantial physical
improvements occur

**AP 37: Playa San Luis
Subdivision**

On-beach: n/a
Off-beach: Street parking,
minimum of 88
spaces
throughout
subdivision
3 dedicated
pedestrian
pathways for
public use
Amenities: n/a

AP 36: Salt Cedar Avenue

On-beach: Unrestricted
vehicular access to
the east to AP35:
Half Moon Beach
Off-beach: n/a
Amenities: n/a



Bollards


Pedestrian beach
served by on-beach
parking

Pedestrian beach
served by off-beach
parking

Pedestrian beach
served by off-beach
and on-beach parking


Vehicular Access



Restricted Access



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