



The Portside

Design Code

The Portside is a community on North Padre Island located south-east of Corpus Christi, TX, that values the harmony of mutual respect and daily quality of life. The Community is designed to be walkable and to enjoy outdoor activities. Coastal, resort living and new urbanism architectural and interior design are strongly encouraged.

All construction, improvements, remodelings or modification on or to a Lot, except interior alterations not affecting the external appearance of the Lot or improvements on the Lot, must be approved in advance by the Reviewer in accordance with the terms and conditions of the Design Code, and comply with all applicable codes and regulations of the Padre Island ACC and the City of Corpus Christi, Texas and/or Nueces County, Texas. Compliance with these Design Code is not a substitute for compliance with the applicable ordinances and regulations. It is responsibility of the Owner to secure any required governmental approval prior to construction on such Owner's Lot. In the event of any conflict between these Design Code and the any government code, the government code shall control.

This process ensures that The Portside design concepts become a reality throughout the community. It also means you will get what you paid for. You can rest assured that the neighboring buildings will be designed to the high standards. Once you complete the design review process, you can submit to the city for your building permit.

Any Owner wishing to commence construction on or improvement of a Lot, including any addition to or alteration or modification of initial construction on or improvement of a Lot, will be required to receive approval of the Reviewer prior to commencing construction.

Amendments

The Developer and the Reviewer may amend these Design Code at any time until expiration or termination of the Development Period and all Units have been built. All amendments shall become effective upon recordation in the Official Public Records of Nueces County, Texas. Amendments shall not apply retroactively so as to require modification or removal of work already approved and completed or approved and in progress. It is the responsibility of each Owner to ensure that they have the most current edition of the Design Code and every amendment thereto.

Limitations of Responsibility

The Developer and/or the Reviewer do not assume responsibility for the following:

1. The structural adequacy, capacity, or safety of the proposed construction or improvement.



2. Soil conditions, including but not limited to soil erosion, soil compaction, or unstable soil conditions.
3. Compliance with any or all building code or standards, subdivision regulations, safety requirements, governmental laws, codes, regulations, ordinances, or other Applicable Laws.
4. Performance or quality of work of any contractor or sub-contractor.
5. Procurement of any or all required easements, permits, licenses, or approvals.
6. Ensuring that the proposed construction or Improvements will be consistent or in compliance with the plans of any other Owner.

Architectural Review Process

Objective

The objective of the review process is to promote aesthetic harmony within The Portside by providing for compatibility of specific designs with surrounding buildings, the environment and landscape. The review process strives to maintain objectivity and sensitivity to the individual aspects of design.

Review Process

Requests for approval of proposed construction, landscaping, or exterior modifications must conform to the four-stage review process:

1. Pre-Design Conference & Concept Design
2. Preliminary Design Review
3. Final Design Review
4. Construction Monitoring

Responsibility for Compliance

An applicant is responsible for ensuring that all of the applicant's representatives, including the applicant's architect, engineer, contractors, subcontractors, and their agents and employees, are aware of these Design Code, Covenant, By-Laws and all requirements imposed by The Portside as a condition of approval.

Architectural and Aesthetic Standards

Aesthetic Appeal

The Reviewer may disapprove the construction or design of a home on purely aesthetic grounds. Any prior decisions of the Reviewer regarding matters of design or aesthetics shall not be deemed to have set



a precedent and in its sole discretion, the Reviewer feels that the repetition of such actions would have any adverse effect on the community.

Prohibited Elements

The following architectural elements are prohibited within The Portside unless expressly approved in advance and in writing by the Reviewer:

Flat roofs, roofs that are too steep or shallow for the style of the home, shed roofs except as incidental to the main roof. White or bubble skylights. Mirrored glass. Synthetic wood sidings. Unnatural apparent stone. Vivid, inappropriate colors. No flat facades on the front, side and rear sides of units. Satellite dishes or any attachemt that can become a wind hazard.

Building Codes

All Units at The Portside most comply with the City Unifed Development Code: Cottage units most comply with 4.7 Cottage Housing District Regulations and other City Codes. Single Family Houses most comply with 4.3 Single-Family Residential Districts and other City Codes. Condominiums most comply with 4.4 Multifamily Residential Districts code and other City Codes.

Phase I – Lot 13, has a view corridor, the Reviewer must approve in advance and in writing the design of any improvement to be build in that view corridor to ensure that the view won't be block to other lots and the general aspect of the design.

Approval by the Reviewer does not negate the obligation of the Owner or builder to obtain any required governmental or other permits, licenses or approvals. After review and approval by the Reviewer, the Owner or builder must comply with the timelines set on Section 5.3.d of the Declaration of Covenants, Conditions and Restrictions for The Portside. The Developer and/or the Reviewer reserve the right to admit or refuse any aspect concerning the overall design and apperace of any structure, construction or addition.

The Developer and/or the Reviewer reserve the right to inspect construction in progress for conformance with the approved plans. At the completion of construction, the applicant shall schedule a **Final Inspection** with the Developer. The applicant's full cooperation during these inspections is required. Any violations of approved plans may be subject to the remedies provided in the Covenants including fines.

Living Area Square Footage

Phase I

- All Lots on Phase I must have a maximum of 1,400 sq.ft. of living (heated) area.

Phase II



- Lots 1, 2, & 3 as per the Zoning District or Overlay District Standards for Single-Family Dwellings allowances.
- Lot 16, 17, 18 & 19 as per the Zoning District or Overlay District Standards for Single-Family Dwellings allowances. One car garage.
- Lots 4 to 15 as per the Zoning District or Overlay District Standards for Multi-Family Dwellings (Condominium) allowances.

Phase III

- Lots 1 to 6 and 15 to 20 must have a maximum of 1,400 sq.ft. of living (heated) area.
- Lots 7 to 14 as per the Zoning District or Overlay District Standards for Multi-Family Dwellings (Condominium) allowances.

Exterior Materials

We encourage the use of sidings manufactured out of fiber-cement (e.g. “HardiPlank”). No more than 18 inches at the bottom of the slab may be left exposed; the remainder must be covered with the same material as the exterior wall. All portions of exposed slabs must be underpinned and concealed by approved landscaping.

Exterior Color Palette

We encourage light marine theme colors for exterior walls and to be cohesive to the general design of The Portside, common areas and other Units. The Reviewer must approve in advance and in writing the exterior color of all Units.

e.g., Sherwin Williams:

SW 2821 Downing Stone
SW 2844 Roycroft Mist Gray
SW 2850 Chelsea Gray
SW 2860 Sage
SW 6169 Sedate Gray
SW 6176 Livable Green
SW 6184 Austere Gray
SW 6185 Escape Gray
SW 6191 Contented
SW 6198 Sensible Hue
SW 6204 Sea Salt
SW 6205 Comfort Gray
SW 6206 Oyster Bay
SW 6211 Rainwashed
SW 6212 Quietude
SW 6213 Halcyon Green
SW 6217 Topsail
SW 6219 Rain
SW 6220 Interesting Aqua
SW 6232 Misty

SW 6234 Uncertain Gray
SW 6254 Lazy Gray
SW 7015 Repose Gray
SW 7016 Mindful Gray
SW 7017 Dorian Gray
SW 7029 Agreeable Gray
SW 7036 Accessible Beige
SW 7043 Worldly Gray
SW 7044 Amazing Gray
SW 7050 Useful Gray
SW 7051 Analytical Gray
SW 7057 Silver Strand
SW 7058 Magnetic Gray
SW 7059 Unusual Gray
SW 7065 Argos
SW 7066 Gray Matters
SW 7541 Grecian Ivory
SW 7542 Naturel
SW 7565 Oyster Bar
SW 7567 Natural Tan

SW 7569 Stucco
SW 7621 Silver Mist
SW 7632 Modern Gray
SW 7641 Colonnade Gray
SW 7643 Pussywillow
SW 7649 Silverplate
SW 7650 Ellie Gray
SW 7651 Front Porch
SW 7652 Mineral Deposit
SW 7653 Silverpointe
SW 7654 Lattice
SW 7655 Stamped Concrete
SW 7657 Tinsmith
SW 7658 Gray Clouds
SW 7659 Gris
SW 7738 Cargo Pants
SW 7741 Willow Tree
SW 9138 Stardew
SW 9173 Shitake
SW 9622 White Sail



Windows

Combinations of double hung, casement, or fixed wood, aluminum, vinyl-clad, or fiberglass storm grade windows are required. Vinyl-clad windows are strongly encouraged. Snap-in windows grids are prohibited.

Roofs

Roofs shall be non-reflective .032 gauge standing seam metal. Panels shall be flat in appearance and not contain ridges or crimps between the seams. The preferred spacing of seams is 12 inches on center, and the maximum spacing shall be 18 inches on center. The maximum profile of standing seams shall be 1.5 inches. The finish shall be semi-metallic (matte is prohibited), and be light gray/silver in appearance. Paint is prohibited on an aluminum roof. The roof material (aluminum) shall be labeled on the elevations. Solar roofs are allowed only by special approval by the Reviewer. Other roof materials such as asphalt shingles, wood shingles, or wood shakes are prohibited. Towers, cupulas, chimneys & dormers are permitted and encourage as long as there cohesive to the design style

Gutters

Gutters are required only if a roof hangs over an adjacent property or a community walkway. If used, gutters shall not be particularly visible aspects of the design. Gutters shall be aluminum in light gray or silver metallic color, known as "mill finish." Gutters shall not be painted. Gutters shall be half-round with circular downspouts. Downspouts shall be directed to the side and/or rear of the house.

Other Design Aspects

Large expanses of blank exterior wall without windows, doors, porches, balconies, and/or other architectural elements are prohibited. The balance and symmetry of exterior facade composition should be considered when selecting window sizes and placement

Primary Facades are required to include a porch or balcony.

A walkway serving the primary public entrance is required. The walkway shall be constructed of the same pavers as common walkways.

Porches and balconies are allowed, designers are encouraged to place porches and balconies facing the center garden, water canal or pool. Railing designs shall be conforming to the architectural style.

Art and other decorative elements that are attached to the exterior of the building, easily visible, shall be submitted for design review. Art and other decorative elements in areas that are not easily visible, such as those in a courtyard, are allowed without design review.

Solar energy devices are allowed only by special approval the Reviewer.



Recommendations

Tall ceilings, sliding doors, interior mirrors, outdoor shower.

Breaker boxes shall not be located in owner's closets, or other areas where owners may restrict access. This is so that electricians and maintenance staff may access breakers in the event of emergencies.

Garages

Garages are only allowed for Single-Family Houses and shall be approved in advance by the Reviewer. Garages must be enclosed. No carports or other open automobile storage units will be permitted. Garages can not be used for habitation.

Exterior Lighting

Exterior lighting will be kept to a minimum, but consistent with good security practices and customary traditional residential use and shall face in a downward direction so to mitigate light pollution and minimize light spillage beyond Lot lines onto surrounding properties or project above the horizontal plane. Ground mounted or other upward directional lighting will be permitted only where some form of shielding or light baffling is provided so that a soft, uniform light quality with minimum light spillage beyond is achieved.

No exterior light whose direct source is visible from the street or neighboring property, or which produces excessive glare to pedestrian or vehicular traffic will be allowed. Exterior lighting must be approved in advance by The Portside Director of Design.

Use of other than white or color corrected high intensity lamps and exterior lights will not be allowed. Holiday lighting is an exception for a maximum length of time beginning no earlier than mid- November and ending by mid-January of each year.

Boat Docks

All canal boat docks, and other docks will be managed by The Portside Property Owners Association. No private docks are allowed.

Address Markers and Mailboxes

Address markers must conform to specifications established by the Reviewer. Mail will be delivered to The Portside community mailboxes assigned to your Unit. No individual mailboxes on Lots are permitted.

Barbecue Grills

Freestanding barbecue grills are permitted only if they are stored when not in use, not visible from the street and not permanently visible. The use of build-in grills is encouraged.



Landscape

A landscape plan must be submitted for all Lots and design of the landscaping should be considered as apart of the architectural design process. Summittal of a landscape plan may be deferred a maximum of 6 months from approval of the final plans.

Landscape design must contain a variety of plants arrange in a manner consistant with the native landscape. Informal, natural grouping are suitable; long linear hedges and large expanses of single plant species are not permissible. Turf species shall be native species approved by the Reviewer.

Landscape design shall not emphasize or draw attention to property lines.

Landscape plans must include vegetative screening for above ground utility connections visible.

Lanscapes that need no irrigation o minimal irrigation are encouraged.

Rataining Walls

The design, placement and materials of all retaining walls must be approved in advance by the Reviewer. All approved retaining walls must be faced with masonry approved in advance by the Reviewer. Each retaining wall must be adequately drained on the surcharge side and with accordance with the Storm Water Management Plan approved by City.

Stacked boulder retaining walls may be approved provided the walls are “Fitted” stones with ample planting crevices or pockets and appear as a natural boulder slope with planting.

Steps

The design and specifications for steps leading from the retaining wall or canal facilities must be approved in advance by the Reviewer.

Fences and Walls

Side fences are not allowed, side yards are design to be share as open spaces.

Rear fences along the rear boundary are allowed and need to be approved prior to installing by the Reviewer.

Front fences along all streets boundaries will be summitted to voting by all members (owners). Prior to this voting, all front fences along all streets boundaries are prohibited. If the result of the voting is favorable of more that 50%, front fences may be allowed by summitting the design and specification to the Reviewer for review and approval prior to installing. The Front fences design must include all Lots with frontage to a street and if approved will be mandatory for all Lots with frontage to a street.



Irrigation

The objectives related to irrigation systems are to minimize the amount of landscape irrigation required through water sensitive landscape design, to utilize automated irrigation systems that provide effective water coverage, minimize water usage and runoffs, promote optimal plant growth and appearance.

Pools

All pools in common areas are considered as common areas and for the use of all Owners and visitors of The Portside.

Underground private pools on Single-Family Lots are allowed and require approval by the Reviewer for the design, construction and installation. An engineered plan by a registered professional engineer (P.E.) for the pool including retaining walls may be required for approval. Elevations of proposed pool coping, water features, residence finished floor, retaining walls or any other unique features may be required for approval. Landscaping shall be provided around any retaining wall and such wall and landscaping must be an integral part of the overall landscape plan. All mechanical equipment necessary for the operation of any pool must be located in the rear yard and must be screened from the street and neighboring residents/buildings by a fence, wall or landscaping. Screening shall be submitted to and approved by the Reviewer.

Unless otherwise expressly approved by the applicable governmental agency or utility service provider, backwash from a swimming pool drain with a backwash filtering system must be contained within the Lot on which the pool has been constructed and is not permitted to be discharged into any street or drainage easement. A separate construction deposit may be required for pool construction in the sole discretion of the Reviewer. If required, the deposit amount will depend on the access route to the pool and shall be set by the Reviewer. No access across another's property for the purpose of pool construction is permitted without the prior written approval of the property owner.

Erosion Control and Construction Regulations

The following restrictions shall apply to all construction activities within The Portside. Periodic inspections by a representative of the Reviewer may take place in order to identify non-complying with the regulations are not remedied in a timely manner, fines may be levied against the Owner.

Erosion Control Installation and Maintenance

It is the responsibility of the Owner to install erosion control measures prior to the start of construction and to maintain the measures throughout construction. At a minimum, these will consist of silt fences. It is the responsibility of the Owner's contractor to ensure the proposed erosion control methods are adequate and maintained throughout the construction period. Additional erosion control measures may be required and Owners and their contractors are strongly encouraged to review any city or county regulations.



Silt fencing is required to be properly installed and maintained to protect the low sides of all disturbed areas, where storm water will flow during construction. The purpose of the silt fence is to capture the sediment from the runoff and to permit filtered, clean water to exit the site. The Owner should anticipate that build-up sediment will need to be removed from the silt fence after heavy or successive rains, and that any breach in the fencing will need to be repaired or replaced immediately.

If for any reason the silt fence is to be temporarily removed, please contact a representative of the Reviewer prior to the removal.

Construction Access

All builders must access the construction area only through designated construction entrance. All concrete truck drivers shall use the designated "wash-out" area for cleaning their trucks.

Security

Neither the Declarant, the Association, nor the Reviewer will be responsible for the security of job sites during construction. If theft or vandalism occurs, the Owner should first contact the Nueces County Sheriff's Department and then notify a representative of the Reviewer.

Construction Hours

Unless a written waiver is obtained from the Reviewer, construction may take place only during the following hours: Monday through Friday from 7:30 a.m. until 7:00 p.m., and on Saturday from 8:00 a.m. until 6:00 p.m.

There shall not be no construction on the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, or Christmas Day.

Noise, Animals, Children

The use of radios, tape, CD or other electronic audio players by construction workers should be restrained so as not to create a nuisance for an adjoining lot or street.

Contractors and subcontractors may not bring dogs or children under 16 years of age to construction sites.

Material and Equipment Storage

All construction materials and equipment shall be neatly stacked, properly covered and secured. Any storage of materials or equipment shall be the Owner's responsibility and at their risk.

Owners and builders may not disturb, damage or trespass on other lots or adjacent property.



Insurance

The Reviewer requires an Owner to produce adequate commercial liability insurance during construction naming the Association, the Declarant and the Reviewer as additional insureds, in an amount to be determined, from time to time by the Reviewer.

Site Cleanliness

During the construction period, each construction site shall be kept neat and shall be properly policed.

Owners and builders shall clean up all trash and debris on the construction site. Trash and debris shall be removed from each construction site. Trash and debris shall be removed from each construction site on a timely basis. The Reviewer will have the authority to request that one dumpster be provided to serve no more than four Lots. In addition to any dumpster, a trash receptacle approved in advance by the Reviewer will be located on each lot during construction. Trash receptacles must be emptied periodically and will not be permitted to overflow.

Lightweight materials, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site.

The dumping, burying or burning of trash is not permitted anywhere within The Portside.

When moving heavy equipment, precautions must be taken to prevent damage to pavement, curbs, and vegetation. Any damage will be charged to the Owner. Crawler tractors are not to be operated on paved or concrete surfaces.

Mud, dirt and other construction debris tracked off site must be cleaned on a daily basis.

Sanitary Facilities

During construction, a temporary sanitary facility (chemical toilet) shall be provided and maintained in a location approved in advance by the Reviewer, which shall be no farther than three-hundred feet (300') from the job site which the sanitary facility serves.

Schedule of Fines

Listed below is the schedule of fines which may be assessed. PLEASE BE ADVISED THAT FINES ARE NOT IN LIEU OF ANY COSTS CHARGEABLE AGAINST AN OWNER FOR REPAIRS OR RESTORATION.

Schedule of Fines

Duration of Construction

A residence shall be completed and available for occupancy on or before eighteen (18) months after the start of construction.



Construction without Reviewer Approval	\$1,500
Inadequate Construction Entrance	\$250/day
Inadequate or Removed Silt Fence	\$250 or more
Excessive Mud/Debris on Street/Parking Lot	\$250 plus \$50/day
Excessive Construction Debris	\$250 plus \$50/day
No Dumpster Provided	\$150 plus \$50/day
No Portable Construction Toilet	\$150 plus \$50/day
Encroachment on adjacent properties	\$750 or more + repair cost
Damage to streets, curbs, infrastructure	\$500 or more + repair cost
Failure to Obtain Certificate of Occupancy	\$1,500 or more
Miscellaneous Violations	To be determined

Overview of Design Review Process

Improvements plans will be carefully reviewed by the Reviewer to ensure that the proposed design is compatible with the design intent at The Portside. This design review process must be followed for any of the of the following Improvements:

- Construction of all new buildings;
- The renovation, expansion or refinishing of the exterior of an existing building;
- Major site and/or landscape Improvements (including pools, driveways and/or culverts); and
- Construction of, or additions to, fences or enclosure structures.

The Reviewer evaluates all development proposals on the basis of these Design Code. Some of Design Code guidelines are written as broad standards and the interpretation of these standards is left up to the sole discretion of the Reviewer. Other Guidelines, such as building height or setbacks, are more definitive, or absolute design parameters and in many cases parallel to Nueces County, City of Corpus Christi and building code requirements or project approval documents. It is the intention of this design review process that all Improvements comply with these absolute standards. In the event of a conflict between these Design Code and any local, state or federal building or zoning code or project approval documents, the local, state, or federal building or zoning code or project approval documents shall govern.

The Design Review Process takes place in four steps:

1. Pre-Design Conference & Concept Design
2. Preliminary Design Review
3. Final Design Review
4. Construction Monitoring

Any Improvement as described above will require and be preceded by the submission of plans and specifications describing the proposed Improvements accompanied by an application fee.

The Owner shall retain competent assistance from a licensed architect or designer, civil engineer or surveyor, landscape professional, and a licensed and bonded contractor (the "Consultants") as



appropriate. The Owner and Consultants shall carefully review the Decalration, Restrictions and these Design Code prior to commencing with the design review process.

Having secured Preliminary Design approval from the Reviewer, the Owner is also required to meet any applicable submittal and approval requirments of Padre Island ACC and the City of Corpus Christi necessary to obtain design approvals or any other discretional permits and a building permit.

Pre-Design Conference & Concept Design

A. Pre-Design Conference

Prior to the preparation of any materials for formal review by the Reviewer, the Owner and the Consultants are require to meet with the Reviewer for a Pre-Design Conference. An explanatory Pre-Design Conference package that includes a current copy of the Design Code and a conference request form is available from the Reviewer office. The purpose of this meeting will be for the Reviewer to answer any questions the Owners and/or Consultant(s) may have and to offer guidance on the following subjects:

- The particular characteristics and restrictions on the Lot, to be provided by the Reviewer;
- Optimal orientation of buildings and outdoor spaces;
- Additional survey information requirments;
- Preliminary building and site development programs ideas and requirments;
- Claification and review of the Design Code objectives;
- The requirments, fees, and schedule of the design review process.

B. Concept Design

After or during the Pre-Design Conference, the Owner shall submit to the Reviewer a written application, and appropriate fee for Concept Design Review together with the Concept Design Review submission materials as described below:

1. Concept Design Review Application Form.
2. Design Review Application Fee.
3. Schematic Site Plan: (1"=20', 16' or 8') indicating property lines and Lot diagram areas, building location/footprint, driveways, pools, water features and other major hardscape elements and basic grading concepts.
4. Schematic Floor Plans: (1"=20', 16' or 8') showing general room layout and circulation. This ma be combined with the Schematic Site Plan.
5. Schematic Elevations: (1"=20', 16' or 8') of the streets side of the building showing general massing, roof forms, building height and materials.
6. Appropriate reference photo/imagery of major architectural bulding elements. These shall include roof eaves and rake, gable end vents, recesses, windows and door with trim and surrounds, garage doors, shutters, balconies and railings, columns and significant other design elements. Images shall be on 8-1/2" x 11" size sheets. These images shall



be identified and keyed to building elevations. Indicate the source (e.g., title of book or magazine) and a description of each photo/image.

The purpose of this submittal is to confirm that the design professionals are headed in the right direction, are correctly interpreting the Design Code and the Owner's program can be accommodated on the Lot. This submittal may be combined with the Pre-Design Conference.

Preliminary Design Review

After the Pre-Design Conference and Concept Design, the Owner shall submit a written application for Preliminary Design Review together with Preliminary Design Review submission materials, described below.

A. Preliminary Design Review Submission Materials

Within this step, the Owner shall prepare and submit to the Reviewer for review and approval a Preliminary Design Review package which shall adequately convey existing site conditions, constraints, building orientation and design, vehicular and pedestrian access, the proposed use of exterior materials and colors and conceptual landscape design. All architectural plans are to be prepared by a licensed architect. All landscape plans are to be prepared by a landscape professional. The package shall include two full-size sets and foursets of 11" x 17" reductions of the following drawings and/or materials:

1. Preliminary Design Review Application Form.
2. Location Map - indicating location of Lot within The Portside.
3. Lot Survey - a property survey (minimum scale: 1" = 20') prepared by a licensed surveyor indicating property boundaries, the area of the property, all easements of record, utilities, 100-year flood plain, one-foot contours, any significant natural features such as any significant drainages as applicable.
4. Site Plan - 1"=20' minimum, showing existing topography and proposed grading and drainage, (1-foot contour interval), existing off-site elements (buildings, walls, etc.) within 20-feet of the property boundary, building footprint with finished floor grades, setbacks, building envelope and other zones as indicated within these Design Code, driveway, parking area, drain age, fences/walls, roofs, patios, decks, pools, and any other site amenities.
5. Preliminary Floor and Roof Plans - minimum 1/8" = 1'-0", including all proposed uses, proposed walls, door and window locations and location of mechanical and electrical systems.
6. Preliminary Elevations - minimum 1/8" = 1'-0", including roof heights, existing and finish grades, building heights and notation of exterior materials. Two sets of elevations, one set shall be rendered in color.
7. Site Sections - minimum scale 1" = 20', showing proposed buildings, building heights, elevations and existing and finished grades in relation to surrounding site, including adjacent residences and roads as may be required by The Portside.
8. Conceptual Landscape Plan - a conceptual plan at 1" = 20' minimum, showing irrigated areas, areas of planting, turf areas, preliminary plant list, building envelope and other zones as indicated on the lot diagram, existing trees to be retained and/or removed, water features, pools, patios, decks, and any other significant design elements. This may be combined with the Site Plan.
9. Grading, Drainage and Erosion Control Plans - 1" = 20' minimum. Indicate location of silt fencing, driveway base rock, and "ring of responsibility" per Storm Water Plan (if applicable). Site plan



shall include twenty feet beyond Owner's property line in order to depict relationship to adjacent Lots and Master Community Facilities.

10. Color Rendering or Computer Model - minimum scale 1" = 20', illustrating the relationship between proposed building forms and topography, tree heights and prevailing site conditions. This need not be an expensively detailed model, but simply adequate to communicate basic three-dimensional massing concepts.
11. Material Samples - on 8-1/2" x 11" or 11" x 1.7" boards showing:
 - Roof material and color;
 - Wall material and color;
 - Exterior trim material and color;
 - Stone/rock materials;
 - Window/door materials and color;
 - Fence/wall materials and color;
 - Paving materials and color.

B. Staking

The Owner may be required to stake the location of corners of the proposed buildings and all other major Improvements upon submittal of Preliminary Design Review documents. In some instances, the Reviewer may require that ridgeline flagging be erected to indicate proposed building heights.

C. Preliminary Design Review Meeting

Upon receipt of the required documents and staking of the property (if required), the Reviewer will notify the Owner of the scheduled meeting date to review the Preliminary Design documents. The Reviewer will review and comment on the application at the meeting, allow time for discussion with the Owner and/or Consultant(s) (if present) and subsequently provide the Owner with the conclusions of the meeting in writing. The Reviewer has 45 days to approve or respond in writing regarding any issues needing resolution by the Owner.

The comments of the Reviewer on the Preliminary Design submittal shall be advisory only, and shall not be binding upon either the Owner or the Reviewer. A second review meeting may be necessary to review corrected and/or new materials. Corrected materials will be provided to the Reviewer a minimum of five working days prior to the next regularly scheduled meeting.

Final Design Review

Within one year of Preliminary Design Review approval the Owner shall initiate Final Design Review by submitting required Final Design documents. Required Final Design documents and procedures are described below.



A. Final Design Review Submission Materials

The Owner shall provide all information necessary to reflect the design of the proposed building(s), landscape or other features requiring the approval of the Reviewer. Final Design documents shall generally conform to the approved Preliminary Design Review documents. All architectural plans are to be prepared by a licensed architect. All landscape plans are to be prepared by a landscape professional. The Final Design Review Documents shall be Construction Document level drawings. Submit two sets full size and four sets of 11"x17" reductions of final plans that include the following:

1. Final Design Review Application Form.
2. Site Plan - 1" = 20' minimum, showing existing topography and proposed grading (1- foot contour interval), building footprint with finished floor grades, building envelope and other zones as indicated within these Design Code, driveway, parking area, fences/ walls, patios, decks, utility connections and pad locations, pools and any other site amenities. Site plan shall include twenty feet beyond Owner's property line in order to depict relationship to adjacent Lots and Master Community Facilities.
3. Grading, Drainage and Erosion Control Plans - 1" = 20' minimum, showing existing and proposed grading (1-foot contour interval), drainage elements and erosion control methods, including the "ring of responsibility" per the Storm Water Plan (if applicable). Site plan shall include twenty feet beyond Owner's property line in order to depict relationship to adjacent Lots and Master Community Facilities.
4. Floor and Roof Plans - 1/4"= 1'-0", indicate all room dimensions, door and window locations and sizes, location of mechanical and electrical systems and fire sprinkler and monitoring systems. Indicate the location and type of all exterior lighting fixtures, proposed fireplaces, and kitchen appliances. Provide floor plans of all accessory structures.
5. Elevations - 1/4"=1'-0", illustrate the exterior appearance of all views labeled in accordance with the site plan. Indicate the highest ridge of the roof, the elevation of each floor, and existing and finished grades for each elevation. Describe all exterior materials, colors, and finishes (walls, roofs, trim, vents, windows, doors, exterior hardware schedule, etc.) and locate all exterior lighting fixtures, and provide an exterior lighting schedule with cut sheets. Indicate proposed building height. Provide one set of colored elevations.
6. Sections - 1" = 20' minimum, indicate building walls, floors, interior relationships, finished exterior grades and any other information to clearly describe the interior/exterior relationships of the building, the exterior details of the house, and the building's relationship to the site.
7. Landscape Plans - 1/8"=1'-0" minimum, including a planting plan, layout plan, irrigation plan, lighting plan, lighting schedule and cut sheets, and any site details including retaining walls, landscape structures, pools, patios, fences and or gates. Call out all hardscape materials.
8. Materials Description:
 - Roof material and color.
 - Wall materials and color(s).
 - Exterior trim material and color.
 - Window material and color.
 - Exterior door material and color.
 - Stone/rock materials.
 - Fence/wall materials.
 - Exterior rails and paving materials.



The Reviewer will review and comment on the materials description at the Final Design Review. Final approval is contingent upon field mock-ups of all colors and materials at the appropriate time in the construction process and in sizes/context that will allow a clear understanding of the final product. Regardless of previous approvals, The Reviewer reserves the right to require changes to the field mock-ups if they do not meet the objectives of the Design Code.

9. Construction Schedule - include start and completion dates for both building and landscape construction. All construction shall be started within one year of Final Design approval and shall be completed within 18 months from the date title to the Unit is first conveyed. Any subsequent conveyance does not restart this construction deadline.

B. Final Design Review Meeting

Upon receipt of the required documents, the Reviewer will notify the Owner of the scheduled meeting date to review the Final Design documents. In some instances, the Reviewer may request a final staking of the location of all corners of proposed buildings if the Final Design documents vary substantially from approved Preliminary Design documents.

Attendance at the meeting by the Owner and/or Consultant(s) is not mandatory. The Reviewer will review and comment on the application at the meeting, allow time for discussion with the Owner and/or Consultant(s) (if present), and subsequently provide the Owner with an approval or conclusive recommendations in writing for refinements to the design. A second review meeting may be necessary to review refinements, revisions and/or new materials. These materials will be provided to The Reviewer a minimum of five working days prior to the next regularly scheduled meeting.

C. Final Design Approval

The Reviewer will issue Final Design approval in writing within seven working days of a vote for approval at a Final Design Review meeting. If the decision of the Reviewer is to disapprove the proposal, the Reviewer shall provide the Owner with a written statement of the basis for such disapproval to assist the Owner in redesigning the project so as to obtain the approval of the Reviewer.

Resubmittal of Plans

In the event that final submittals are not approved by the Reviewer, the Owner will follow the same procedures for a resubmission as for original submittals. An additional Design Review Fee must accompany each resubmission as required by the Reviewer.

Padre Island ACC, City of Corpus Christi and Other Agencies

The Owner shall apply for all applicable building permits from Padre Island ACC, City of Corpus Christi and any other governing agencies after receiving Final Design approval from the Reviewer. The owner may elect to submit plans to the required agencies prior to receiving final approval from the Reviewer, but the Reviewer will not be responsible for any revisions that may be required to City submitted plans as a result of their review and approval. Any adjustments to the Reviewer -approved plans required by City of Corpus Christi review must be resubmitted to the Reviewer for review and approval prior to commencing construction. The issuance of any approvals by the Reviewer implies no corresponding compliance with the legally required demands of other agencies.



Subsequent Changes

Subsequent construction, landscaping or other changes in the intended Improvements that differ from approved Final Design documents must be submitted in writing to the Reviewer for review and approval prior to making changes.

Work in Progress Observations

During construction, the Reviewer will check construction to ensure compliance with approved Final Design documents. If changes or alterations have been found that have not been approved, the Reviewer will issue a notice to comply.

Notice to Comply

When, as a result of a construction observation, the Reviewer finds changes and/or alterations that have not been approved, the Reviewer will issue a notice to comply within three working days of the observation. The Reviewer will describe the specific instances of non-compliance and will require the Owner to comply or resolve the discrepancies.

Notice of Completion

The Owner will provide the Reviewer with a Notice of Completion of any Improvement(s) given Final Design approval by the Reviewer. The Reviewer will make a final inspection of the property within seven working days of notification. If requested by Owner, the Reviewer will issue in writing a notice of completion within seven working days of observation. If it is found that the work was not done in compliance with the approved Final Design documents, the Reviewer will issue a notice to comply within three working days of observation.

Variances

The Reviewer recognizes that each Lot has its own characteristics and that each Owner has their own individual needs and desires. For this reason, the Reviewer has the authority to approve variances from any of the Design Code or regulations contained within this document. It should be understood, however, that any request for variance from these Design Code will be evaluated at the sole discretion of the Reviewer, and that the approval of variances will be limited to only the most creative design solutions to unique situations. Prior to the Reviewer approving any variance from a Design Code, it must be demonstrated that the proposal is consistent with the overall objectives of these Design Code and that the variance will not adversely affect adjoining Lots or The Portside community as a whole. Approval of any variance from the Design Code shall not set a precedent for other Owners to seek a similar variance.

The Reviewer also reserves the right to waive any of the procedural steps outlined in this Design Code document provided that the Owner demonstrates there is good cause.



Non-Liability

Neither the Reviewer nor any member, employee or agent will be liable to any party for any action, or failure to act with respect to any matter if such action or failure to act was in good faith and without malice.

Design Review Schedule

The Reviewer will make every reasonable effort to comply with the time schedule for design review. However, The Reviewer will not be liable for delays that are caused by circumstances beyond their control. The Reviewer will provide design review according to the following schedule:

1. Pre-Design Conference & Concept Design Review
 - Meeting to be scheduled within 14 working days of receipt of Pre-Design Conference request form.
2. Preliminary Design Review
 - Application documents to be submitted 14 working days prior to the next scheduled meeting of The Reviewer.
 - Written comments from the Reviewer meeting provided to Owner within 45 working days.
 - A second review meeting may be necessary to review corrected and/or new materials. Corrected materials will be provided to the Reviewer a minimum of five working days prior to the next regularly scheduled meeting.
3. Final Design Review
 - Application documents to be submitted 14 working days prior to the next scheduled meeting of the Reviewer, and within one year of Preliminary Design approval.
 - Written comments from the Reviewer meeting and/or written notice of Final Design approval provided to Owner within seven working days.
 - A second review meeting may be necessary to review refinements, revisions and/or new materials. These materials will be provided to the Reviewer a minimum of five working days prior to the next regularly scheduled meeting.
4. Building Permits
 - Owner applies to City of Corpus Christi for all applicable building and use permits.
5. Construction Observations
 - Site observation with the Builder prior to any site disturbance, and within seven working days of receipt of written request.
 - Framing observation within seven working days of receipt of written request.
 - Final observation within seven working days of receipt of written request and prior to request for a certificate of occupancy from the City of Corpus Christi.



- Notice of Completion issued within seven working days of observation.

Fees

- A. Design Review Fee. In order to defray the expense of reviewing plans, monitoring construction and related data, and to compensate consulting architects, landscape and other professionals, these Design Code establish a total fee of **\$1,000 (“Design Review Fee”)** payable upon submittal of the application for the Pre-Design Conference or Preliminary Design Review.
- B. Resubmission. Fees for resubmission shall be established by the Reviewer on a case-by-case basis. This fee is subject to revision annually.



Desing Style, examples:

