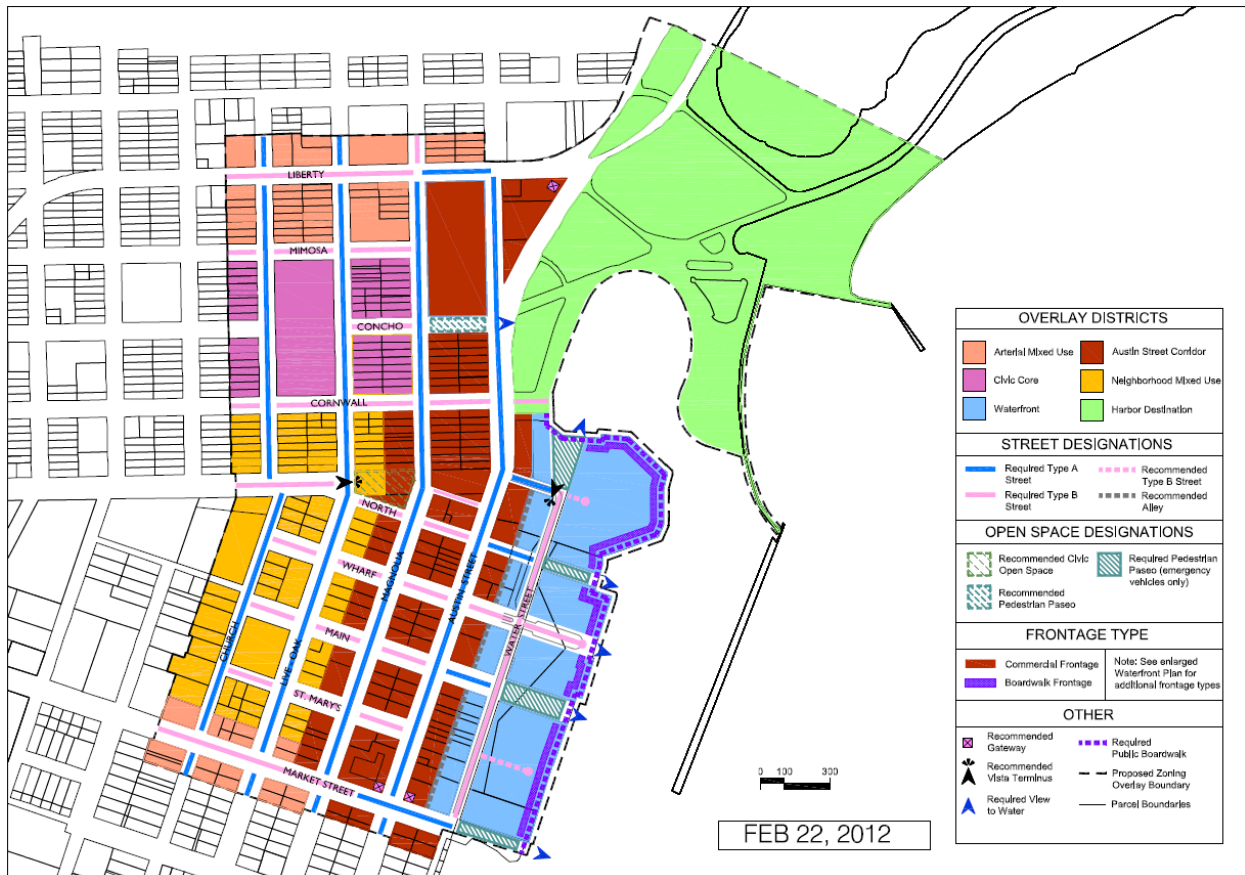


# Rockport Heritage District Zoning Overlay Code

February 22, 2012



Prepared for the City of Rockport, Texas by  
Gateway Planning Group, Inc.



**GATEWAYPLANNING**  
Design • Implementation • Value Capture

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## **1. PURPOSE AND INTENT.**

- 1.1 Implement the Design Goals of the 2006 Heritage District Master Plan. The character districts created within the zoning overlay are intended to facilitate pedestrian oriented, mixed-use urban development, providing shopping, employment, housing, and business and personal services. The Rockport Heritage District (RHD) is intended to be the center of life in the community. This is achieved by promoting an efficient, compact land use pattern; encouraging pedestrian activity; reducing the reliance on private automobiles; promoting a more functional and attractive community through the use of recognized principles of urban design; and allowing developers flexibility in land use and site design. A high level of attention to site and building design is required to promote an attractive district.
- 1.2 Establish Specific Standards. Creation of different character districts within the Rockport Heritage District Zoning Overlay (RHDZO) will enable specific site and locational standards to be enumerated and applied. Such standards will promote the public welfare, will enhance the implementation of specific area studies, will promote walkable mixed use development and will promote the goals and objectives of the City's Comprehensive Plan and 2006 Heritage District Master Plan. Creation of specific character districts for Rockport Heritage District will enable specific development standards that will result in implementing the vision for each area identified in the Heritage District Master Plan.
- 1.3 Encourage Historic Preservation. While revitalization of the Heritage District area is a high priority, it must be accomplished in a manner that preserves and perpetuates the history and heritage of Rockport. It is the city's goal to enhance the attractiveness of the city's inner core to residents, tourists and visitors and serve as a support and stimulus to business and industry. It is further declared as a matter of public policy that government needs to forge a partnership with affected property owners to ensure the health, prosperity, safety and economic well-being of the community as a whole. Federal, state and local governments have passed laws to protect and preserve historic downtown properties through the development of incentives, including the National Historic Preservation Act of 1966.
- 1.4 Economic Development. The Rockport Heritage District Zoning Overlay and corresponding development standards are created to support economic development, sustainable tax base, and job creation by establishing adjacency predictability of private development that supports and leverages public investment in the RHD.

## 2. COMPONENTS OF THE CODE.

2.1 The Rockport Heritage District Zoning Overlay Code shall apply to the area within the Rockport Heritage District Zoning Overlay as identified in the RHD Zoning Overlay Regulating Plan. Development of property within the area included in the RHD Zoning Overlay Regulating Plan shall comply with all applicable development standards set forth in this Code. The components of this RHD Zoning Overlay Code are:

2.1.1 RHD Zoning Overlay Regulating Plan: The RHD Zoning Overlay Regulating Plan, hereafter known as the “Regulating Plan”, is attached as Appendix A. It identifies the following within the RHD Zoning Overlay including:

- i. Character Districts – The RHD Zoning Overlay is further distinguished into “Character Districts”. A Character District is intended to create a distinct urban form different from other Character Districts. Each Character District shall establish building standards including height, mass, bulk, building and parking location, and functional design of buildings on all lots within that Character District. The Regulating Plan classifies all lots within RHD Zoning Overlay into one of six (6) Character Districts. The different Character Districts are based on historic and regional architectural traditions and development intent to create a built environment that is consistent with the vision for the RHD.
- ii. Frontage Standards – The Frontage Standards establish exceptions and special conditions for all buildings along designated frontages. Frontage Standards shall apply in addition to the underlying Character District standards.
- iii. Street Designations by Street Type– The Street Designations on the Regulating Plan shall distinguish between Type ‘A’ and Type ‘B’ Streets within the Heritage District Zoning Overlay. In addition, they shall identify the location of recommended new streets within the RHDZO by street type.
- iv. Required Civic/Open Space – The Required Civic/Open Space areas shown on the Regulating Plan designate the locations of proposed civic/open spaces (including plazas and paseos).
- v. Recommended Street Network – The Recommended Street Network indicates locations of suggested, but not required streets within the RHDZO. These streets are not mandatory, but at the election of the applicant or developer and their design shall be guided by the Street Type Specifications.
- vi. Recommended Civic/Open Space – The Recommended Civic/Open Space designation indicates the locations of desired, but not required civic/open spaces (including plazas and paseos) to implement the Regulating Plan. Recommended Civic/Open Spaces are not required, but at the election of the applicant or developer.

- 2.1.2 Development Standards: The RHD Zoning Overlay Code (the text portion of this Code) enumerates the development standards with text and graphics for Character Districts, Frontages, building form, civic open space, landscape, building design, signage, lighting, and all related standards for public and private development. Building form, site development, and design standards contained within each character district are those activities that will promote or enhance the development of a specific area of the RHD in response to the recommendations of 2006 Rockport Heritage District Plan.

### 3. ADMINISTRATION

This section sets forth the provisions for reviewing and approving development applications within the RHDZO. The intent is to ensure that all development is consistent with the provisions of this Code. All sections of this Code shall be applied during the review process.

- 3.1 All applications for development and redevelopment within the RHD Zoning Overlay shall require the approval of a site plan prior to issuance of a building permit per Table 3.1.

Table 3.1 RHDO Applicability Matrix

Code Section	Building Form - Frontages	Building Form - Placement	Building Form - Height	Building Form - Parking & Service	Building Form - Street Screen	Building Form - Encroachments	Building Form - Residential Transition	Building Design Standards	Landscape	Streetscaping	Signage	Civic/Open Space and Private Open Space
Type of Development												
Commercial (retail, office, restaurant, lodging), mixed use building, apartment/multi-family building (3 or more units per lot), and live-work uses												
New Construction	X	X	X	X	X	X	X	X	X	X	X	X
Change of Use/Expansion of use*				X	X						X	
Expansion of Building Area												
0% - 49% increase in building area AND less than 50% increase in building value • Standards in applicable sections shall apply only to the expansions	X	X	X	X	X	X	X	X	X		X	X
50% or greater increase in building area AND less than 50% increase in building value • Standards in applicable sections shall apply only to the expansions	X	X	X	X	X	X	X	X	X		X	X
Any increase of building area AND 50% or greater increase in building value • Standards in applicable sections shall apply the entire building including retrofitting of the existing building if non-conforming	X	X	X	X	X	X	X	X	X	X	X	X

Code Section	Building Form - Frontages	Building Form - Placement	Building Form - Height	Building Form - Parking & Service	Building Form - Street Screen	Building Form - Encroachments	Building Form - Residential Transition	Building Design Standards	Landscaping	Streetscaping	Signage	Civic/Open Space and Private Open Space
Type of Development												
Expansion of parking area only (not in conjunction with a building or use expansion)												
Up to 10 spaces				X	X							
11 or more additional spaces				X	X				X			
Façade changes to existing buildings												
Type 'A' Street façade					X	X		X			X	
All other street facades						X						
Signage												
Refacing or changing a panel on an existing sign												
Modification of an existing sign where cost of the modification is valued at <u>less than</u> fifty (50) % of the replacement value of the existing sign												
Modification of an existing sign where cost of the modification is valued at <u>more than</u> fifty (50) % of the replacement value of the existing sign											X	
New sign or complete replacement of an existing sign											X	
Residential Uses (single family attached, duplexes, and detached buildings)												
New construction	X	X	X	X	X	X		X	X	X	X	X
Change of Use*				X	X				X		X	
Expansion of use/structure (any building addition, deck, porch, etc.)	X	X	X			X		X				X
Expansion of use/structure (new accessory building/structure on the lot or pool)	X	X	X			X		X				X
Façade changes												
Type 'A' Street façade					X	X		X				
All other street facades						X						

\* with no expansion of building

3.2 The development standards under Chapter 118 of the City of Rockport Code of Ordinances, as amended, shall not apply to the RHDZO except as specifically referenced herein. Development standards not addressed in this ordinance shall be governed by the City of Rockport Code of Ordinances to the extent they are not in conflict with the intent or text of the RHDZO Code. Land uses shall be governed by the underlying zoning district for all properties within the RHDZO per Chapter 118 in the City of Rockport Code of Ordinances. All development in RHDZO shall also meet the standards in the City's Building Code, as amended.

3.3 Sign Standards under Chapter 6, as amended, of the City of Rockport Code of Ordinances, shall not apply to RHDZO except as specifically referenced herein.

3.4 Using this Code: The following basic steps should be followed to determine the development standards applicable on property within the RHDZO:

3.4.1 Locate the subject property on the RHDZO Regulating Plan.

- 3.4.2 Identify:
  - i. the Character District in which the property is located;
  - ii. the Street Type designation along all its street frontages; and,
  - iii. any specific Frontage Type that may be applicable to the subject property.
- 3.4.3 Examine the corresponding district standards in the Building Form and Development Standards in Section 6 to determine the applicable development standards.
- 3.4.4 Refer to Section 5.5 for Frontage Standards.
- 3.4.5 Refer to Section 7 for Building Design Standards.
- 3.4.6 Refer to Section 8 for Streetscape and Landscape Standards.
- 3.4.7 Refer to Section 9 for Signage Standards
- 3.4.8 Refer to Section 10 for Civic Space and Private Open Space Standards.

The information from the above listed steps explains where the building will sit on the lot, the limits on its three dimensional form and the palette of materials that will cover it.

- 3.5 Development within the RHDZO that complies with the provisions of this Code may be approved by the City Manager or designee (see Appendix B for flow chart of the review process). In addition to complying with applicable City regulations that are not in conflict with this Code, the applicant shall provide the information to adequately show compliance with this Code as required in Section 3.7. The City Manager or designee shall be responsible for the following:

- 3.5.1 Reviewing site plan applications for compliance with the requirements of RHDZO Code.
- 3.5.2 Approving site plan applications that are in compliance with the requirements of the RHDZO Code.
- 3.5.3 Making determinations on the applications and interpretations of standards in this Code.
- 3.5.4 Approving revisions to previously approved site plans that comply with this Code and all applicable city ordinances.
- 3.5.5 Approving any minor modifications to the approved Regulating Plan and Code per Section 3.8.
- 3.5.6 Forwarding any appeals to the decision of the City Manager and/or major modifications to the Rockport Heritage District Board (RHDB).

- 3.6 Minor Modifications to the RHDZO Code:

The City Manager or designee shall have the authority to approve a request for minor modifications to RHDZO Code that:

- 3.6.1 Does not materially change the circulation and building location on the site;
- 3.6.2 Does not increase the building area permitted under this Code;
- 3.6.3 Does not change the relationship between the buildings and the street;
- 3.6.4 Does not allow greater height of any building or reduction of any parking requirement established in this Code; or

3.6.5 Does not change any required element of the Regulating Plan beyond the thresholds established in Table 3.2 below.

The City Manager or designee shall also have the authority to approve minor modifications outlined in Table 3.2. Any appeals to the decisions of the City Manager on minor modifications shall be heard by the RHDB.

Table 3.2 Minor Modifications Allowed

<b><i>Standard</i></b>	<b><i>Minor Modification Allowed</i></b>	<b><i>Comments</i></b>
Area/boundary of Character Districts (including any Required Civic/Open Spaces)	No more than a 15% change (increase or decrease) in the area of any Character District (aggregate or per block)	<ul style="list-style-type: none"> <li>• Shall not eliminate any Character District</li> <li>• 15% measurement shall be based on the total area of that specific Character District within the entire RHDZO</li> <li>• For the purposes of this code, any increase in any Character District that results from the elimination of a recommended street shall not count towards the 15% threshold.</li> </ul>
Location of any Required Street	Location shall not move more than 50' in any direction	<ul style="list-style-type: none"> <li>• Shall maintain the connectivity intended by the Regulating Plan</li> </ul>
<b>Building Form and Development Standards</b>		
<ul style="list-style-type: none"> <li>• Build to zones/setbacks</li> </ul>	No more than a 25% change in the maximum or minimum setback.	<ul style="list-style-type: none"> <li>• Changes to the build to zones and setbacks may only be due to any changes to the street cross sections, change in the width of a sidewalk, or to address the base flood elevation requirements.</li> <li>• In no case shall the sidewalk be less than 6 feet in width</li> </ul>
<ul style="list-style-type: none"> <li>• Building Frontage</li> </ul>	No more than a 15% reduction in the required building frontage along each block of a Type 'A' Street.	<ul style="list-style-type: none"> <li>• Any reduction in the required building frontage shall be to accommodate porte-cocheres for drop-off and pick-up.</li> </ul>
<ul style="list-style-type: none"> <li>• Street screen</li> </ul>	Waiver of street screen requirement along a Type 'B' Street.	<ul style="list-style-type: none"> <li>• Requirement for a street screen may only be waived along a Type 'B' Street along the frontage of any interim surface parking lot (off-street) that is intended to be in-filled with a parking structure.</li> <li>• In no case shall any portion of the surface parking have frontage along a Type 'A' Street without a required street screen</li> <li>• In no case shall the (off-street) surface parking lot be located at a street intersection for a minimum depth of 20' along each street (regardless of the Street Type).</li> </ul>
Streetscape standards	Street tree planting, street lighting, and other streetscape standards may be adjusted based on the development context.	<ul style="list-style-type: none"> <li>• Any changes to the streetscape standards shall be based on specific development context such as vegetation, natural features, drainage, and fire access and is subject to approval by the City.</li> </ul>

3.7 All applications for development based on the applicability established in Table 3.1 within the RHDZO shall require the following:

- 3.7.1 The applicant shall prepare a site plan demonstrating compliance with the Overlay District standards and the RHDZO Regulating Plan for administrative review. A site plan application shall include maps (to an appropriate scale) and/or reports that include the following information:
- Title block containing the name of the site plan, type of application, name and address of the applicant, plan preparer, and owner and a written and graphic scale.



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- ii. Location of the subject property including delineation of Character Districts, Required and Recommended streets (if any), and any frontage designations (if any).
  - iii. When subdivision of land is required, the layout of proposed blocks, lots, streets, easements, alleys, and trails, if any, consistent with this Code and other city ordinances and plans;
  - iv. The location of all physical improvements, both existing and proposed, including but not limited to buildings, sidewalks, driveways, parking, landscaping, open space, etc.
  - v. All proposed uses on the property and/or buildings.
  - vi. Street designation along all public frontages of the property and compliance with the building form and development standards for the specific Character District the property is located in per Section 6 of this Code.
  - vii. Screening, landscaping, and private open space provision as required by this Code.
  - viii. Site plans, building plans, architectural elevations and renderings of proposed building(s) including demonstration of compliance with Building Design Standards in Section 7 of this Code.
  - ix. Any other information that may be reasonably necessary to review and determine whether the proposed development complies with this Code.
- 3.8. Rockport Heritage District Board Established. The City Council shall appoint a five (5) member citizen board called the Rockport Heritage District Board (RHDB).
- 3.8.1 Duties and Responsibilities: The RHDB shall have the following duties and responsibilities:
- i. To coordinate, if necessary, with both the Aransas County Historical Commission and the Aransas County Historical Society regarding studies of historic residences, buildings, properties, or landmarks and support the preparation of a plan for their preservation in accordance with the guidelines of the Texas Historical Commission and/or the National Register of Historic Places;
  - ii. To recommend to the Rockport City Council the adoption of standards for preservation, redevelopment, and new construction of buildings within the RHDZO;
  - iii. Make recommendations to the Rockport Building and Development Department staff regarding proposed demolition of existing historic buildings or buildings with historic significance within the RHDZO;
  - iv. Coordinate with other departments of city government on matters of mutual interest and concern;
  - v. Advise and assist property owners and other persons to better understand the standards described herein for the preservation, redevelopment and construction of buildings within the RHDZO;

- vi. To adopt, promulgate, or implement policies, rules, and bylaws reasonable and necessary to govern the functions of the board and carry out the purpose and intent of this code;
  - vii. To review and make recommendations to City Council on development applications for civic/public buildings (new and redevelopment of existing buildings);
  - viii. To review and make recommendations to City Council on all development and/or redevelopment within the Harbor Destination District;
  - ix. Hear appeals to staff's decisions on development applications or Design Exceptions; and
  - x. Hear requests for design direction and/or interpretation of any requirements of this code.
- 3.8.2 Board Composition: City Council shall appoint five (5) members with at least one from each of the following categories or as determined by City Council:
- i. Historic Preservation representative (professional with interest and expertise in Historic Preservation, or representative of a design profession such as architecture, landscape architecture, urban design, interior design, historic preservation, engineering or similar profession with interest and expertise in Historic Preservation).
  - ii. Development or construction industry representative (developer, builder, contractor, real estate professional, broker or similar profession)
  - iii. Rockport community representative
  - iv. Heritage District resident representative
  - v. Heritage District business owner representative
- 3.8.3 Terms of Appointment: One (1) member of the board shall serve for a term of one (1) year, two (2) members of the board shall serve for a term of two (2) years, and two (2) members of the board shall serve for a term of three (3) years. Thereafter, the term of all members shall be for a term of three (3) years, and they may be reappointed for additional terms. Each member shall serve until the appointment and qualification of his or her successor. Vacancies on the board shall be filled by City Council when the vacancy occurs during a term of office. The person selected shall be appointed for the unexpired portion of the term.
- 3.8.4 Election of Officers: Members of the board shall serve without compensation and the board shall annually elect from among its membership, one (1) member who shall serve as chair, one (1) member who shall serve as vice chair, and one (1) member who shall serve as secretary. The vice chair shall perform all duties and functions of the chair in the latter's absence or incapacity. The board shall keep official minutes and other appropriate records of its meetings and all proceedings and matters brought before it, and shall make same available for public inspection to the extent required by law. All members of the board shall be familiar with and abide by the city's attendance policies, as amended from time to time. Specifically, no board members shall participate in any discussion or vote on any matter coming

- before the board involving property in which they have a direct ownership, financial, or business interest.
- 3.8.5 Conduct of Meetings: The board shall adopt and make public, rules for the transaction of its business and shall hold regular meetings and specially called meetings, as deemed necessary and appropriate. Written agendas shall be prepared for all regular and specially called meetings and shall be made available for public inspection. All meetings shall comply with the Texas Open Meetings Act. A simple majority of the membership of the board shall be required to conduct the business of the board.
- 3.8.6 Quarterly Report: The board shall report at least quarterly to the Rockport City Council on the activities and accomplishments of the board.
- 3.9 Appeals and Design Exceptions. Any appeals to the decision of the City Manager or requests for Design Exceptions to standards in this Code may be made to the Rockport Heritage District Board (RHDB) within 30 days of such a decision in writing by the City Manager. All requests for appeals or Design Exceptions shall be heard by the RHDB within 30 days of such a request or at the next available regularly scheduled meeting of the RHDB, whichever occurs first. Appeals of decisions of the RHDB shall be made to District Court of Aransas County. All appeals shall be taken in the District Court within thirty (30) days after the action or decisions of the RHDB and all decisions which have not been appealed within thirty (30) days shall become final. After the appeal is taken, the procedure shall be governed by the rules of civil procedure.
- 3.10 Variances. All decisions on variances to dimensional standards for setbacks and heights in the RHDO shall be determined by the Zoning Board of Adjustment after a recommendation has been made by the RHDB. In granting or denying a variance RHDB and Zoning Board of Adjustment shall evaluate the extent to which the proposed modifications result in greater or lesser conformance with the specifications of the RHDO and the extent to which the modifications meet the vision and intent of the Heritage District Master Plan.
- 3.11 In addition to standards in Section 6.6, all public/civic buildings within the RHDO may only be approved by City Council after a recommendation has been made on the application by the RHDB. In reviewing such development applications, the following shall be taken into consideration:
- 3.11.1 Civic and public buildings should occupy prominent sites such as at the end of a terminated vista.
- 3.11.2 Major entrances and exits should be clearly marked and should front on plazas or wide sidewalks that allow pedestrians safe ingress and egress into the building.
- 3.11.3 Major entrances and key street intersections, including locations recommended for vista terminations, shall be emphasized with vertical elements that create a unique identity to the civic building.

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- 3.11.4 Public buildings may be larger in scale than retail and mixed use buildings and thus have larger setbacks to provide for appropriate transitions. They should be articulated horizontally and vertically with architectural elements to break the mass of the structure down.
  - 3.11.5 Major street frontages shall not be blank walls. Windows, changing building materials, arcades, building articulation, and other architectural elements shall be used to add interest at the street level.
  - 3.11.6 Building materials used should convey the impression of permanence and stability and to the extent possible, masonry (brick, stone, stucco using the three step process, marble, or granite) should be used for a majority of the exterior building facades.
- 3.12 Harbor Destination District – All development within the Harbor Destination District may only be approved by City Council after a recommendation has been made on the application by the RHDB. In reviewing such development applications, the following shall be taken into consideration:
- 3.12.1 The creation of an overall Harbor Destination Master Plan complementing the Heritage District Master Plan for the various uses within the district that coordinates and integrates buildings, establishes an architectural design theme and palette of building materials, provides linkages between different uses, parking, accommodates pedestrian and automobile access, service uses, open spaces, and provides unified wayfinding signage for all destinations located within the district.
  - 3.12.2 The extent to which the design of the building is sensitive to the context of the Heritage District and an overall Harbor Destination Master Plan, if any.
- 3.13 RHDB Review Considerations: In providing design direction and clarification, reviewing Design Exception requests or hearing appeals, the Rockport Heritage District Board shall use the following criteria:
- 3.13.1 the goals and intent of Rockport Heritage District Master Plan;
  - 3.13.2 whether the proposal fits the adjoining design context by providing appropriate transitions;
  - 3.13.3 extent to which the application provides public benefits such as usable civic and open spaces, livable streets, structured and/or shared parking, and linkages to transit; and
  - 3.13.4 considerations of health and welfare of the general public.
- 3.14 Demolitions.
- 3.14.1 All applications for demolition of buildings or portions of buildings within the RHD Zoning Overlay shall require the approval of a demolition permit by the City after a recommendation has been made on the application by the RHDB. In reviewing a request for demolition, the RHDB shall consider the following:
    - i. The public's interest in the preservation of the cultural resource.
    - ii. Whether the building is a contributing building that has the potential to be a historic building.

- iii. The age of the cultural resource, its uniqueness or uncommon design, texture, and/or material and its ability to be reproduced without unreasonable difficulty and/or expense.
- iv. The ability of the cultural resource to help preserve and protect a historic place or prehistoric site or area of historic interest in the City.
- v. The ability of the cultural resource to promote the general welfare of the City by:
  - 1) Encouraging the study of local and American History, architecture and design;
  - 2) Developing an understanding of the importance and value of the American culture and heritage; and
  - 3) Making the City a more attractive and desirable place in which to live.
- vi. Whether the building is being demolished for new construction on the same site which is more economically feasible than restoring the existing structure.

3.14.2 A request for demolition may only be approved by the City Manager or designee if the RHDB finds that:

- i. A building or part of a building is deemed as not being historically significant to Rockport's cultural roots or is not a contributing building;
- ii. The building can be replaced more economically by another that better supports the goals of the 2006 Rockport Heritage District Master Plan;
- iii. A building or part of a building is structurally unstable or in a stage of advanced deterioration and has been deemed by the City as a hazard to public safety or an attractive nuisance;
- iv. The demolition will not significantly impact adjoining properties or the integrity of Rockport's Heritage District; or
- v. The costs of rehabilitation are prohibitive and evidence is presented that the existing improvement is incapable of reasonable use or producing an economic return.

### 3.15 Non-Conforming Buildings, Uses, and Signs:

3.15.1 Regardless of transfer of ownership, existing Non-Conforming Buildings with a Non-Conforming Use that do not conform to the provisions of this Code may continue as they are until:

- i. the building is reconstructed or substantially modified such that the collective reconstructions or modifications within any continuous three (3) year period are valued at more than the greater of either \$50,000 or a total of fifty (50) % of the assessed value of the improvements in the most recently certified tax rolls; or
- ii. any building façade on a designated Type 'A' Street is changed. These may include changes to architectural elements, sidewalks, windows, doors, or any other feature that alters that façade (excluding façade colors, window/glass replacement and maintenance of existing signage). Only sections of the RHDZO code that affect the façade design of a building in

Section 7 of this code shall apply when Type 'A' Street facades are modified.

3.15.2 Regardless of transfer of ownership, existing Non-Conforming Buildings that do not conform to the provisions of this Code may change use within the same building, provided the new use is permitted in the underlying zoning district until:

- i. the building is reconstructed or substantially modified such that the collective reconstructions or modifications within any continuous three (3) year period are valued at more than the greater of either \$50,000 or a total of fifty (50) % of the assessed value of the improvements in the most recently certified tax rolls;
- ii. any building façade on a designated Type 'A' Street is changed. These may include changes to architectural elements, sidewalks, windows, doors, or any other feature that alters that façade (excluding façade colors, window/glass replacement and maintenance of existing signage). Only sections of the RHDZO code that affect the façade design of a building in Section 7 of this code shall apply when Type 'A' Street facades are modified.

3.15.3 Regardless of transfer of ownership, existing Non-Conforming Signs that do not conform to the provisions of this Code may continue as they are until the sign is reconstructed or substantially modified such that the modifications are valued at more than fifty (50) % of the replacement value of the sign.

3.15.4 Standards in Chapter 118 of the City of Rockport Code of Ordinances shall apply to existing Non-Conforming Buildings and Non-Conforming Uses that have lost their Non-Conforming status.

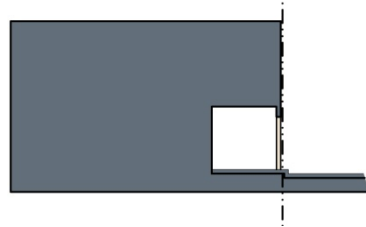
3.15.5 Any reconstruction or modification of or change to a Type 'A' Street façade of a non-conforming building or non-conforming sign shall meet the provisions of this Code unless a Design Exception is granted by the RHDB. In granting or denying Design Exception the RHDB shall evaluate the extent to which the proposed modifications result in greater or lesser conformance with the specifications of this Code and the extent to which the modifications meet the vision and intent of the Rockport Heritage District Master Plan.

## 4. DEFINITIONS

In addition to Definitions in Chapter 118 of the City of Rockport Code of Ordinances, the following terms shall have the corresponding interpretations.

*Arcade* means a portion of the main façade of the building that is at or near the property line and a colonnade supports the upper floors of the building. Arcades are intended for

buildings with ground floor commercial or retail uses and the arcade may be one or two stories.



*Image of an arcade*

*Attics/Mezzanines:* is the interior part of a building contained within a pitched roof structure or a partial story between two main stories of a building.

*Auto-Related Sales and Service Uses* means establishments that provide retail sales and services related to automobiles including, but not limited to, cars, tires, batteries, gasoline, etc.

*Block Face Dimensions* means the linear dimension of a block along one of its street frontages.

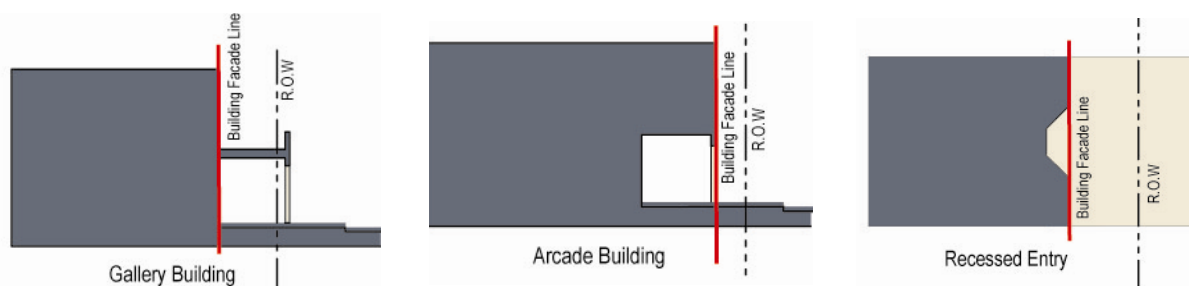
*Block Perimeter* means the aggregate dimension of a block along all of its street frontages.

*Block* means the aggregate of lots, pedestrian passages and rear alleys, circumscribed on all sides by streets.

*Build-to Line* means the line at which the principal building's front façade shall be built.

*Build-to Zone (BTZ)* means the area between the minimum and maximum setbacks within which the principal building's front façade is to be built.

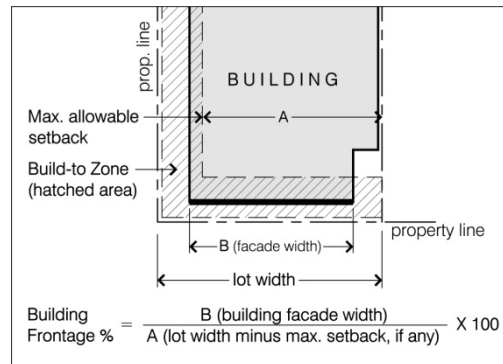
*Building Façade Line* means the vertical plane along a lot where the building's front façade is actually located.



*Building Façade Line Illustrations*

**Building Form Standards** means the standards established for each Character District that specify the height, bulk, orientation, and elements for all new construction and development.

**Building Frontage** means the percentage of the building's front façade that is required to be located at the front Build-to Line or Zone as a proportion of the lot's frontage along that public street. Paseos, plazas, improved forecourts, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage.



*Image showing how a lot's building frontage is calculated .*

**Building Height** shall be the vertical distance of a building or structure measured from the average elevation of the finished grade surrounding the structure to the highest point of the roof of the building or structure. In case of a building height limitation that is specified in feet and number of floors permitted, the height limitation in feet shall control for all buildings that are equal to or less than the number of floors permitted.

**Character District:** each Character District is intended to create a distinct urban form different from other Character Districts within the RHDZO.

**City Manager** means the City Manager of the City of Rockport or his/her designee.

**Civic/Open Space** means publicly accessible open space in the form of public plazas, paseos, and the Bayfront boardwalk. Building façades facing a Civic Space shall be treated as a Type 'A' Street frontage.

**Plaza** means a primarily hardscaped civic space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings.

**Paseo:** is a civic space dedicated for pedestrian movement located between blocks, buildings or along alleys. Paseos may terminate public streets within the RHDZO.





*Image of a typical paseo*

*Civic/Public Building* means a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or for similar public use.

*Commercial Frontage Standards* means the special frontage requirement along all Type 'A' Street frontages within the Austin Street Corridor Overlay. Such a frontage shall impose additional standards on the designated building façade to make it more pedestrian oriented such as limitation on ground floor uses at the sidewalk and Retail Ready standards for ground floors.

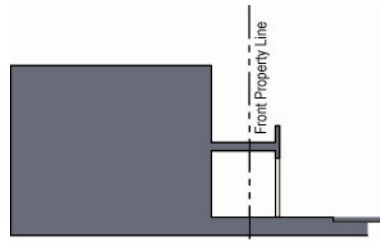
*Comprehensive Plan* means the City of Rockport Comprehensive Plan that establishes policy guidance for the long-term growth and development of the City as adopted on the effective date of this Code. For the purposes of this Code, the 2006 Rockport Heritage District Master Plan shall be the policy document that provides guidance for the development of Heritage District.

*Contributing Building* means any building or structure that may or may not necessarily meet the National Register qualifications for historic designation but are locally important in preserving the community's history. It also includes buildings that are pedestrian oriented - built to the street, permeable ground floors with doors and windows, and parking in the back. In evaluating future development opportunities, these buildings should be saved.

*Encroachment* means any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public R.O.W, or above a height limit.

*Frontage Requirements* means standards applied to certain blocks as indicated in the Regulating Plan in order to address specific requirements and transitions based on street frontage and adjacency in addition to the underlying Character District standards.

*Gallery* means an extension of the main façade of the building that is at or near the front property line and the gallery may overlap the public sidewalk.



*Image of a Gallery*

*Historic Building:* is a building that has been designated as a historic landmark by local, state, or federal government.

*Living Screen* means a Street Screen composed of landscaping in the form of vegetation.

*Master Sign Plan* means a unique sign plan to implement a specific vision for a portion or all of the development that meets Section 10.2 of this Code.

*Minor Modification* means any changes to the RHDO Code that meet the threshold criteria established in Section 3.6 and Table 3.1.

*Pedestrian Easement* means a grant of use of private property for pedestrian access and use.

*Private Open Space* means open space provided for all residential uses, privately accessible open spaces such as patios, courtyards, roof terraces, porches, balconies, etc.

*Recommended Civic Space* means plaza or paseo identified on the Regulating Plan which meets the goals of the Heritage District Master Plan. A Recommended Civic Space is not required and is at the election of an applicant or developer.

*Recommended Street* means a street that is identified on the Regulating Plan which is shown as a suggested street within the Heritage District Master Plan. The Recommended Street is not required and is at the election of an applicant or developer.

*Required Civic Space* means plaza or paseo identified on the Regulating Plan which meets the goals of the Heritage District Master Plan. A Required Civic Space shall be provided at time of development.

*Required Street* means a street that is identified on the Regulating Plan which is shown as a mandatory street within the Heritage District Master Plan. The Required Street shall be required and shall be provided at the time of development.

*Retail Ready* means space constructed at a minimum interior height as established in each character district which may be used for noncommercial uses and can be converted into retail/commercial use. Prior to the issuance of a certificate of occupancy for a

retail/commercial use in a Retail-Ready space, the space must comply with all building and construction codes for that use. The intent of Retail-Ready space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

*Rockport Heritage District Board (RHDB):* is a Citizen Board appointed by the Rockport City Council per this code to undertake the duties per Section 3.8 of this code.

*Rockport Heritage District Zoning Overlay (RHDZO):* is the zoning overlay district designation that applies area specific development and design standards for a portion of the Rockport Heritage District in addition to underlying zoning in order to implement the 2006 Rockport Heritage District Master Plan. It is composed of several “Character Districts” to implement the design goals of the Rockport Heritage District Master Plan.

*Rockport Heritage District Zoning Overlay Regulating Plan (Regulating Plan):* is a regulatory set of maps that is adopted for Rockport Heritage District in addition to the Zoning map and shows the Character Districts, Civic Spaces, location of specific Frontages, and Streets Types applicable to the area, subject to the standards in this Code.

*Sign, Building Blade* means a pedestrian-oriented sign that is affixed perpendicular to the corner of a building or to the front façade of a building above the ground floor to provide identification for the whole building.



*Image of a Building  
Blade Sign*

*Sign, Marquee* means a sign structure placed over the entrance to a theatre or other public gathering venue. It has signage stating either the name of the establishment or the name of the event, artist, and other details of the event appearing at that venue. The marquee is often identifiable by a surrounding cache of light bulbs, usually yellow or white, that flash intermittently or as chasing lights. Marquee signs may often be combined with Building Blade signs.



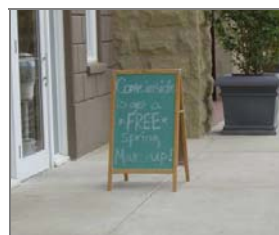
*Image of a Marquee sign with a Building Blade Sign*

*Sign, Monument* means any sign which is connected to the ground and which has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign may include a sign face and sign structure, and may also include a sign base and sign cap.



*Image of a Monument Sign*

*Sign, Sandwich Board* means a portable sign consisting of two panels of equal size, which are hinged at the top or one panel with a support and placed on the ground or pavement so as to be self-supporting.



*Images of sandwich board signs.*

*Sign, Tenant Blade* means a smaller pedestrian-oriented sign that is affixed perpendicular to the building façade under a canopy or awning or immediately over a tenant space and provides identification for individual tenants within a building.



*Image of a Tenant Blade Signs*

*Street Screen* means a freestanding wall or living screen built along the BTZ or in line with the building façade line along the street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.



*Image of a combination masonry and living street screen*

*Street Type* means a specific designation for streets in the RHDO that establishes a certain development character along its frontage to improve walkability within the RHD.

*Street Network* means the Required and Recommended network for new and existing streets within the RHDO as established in the Regulating Plan.

*Tree Well* means an unpaved area around the trunk of a tree within the sidewalk area that is either landscaped with ground cover or covered with a tree grate.



*Example of a tree well with a tree grate*



*Example of a tree well with landscaping*

*Type 'A' Street* means the streets identified as such on the Regulating Plan. Type 'A' Streets are the primary pedestrian streets and buildings along Type 'A' Streets shall be held to the highest standard of pedestrian-oriented design.

*Type 'B' Street* means the streets identified as such on the Regulating Plan. Type 'B' Streets are intended to primarily accommodate access to parking, service, and other auto-related functions.

## 5. HERITAGE DISTRICT ZONING OVERLAY REGULATING PLAN

The Heritage District Zoning Overlay Regulating Plan for Rockport is hereby adopted as Appendix A. The standards in this Code shall apply mandatorily to all properties within the boundaries of the Heritage District Zoning Overlay Regulating Plan.

5.1 Character Districts Established. The following Character Districts are established. The boundaries of the specific Character Districts are established in the Rockport Heritage District Zoning Overlay Regulating Plan.

- 5.1.1 Austin Street Corridor: The Austin Street Corridor is intended to preserve and enhance the existing historic core of the Heritage District from Market to Concho Street. Development standards in this Overlay District discourage demolition of existing historic buildings while requiring new buildings and changes to existing buildings to be consistent with the historic architectural traditions of the area. Development within the Austin Street Corridor shall meet the Building Form and Development Standards in Section 6.2 of this Code.
- 5.1.2 Waterfront District: The Waterfront District is intended to encourage development of mixed use, pedestrian-oriented development along the bay front with an active boardwalk along the edge of the bay. Development within the Waterfront District shall meet the Building Form and Development Standards in Section 6.3 of this Code.
- 5.1.3 Neighborhood Mixed Use District: The Neighborhood Mixed Use District is intended to encourage the redevelopment of the area immediately west of the Austin Street Corridor into a smaller scale mixed use neighborhood with retail, office, and residential uses. Development within the Neighborhood Mixed Use District shall meet the Building Form and Development Standards in Section 6.4 of this Code.
- 5.1.4 Arterial Mixed Use District: Arterial Mixed Use is intended to provide appropriate transitions to major roadways while taking advantage of the arterial frontage for limited auto-oriented sites. The Arterial Mixed Use frontage also acts as a gateway into the Heritage District Overlay by providing an attractive street frontage for the overall development. Development within

- the Arterial Mixed Use Zone shall meet the Building Form and Development Standards in Section 6.5 of this Code.
- 5.1.5 Civic Core District: The Civic Core District is intended to encourage the development of the County Courthouse and other civic uses within the context of the overall Heritage District. Development within the Civic Core District shall meet the Building Form and Development Standards in Section 6.6 of this Code.
- 5.1.6 Harbor Destination: The Harbor Destination District is intended to be the area located at the northern end of the Heritage District for large destination uses including civic and recreational functions such as aquariums, museums, parks, open space, marinas, festival space, and other outdoor activities. This area may also include supporting retail and service uses. Development within the Harbor Destination District shall meet the standards in Section 3.12.
- 5.2 Street Designations By Street Type Established – The RHD Overlay Regulating Plan shall establish the following Street Designations.
- 5.2.1 Type ‘A’ Streets Established – Type ‘A’ Streets are intended to be the primary pedestrian streets and buildings along Type ‘A’ Streets shall be held to the highest standard of pedestrian-oriented design. The Type ‘A’ Streets are Austin Street and the Waterfront Boardwalk Street as identified in the Regulating Plan.
- 5.2.2 Type ‘B’ Streets Established – Type ‘B’ Streets are intended to balance pedestrian orientation with automobile orientation. Buildings along Type ‘B’ Streets may be permitted to accommodate some service and auto-related functions. All streets (except alleys) within the Heritage District Overlay that are not designated Type ‘A’ Streets shall be considered as Type ‘B’ Streets.
- 5.3 Frontage Requirements – In order to address specific requirements and transitions based on street frontage and adjacency, the following Frontage Requirements as established in the Regulating Plan shall apply:
- 5.3.1 Main Street Frontage: Ground floors of all buildings designated as Main Street Frontage on the Regulating Plan shall not be occupied by residential units and/or lodging rooms in hotels to a minimum depth of 30 feet as measured from the front building line.
- 5.3.2 Boardwalk Frontage: Shall apply to all building frontages along the Boardwalk. Standards in Section 6.3.4 shall apply.
- 5.4 Recommended Views to Water – This designation is intended to identify locations where new and existing streets and/or development should provide views to the Bay. These may either be publicly dedicated or privately owned with appropriate access easements.
- 5.5 Required Public Boardwalk – This designation indicates the requirement for a publicly accessible civic space along the Bayfront from the Austin Street Corridor as

- 
- development occurs. The Boardwalk may be privately owned with public access easements along the Bayfront.
- 5.6 Recommended Terminated Vistas – This designation identifies locations that terminate key streets or view corridors. At these locations, special attention should be given to the design of new buildings and sites to take advantage of the key location.
- 5.7 Required and Recommended Civic/Open Space - The Required and Recommended Civic/Open Space designations shall indicate the locations of desired civic and open spaces (including parks, plazas, paseos and squares) to implement the Heritage District Master Plan. The Required and Recommended paseos may either be publicly dedicated or privately owned with appropriate access easements.
- 5.8 Recommended Gateway Feature – This designation is intended to indicate the locations of recommended Gateways into the Heritage District, specifically at Market and Austin Streets. The Gateway feature shall be designed to create a sense of arrival at the core of the Heritage District and shall include a vertical element that provides orientation to the rest of the District.
- 5.9 Recommended Civic Building Sites - The Recommended Civic Building Sites designation shall indicate the locations of desired civic buildings (public and community buildings) to implement the Heritage District Master Plan.



## 6. CHARACTER DISTRICT BUILDING FORM & DEVELOPMENT STANDARDS

**6.1 GENERAL REQUIREMENTS.** The following shall apply to all Character Districts unless otherwise noted.

**#1 Applicability:** Building Form and Development Standards in this section shall apply to new construction, additions, or substantial modifications as established in Table 3.1.

**#2 Story:** Where a building is limited by a prescribed number of stories, the term "story" shall be as defined by the applicable Building Code. Refer to the Building Code for special exceptions regarding mezzanines and attics, which may, or may not, constitute a "story."

**#3 Building Height:** Where a building is limited by a prescribed HEIGHT in feet, the method of measuring building height shall be as set forth in this Code.

**#4 Primary facade:** The primary facade is the building facade fronting along the public right of way, or if fronting more than one ROW, the primary facade shall be the facade fronting the Type 'A' street.

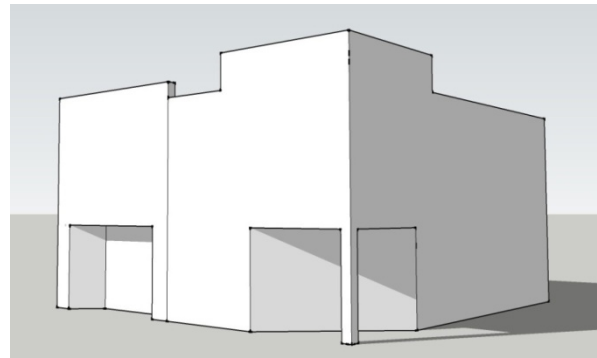
**#5 Building height at corners:** Unless otherwise noted, where a building corner fronts on two public Rights-of Way, a building's maximum allowable height may be increased by a height of 5' or 15% of the primary facade's building height (whichever is more). The additional height is allowed from a distance of 20' measured from the corner property lines.  
(add illustration)

**#6 Shared parking:** Wherever parking is required, or provided, cross access easements and shared parking is encouraged to maximize parking efficiency and reduce the number of curb cuts on the street. Parking may be provided off-site within 1,200 feet of the subject property or based on a shared parking plan approved by the City Manager or designee.

**#7 Screening of parking:** Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from the Planting List in Chapter 106 of the Rockport Code of Ordinances. The required Street Screen shall be located within the BTZ along the corresponding frontage.

**#8 Parking lots:** The design of surface parking lots shall be meet the standards in Chapter 118 of the City of Rockport Code of Ordinances.

**#9 Recessed entries** shall be permitted in any overlay zone and within the BTZ (Build-to Zone) or along the BTL (Build-to Line). Recessed entries are permitted according to the figure below. Recessed entries on buildings that are built to the front property line shall be required.



*Illustration of permitted recessed entries.*

**#10 Required Ceiling Heights:** Where there is a required minimum ceiling height, the ceiling height shall extend from the primary facade, to a minimum depth of 15' back from the façade. The height is measured from finish floor to the finish ceiling. Structural and decorative beams may extend below the required ceiling height a max. of 18" deep and 12" wide.

**#11 Roof-mounted equipment:** Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

**#12 Off-street loading and unloading** areas and access shall be located along Type 'B' Streets or alleys. Loading may occur from a Type 'A' Street only if the property has no feasible access to either a Type "B" Street or vehicular alley.

**#13 Base Flood elevations:** Within the RHDZO, the following options are available to address the base flood elevation required for new construction.

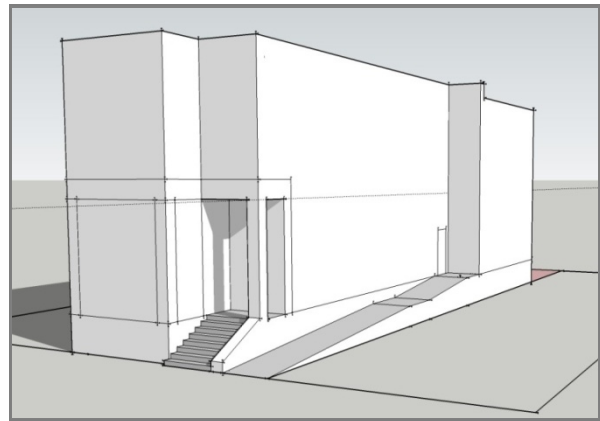
**Dry Flood Proofing:** Within the Waterfront and Austin Corridor overlay districts, entrances located on the building's primary facade shall be at the sidewalk level. Dry Flood Proofing shall be the preferred method used to protect the space inside the building below the Base Floor Elevation. Stairs and ramps may be incorporated inside the building envelop to transition to a higher level. In the case that dry flood Proofing is not feasible, ramps shall be positioned to minimize the impact and accessibility of the commercial storefront. Exterior stairs and ramps or other approaches shall only be permitted within the Waterfront and Austin Corridor overlay districts with the approval of the RHDB.



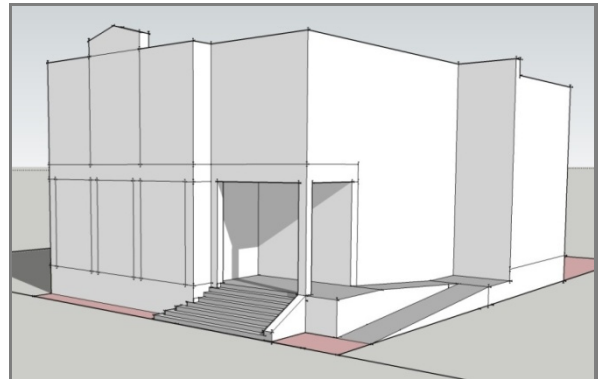
*Example of Dry Flood Proofing removable panels utilized in a Bank Building in Naples Fl. – Appropriate in the Austin Street Corridor and Waterfront Overlay Districts.*

**Exterior Ramps and Stairs:** If an exterior ramp is required in order to accommodate access to a raised Base Flood Elevation, the ramp shall be oriented perpendicular to the primary facade in order to minimize the visual impact and pedestrian accessibility of the primary facade. Exterior ramps and stairs may be used in all other overlay districts. Other approaches may be used in all other overlay districts only with the approval of the RHDB.

If an exterior stair is required to accommodate access to a raised Base Floor Elevation, the steps shall be located towards the primary entrance along the primary facade.



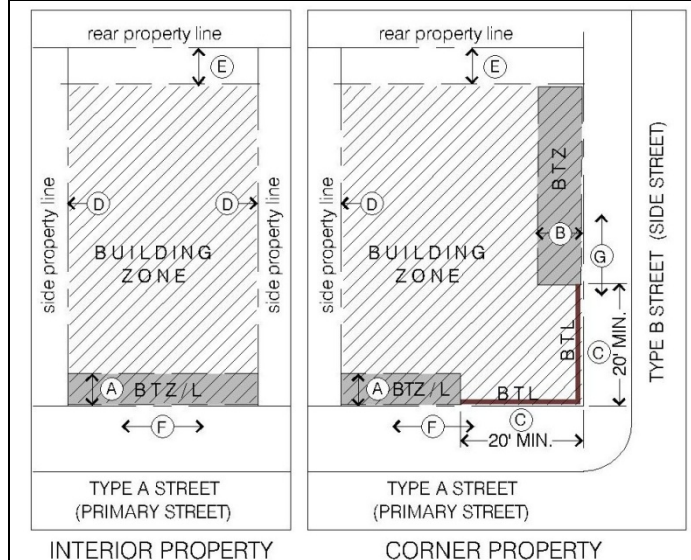
*Example of a narrow building and parcel (less than 50 feet in width) showing a straight ramp perpendicular to the sidewalk to maximize storefront exposure and access. (Railings and other architectural details not shown)*



*Example of a wider parcel (50' wide or greater) and building showing a "switch back" ramp and stair. (Railings and other architectural details not shown)*



KEY PLAN  
AUSTIN STREET CORRIDOR

**6.2 Austin Street Corridor Overlay****6.2.1 BUILDING PLACEMENT****BUILD-TO LINE/ZONE (BTL/Z)**

(Distance from property line to edge of the zone)

<b>A</b>	Front (Type 'A' Street / Civic Space) See Section 6.1 #9 (recessed entries)	Match existing adjacent building, or max. 5', whichever is less
<b>B</b>	Front (Type 'B' Street) see Section 6.1 #12 (off street loading)	0' – 6' (see #1)
<b>C</b>	Street Corners	0' Build-to Line as shown on diagram

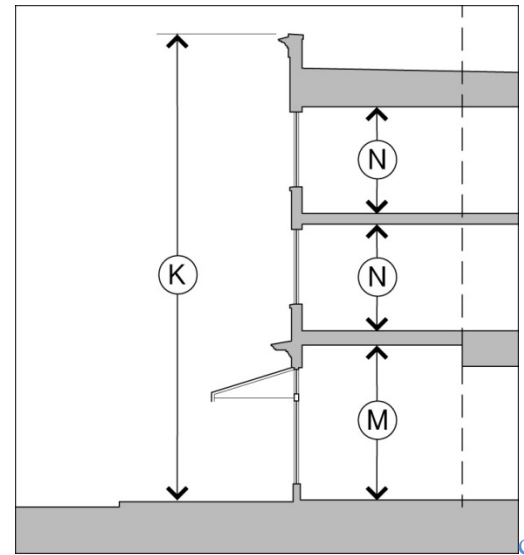
**SETBACKS**

<b>D</b>	Side (adjacent to private property)	None required
<b>E</b>	Rear	12 feet min. (if intended to accommodate future alley); 5' (min.) in all other cases

**PERCENT of BUILDING FRONTAGE**

(percent of building facade that must be constructed within the Build-to Line/Zone)

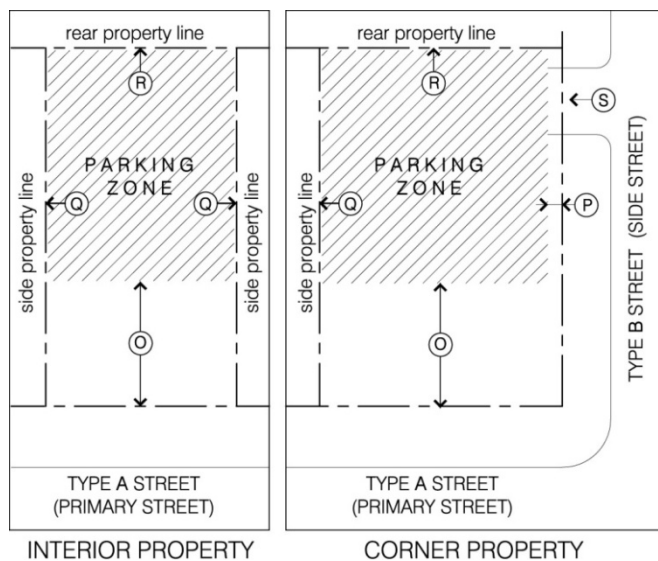
<b>F</b>	Building Frontage required along Type 'A' street/civic space BTZ	80% (min.) See Section 6.1 #5 (corner buildings); Section 6.1 #13 (flood elevation) and #3
<b>G</b>	Building Frontage required along Type 'B' street BTZ	50% (min.) See Section 6.1 #5 (corner buildings) and #3

**6.2.2 BUILDING FORM**

<b>K</b>	Building minimum	1 story
<b>K</b>	Building maximum	52' and no greater than 3 stories (also see #4)
<b>M</b>	First floor min. floor to ceiling height at facade	Match adjoining historic building (if any) or no less than 14'
<b>N</b>	Upper floors min. floor to ceiling height at facade	9' min.

**6.2.3 COMMERCIAL FRONTAGE REQUIREMENTS**

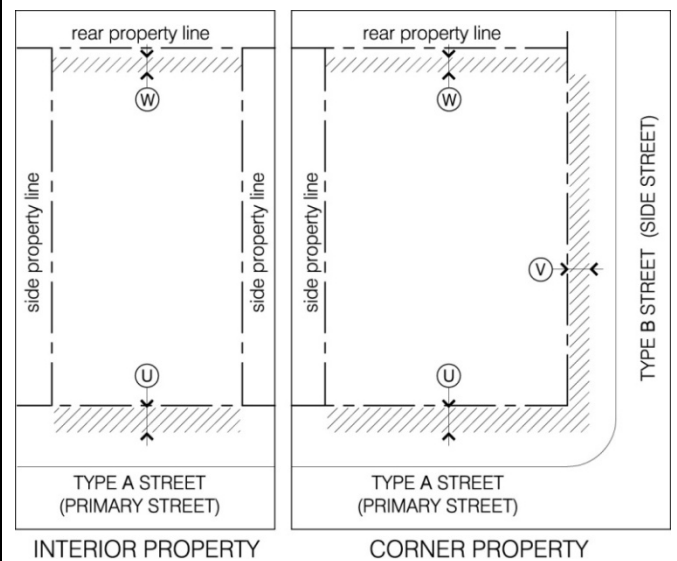
Ground floors of all buildings with direct frontage along all Type 'A' Streets as designated in the Regulating Plan shall not be occupied by residential units and/or lodging rooms in hotels to a minimum depth of 30 feet as measured from the front building line. In addition, all ground floors along Type 'A' Streets shall be built to Retail Ready Standards.

**6.2.4 PARKING****PARKING LOCATION (distance from property line)****At and Above Grade Parking**

<b>O</b>	Front setback (Type 'A' Street/Civic space) at Ground level (first floor)	Shall be located behind the principal building (or minimum 20' behind the property line (which ever is less).
	Front setback at upper floors for structured parking (above grade)	Behind primary facade
<b>P</b>	Type 'B' Street setback at Ground level (first Floor)	Min. of 3' behind the building facade line along that street
	Type 'B' Street setback at upper floors for structured parking (above grade)	At or behind the building façade line along that street
<b>Q</b>	Side setback	0' min.
<b>R</b>	Rear setback	0' min.
<b>S</b>	Driveway width shall not exceed 24'. New driveways shall <u>not</u> be located on Austin Street (or type A Streets). Driveway access, if provided, shall be located on side streets (Type 'B' Streets or alleys).	

**REQUIRED PARKING SPACES**

No required parking for all uses in this zone.

**ENCROACHMENTS****LOCATION OF ENCROACHMENTS**

<b>U</b>	Type 'A' Street / Civic Space (Front)	50% of the depth of the sidewalk or 6' (whichever is greater)
<b>V</b>	Type 'B' street (Side)	6' max
<b>W</b>	Rear	May encroach up to the rear property line within the setback area only

**Canopies, awnings, signs, galleries, and balconies** may encroach over the BTZ and setback areas as indicated in the shaded areas as long as the vertical clearance is a minimum of 8' from the finished sidewalk elevation. In no case shall an encroachment be located over an on-street parking or travel lane.

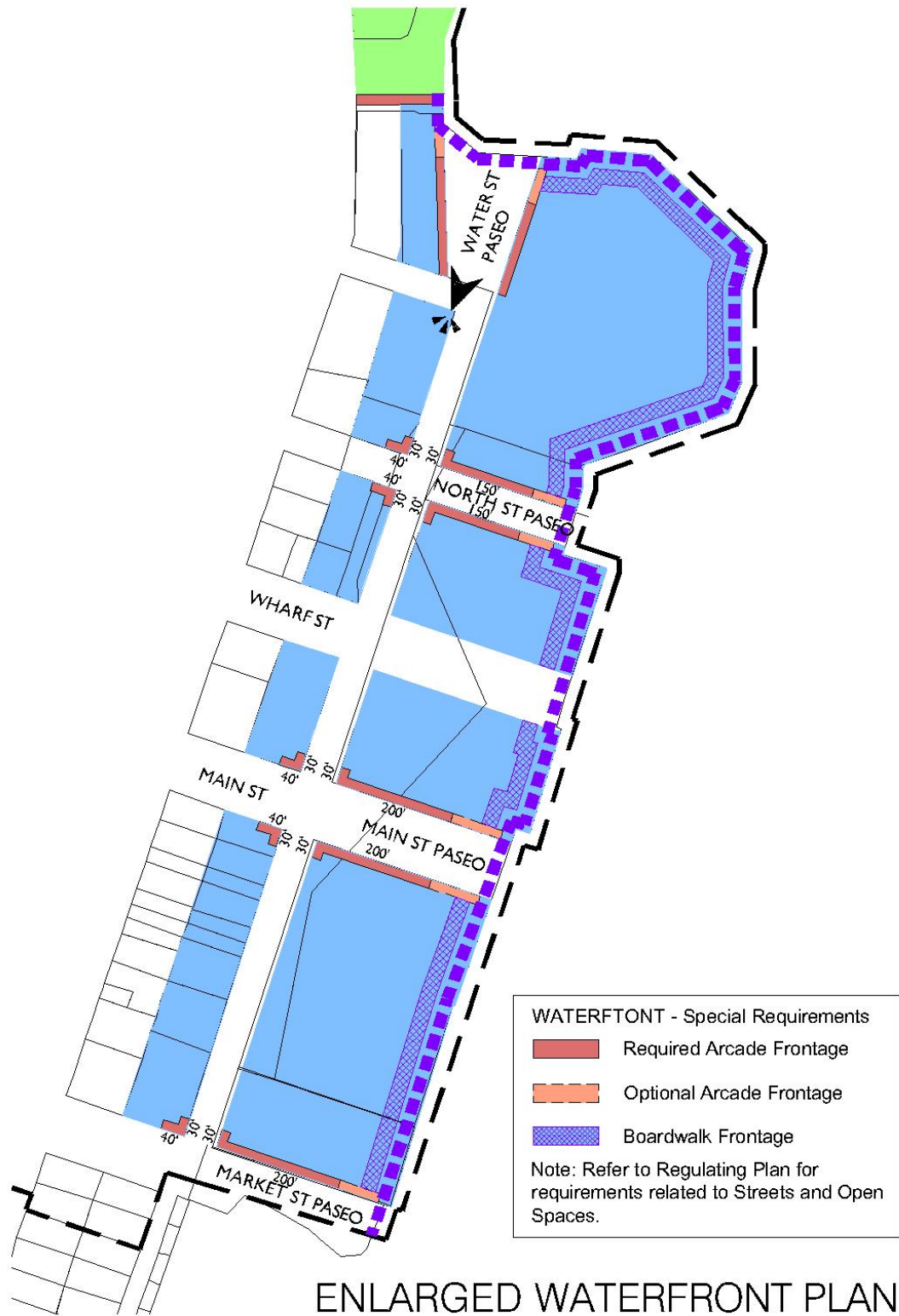
**NOTES**

- #1 – Area between the building and the edge of the BTZ at the public sidewalk shall be paved to be flush with the sidewalk.
- #2 – Corner building street facades must be built to the BTZ for a minimum of 20' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors and sides meet the *Build-to Zone* or *Build-to Line* standards.
- #3 – Any exterior ramps and/or stairs required to meet Americans with Disabilities Act (ADA) standards shall not count against the required building frontage along that street.
- #4 – Any building height that exceeds the height permitted under the underlying zoning district may only be approved if a Special Permit is granted per Chapter 118, Article 23 of the City of Rockport Code of Ordinances or if approved as a Planned Unit Development (PUD) per Chapter 118, Article 19 of the City of Rockport Code of Ordinances.



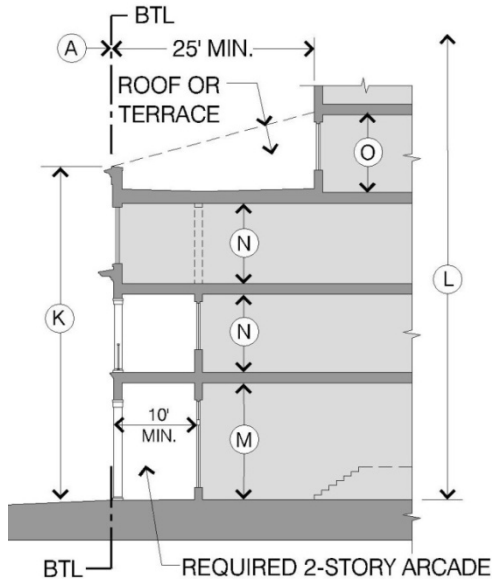


**KEY PLAN  
WATERFRONT OVERLAY**

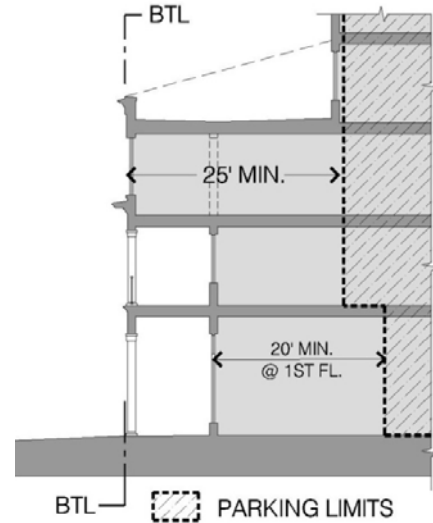
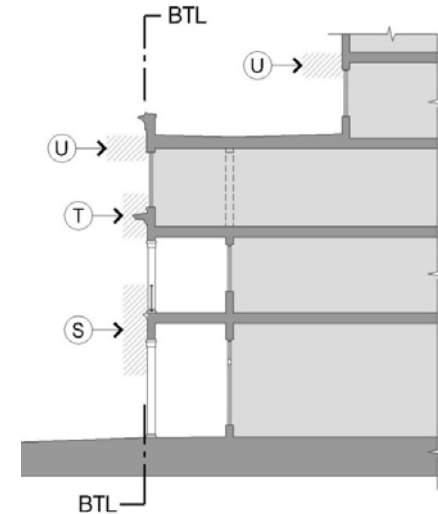


**6.3 Waterfront Overlay District**

6.3.1 In the Waterfront Overlay, site development and building form shall be regulated primarily by **FRONTAGE TYPE**. Refer to the Enlarged Waterfront Overlay Regulating Plan on the previous page for Frontage Type locations.

**6.3.2 FRONTAGE TYPE - ARCADE****BUILDING FORM AND HEIGHT**

<b>A</b>	Build-to-line - BTL	7' – East side of Water Street
		0' – All other locations (see note 1 below)
<b>K</b>	Min. building height	2 stories
	Max. building height (at Right-of Way)	52' and no greater than 3 stories (Also see Note #3)
<b>L</b>	Max. building height beyond stepback (East side of Water Street only)	100' and no greater than 6 stories (Also see Note #3)
<b>M</b>	First Floor - floor to ceiling height	14' min.
<b>N</b>	Upper floor to ceiling height	10' min.
<b>O</b>	Above third floor	No min.
<b>Building Frontage Required</b>		% of Building facade that must be constructed to the BTL = 80%
i. Where an arcade abuts a Paseo that is currently not defined by a public Right-of-Way, the public easement, and therefore the BTL, will be as determined by the City of Rockport. The recommended Paseo width shall be equal to the Street Right-of-Way that is being extended (but no less than 50').		

**PARKING LOCATION****ENCROACHMENTS**

<b>S</b>	Blade signs	Shall project no more than 3 feet horizontally and 8' vertically – shall not extend above second floor railing
<b>T</b>	Architectural details	Architectural details shall not project more than 2' from the building façade
<b>U</b>	Window awnings	Window awnings shall not project more than 5' horizontally and 3' vertically.

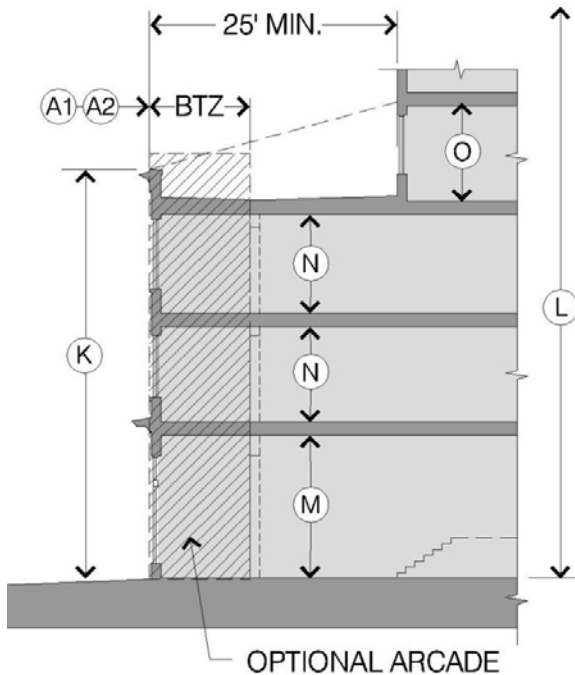
**Notes:**

- #1 - No encroachments shall project below 8' above finish grade.
- #2 - Storefront awnings are not permitted along arcades
- #3 - Any building height that exceeds the height permitted under the underlying zoning district may only be approved if a Special Permit is granted per Chapter 118, Article 23 of the City of Rockport Code of Ordinances or if approved as a Planned Unit Development (PUD) per Chapter 118, Article 19 of the City of Rockport Code of Ordinances.

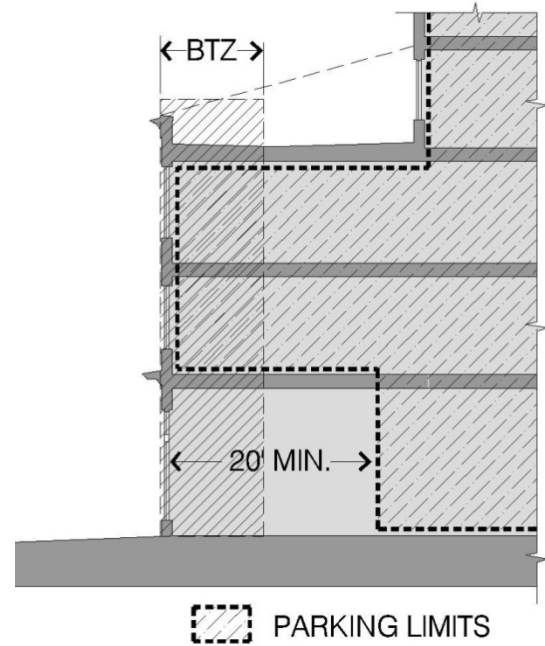


**6.3.3 FRONTAGE TYPE - STOREFRONT**

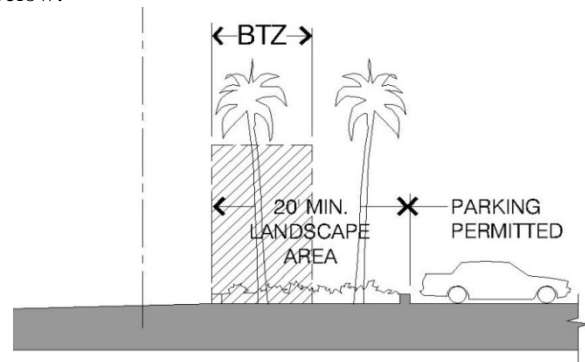
The STOREFRONT FRONTAGE type will apply anywhere in the Waterfront Overlay that the building fronts on a public right of way, except where an ARCADE frontage is required.

**BUILDING FORM**

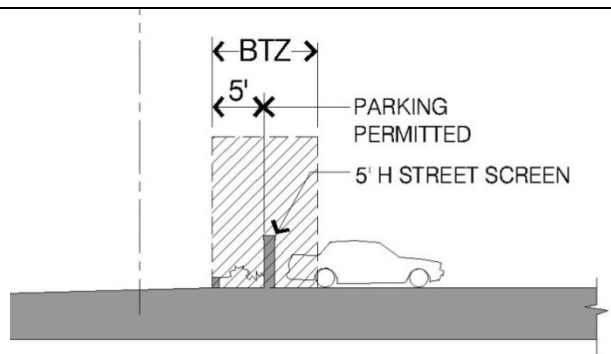
<b>A1</b>	BTZ (west side of Water Street)	7' - 17'
<b>A2</b>	BTZ (all other areas)	0'-10'
<b>K</b>	Min. Building Height	1 story
	Max. Building Height (at Right-of Way or Public Easement)	52' and no greater than 3 stories (Also see Note #4)
<b>L</b>	Max. Building Height beyond setback (East side of Water Street only)	100' and no greater than 6 stories (Also see Note #4)
<b>M</b>	First Floor - floor to ceiling height	15' min.
<b>N</b>	Second-Third floors - floor to ceiling height	10' min.
<b>O</b>	Above third floor	No min.
<b>Building Frontage Required- Type A Street:</b> % of Building facade that must be constructed in the BTZ		75%
<b>Building Frontage Required - Type B Street:</b> % of Building facade that must be constructed in the BTZ		40%

**PARKING LOCATION**

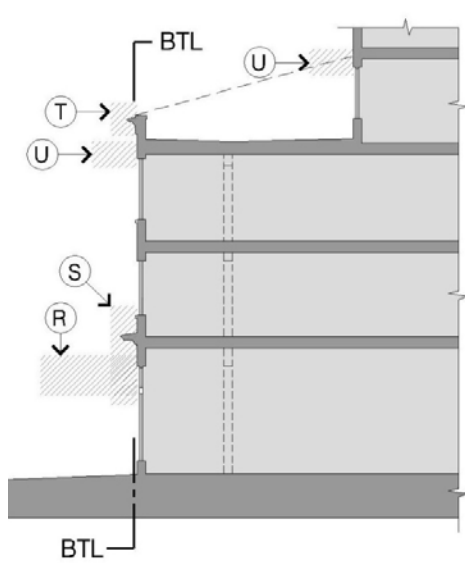
Parking areas located along Water Street shall be buffered from the sidewalk in compliance with one of the two options below:



Option 1



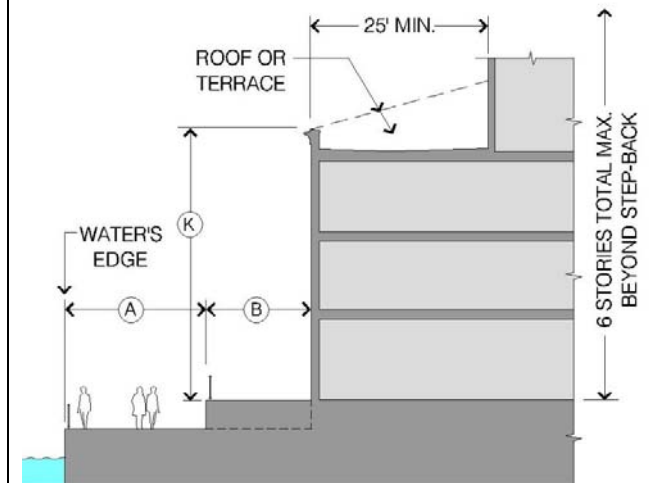
Option 2

**ENCROACHMENTS**

<b>R</b>	Awnings	Shall project a min. of 5' and a max. of 10'.
<b>S</b>	Blade signs (Building and Tenant)	Shall project no more than 6' (Building Blade Signs) or 4' (Tenant Blade Signs) horizontally (per Section 9 of this Code) and 8' vertically – shall not extend above second floor railing
<b>T</b>	Architectural details	Architectural details shall not project more than 2' from the building façade
<b>U</b>	Window awnings	Window awnings shall not project more than 5' horizontally and 3' vertically.

**Notes:**

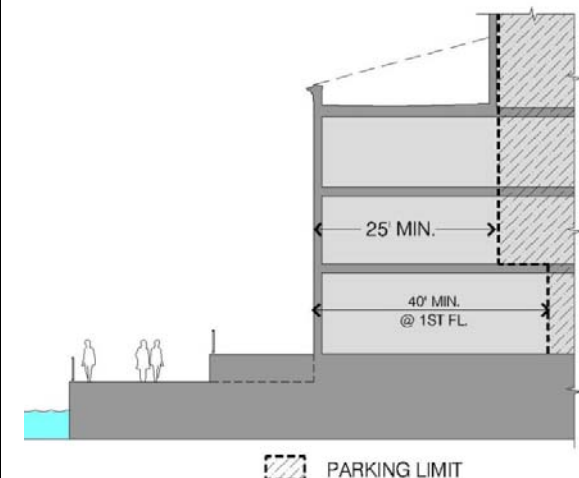
- #1 - No encroachments shall project below 8' above finish grade.  
 #2 - Storefront awnings are not permitted along arcades.  
 #3 - No awnings shall project over a driveway or public right of way.  
 #4 - Any building height that exceeds the height permitted under the underlying zoning district may only be approved if a Special Permit is granted per Chapter 118, Article 23 of the City of Rockport Code of Ordinances or if approved as a Planned Unit Development (PUD) per Chapter 118, Article 19 of the City of Rockport Code of Ordinances.

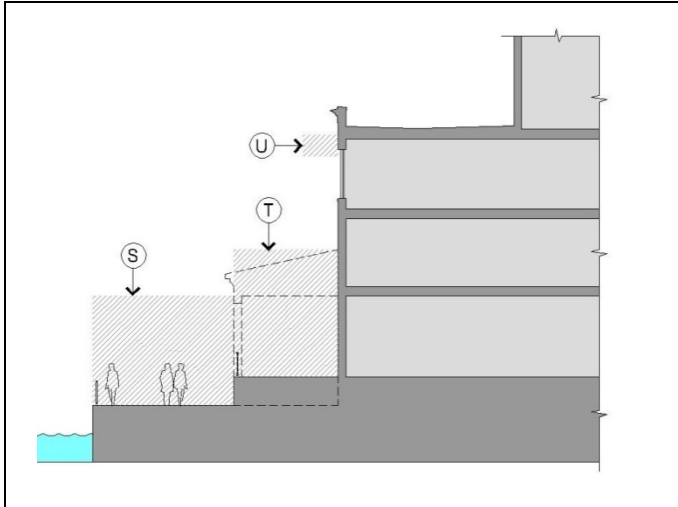
**6.3.4 FRONTAGE TYPE - BOARDWALK****BUILDING FORM**

<b>A</b>	Public Boardwalk	20' min.
<b>B</b>	Building setback - may be an extension of the Boardwalk or a semi-private raised terrace.	15' min.
<b>K</b>	Max. height at outer buildable zone	52' or no greater than 3 stories (Also see Note #3)
	Max. height beyond stepback	100' or no greater than 6 stories (Also see Note #3)

**Notes:**

- #1 - There are no BTZ or BTL's for this frontage type.  
 #2 - There are no min. or max. ceiling heights for this frontage type.  
 #3 - Any building height that exceeds the height permitted under the underlying zoning district may only be approved if a Special Permit is granted per Chapter 118, Article 23 of the City of Rockport Code of Ordinances or if approved as a Planned Unit Development (PUD) per Chapter 118, Article 19 of the City of Rockport Code of Ordinances.

**PARKING LOCATION**



### BOARDWALK FRONTAGE - ENCROACHMENTS

<b>S</b>	Boardwalk encroachments	Open, gazebo-like structures are permitted within the Boardwalk and shall be consistent with Boardwalk construction and details.
<b>T</b>	Terrace encroachments	1-story open structures including porches, gazebos, cabanas and pergolas are permitted within the terrace area.
<b>U</b>	Window awnings	Window awnings shall not project more than 5' horizontally and 3' vertically.

### WATERFRONT OVERLAY GENERAL

Ground floors of all buildings designated as Arcade Frontage within the Waterfront Overlay District shall not be occupied by residential units and/or lodging rooms in hotels to a minimum depth of 20 feet as measured from the front building line.

**Entrances:** building entrances along the Arcades shall be located no more than 18" above the street/paseo sidewalk level. Stairs and ramps required to reach Base Flood Elevation shall be internalized within the building. Dry Flood Proofing may be used to protect floor elevations below the Base Flood Elevation.

**Parking - Number of spaces:**

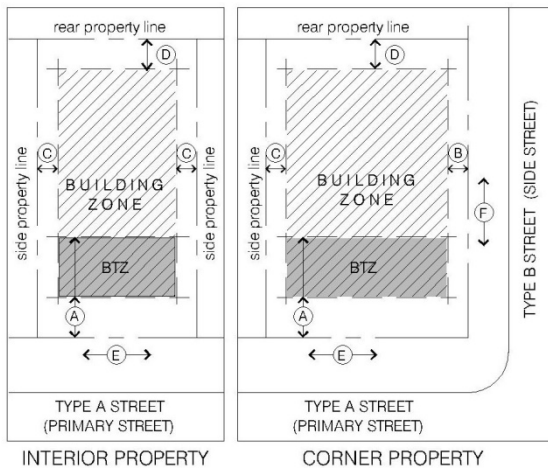
Commercial uses – 1 space for every 300 square feet of gross floor area

Residential uses – 1.5 spaces per unit

Lodging uses – 1 space per lodging room



**KEY PLAN  
NEIGHBORHOOD MIXED USE**

**6.4 Neighborhood Mixed Use District (See Note #1)****6.4.1 BUILDING PLACEMENT****BUILD-TO LINE/ZONE (BTL/Z)**

(Distance from property line to edge of the zone)

<b>A</b>	Front setback / BTZ	10' (min.) – 25' (max.)
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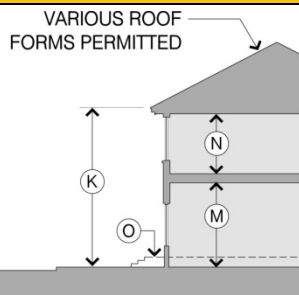
**SETBACKS**

<b>B</b>	Side Street setback	5' min.
<b>C</b>	Adjacent property side yard	5' min. (lots ≥ 30' wide) 3' min. (lots < 30' wide)
<b>D</b>	Rear	5' min.

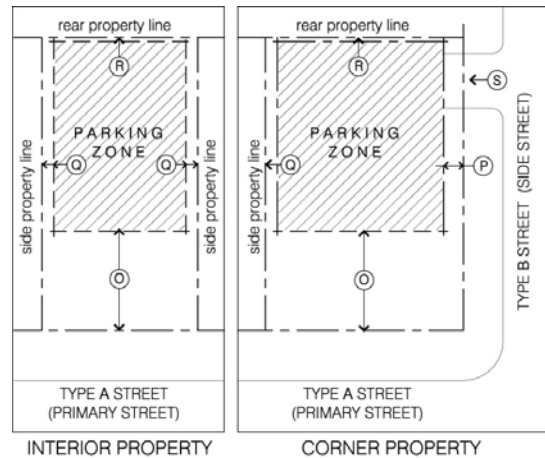
**BUILDING FRONTAGE REQUIREMENT**

(percent of building facade that must be constructed within the Build-to Line/Zone)

<b>E</b>	Building Frontage required along Type A Street	60% for a min. building depth of 20'
<b>F</b>	Building Frontage required along Type B Street	None required

**6.4.2 BUILDING FORM AND HEIGHT**

<b>K</b>	Building minimum	1 story
<b>K</b>	Building Maximum	40' and no greater than 2 stories (See #2)
<b>M</b>	First floor to floor height (or floor to bottom of roof framing for 1-story buildings)	12' min. for commercial 10' min. for residential
<b>N</b>	Upper level ceiling height	Min. 9'
<b>O</b>	Min. ground floor elevation (residential uses only)	18" min. above sidewalk (for buildings setback 10' or less) None for buildings setback 10' or more

**6.4.3 PARKING****LOCATION (distance from property line)**

<b>O</b>	Primary Street front setback	20' min.
<b>P</b>	Side Street setback	5' min.
<b>Q</b>	Adjacent property	3' if separated by landscape area; 0' if separated by Street Screen
<b>R</b>	Rear setback	1'
<b>S</b>	Parking driveway width	24' max.

**NUMBER OF SPACES REQUIRED**

Number of parking spaces required shall either meet the standard below or as required by the underlying zoning district, whichever is the lesser of the two. See note Section 6.1 #6 (shared parking)

All Commercial Uses	1 space per every 300 sq.ft. of floor area
Residential Uses	2 spaces per unit for single-family detached residential 1.5 spaces per unit for multi-family residential and single-family attached (including townhomes, duplexes, triplexes, and multi-unit residential)
Civic or Religious Uses	1 space per 500 sq.ft. of floor area

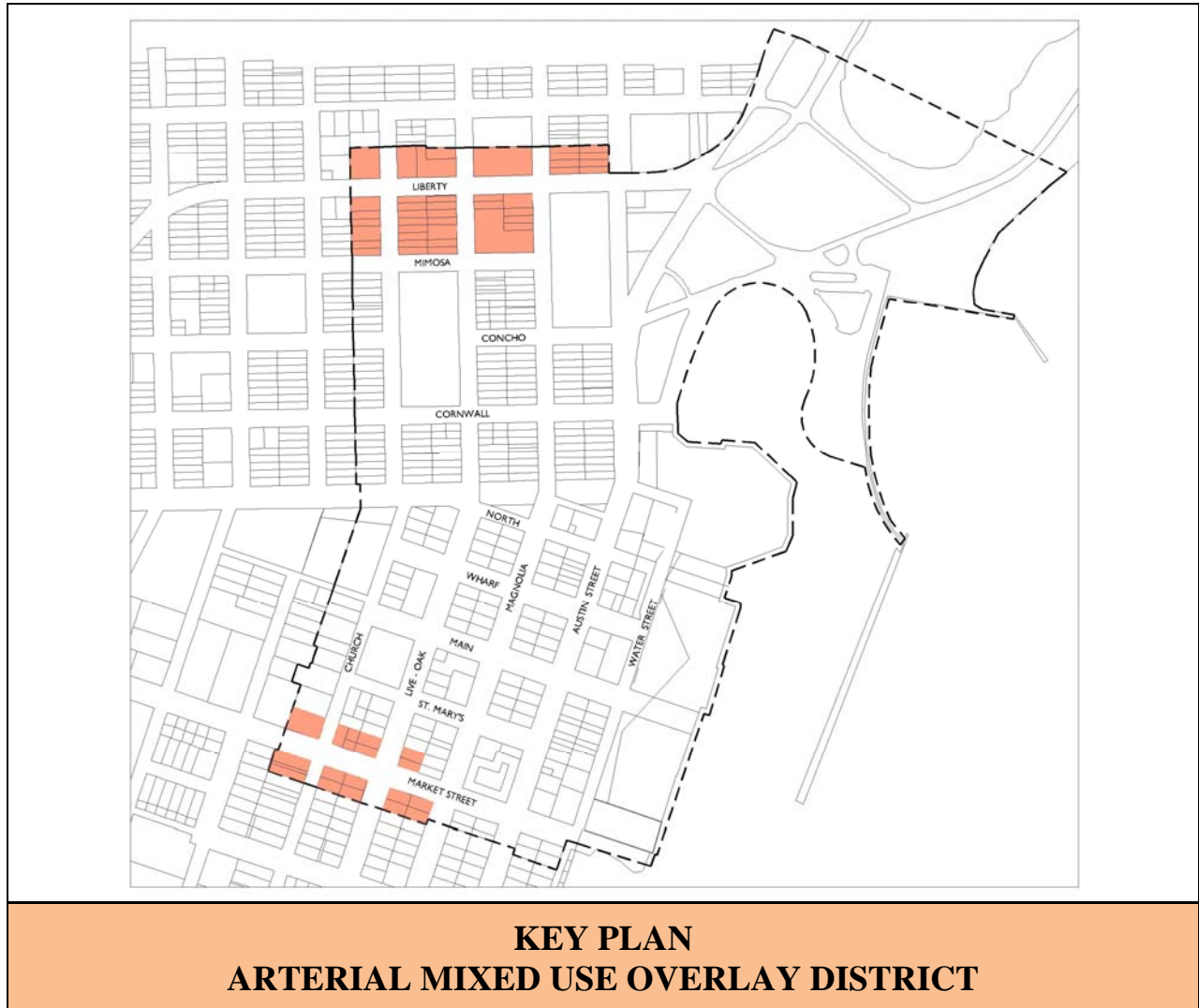
**6.4.4 GENERAL REQUIREMENTS**

**Encroachments:** Canopies, signs, awnings, galleries, and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width or 6' (whichever is greater). In no case shall an encroachment be located over an on-street parking or travel lane.

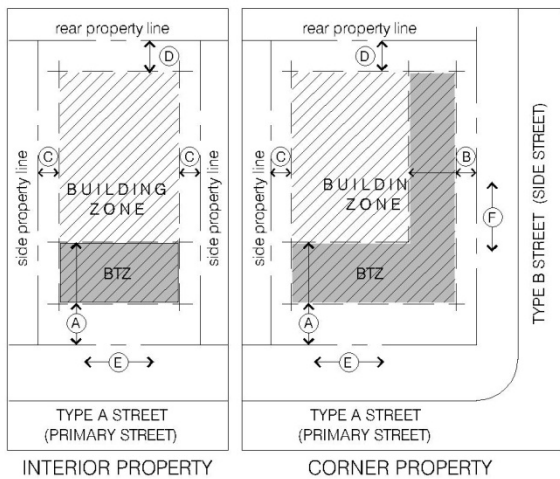
**Notes:**

#1 - Standards in this subsection shall NOT apply to single-family and two-family residential units that are existing at the time of initial adoption of the RHDZO. Rather, the underlying zoning district standards shall apply with respect to setbacks, height, etc.

#2 - Any building height that exceeds the height permitted under the underlying zoning district may only be approved if a Special Permit is granted per Chapter 118, Article 23 of the City of Rockport Code of Ordinances or if approved as a Planned Unit Development (PUD) per Chapter 118, Article 19 of the City of Rockport Code of Ordinances.





**6.5 Arterial Mixed Use Overlay****6.5.1 BUILDING PLACEMENT****BUILD-TO LINE/ZONE (BTL/Z)**

(Distance from property line to edge of the zone)

<b>A</b>	Front (Type 'A' Street / Civic Space)	10' – 25' (see #1)
<b>A</b>	Front (Type 'B' Street)	10' – 25'

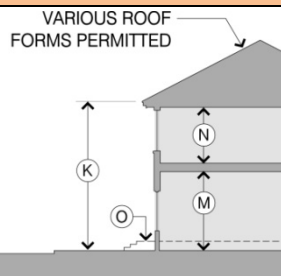
**SETBACKS**

<b>A</b>	Front (Type 'A' Street / Civic Space)	10' (min.) 25' (max.)
<b>B</b>	Front (Type 'B' Street)	10' (min.) 25' (max.)
<b>C</b>	Side (adjacent property)	0'
<b>D</b>	Rear	5' min.

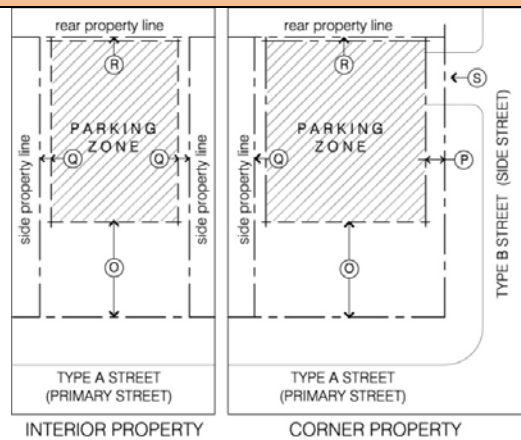
**PERCENT of BUILDING FRONTAGE**

(percent of building facade that must be constructed within the Build-to Line/Zone)

<b>E</b>	Building Frontage required along Type 'A' street/civic space BTZ	40% (min.)
<b>F</b>	Building Frontage required along Type 'B' street BTZ	20% (min.)

**6.5.2 BUILDING FORM AND HEIGHT**

<b>K</b>	Building minimum	1 story
<b>K</b>	Building Maximum	52' and no greater than 3 stories (see #3)
<b>M</b>	First floor to floor height (or floor to bottom of roof framing for 1-story buildings)	15' min. for commercial 10' min. for residential
<b>N</b>	Upper level floor to floor	No min. (comply with Applicable Building Code)

**6.5.3 PARKING****LOCATION (distance from property line)****Surface Parking**

<b>O</b>	Type 'A' Street	Shall be located a min. of 2' behind the building facade line located within the Build-to Zone.
<b>P</b>	Type 'B' Street	10' if separated by a landscape area, 6' if separated by a <i>Street Screen</i> .
<b>R</b>	Rear setback	0' min.
<b>Q</b>	Side setback (adjacent property)	0' min.
<b>S</b>	Driveway access	Driveways to be located on Side Street or Type 'B' Street whenever possible Max. driveway width to be 24'. See note 2 (loading areas)

**NUMBER OF SPACES REQUIRED**

Number of parking spaces required shall either meet the standard below or as required by the underlying zoning district, whichever is the lesser of the two.

All Commercial Uses	1 space per every 300 sq.ft. of floor area
Lodging uses	1 space per lodging room
Residential Uses	1 space per residential unit
Civic or Religious Uses	1 space per 500 sq.ft. of floor area

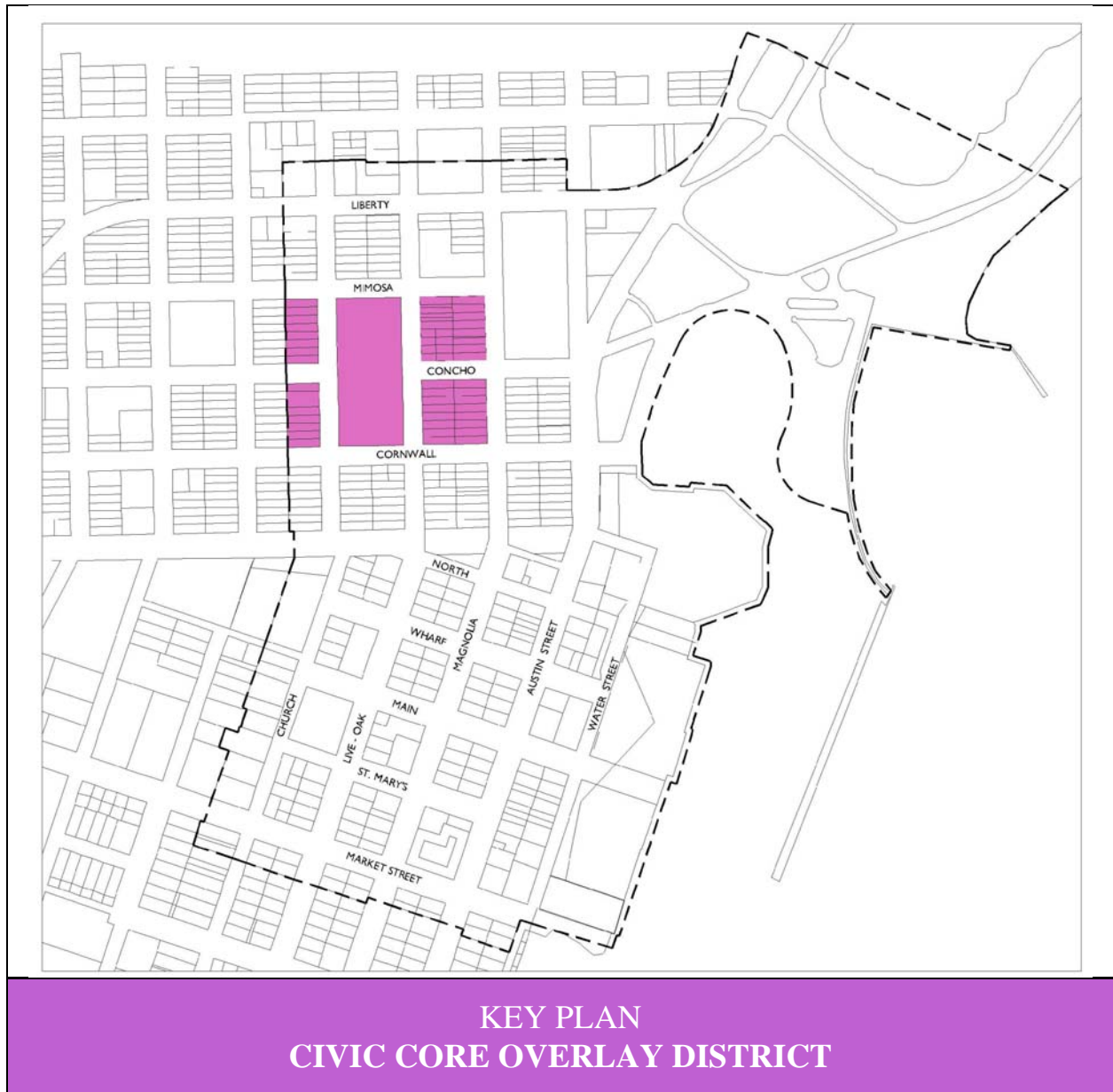
**6.5.4 GENERAL REQUIREMENTS****Encroachments:** Canopies, signs, awnings, galleries, and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width or 6' (whichever is greater). In no case shall an encroachment be located over an on-street parking or travel lane.**NOTES**

#1 – The primary building entrance shall be connected to the sidewalk along the Primary Street by a sidewalk or paved area a minimum 5' wide.

#2 – Off-street loading and unloading shall be located along Type "B" Streets or alleys only unless the property has no feasible access to either a Type "B" Street or vehicular alley.

#3 – Any building height that exceeds the height permitted under the underlying zoning district may only be approved if a Special Permit is granted per Chapter 118, Article 23 of the City of Rockport Code of Ordinances or if approved as a Planned Unit Development (PUD) per Chapter 118, Article 19 of the City of Rockport Code of Ordinances.

**ARTERIAL MIXED USE OVERLAY**

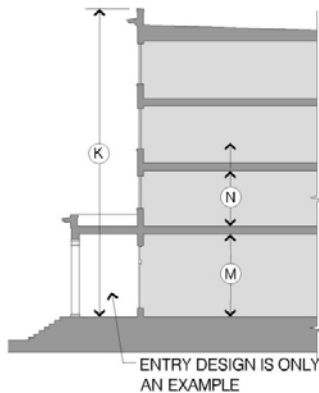




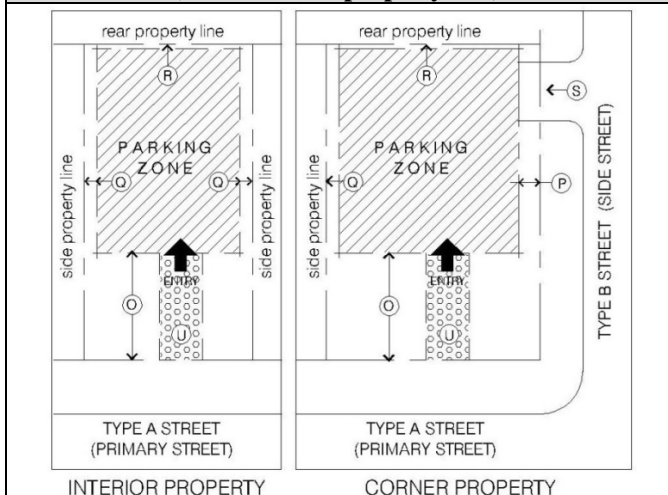
**6.6 Civic Core Overlay District (See Note #2)****6.6.1 BUILDING LOCATION****BUILD-TO LINE/ZONE (BTL/Z)**

(Distance from property line to edge of the zone)

- i. Civic Buildings are not required to have any setback or build-to zone standards in this district. However, all civic buildings shall meet the building form and parking standards in this district. Civic buildings shall be approved only after a site plan has been approved by the City Council per Section 3.11.
- ii. Non-Civic Buildings (privately owned buildings), shall comply with Building Form and Location Standards in the Neighborhood Mixed Use Zone.

**6.6.2 BUILDING FORM**

<b>K</b>	Building minimum	1 story
<b>K</b>	Building Maximum	65' and no greater than 4 stories (Also see Note #1)
<b>M</b>	First floor to floor height (or floor to bottom of roof framing for 1-story buildings)	15' min. for civic or commercial 10' min. for residential
<b>N</b>	Upper level floor to floor	10' min. floor to ceiling for civic buildings No min. requirement for non-civic buildings.

**6.6.3 PARKING****LOCATION (distance from property line)****At Grade Parking**

<b>O</b>	Front setback	Shall be located a min. of 3' behind the building facade line that faces the Primary Street (or Type A Street).
<b>P</b>	All other street frontages (sides or rear)	10' if separated by a <i>landscape area</i> 5' if separated by a <i>Street Screen</i> .
<b>Q</b>	Side setback (adjacent property)	0' min. 5' if abutting a residential use
<b>R</b>	Rear setback (abutting adjacent property)	0' min. 5' if abutting a residential use
<b>S</b>	Driveways to be located on Side Street whenever possible. Max. driveway width to be 24'.	
<b>U</b>	A vehicle-free "clear zone", a minimum of 15' wide, shall be maintained extending from the primary entrance to the Primary (Type 'A') Street sidewalk. The zone shall incorporate a min. 6' wide sidewalk(s) or plaza with low landscaping (not exceeding 18" high). No driveways, drop-offs or parking is to be located within this zone.	

**Below and Above Grade Parking**

Allowed up to R-O-W/Property Line  
Allowed below Civic Space if providing public parking

**NUMBER OF SPACES REQUIRED**

Number of parking spaces required shall either meet the standard below or as required by the underlying zoning district, whichever is the lesser of the two.

All Commercial Uses	1 space per every 300 sq.ft. of floor area
Residential Uses	1 space per residential unit
Civic or Religious Uses	1 space per 500 sq.ft. of floor area

**6.6.4 GENERAL REQUIREMENTS**

**Encroachments:** Canopies, signs, awnings, galleries, and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. and the encroachment does not exceed 50% of the required sidewalk width or 6' (whichever is greater). In no case shall an encroachment be located over an on-street parking or travel lane.

**NOTES:**

#1 - Any building height that exceeds the height permitted under the underlying zoning district may only be approved if a Special Permit is granted per Chapter 118, Article 23 of the City of Rockport Code of Ordinances or if approved as a Planned Unit Development (PUD) per Chapter 118, Article 19 of the City of Rockport Code of Ordinances.

#2 - Standards in this subsection shall NOT apply to single-family and two-family residential units that are existing at the time of initial adoption of the RHDZO. Rather, the underlying zoning district standards shall apply with respect to setbacks, height, etc.

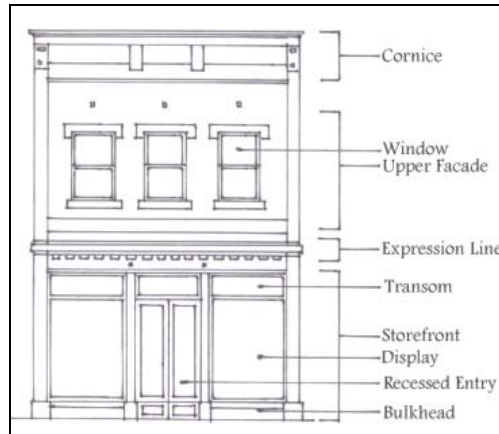
## 7. BUILDING DESIGN STANDARDS

### 7.1 Standards Specific to the Austin Street Corridor

The standards in this section shall apply to all redevelopment and new development within the Austin Street Corridor Overlay District.

7.1.1 Renovation of Existing Buildings - The following standards shall apply in reviewing and approving applications for renovation of existing buildings within the Austin Street Corridor Overlay District.

- i. Traditional Commercial Façade Components. Maintain the original character of the façade of a contributing or historic building and its component elements. The traditional historic facades consist of three major parts: (1) the storefront with large display windows and transom; (2) the upper façade with large regularly spaced windows; and (3) a decorative cornice.



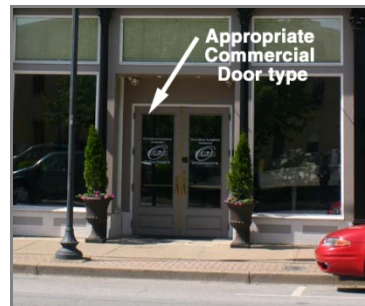
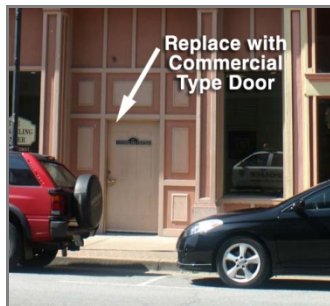
*Image showing traditional façade components on a storefront building*

- ii. Horizontal Alignment. Reinforce the established horizontal lines of facades on the block. Restore or recreate the historic horizontal alignment of architectural features such as cornices, window sills and parapets.
- iii. Storefronts. Storefront buildings should maintain the original size, shape, and design of the storefront opening. Large ground floor windows shall be maintained. Mirrored glass is not permitted. Doors shall use painted frames and unfinished aluminum or stainless steel frames are not permitted. Window and door frames may be metal with anodized or painted finish or varnished or painted wood. Residential type of opaque and paneled doors shall not be permitted.





- iv. Recessed Entrances. Maintain traditional recessed storefront entrances where they exist.
- v. Façade Elements. For historic buildings, preserve primary façade elements and building materials. If the original façade has been concealed, it shall be uncovered. If portions of the original building material must be replaced, duplicate the material used or use a similar material to the original. Use of “barn” wood or other boarded surfaces which are inconsistent with the original building design shall not be permitted. Materials that are similar in texture, pattern, and color to those of the dominant brick work found in historic buildings shall be required.
- vi. Window Materials. Aluminum tube type windows shall not be permitted along any street facing facades. Solid vinyl windows are only permitted as long as the window has a minimum frame depth of 4-1/2", is a color other than pure white, and is fabricated to fit the original window opening size. Vinyl clad wood windows may be permitted as long as they are not pure white in color.
- vii. Storefront Doors. Maintain and repair the original door or replace with a door of similar design and materials. Standard aluminum and glass commercial doors are permitted but the frames shall be painted in dark colors. Replacement doors shall be commercial type doors and shall not be of residential proportions or design.



- viii. Building Colors. Fluorescent colors shall not be permitted as primary colors of any building within the Austin Street Corridor. If brick or masonry is exposed, it shall not be painted. Existing buildings of painted brick shall be repainted and paint removal is not permitted unless approved under the Secretary of the Interior standards for rehabilitation of historic buildings. The following shall only be recommendations to follow to develop appropriate building color palettes:

Three color are sufficient to highlight any façade:

*Base Color* – is that on the upper walls and piers flanking the storefront. This shall be natural masonry or painted to look as natural as possible.

*Major Trim* – is the color that defines the decorative elements of the building, tying together the upper façade trim and the storefront. The trim color should complement the base color. Major trim elements include the building cornice, storefront cornice, window frames, sills and hoods, and storefront frame, columns, and bulkheads (kickplate).

*Minor Trim* – should enhance the color scheme established by the base and major trim. Often a darker shade of the major trim is used to highlight the window sashes, doors, and selective cornice and bulkhead details.

7.1.2 New Construction and Additions to Existing Buildings – Section 7.2 shall apply to the design of new buildings and additions to existing buildings.

## 7.2 General to all Overlay Districts

7.2.1 Building Orientation. Buildings shall be oriented towards Type “A” Streets, where the lot has frontage along Type “A” Streets. All other buildings shall be oriented towards Type “B” Streets or Civic Spaces. Primary entrances to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.

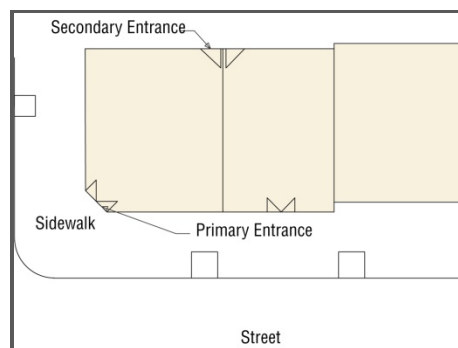


Figure showing required building orientation and location of primary entrances

### 7.2.2 Design of Parking Structures.

- i. All frontages of parking structures located on Type ‘A’ Streets shall be lined by active commercial uses on the ground floor to a minimum depth of 25’.
- ii. Parking structure facades on all public streets (except alleys) shall be designed with both vertical (façade rhythm of 20’ – 30’) and horizontal (aligning with horizontal elements in the block) articulation.
- iii. Where above ground structured parking is located at the perimeter of a building; it shall be screened in such a way that cars are not visible from adjacent buildings or the street on all parking levels.

- iv. Parking garage ramps shall not be visible from any public street. Ideally, ramps should not be located along the perimeter of the parking structure. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield lighting.



*Image showing appropriate design of Parking Structures*

#### 7.2.3 Design of Automobile Related Building and Site Elements

- i. Drive-through lanes for commercial uses shall not be located along or visible from any Type 'A' Street. Along Type 'B' Streets, no more than two drive-through lanes shall be permitted along that lot's street frontage. Drive-through lanes shall be hidden behind a Street Screen along the Type 'B' street frontage. There shall be no limit to the number of drive-through lanes located along alleys.
- ii. All off-street loading, unloading, and trash pick up areas shall be located along alleys or Type 'B' Streets only unless permitted in the specific overlay district building form and development standards in Section 7. Any off-street loading, unloading, or trash pick up areas shall be screened using a 5' (min.) high Street Screen at the BTZ.

#### 7.2.4 Building Colors

- i. Fluorescent colors shall not be permitted as primary colors of any building within the Heritage District Overlay Zone.

### **7.3 Specific to Austin Street Corridor (new construction and additions only), Waterfront, and Arterial Mixed Use Overlay Districts**

#### 7.3.1 Building Massing and Scale.

- i. Commercial and mixed use buildings shall be simple, rectilinear forms with a clear base, middle, and cap (tri-partite architecture).
- ii. An expression line or equivalent architectural element shall delineate the Base and Cap of all buildings. A Cornice shall delineate the caps of facades that do not utilize a pitched roof.
- iii. Rooflines shall be simple using flat or basic gable, hip, shed, or combination of these basic roof forms.
- iv. Projecting mansard roofs shall be prohibited.
- v. Roofing materials visible from any public right-of-way: copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.

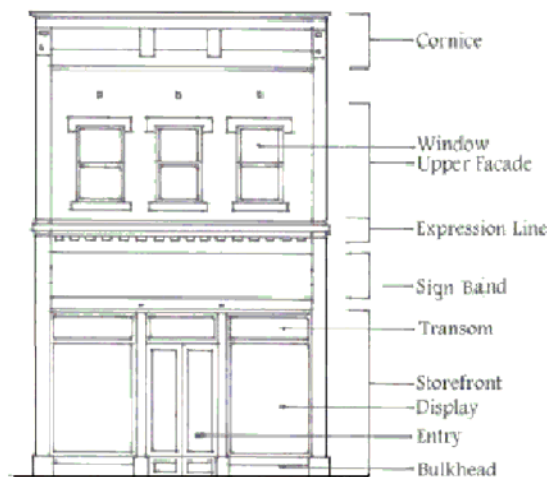




*Image of Tri-Partite Architecture*

### 7.3.2 Façade Composition.

- i. Buildings shall maintain a façade rhythm of 20 feet to 30 feet along all Type ‘A’ Streets.
- ii. This rhythm may be expressed by changing materials, or color, or by using design elements such as fenestration, columns and pilasters, or by varying the setback of portions of the façade.
- iii. For retail storefront buildings, a transom, display window area, and bulkhead at the base shall be utilized.



*Image of a typical storefront (change image)*

- iv. Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
- v. Building entrances may be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper level uses may be defined and integrated into the design of the overall building facade.

- vi. Buildings shall generally maintain the alignment of horizontal elements along the block.
- vii. Corner emphasizing architectural features, pedimented gabled parapets, cornices, awnings, blade signs, arcades, colonnades and balconies may be used along commercial storefronts to add pedestrian interest.
- viii. Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered as feature buildings. Such buildings shall be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation which is off-set from the front wall planes and goes above the main building eave or parapet line.

#### 7.3.3 Windows and Doors

- i. Windows and doors on street (except alleys) fronting facades shall be designed to be proportional and appropriate to the specific architectural style of the building. First floor windows shall NOT be opaque or mirrored glass.
- ii. All ground floor front facades of buildings along Type 'A' Streets or Civic/Open Space shall have transparent storefront windows covering no less than 60% of the façade area. Each upper floor of the same building facades facing a Type 'A' Street or Civic/Open Space shall contain transparent windows covering at least 40% of the façade area. All other street facing facades (except alleys) shall have transparent windows covering at least 20% of the façade area for all floors.



*Images showing appropriate storefront display and transparency*

#### 7.3.4 Commercial and Mixed Use Building Materials

- i. At least 75% of each building's façade (excluding doors and windows) fronting along any Type 'A' Street or Market Street shall be finished in one of the following materials:
  - Masonry (brick, stone, stucco utilizing a three-step process, cast stone, rock, marble, granite, curtain glass, or glass block)
- ii. No more than 25% of each façade along any Type 'A' Street or Market Street shall use accent materials such as wood, architectural metal panel, split-face concrete block, tile, or pre-cast concrete panels. EIFS shall not be permitted on building frontages along any Type 'A' Street or Market Street.



*Images showing appropriate building materials within Waterfront, Austin Street Corridor, and Arterial Mixed Use Overlay Character Districts.*

- iii. All facades along Type ‘B’ Streets or alleys shall be of a similar finished quality and color that blend with the front of the building. Building materials for these facades may be any of the primary and accent façade materials listed above. EIFS shall not be permitted along any ground floor facades along Type ‘B’ Streets and ground floor facades of alleys. Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty may only be used on the upper floors only.
  - iv. Roofing materials visible from any public right-of-way shall be copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.
- 7.4 Standards Specific to Development in the Neighborhood Mixed Use Overlay Character District:

7.4.1 Applicability. Standards in this subsection shall NOT apply to single-family and two-family residential units that are existing at the time of initial adoption of the RHDZO.

7.4.2 Building Orientation for Commercial and Mixed Use Buildings. Buildings shall be oriented towards Type ‘A’ Streets, where the lot has frontage along Type ‘A’ Streets. All other buildings shall be oriented towards Type ‘B’ Streets or Civic Spaces. Primary entrances to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.

7.4.3 Building Orientation for Residential and Live-Work Buildings.

- i. Garages for Residential Buildings shall be located on alleys at the rear of residential buildings; pull-through garages are allowed if the garage door is set back behind the rear façade of the main structure. If front-loaded garages or carports are utilized on residential uses, the garages and carports shall be no greater than 12 feet wide and set back at least 20 feet measured from the face of the main structure closest to the garage/carport or rotated 90 degrees with windows on the wall facing the street. On corner lots, the garage may be rotated with windows facing the primary street with driveway access from the secondary street.
- ii. All garage doors shall be divided into single bays separated by at least a 16-inch pier or column. Front-loaded garages on residential lots less than 40 feet wide shall not be allowed. Town homes and courtyard apartments shall utilize rear-loaded garages.



#### 7.4.4 Building Massing and Scale

- i. Buildings shall have few, if any, articulations and simple roofs (gable, hip, combination) with most building wing articulations set at the rear of the structure. Window projections, bay windows, stoops, porches, balconies, and similar extensions shall be exempt from this standard.
- ii. Gable roofs, if provided for residential buildings, shall have a minimum pitch of 5/12. When hipped roofs are used, the minimum pitch shall be 5/12. Other roof types shall be appropriate to the architectural style of the building. Porch roofs may be a minimum pitch of 3/12.
- iii. Projecting mansard roofs shall be prohibited.



*Images showing appropriate massing and scale for Residential Buildings*

#### 7.4.5 Façade Composition

- i. Buildings shall maintain a façade rhythm of 20 feet to 30 feet along Type ‘A’ Streets. This rhythm may be expressed by changing materials, or color, or by using design elements such as columns and pilasters, or by varying the setback of portions of the building façade.
- ii. At least one of the following -- porches, stoops, eaves or balconies -- shall be added along the front residential façades to add pedestrian interest along the street.
- iii. For residential buildings the grade of the slab or first floor elevation shall be elevated at least 18 inches above the grade of the sidewalk.
- iv. Alley and/or Type ‘B’ Street facing façades shall be of finished quality and of the same color that blend with the front of the building.



*Residential buildings with porches, balconies, and stoops to add interest along the street.*

#### 7.4.6 Windows and Doors

- i. Windows and doors shall be designed to be proportional and appropriate to the architectural style of the building.
- ii. Windows may have jack arch, keystone arch, flat arch, or ornamental arches.
- iii. All building façades of residential buildings fronting on all streets or civic spaces, except alleys, shall have transparent windows covering at least 30% of each façade.



*Images showing appropriate window designs and proportions.*

#### 7.4.7 Residential Building Materials

- i. At least 60% of the Type ‘A’ Street facing facades of all buildings (excluding doors and windows) shall be finished in one or more of the following materials. No more than three different materials shall be used on any single residential façade:
  - Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty.
  - Masonry (brick; stone; man-made stone, or stucco utilizing a three-step process).
- ii. The following may only be allowed up to 40% as an accent material:
  - Architectural metal panels or similar material over a cementitious base, rock, glass block and tile.
- iii. EIFS shall not be permitted along any Type ‘A’ Street facades.
- iv. Side and rear facades shall be of finished quality and of the same color that blend with the front of the building. Ground floor side and rear facades shall not be EIFS.
- v. Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, and asphalt shingles (laminated and classified as being at least 300 pounds/100 sf.)
- vi. An enclosed garage or carport shall be designed and constructed of the same material as the primary building.

#### 7.4.8 Commercial and Mixed Use Building Materials

- i. The following shall be permitted finishes for all Type ‘A’ street fronting facades of all buildings. No more than three different materials shall be used on any single facade:
  - Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty;
  - Lap-sided wood;
  - Masonry (brick; stone; man-made stone, or stucco utilizing a three-step process); and
  - Architectural metal panels.



*Images showing appropriate building materials for commercial buildings within the Neighborhood Mixed Use Overlay Character District*

- ii. Other materials will be considered as primary building materials on a case-by-case basis and may only be approved by the City Manager subject to appeal to the RHDB.
- iii. The following may only be allowed up to 40% as an accent material:
  - Exterior Insulating Finishing System (EIFS), or similar material over a cementitious base, rock, glass block and tile.
  - Other metal finishes
- iv. Other street facades, side and rear facades shall be of finished quality and of the same color and materials that blend with the front of the building.

## **8. STREETSCAPE AND LANDSCAPE STANDARDS**

- 8.1 Streetscape standards shall apply to all streets within the RHDZO. Streetscape standards shall address all elements between the building face and edge of the curb. Typical streetscape elements addressed are street trees, lighting, street furniture and pedestrian amenities, and materials. Maintenance of all streetscape shall be by the City of Rockport.
- 8.2 Street Trees and Landscaping:
- 8.2.1 Street trees shall be required on all RHDZO streets (except on alleys).
  - 8.2.2 Street trees shall be planted approximately 3 feet behind the curb line.
  - 8.2.3 Spacing shall be an average of 40 feet on center (measured per block face) along all streets.
  - 8.2.4 The minimum caliper size for each tree shall be 3 in. and shall be a minimum of 12 feet in height at planting. Each tree shall be planted in a planting area no less than 24 sq. feet.
  - 8.2.5 Turf and groundcover: When clearly visible from the street and alleys, all unpaved ground areas shall be planted with low growing shrubs or ground cover, ornamental grasses, or a combination thereof. Turf grass must be installed as solid sod and not seeded on.
  - 8.2.6 Species shall be selected from the Planting List in Chapter 106 of the Rockport Code of Ordinances.
  - 8.2.7 Maintenance of all landscape materials shall meet the requirements of Chapter 106 of the Rockport Code of Ordinances.
- 8.3 Street Furniture, Lighting, and Materials:
- 8.3.1 Pedestrian scale lighting shall be required along all Type 'A' streets in the RHDZO. They shall be no taller than 20 feet.
  - 8.3.2 Street lights shall be placed at 50 feet on center, approximately 3 feet behind the curb line.
  - 8.3.3 The light standard selected shall be compatible with the design of the street and buildings.
  - 8.3.4 Trash receptacles and bike racks shall be required along all Type 'A' Streets. A minimum of one each per block face shall be required.
  - 8.3.5 Street furniture and pedestrian amenities such as benches are recommended along all Type 'A' Streets.
  - 8.3.6 All street furniture shall be located in such a manner as to allow a clear sidewalk passageway of a minimum of 6 feet.

8.3.7 Materials selected for paving and street furniture shall be of durable quality and require minimal maintenance.

## 9. SIGNAGE

9.1 Except as specifically listed below, all other signage and sign standards must comply with Chapter 6 of the Rockport Code of Ordinances, as amended.

9.2 For new signs, the standards in Table 9.1 shall apply and sign permits shall be approved administratively by the City of Rockport Building Official or designee unless specifically noted in this section.

Table 9.1

Character Zone					Standard
Sign Type	Austin Street Corridor	Waterfront	Civic Core and Mixed Use Neighborhood	Arterial Mixed Use	
Wall (Building) Signs	P	P	P (civic, commercial and live-work uses only)	P	<ul style="list-style-type: none"> <li>For all ground floor commercial uses (retail, office, and restaurant): One sign per tenant space; area to be calculated at 1.5 sq. feet per linear foot of public street frontage for the tenant space with a maximum of 100 sq. ft per tenant.</li> <li>Second and upper floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 1.5 sq. feet per linear foot of second or upper floor frontage along that public street with a maximum of 125 sq. feet.</li> <li>Institutional uses (non-profits and churches): One sign per tenant space; area to be calculated at 1.5 sq. feet per linear foot of public street frontage with a maximum of 100 sq. feet.</li> <li>Live-Work and Home occupations: One sign limited to an area of 20 sq. feet max.</li> <li>Building sign may encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 8 feet from the finished sidewalk.</li> <li>Building signs may be internally or externally lit.</li> <li>Marquee signs as only permitted as specified below.</li> </ul>
Monument Signs	NP	NP	P (civic, commercial and live-work uses only)	P	One monument sign per lot per lot street frontage (no more than 2 per lot separated by at least 100 feet) limited to a maximum of 60 sq. feet per sign face and 6 feet in height.
Window Signs	P	P	P (commercial and live-work uses only)	P	<p>Limited to 20% of the window area.</p> <p>The following shall be exempt from this limitation:</p> <ul style="list-style-type: none"> <li>Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs;</li> <li>Mannequins and storefront displays of merchandise sold; and</li> <li>Interior directory signage identifying shopping aisles and merchandise display areas.</li> </ul>
Building Blade Signs	P	P	P (commercial and live-work uses only)	NP	<ul style="list-style-type: none"> <li>One per building (commercial and mixed use buildings only).</li> <li>Area = 30 sq. feet maximum per sign face.</li> <li>May encroach a maximum of 6 feet over a sidewalk, but shall not encroach over any parking or travel lane.</li> <li>Building blade signs may be attached to the building at the corners of building or along any street facing façade above the first floor facade.</li> </ul>

Character Zone					Standard
Sign Type	Austin Street Corridor	Waterfront	Civic Core and Mixed Use Neighborhood	Arterial Mixed Use	
Tenant Blade Signs	P	P	P (commercial and live-work uses only)	P (along Type 'A' Street frontages only)	<ul style="list-style-type: none"> <li>One per commercial tenant space (retail, office, or restaurant use).</li> <li>Area = 16 sq. feet maximum per sign face.</li> <li>May encroach a maximum of 4 feet over a public sidewalk, but shall not encroach over any parking or travel lane.</li> <li>Tenant blade signs shall be oriented perpendicular to the building façade and hung under the soffit of an arcade or under a canopy/awning or attached to the building façade immediately over the ground floor tenant space while maintaining a vertical clearance of 8 feet from the finished sidewalk.</li> </ul>
Marquee Signs	P	P	P (civic uses only)	P	<ul style="list-style-type: none"> <li>Permitted for theatres, auditoriums, and other public gathering venues of 100 persons or more.</li> <li>Marquee signs shall be attached to the building or located above or below a canopy only.</li> <li>Area = 100 sq. feet maximum.</li> <li>Message board may be changeable copy (electronic and non-electronic). Electronic message boards shall be non-flashing.</li> </ul>
For sale/for lease signs	P	P	P	P	<ul style="list-style-type: none"> <li>Size is limited to 32 sq. feet per sign face.</li> <li>All other standards are the same as City of Rockport Sign Regulations.</li> </ul>
Banners	P	P	P	P	Same as City of Rockport Sign Regulations.
Sandwich board signs	P	NP	NP	NP	<ul style="list-style-type: none"> <li>Standards in Chapter 6, Section 6-101 (Ordinance 1504) of the City of Rockport Code of Ordinances shall apply</li> </ul>
Light Pole Banners	P	P	P	P	<ul style="list-style-type: none"> <li>Permitted only with approval of the City.</li> <li>Max. 10 sq. feet per sign face.</li> <li>Limited to one per light pole.</li> <li>All light pole banners shall be approved by the appropriate utility company prior to consideration by the City.</li> <li>Light pole banners shall be limited to publicize community-wide events, holiday celebrations, public art, and other city sponsored events.</li> </ul>
Directory signs	P	P	P (civic, commercial and live-work uses only)	P	<ul style="list-style-type: none"> <li>Shall be allowed for all multi-tenant commercial and mixed use buildings only.</li> <li>One directory sign per multi-tenant building limited to 12 sq. feet in area.</li> <li>Design of the sign shall be integral to the façade on which the sign is to be affixed.</li> </ul>
Pole signs	NP	NP	NP	NP	May only be permitted as part of a Master Sign Plan.
LED Signs	NP	P	P (civic, commercial and live-work uses only)	P	<ul style="list-style-type: none"> <li>Standards in Chapter 6 of the Rockport Code of Ordinances shall apply.</li> </ul>
Off-premise signs	NP	NP	NP	NP	

9.3 An applicant has the option to establish unique sign standards including size, color, type, design, and location. Such applications shall be reviewed as “Master Sign Plans” by the City Manager and are subject to approval by the RHDB. In evaluating a Master Sign Plan, the RHDB shall consider the extent to which the application meets the following:


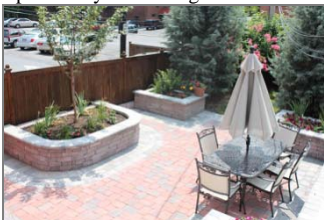
9.3.1 Promotes consistency among signs within a development thus creating visual harmony between signs, buildings, and other components of the property;

- 9.3.2 Enhances the compatibility of signs with the architectural and site design features within a development;
- 9.3.3 Encourages signage that is in character with planned and existing uses thus creating a unique sense of place; and
- 9.3.4 Encourages multi-tenant commercial uses to develop a unique set of sign regulations in conjunction with development standards.




## 10. CIVIC SPACE AND PRIVATE OPEN SPACE STANDARDS

- 10.1 This code establishes the public Civic Space and private Open Space Standards for the RHDZO. The Regulating Plan designates several areas for different required and recommended public Civic Spaces within the RHDZO. The detailed Civic Space Standards for each type are included in this Section. These standards include general character, typical size, frontage requirements, and typical uses.
- 10.2 Private Open Space Standards: Given the mixed use nature of development within the RHDO, all new residential and lodging uses within the RHDO shall meet the private open space standards established in this Section. Table 10.1 establishes the types of private open space permitted and Table 10.2 establishes the private open space requirement based on the proposed intensity of residential or lodging development.

Table 10.1 Private Open Space Types

<i>Private Open Space Type</i>	<i>Description and Image</i>	<i>Standards and criteria</i>
Balconies	<p><b>Balcony</b> is a platform projecting from a second or higher story interior or exterior wall of a building, usually enclosed for privacy and protection by a rail. A balcony usually has French or sliding glass doors leading out to it, and can be entered from a living room or bedroom.</p> 	<p>Balconies that are not flush shall be a minimum of 5 feet clear in depth and a minimum of 8 feet in width</p> <p>Balconies may be semi-recessed or recessed. Projecting metal or slab balconies are only permitted if they have some means of visible support.</p>
Patios	<p>A <b>Patio</b> is an outdoor space for dining or recreation that adjoins a residence and is often paved. It may also be a roofless inner courtyard within a residence, typically found in Spanish and Spanish-style dwellings.</p> 	<p>Patios shall be a minimum of 150 sq.ft.</p> <p>Patios shall have a clear sense of enclosure and separation from the public realm.</p>



Courtyard	<p>A <b>Courtyard</b> is a landscaped open space in the center of the block with no street frontage, surrounded by walls or buildings on all sides. It shall be large enough to allow for public activities and have sunlight during midday. It should be designed to connect to adjacent buildings or to the public sidewalk through a pedestrian passage.</p>	<p>Courtyards shall be surrounded on all sides by buildings with at least one pedestrian connection to an adjoining building or public sidewalk.</p> <p>The courtyard shall be a minimum of 200 square feet.</p> <p>Courtyard may be landscaped or a combination of landscape and hardscape. However, they shall contain amenities for residents such as seating, water features, etc.</p>
		
Forecourt	<p>A <b>Forecourt</b> is similar to a Courtyard, however, it is located in the front of a building such that the forecourt is surrounded on two or three sides by wings of the building.</p> 	<p>A Forecourt shall be surrounded on at least two sides by buildings.</p> <p>A Forecourt shall be a minimum of 150 square feet.</p>
Playground	<p><b>Playgrounds</b> shall be permitted in parks and greens to provide open space designed and equipped for the recreation of children. These playgrounds should serve as quiet, safe places -- protected from the street and typically located where children do not have to cross major to access. Playgrounds may be fenced. An open shelter, play structures or interactive art and fountains may be included with landscaping between. Shaded areas and seating shall be provided. Playground equipment and design must be reviewed and approved by the City prior to installation.</p> <p>A larger playground may be incorporated into the park, whereas a more intimate playground may be incorporated into the green.</p>	<p>Playgrounds shall be a minimum of 400 sq.ft.</p>
		
Community Garden	<p>A <b>Community Garden</b> is a small to medium size garden cultivated by members of an area for small scale agricultural uses for the benefit of the same people. It may consist of individually tended plots on a shared parcel or may be communal (everyone shares a single plot).</p>	<p>Maximum size shall be 1 acre</p> <p>Gardens shall be enclosed by a fence on all open sides.</p> <p>Fences should be installed straight and plumb, with vertical supports at a minimum of 8' on center. Chicken</p>

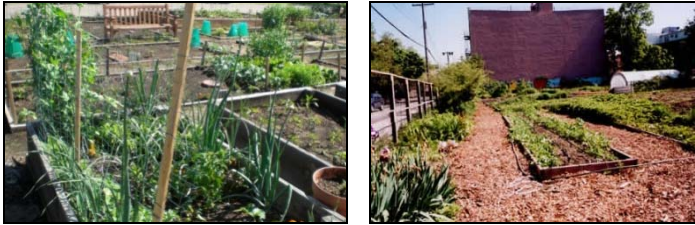

		<p>wire, if used, should be continuously supported along all edges.</p> <p><b>Fencing Materials:</b>  <b>Permitted:</b> pressure treated wood (must be painted or stained medium to dark color), chicken wire, wrought iron, painted galvanized steel  <b>Not permitted:</b> chain link, bobbed wire, vinyl, un-painted/stained pressure treated wood, plywood</p>
		
Roof terraces	<p>Roof terraces are flat areas on top of a building which are accessible for use as a recreation space for the residents and users of the building.</p>	<p>A Roof Terrace shall at least be 50% of the building footprint area.  A Roof Terrace shall provide landscaping in the form of potted plants, seating, and other amenities for the users of the building.  A Roof Terrace may also include a portion of the roof as a green roof which may or may not have public access.</p>
		
Other (pool, play courts, picnic area, etc.)	<p>Other private open space could include a pool (swimming, lap pool, spa area), play courts (basket ball), or picnic areas with shade structures.</p>	<p>Such private open space may be incorporated with roof terraces or courtyards based on the appropriateness of the design and accommodation of privacy.</p>

Table 10.2 Private Open Space Standard

<i>Number of Residential Units proposed</i>	<i>Private Open Space Standard Proposed</i>
1 – 4	None
5 – 12	<p>The development shall provide:</p> <ul style="list-style-type: none"> <li>At least 40% of all residential units fronting on a street, Boardwalk, public civic space, fore court, or courtyard shall provide one balcony or patio; <u>or</u></li> <li>One playground or other private open space amenity</li> </ul> <p>All other private open spaces are optional.</p>
13 – 25	<p>The development shall provide:</p> <ul style="list-style-type: none"> <li>At least 40% of all residential units fronting on a street, civic space, fore court, or courtyard shall provide one balcony or patio; <u>and</u></li> <li>One playground area or other private open space amenity</li> </ul> <p>All other private open spaces are optional</p>
26 – 50	Any 3 of the private open spaces in the list above
Over 50 units	Shall provide at least one public civic space such as a plaza or paseo
Hotel with more than 200 lodging rooms	Shall provide at least one public civic space such as a plaza or paseo



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10.3 Public Civic Space Standards. The design of public Civic Space shall be regulated by the Civic Space standards herein which shall establish a palette of appropriate civic space types for the RHD. The major civic space types appropriate within the context of the RHDZO are: the public boardwalk along the bay front, public paseos, and plazas. The Regulating Plan establishes the location and types of required and recommended civic spaces within the RHDZO. The following section shall apply to all public Civic Space proposed within the RHDZO.

### 10.3.1 Public Boardwalk Standards



The Bayfront Boardwalk connects the Waterfront District with the RHD via streets and Paseos. The intent is to create a vibrant and active edge along the bay with commercial activity. The Boardwalk provides a casual place for pedestrians to stroll and view the Bay. The Boardwalk shall be defined by building edges with commercial activity on the ground floor with the bayfront side being defined by a 3'-6" high rail or low wall. The Boardwalk should consist primarily of hardscape with benches and areas for casual seating. The Bayfront Boardwalk may be publicly dedicated or privately owned with appropriate access easements.

#### Typical Characteristics

##### General Character

Provide an active and publicly accessible edge along the bay.

Primarily hardscape

Rail or low wall along the bay

Buildings fronting on the other side with active commercial uses including café seating for restaurants.

##### Location and Size

Location shall be as shown on the Regulating Plan (Appendix A). The minimum width shall be 20 feet wide.

##### Typical Uses

Commercial activity including restaurants with café seating and entertainment

Passive recreation

Casual seating, walking and strolling

### 10.3.2 Paseo Standards



A **Pedestrian Passage** is an intimate street level passage way for pedestrians through blocks at designated locations on the Regulating Plan. These paths provide direct pedestrian access to key destinations such as the Bayfront Boardwalk and create unique spaces for frontages to engage and enter off of. A pedestrian passage may be used to visually reduce the impact of a large development block. Building edges may accommodate active uses such as shops and restaurants. Pedestrian passages should consist of a hardscape pathway activated by frequent entries and exterior stairways. The edges may simply be landscaped with minimal planting and potted plants. Arcades may line Paseos to provide shade and a more attractive edge. Paseos may allow access to emergency and maintenance vehicles.

Rights-of-way for paseos may be publicly dedicated or privately owned with appropriate access easements.

#### Typical Characteristics

##### General Character

Hardscape pathway  
Pedestrian friendly frontages  
Small-scale commercial uses  
Frequent entries

##### Location and Size

Location shall be as shown on the Regulating Plan (Appendix A).  
The minimum width shall be 15'.  
The maximum width shall be 50'.

#### Typical Uses

Small scale commercial uses  
Residential uses  
Casual seating

### 10.3.3 Plaza Standards



Plazas add to the vibrancy of streets within the more urban zones and create formal open spaces available for civic purposes and commercial activity. Building frontages shall define these spaces. The landscape should consist primarily of hardscape. If trees are included, they should be formally arranged and of appropriate scale. Casual seating, along with tables and chairs, should be provided. Plazas typically should be located at the intersection of important streets. Plazas are appropriate in the Austin Street Corridor, Civic Core, and Waterfront Overlay Districts. Plazas may be publicly dedicated or privately owned with appropriate access easements.

#### Typical Characteristics

##### General Character

Formal open space

Primarily hardscape surfaces

Trees and shrubs optional

Spatially defined by building frontages

##### Location and Size

Location shall be as shown on the Regulating Plan (Appendix A). Size shall range from 0.25 acre to 1 acre.

Shall front on at least one (1) street.

##### Typical Uses

Commercial and civic uses

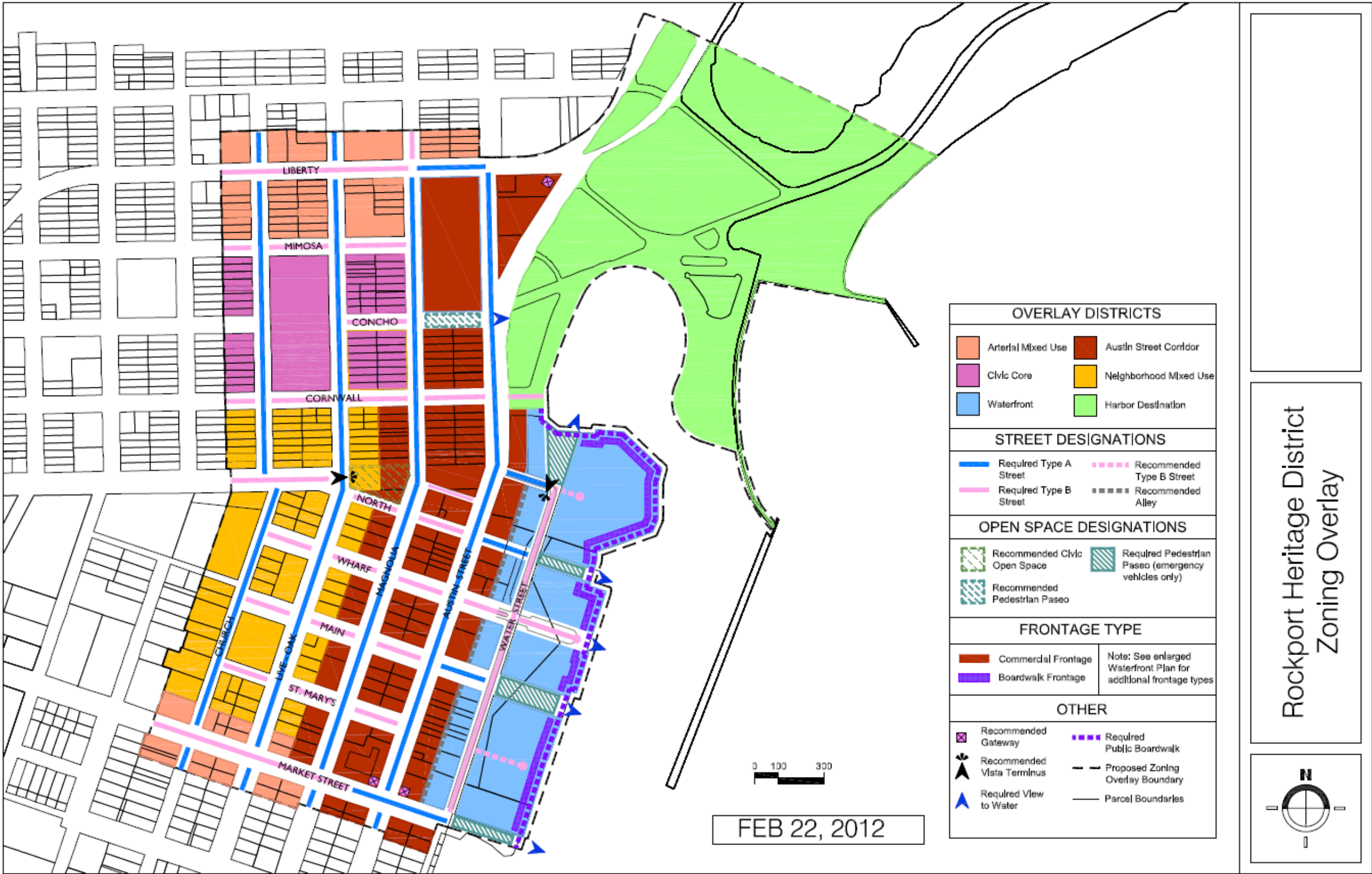
Casual seating

Tables and chairs for outdoor dining

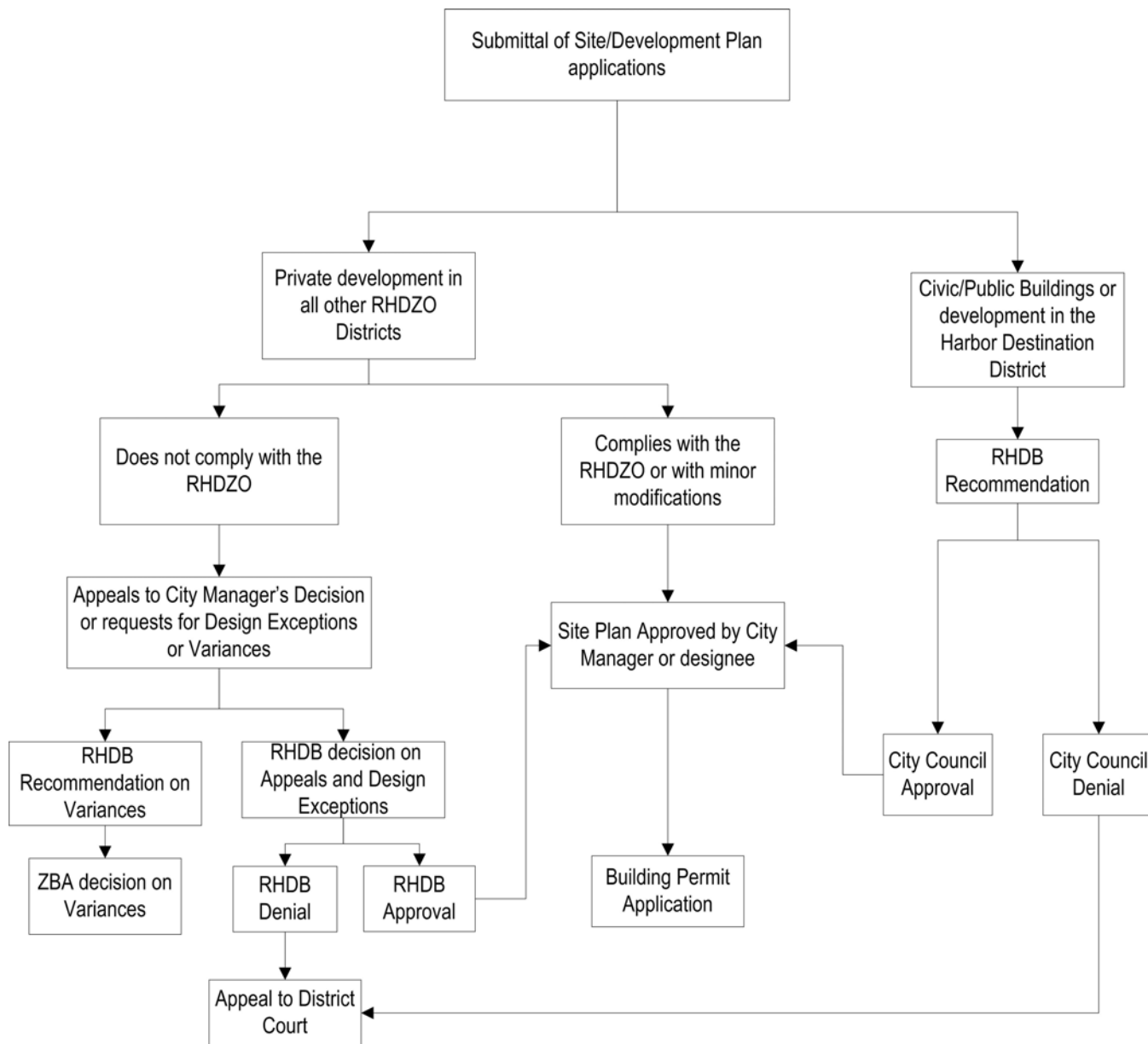
Retail and food kiosks



Appendix A – Overlay Regulating Plan



## Appendix B - Development Review Process



RHDZO Code: Rockport Heritage District Zoning Overlay Code

RHDB: Rockport Heritage District Board

ZBA: Zoning Board of Adjustment