

**[SBHOA Question]**

**Can we get a gate at the front entrance?**

I believe (not 100% sure, however) if a gate were to be installed at the front entrance, the Town would no longer be responsible for road repairs and that there also has to be some sort of turn in/buffer lane so that traffic does not build up on Lobo Ln.

Can you point me in the right direction on getting details related to this?

**[TOWN RESPONSE]**

You are correct. The Town cannot gate off public roads or right of way. The streets are maintained and replaced with public tax dollars, so we must allow access to all the public. There are some provisions in the code of ordinances that allow for the conversion of public streets to private streets. Below is that section from the code. We have had inquiries about this in the past from other subdivisions, but most do not want to take on the financial responsibility and/or cannot meet the requirements of the code.

**Section 107.08.03 – Streets and alleys:**

**(5). Criteria for approval for private streets in new developments. Private street developments within the town may be considered through the specific use permit (SUP) process or through a planned development district. The planning and zoning commission and town council shall use any of the following criteria:**

- a. Non-disruption of planned public roadways or facilities/projects (thoroughfares, parks, park trails, public pedestrian pathways, etc.);
- b. Non-disruption to and from properties of future developments either on-site or off-site to the proposed subdivision;
- c. No negative effect on traffic circulation on nearby public streets;
- d. Not less than 100 feet of street frontage on which to locate the main entrance gate;
- e. No more than two gated street entrances, subject to approval by the town engineer, may face the same thoroughfare;
- f. No impairment of access to and from public facilities including schools or public parks;
- g. No impairment of the adequate and timely provision of essential municipal services (emergency services, water/sewer improvements or maintenance, etc.);
- h. The main entrance to the private street development shall have adequate throat depth to provide for residents, their guests and any accidental access and have an escape aisle for those vehicles not admitted into the subdivision, as determined by the town engineer;
- i. Existence of natural and/or qualifying manmade boundaries around 75 percent of the development; and/or
- j. Absence of a concentration of private street developments in the vicinity of the requested private street development.

**(6). Conversion of public streets to private streets. The criteria for converting existing public streets to private streets includes all the criteria, issues and procedures involved with new developments, listed above, plus:**

- a. Submittal of a petition signed by 100 percent of the owners in the existing subdivision requesting conversion to private streets;
- b. Existence of a property owners association that would be responsible for owning and maintaining the converted streets and rights-of-way;
- c. Applicants must agree to contract with the town for the purchase of the installed infrastructure and rights-of-way from the Town of Little Elm at fair market appraised value for cash in full payment, and agree to maintain the infrastructure and rights-of-way at town standards thereafter prior to the approval of the specific use permit;
- d. All documents are subject to the review and approval of the town attorney; and/or
- e. Subsequent to the approval of the private street designation, the entire subdivision affected shall be re-platted to reflect the right-of-way ownership changes.

In addition to these standards above, [the Town] will need to address replatting the property as well since the plat dedicates those ROW's as public. The plat would also need to include easements to the Town for utilities. Most likely [the Town] will need to process a PD for the subdivision adding the private gated subdivision provisions, the standards above and a replat.

**[SBHOA Question]**

**Can [Shell Beach] have speed bumps installed on our neighborhood roads?**

**[TOWN RESPONSE]**

The Town has had many request over the years for speed bumps in residential neighborhoods. We last looked at this and presented a report to Town Council about 1 1/2 years ago. Below are the findings from our traffic safety committee. This committee is made up of representatives from Police, Fire, Public Works, and Engineering.

**Traffic Safety Committee Comments**

- In the past we have not authorized or installed speed bumps or humps on any of our Town streets. We have had several request to do so.
- They can inhibit the ability of emergency vehicles to respond.
- They can cause drivers to lose control of their vehicle and veer from roadway if hit at a high rate of speed.
- They are typically only effective to slow traffic in the vicinity of the bump/hump. In order to maintain the slower traffic they must be placed fairly close together.
- They increase air pollution in neighborhoods, because of cars slowing then accelerating.
- They can cause damage to vehicle suspension and undercarriage.

**Traffic Safety Committee Recommendations**

The best course of action to reduce speeders is still enforcement. The Police Department has radar trailers they will deploy to neighborhoods and will increase patrols in areas of concern.

[Attached is] the full briefing presented to Town Council.  
It includes links to several articles regarding speed bumps.

**[SBHOA Question]**

Hunting on ACOE property. I have the information from the TPWD and ACOE, but wanted to know if LE has additional information or requirements?

<https://www.swf-wc.usace.army.mil/lewisville/recreation/hunting.asp>

<https://tpwd.texas.gov/regulations/outdoor-annual/hunting/general-regulations/means-and-methods>

**[TOWN RESPONSE]**

[Attached are] a couple of links to the Town's Code of ordinances regarding hunting and discharge of firearms in Town Limits.

[https://library.municode.com/tx/little\\_elm/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH70OFMIPR\\_ARTVIDIWE\\_S70-130DICAFIPRWE](https://library.municode.com/tx/little_elm/codes/code_of_ordinances?nodeId=PTIICOOR_CH70OFMIPR_ARTVIDIWE_S70-130DICAFIPRWE)

[https://library.municode.com/tx/little\\_elm/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH74PARE\\_ARTIITOLIELPA\\_S74-33HUFITR](https://library.municode.com/tx/little_elm/codes/code_of_ordinances?nodeId=PTIICOOR_CH74PARE_ARTIITOLIELPA_S74-33HUFITR)

The bottom line is hunting is not allowed in Cottonwood Park. It is not designated as a hunting area by the USACE. It also is not legal to possess a firearm or discharge any archery devices in the Park. There are some special circumstances where they have issued special permits for archery. These are typically related to Boy Scott and Girl Scott activities. They have also allowed an archery shoot event in Cottonwood. It required Town and USACE approval. If anyone

observes someone with a firearm or hunting in Cottonwood Park it should be reported to the Little Elm Police Department.

**[SBHOA Question]**

What are the requirements when building a detached garage for RV/other storage?

[SBHOA] has some additional requirements, but I want to also identify the requirements specific to the Town.

**[TOWN RESPONSE]**

Attached [is] a link to [the Town] code of ordinances. Below is also information from that section related to detached garages. [The Town advises] for anyone planning to build a detached garage or accessory structure is to contact our Development Services group. They will help guide them in the process and insure everything meets the Town's Code. In most cases these projects also require the approval of the ARC committee for the HOA or POA. The Town will want to see this approval before the issuance of a building permit.

[https://library.municode.com/tx/little\\_elm/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH106ZO\\_ARTVUSRE\\_S106.05.02.1ACUS](https://library.municode.com/tx/little_elm/codes/code_of_ordinances?nodeId=PTIICOOR_CH106ZO_ARTVUSRE_S106.05.02.1ACUS)

**[SBHOA Question]**

What are all of the options for Internet service in Shell Beach subdivision?

I believe our only options are Suddenlink (cable) and AT&T (DSL).

**[TOWN RESPONSE]**

If Suddenlink and AT&T are the only companies with infrastructure in your neighborhood it is likely they are the only choices for service. The State Legislature passed a law in 2005 deregulating telecommunication. The Town no longer has local franchise authority with these companies. In the past with our franchise agreements [the Town] could require these companies to expand service into underserved areas each year. This is no longer an option. [Attached are] a few links for your review on this subject.

<https://www.puc.texas.gov/consumer/facts/faq/Telephone.aspx>  
<https://statutes.capitol.texas.gov/Docs/UT/htm/UT.65.htm>

**[SBHOA Question]**

Can the Town install the radar detector 'Your Speed' sign(s) either on Lobo Ln. just before Shell Beach subdivision and/or within Shell Beach subdivision?

The request for this would be to have something that's similar to what is mounted on W. El Dorado (northbound) across the street from Knotting Hill Place.

[My perspective] Drivers are going way too fast down our end of Lobo to get to ball games at the park and the marina (which the speed limit reduces to 15mph). The thought would be for a radar 'Your Speed' sign to be installed on the SB side of Lobo before the neighborhood and Cottonwood park and within Shell Beach where the straightaway and curve meet, reminding drivers at the key points where we see speeds increasing.

**[TOWN RESPONSE]**

This might be a possibility for Lobo. Historically we have not placed these type devices on residential streets. It could be very expensive if every residential neighborhood required these devices. [The Town] would like to start with having our Police Department utilize their mobile radar trailer and increase patrol for speed violations on Lobo and in the neighborhood. It is likely traffic stops for residents of the subdivision will increase as a result. We have found the violations are typically the residents in the neighborhood. [We] will have a conversation with our Police Chief on this subject. We can monitor Lobo and see how many violations occur.