

Figure: 31 TAC §155.15(b)(1)(C)(ii)

**Residential Use, Category II  
Coastal Easement Rent and Fees**

**Notable Definitions**

Residential use, Category II--Multi-family residential units per defined lot or parcel of land; land and individual units may be separately owned; includes uses by condominium developments and homeowners associations acting for and on behalf of owners of a multi-family residential development, but does not include time-share developments or any use that includes commercial activities. (Definition from 31 TAC §155.1(d)(48))

Fill formula--Encumbered state land multiplied by the appraised market value of adjacent littoral property multiplied by the return on investment. (Definition from 31 TAC §155.1(d)(28))

**Fees**

Application Fee: \$50.00 (per occurrence on new, amendment, and assignment applications)

**Rent**

Rental consideration is determined by taking the greater of:

- (i) Minimum Rent (\$100.00 per year)
- (ii) Project Component Rent (listed below)

Project Component	Annual Rent
Piers, Docks and Watercraft Storage	\$0.15 per square foot
Breakwater, Jetty, Groin	\$0.20 per square foot <sup>1</sup>
Dredge	
New Dredge	\$0.50 per cubic yard <sup>2</sup>
Existing Dredge	\$0.01 per square foot
Open Encumbered Area	\$0.02 per square foot
Fill	
Proposed Fill	\$0.10 per square foot -OR- Fill Formula
Existing Fill	Variable <sup>3</sup>
Concrete Stairs and Slabs	\$0.15 per square foot
Rip Rap, Vegetative Shoreline Stabilization, and Living Shorelines	No rent <sup>4</sup>

<sup>1</sup> Breakwaters constructed in association with a living shoreline will have no annual rent.

<sup>2</sup> New Dredge is a one-time rent assessed at the initial dredging, subject to §155.15(b)(4)

<sup>3</sup> (-a-) existing fill (excluding bulkheads) not permitted as of August 15, 1995: \$0.02 per square foot

(-b-) existing fill permitted after August 15, 1995: \$0.10 per square foot -OR- fill formula

(-c-) existing fill at renewal: 110% of the previous contract fill rate for each five-year period.

<sup>4</sup> Projects that consist only of rip rap or vegetative shoreline stabilization have no minimum rent.