



Appeal of Land Development Code Requirement

Whisper South Industrial – Aiken Drive

Consideration of appeal of City staff's denial to install overhead electric facilities in a new subdivision within the City of San Marcos.

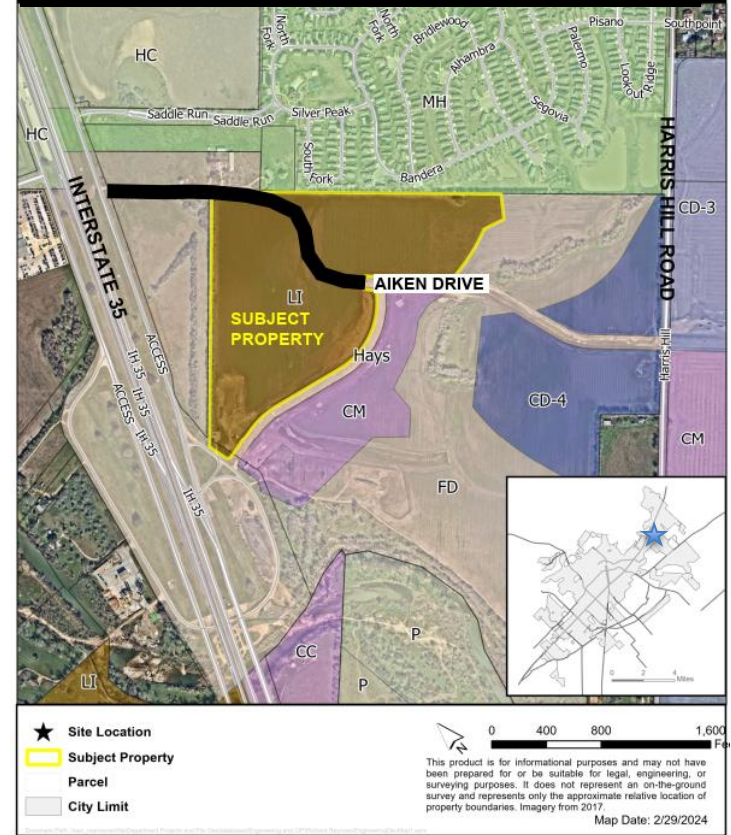
Property Information

Whisper South Industrial Site

Located within Whisper South Subdivision near IH-35 and proposed Aiken Drive

Located within City Limits

Whisper South Industrial Center Aerial Map



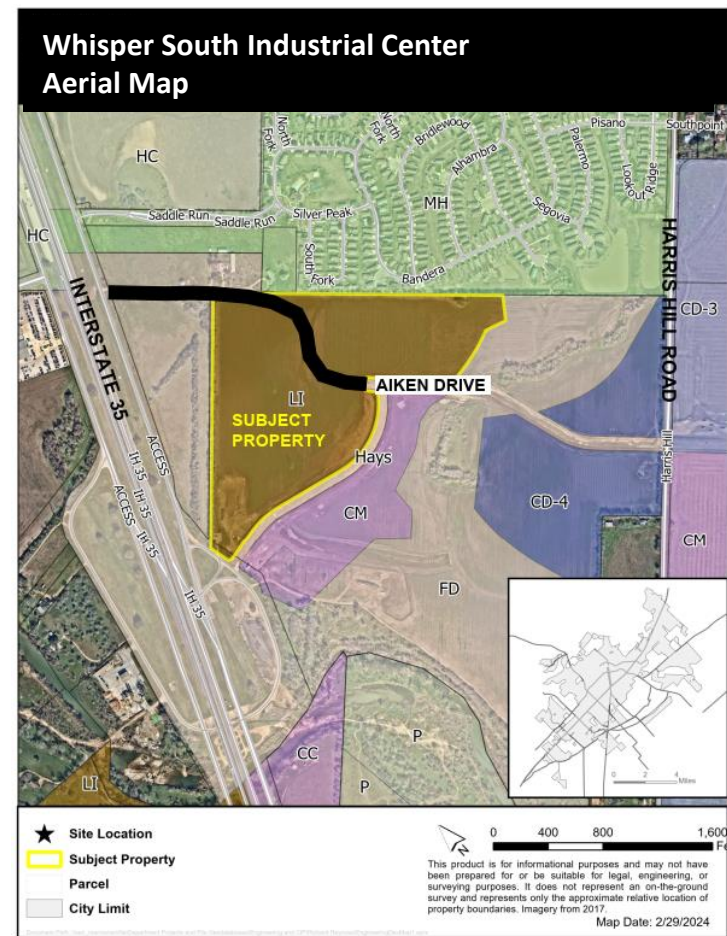
sanmarcostx.gov

Context & History

Status – Currently Under Permit Review

Proposed Land Uses

- Light Industrial
- Multi-Family/Apartments
- Commercial



City Requirements

San Marcos Development Code

Section 3.5.2.4 Electric:

- A. The installation of new electrical distribution infrastructure shall be installed underground in accordance with Chapter 86 of the City Code of Ordinances.

City Code of Ordinances, Chapter 86, Article 4, Division 4, Section 86.188 – Standards for development:

- (a) Any new development in the City Limits shall have underground electric utilities..



Examples of the Overhead Facilities



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Whisper South Industrial Appeal



Requests to install Overhead Electrical
Facilities along Aiken Drive.



Appeal to City Council



House Bill No. 14 passed in June 2023, in effect September 1, 2023

San Marcos Development Code was amended to allow for appeals to City Council, per Section 2.2.4.3.A stating the following:

“Where a development application does not include a provision for appeal, or where City Council is not the appeal body an applicant may appeal to City Council.....No hearing shall be required for this appeal.”

Underground Electric Considerations



1. Improved Safety

1. Reduced risks of accidents and injuries caused by contact with overhead lines.

2. Enhanced Reliability

1. Less vulnerable to damage from storms, winds, and other external factors.

3. Aesthetically Pleasing

1. Do not require the use of poles and wires, compounded by telecommunication lines

4. Improved Security

1. Less vulnerable to tampering

5. Environmental Benefits

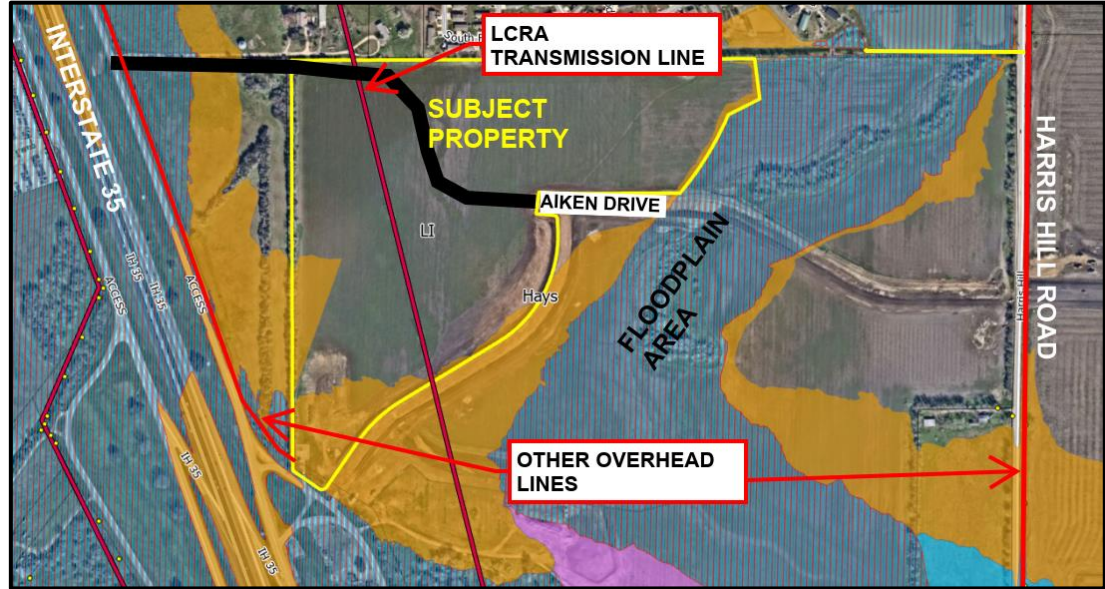
1. Might lessen emissions
2. Protect wildlife by reducing the risk of collisions with overhead lines

Overhead Electric Considerations



Included in the request by the applicant:

1. Overhead Electric Exists
2. Floodplain in the area
3. LCRA Transmission Lines Exist Overhead
4. Overhead provides greater flexibility to adjust lines or provide greater loads



Recommendation



Staff recommends **denial** of the appeal requesting the installation of Overhead Electric Facilities along Aiken Drive.

