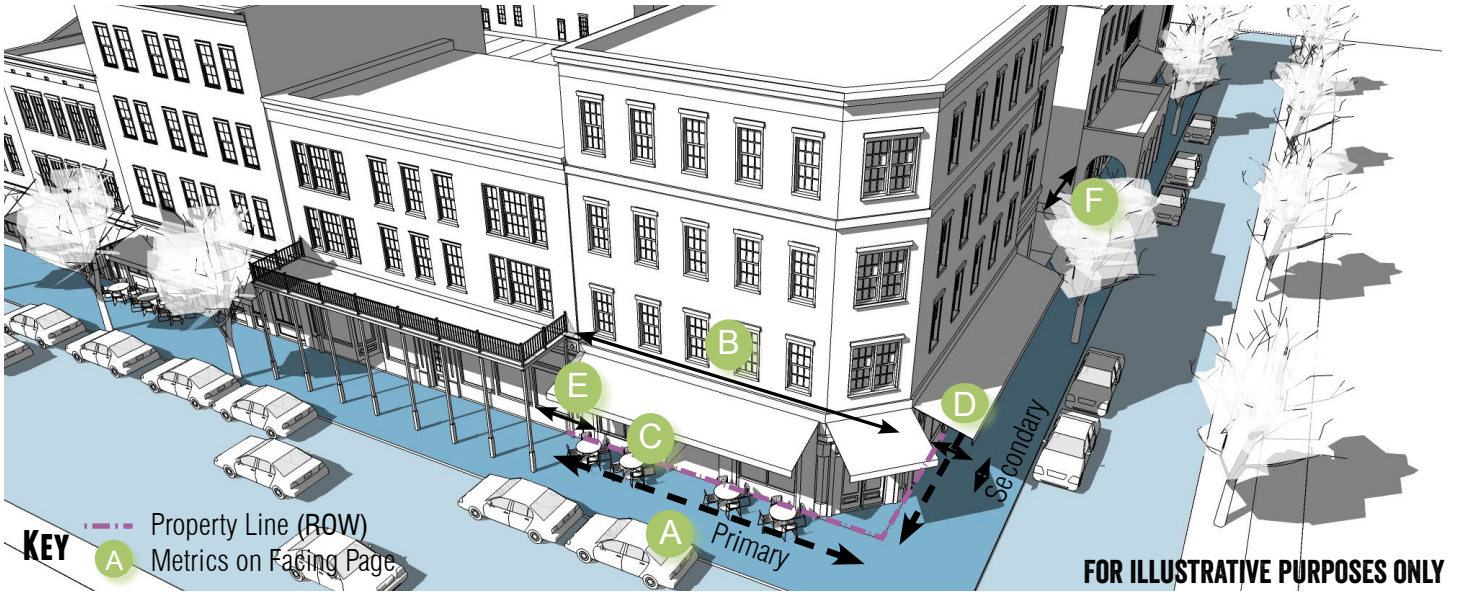


CD-5

SECTION 4.4.3.6 CHARACTER DISTRICT - 5



GENERAL DESCRIPTION

The CD-5 district is intended to provide for a variety of residential, retail, service and commercial uses. To promote walkability and compatibility, auto-oriented uses are restricted. CD-5 promotes mixed use and pedestrian-oriented activity.

TRANSPORTATION

Block Perimeter	2,000 ft. max	Section 3.6.2.1
Streetscape Type	Main Street Multi-Way	Section 3.8.1.6 Section 3.8.1.9

DENSITY

Impervious Cover	100% max.
------------------	-----------

BUILDING TYPES ALLOWED

Accessory Dwelling	Section 4.4.5.1
Townhouse	Section 4.4.5.6
Apartment	Section 4.4.5.9
Live/ Work	Section 4.4.5.10
Mixed Use Shopfront	Section 4.4.5.13
Civic Building	Section 4.4.5.14

**BUILDING STANDARDS**

Building Height (Max.)*	5 stories	75 ft.
Building Height (Min.)*	2 stories	24 ft.
Ground Floor Elevation	2' min for ground floor residential	

\* Alternative Compliance available (see Section 4.3.4.4 or Section 4.3.4.6)

**LOT**

BUILDING TYPE	LOT AREA	LOT WIDTH	A
Townhouse	1,500 sq. ft. min.	15 ft. min.	
Apartment Building	2,000 sq. ft. min.	20 ft. min.	
Live/Work	1,100 sq. ft. min.	15 ft. min.	
Mixed Use Shopfront	2,000 sq. ft. min.	20 ft. min.	
Civic Building	2,000 sq. ft. min.	20 ft. min.	

**SETBACKS - PRINCIPAL BUILDING**

Primary Street	0 ft. min./ 12 ft. max.	B
Secondary Street	0 ft. min./ 12 ft. max.	C
Side	0 ft. min.	D
Rear	0 ft. min.	E
Rear, abutting alley	3 ft. min.	E

**SETBACKS - ACCESSORY STRUCTURE**

Primary Street	20 ft. plus principal structure setback min.
Secondary Street	20 ft. plus principal structure setback min.
Side	0 ft. min.
Rear	3 ft. min. or 15 ft. from centerline of alley

**PARKING LOCATION**

LAYER (SECTION 4.3.3.1)	SURFACE	GARAGE
First Layer	Not Allowed	Not Allowed
Second Layer	Allowed along secondary street only	Not Allowed
Third Layer	Allowed	Allowed

**BUILD-TO ZONE (BTZ)**

Building Facade in primary street	80% min.
Building Facade in secondary street	60% min.

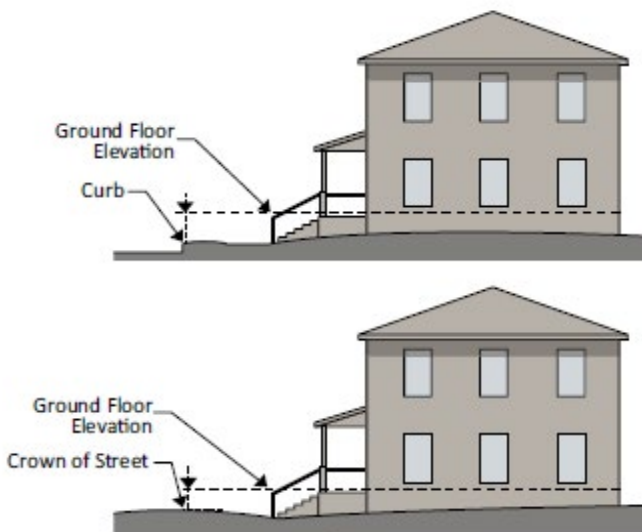
**DURABLE BUILDING MATERIAL AREA**

Primary Material	80% min.
Secondary Material	20% max.
Blank Wall Area	25 ft. max.

### Section 4.3.4.2 Ground Floor Elevation

- A. Ground floor elevation is measured from the average curb level of the adjoining street, or if no curb exists, the average level of the center crown of the street to the top of the finished ground floor.

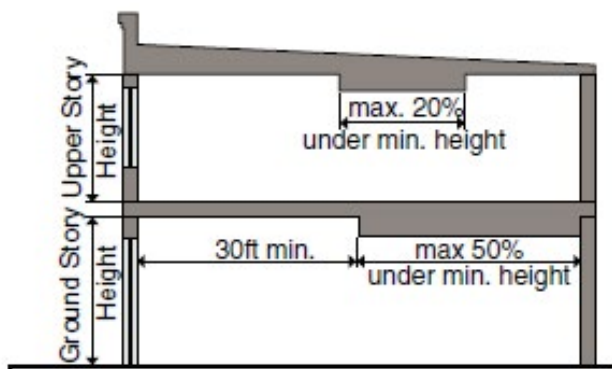
FIGURE 4.12 MEASURING GROUND FLOOR ELEVATION



### Section 4.3.4.3 Story Height

- A. Story height is measured from the top of the finished floor to the ceiling above.
- B. Minimum ground story height applies to the first 30 feet of the building measured inward from the street facing facade. At least 50% of the ground story must meet the minimum ground story height provisions.

FIGURE 4.13 MEASURING STORY HEIGHT



### Section 4.3.4.4 Minimum Two-Story Requirements

- A. Minimum two-story requirements apply to the first 30 feet of the building and may include a roof top patio where a minimum of 60% of the patio is covered.
- B. A building with a single story measuring a minimum of 25 feet from finished floor to finished ceiling can satisfy the minimum two-story requirement.
- C. **Intent.** The intent of the two-story minimum requirement is to ensure that the building scale is compatible with other structures and the relationship of the building to the public space. A minimum building height also serves to promote a mixture of uses.
- D. **Alternative Compliance Findings.** The Planning and Zoning Commission may in accordance with Section 2.8.4.1 allow an alternative to the minimum two-story requirements, subject to the following findings:
1. The approved alternate meets the intent of the minimum two-story requirements;
  2. The approved alternate conforms with the Comprehensive Plan and other adopted City Plans; and
  3. In CD-5D and the five downtown Design Contexts, the approved alternate conforms to the Downtown Design Guidelines.
  4. Consider the following:
    - a. Is the applicant proposing a one-story portion to a new building or a new building that is just one-story?
    - b. If the proposal includes a one-story portion, is this portion being used to transition to a neighborhood context? Does the one-story portion have a specific use that is best served by a one-story in height building?
    - c. Does the one-story portion of the building also include a rooftop amenity space that resembles a second story?
    - d. If the proposal is for a one-story building:
      1. Is the location appropriate for just one story? A one-story building proposal may be more

appropriate with the Approach design context than the University Edge context (See Design Guidelines).

2. What is the use and how is the rest of the site being developed? For instance, is the proposed building a restaurant and an outdoor dining area will be incorporated? Is the building a community center but a large community garden will be created on site?

This Section was approved by Ordinance No. 2021-16 on 3-16-2021.

**Section 4.3.4.5 Residential Height Compatibility Standards**

- A. **Height Stepback.** A maximum building height of thirty-five (35) feet shall apply to portions of a structure within seventy (70) feet of a single-family zoning designation (measured from the property line).

(Ord. No. 2020-60, 9-1-2020)

**Section 4.3.4.6 Additional Stories or Height**

- A. **Alternative Compliance Findings.** The City Council may in accordance with Section 2.8.4.1 allow additional stories in the CD-5 or up to two additional stories in CD-5D zoning districts, subject to the following considerations:
  1. The project is consistent with the objectives and guidelines from the City’s Comprehensive Plan and Downtown Master Plan where applicable.
  2. For a residential project, the additional stories provide an opportunity to include a minimum of ten (10%) percent of the project as affordable housing under Section 4.3.1.1;
  3. For a residential project, the additional stories provide an opportunity to include a minimum of twenty (20%) percent of the project as workforce housing under Section 4.3.1.1;
  4. The additional stories provide an opportunity for additional professional office or commercial space providing employment opportunities;
  5. The additional stories provide an opportunity to deliver a building that is rated a minimum of a silver in the LEED green building program;

6. The additional stories provide an opportunity to include child care within the facility;
7. The additional stories provide an opportunity to add public parking in or adjacent to the downtown;
8. The additional stories provide an opportunity to include on-site publicly accessible open space in excess of the open space required under Section 3.10.1.2.
9. In CD-5D and the five downtown Design Contexts, the approved alternate conforms to the Downtown Design Guidelines; and
10. The project proposes architectural elements that mitigate any effects on adjacent properties or the pedestrian experience from the street level.

This Section was approved by Ordinance No. 2021-16 on 3-16-2021.

**Section 4.3.4.7 Varied Massing Requirement**

- A. **Applicability.** The varied massing requirements apply to buildings in the CD-5D district that meet the following criteria:
  1. The building is over three (3) stories in height; and
  2. The building has a frontage greater than sixty (60) feet in width.
- B. **Intent.** The intent of the varied massing requirements is to:
  1. Encourage and enhance the variety in building heights that exists in downtown San Marcos that help to define the character of the area;
  2. Ensure that new development continues the tradition of height variation, expressing and supporting human scale and architectural diversity in the area;
  3. Ensure that a traditional scale at the street level is maintained in order to reflect the design of historic buildings downtown; and
  4. Preserve views to notable buildings throughout downtown including the Courthouse Square, historic landmarks, and churches, and to areas adjacent to downtown. Reference Design Guidelines in the Design Manual for additional information regarding views.