



San Marcos Development Code Amendments, 2026

Public Hearing

Hold a public hearing and consider text and graphic amendments to the San Marcos Development Code and to the Design Manual, that would, among other things, update applicability and processes for certain development permits; update provisions concerning parkland dedication requirements; establish an optional “Development Overlay Regulating Plan” to accompany zoning change requests; provide standards for new and emerging development types within the Land Use Matrix; update and clarify landscaping and tree mitigation requirements for new development; correct typos and inconsistencies, and update the code to reflect recent changes to state law.



About the Development Code

- **The Vision SMTX Comprehensive Plan**, adopted in October 2024, is San Marcos' 20-year plan for guiding growth and identifying the community's goals for key topics.
- **The Land Development Code** establishes the rules and standards for new development and implements Vision SMTX.
 - Land uses;
 - The subdivision of property including the size and layout of lots;
 - Setbacks and density;
 - Parking, signage, fence requirements;
 - Landscaping and tree removal/replacement;
 - Infrastructure requirements; and
 - Environmental regulations;

Design Manual

- The Design Manual provides additional standards and guidelines for items such as landscaping and trees, historic preservation, and modifications to existing streets.



SAN MARCOS DESIGN MANUAL





Previous Code Amendments

- **2018** – Code SMTX
- **2019** – Demolition Review and Phase 1 (typos and technical errors, joint committee policy items)
- **2020** – Phase 2 (joint committee policy items, adding a use, Engineering recommendation)
- **2021** – Turfgrass & Irrigation, Downtown Design, Storage, Garage, Historic Preservation
- **2023** – Process Improvements
- **2025** – Minor Comprehensive Plan Amendments

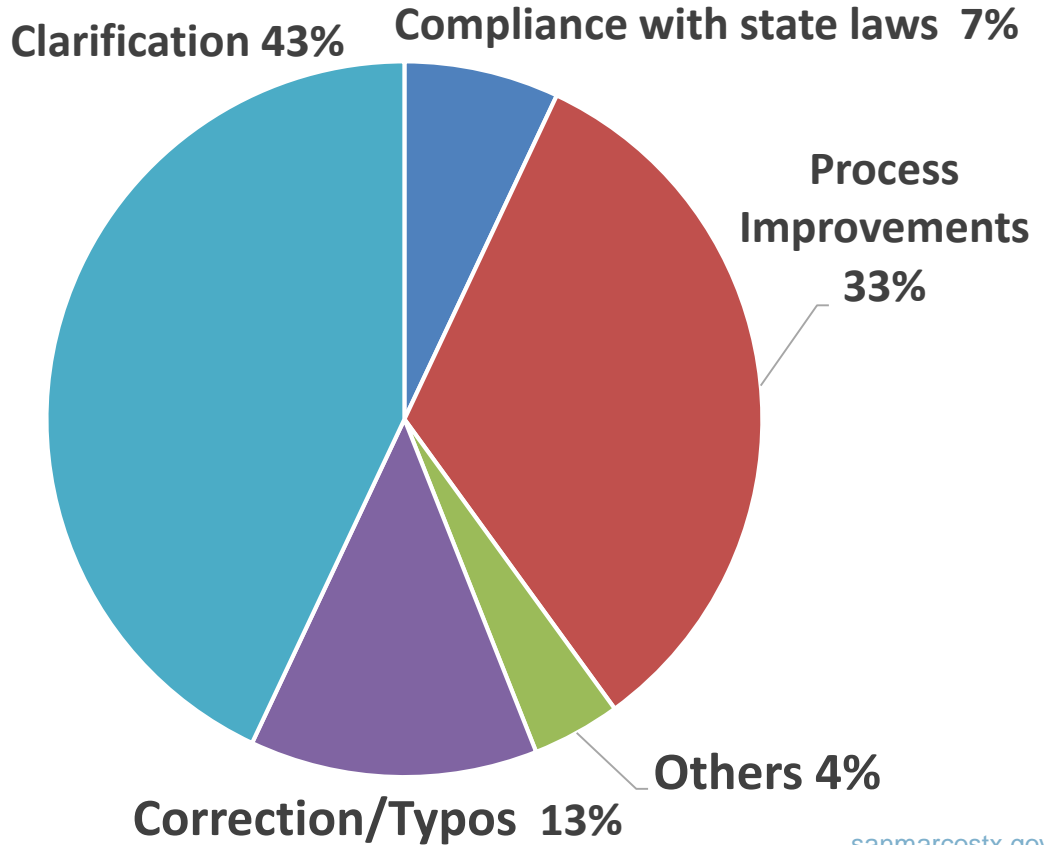


Overview

In August 2025, the San Marcos City Council authorized updates to the Development Code and Design Manual.

320 Total Edits: 5 Key Categories

- Compliance with State Laws
- Process Improvements
- Clarification
- Corrections/ Typos
- Others



Compliance with State Laws



In 2025, the 89th Texas Legislature passed several significant laws that modified the Texas Local Government Code

- **H.B. 24** –
 - Raising the protest threshold from 20% to 60% for certain application types
 - Procedures requirements & Notices
- **H.B. 2464** –
 - Residential occupancy limit
- **S.B. 1341** –
 - Regulation of manufactured homes



- Chapter X
 - Justification

- G. **Notice of Application.** Whenever notice of an application is required by this development code under Table 2.1, the Responsible Official shall ~~send electronic notification~~ provide notice of the time and place of the public hearing in accordance with the following:
1. To all parties requesting notification of an application submitted within the region;
 2. On the City's internet website;
 3. Before the 12th day after an application is determined complete. In no case shall notice of an application be sent less than 16 days before the required public hearing.



- Chapter 2 – Development Procedures
 - *Division 4: City Council Section 2.2.4.2 Review Authority*
 - *Adding Language to comply with HB24*

- D. Protest Procedures for Certain Proposed Changes. This section applies only to a proposed change to a zoning regulation or district boundary that is not a proposed comprehensive zoning change.**
- 1. A protest of a proposed change to a zoning regulation or district boundary must be written and signed by the owners of:**
 - a. At least 20 percent of the area of the lots or land covered by the proposed change;**
 - b. Except as provided in Section 2.2.4.2.D.1.c., at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area; or**



- **Chapter 2 – Development Procedures**

- *Division 2: Notice requirements*
- *Section 2.3.2.1 General Notice Requirements*
- *G. Notice of Application.*
- *Adding Language to comply with HB24*

G. Notice of Application. Whenever notice of an application is required by this development code under Table 2.1, the Responsible Official shall ~~send electronic notification~~ provide notice of the time and place of the public hearing in accordance with the following:

1. To all parties requesting notification of an application submitted within the region;
2. On the City's internet website;
3. Before the 12th day after an application is determined complete. In no case shall notice of an application be sent less than 16 days before the required public hearing.

Compliance with State Laws

#3-19



- **Chapter 3 – Subdivisions**
 - *Division 3: Residential Replats*
 - *Section 3.3.3.2 Notice and Hearing*
 - *Section 3.3.3.3 Protest*
 - *Adding language to comply with Chapter 212 of the Texas Local Government Code*

Section 3.3.3.2 Notice and Hearing

~~Published and personal notice of the public hearing on the replat application shall be given in accordance with Section 2.3.2.1. The hearing shall be conducted by the Planning and Zoning Commission in accordance with Section 2.3.3.1.~~

- A. If a proposed replat under this Section requires a variance or exception, including an alternative compliance, a public hearing must be held by the Planning and Zoning Commission. Published and personal notice of the public hearing shall be given in accordance with Section 2.3.2.1.
- B. If a proposed replat under this section does not require a variance or exception, the Responsible Official shall, not later than the 15th day after the date the replat is approved, provide written notice by mail of the approval of the replat to each owner of a lot in the original subdivision that is within 400 feet of the lots to be replatted according to the most recent municipality or county tax roll. This subsection does not apply to a proposed replat if the Planning and Zoning Commission

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Markup can be found on page 3:14 of the Land Development Code

Compliance with State Laws



#4-30,
#4-32,
#4-36

- Chapter 4 – Zoning Regulations

- *Neighborhood Density District -3*
- *Neighborhood Density District -3.2*
- *Character District – 2.5*
- *This edit is to comply with HB2464.*

DENSITY

Units Per Gross Acre	10 max.
Impervious Cover	60% max.
Occupancy Restrictions	Section 5.1.4.1
Residential Infill Compatibility	Section 4.4.2.6

DENSITY

Units Per Gross Acre	8 max.
Impervious Cover	60% max.
Occupancy Restrictions	Section 5.1.4.1

Markup can be found on page 4:64, 4:66, 4:67, 4:80 & 4:81 of the Land Development Code

Process Improvements

#2-20



- Chapter 2 – Certificate of Appropriateness
- This edit is to revise when a Certificate of Appropriateness is required.

~~D. The provisions of this Division 4 apply only to the following areas within the boundaries of each Historic District or Historic Landmark:~~

~~1. The lot area between the property line and the facade of any existing building or structure;~~

~~2. 25% of the depth of the lot area adjacent to the public right-of-way for vacant lots;~~

~~3. The first 50% of the depth of any existing principal building from the facade adjacent to a public right-of-way;~~

~~4. Any addition to a building or structure that projects beyond an existing building's front or side wall and roof plane envelope regardless of distance from the public right-of-way;~~

~~5. The entirety of any new principal building construction on a vacant lot;~~

~~6. The entirety of any new accessory building construction located in whole or in part in areas Section 2.5.5.1(D)1-3~~

~~7. The entirety of any Historic Landmark and its designated boundary area.~~

Markup can be found on page 2:37 & 2:38 of the Land Development Code

Process Improvements



#2-21

- Chapter 2 – Development Procedures
 - *Article 6: Watershed Protection Plans*
 - *This edit modifies when a qualified watershed protection plan is required.*

~~D. Applicability of a Qualified Watershed Protection Plan 1 or 2. A qualified watershed protection plan is required when any of the following requests are made for developments greater than forty (40) acres:~~

~~1. A request for an increase in impervious cover requiring a mitigation plan;~~

~~2. A request for reclamation of land in the 100-year floodplain or within a water quality zone or buffer zone; or~~

~~3. The development of twenty (20) acres or more of land within the 100-year floodplain.~~

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

D. **Exceptions.** A watershed protection plan ~~or a qualified watershed protection plan~~ is not required for:



#2-26

Process Improvements

- Chapter 2 – Development Procedures

- *Section 2.8.3.7 Procedures Specific to Conditional Use Permit for On-Premise Sale of Alcohol*
- *This edit revise the alcoholic distance variance to align with the Conditional Use Permit expiration.*

5. All conditional use permits for the on-site alcoholic beverage consumption that include a distance variance shall be, for the life of the permit, subject to ~~annual renewal~~ the Conditional Use Permit expiration. Variances are non-transferable ~~and separate from the conditional use permit~~. Any hearing concerning a renewal shall be conducted by the commission who shall have authority to grant or deny the renewal.

Process Improvements



#3-44

- Chapter 3 – Subdivision
 - Section 3.6.3.1 Lot Standards
 - This edit removes Irregularly Shaped Lots

3. ~~Irregularly-Shaped Lots. Irregularly-shaped lots shall have sufficient width at the front setback line to meet lot width requirements in Chapter 4.~~
 - a. ~~Triangular, tapered, or flag lots shall be not be permitted except for use as dedicated parkland, open space, or drainage lots.~~
 - b. ~~Severely elongated (in excess of a three to one (3:1) length to width ratio) lots shall not be permitted except for use as dedicated parkland lots, or for use as townhome or zero lot line building type lots.~~
 - c. ~~Townhome and zero lot line lots may not exceed a six to one (6:1) length to width ratio.~~
 - d. ~~Exceptions to the irregularly shaped lot requirements fall under the alternative compliance process in accordance with Section 2.8.4.1.~~

Process Improvements



#3-45

- **Chapter 3 – Subdivision**

- Section 3.6.3.1 *Lot Standards*
- *Lot Dimensions*
- *This edit adds a minimum lot width for new lots in the ETJ, subject to an approved interlocal agreement with the applicable County.*

C. Lot Dimensions

1. Within the City Limits, lots that are occupied or are intended to be occupied shall conform with the minimum lot size, lot width and lot depth requirements provided under Chapter 4.
2. Within the ETJ, lots that are occupied or intended to be occupied shall have a minimum lot width and lot frontage of 50 feet unless otherwise specified in an approved Interlocal Agreement under Texas Loc. Gov't Code Ch. 242. If such lots are accessed by an alley, the minimum lot width and lot frontage shall be 25ft.

Process Improvements



#3-56

- **Chapter 3 – Subdivision**

- *Article 10: Parks and open space*
- *Section 3.10.1.2 Parkland Dedication*
- *This edit also adds a cap that the total parkland acreage shall not exceed 35% of the total site.*

1. The first six (6) residential units, or the first thirty (30) units in the Downtown and Midtown areas as defined in the Design Manual, shall be exempt from parkland dedication.
2. Cap. The total parkland acreage required under Section 3.10.1.2.A shall not exceed 35% of the total site area.

Process Improvements

#4-12



TABLE 4.6 CHARACTER DISTRICT CONSERVATION/CLUSTER / EXISTING ZONING TRANSLATION TABLE

	EXISTING ZONING DISTRICTS					P
	FAR CD-2.5, SF-R, MR, SF-6, SF-4.5, P, ND-3, ND-3.2, CD-1, CD-2	FD, DR, D, PH-ZL, TH, MF-12, P, ND-3.5, CD-3	MU, MF-18, MF-24, P, ND-4, N-CM, CD-4	OP, NC, CC, GC, CM, BP, HC, LI, HI, MH, VMU, P, CD-5, CD-5D		
CD-1	C	C	C	C	C	<u>C</u>
CD-2	C	NP <u>C</u>	NP	NP*	NP	<u>C</u>
CD-2.5	C	NP <u>C</u>	NP	NP*	NP	<u>C</u>
CD-3	NP <u>C</u>	C	C	NP		<u>C</u>
CD-4	NP*	C	C	C		<u>C</u>
CD-5	PSA	NP*	C	C		<u>C</u>
CD-5D	<u>Considered when located within the Downtown Design Contexts (Figure 1.1) of the San Marcos Design Manual</u>					

LEGEND:

- C = Consider
 - NP = Not Preferred
 - NP* = 50% or more single family requires additional votes of Planning Commission and City Council in accordance with Sec. 4.1.2.6(C)3a. above.
- An adopted small area plan or neighborhood character study for the area surrounding a subject property supersedes the analysis in this Table 4.6.

(This Section was approved by Ord. No. ~~2019-60~~ 2020-59, 9-1-20, Amended by Ord. No. 2023-72, 10-17-2023)

- Chapter 4 – Zoning Regulations (Table 4.6)
- This edit revises the title name, adds an edit for CD-5D, Cross reference area plan, and revises existing zoning districts to be “C”



Process Improvements

- Chapter 4 – Zoning Regulation
 - Lot Standards
 - Lot Dimensions
 - These edit allows zero lot line house and cottage court in CD-3 and revise multifamily structures for a smaller building footprint on larger lots.

LOT		
BUILDING TYPE	LOT AREA	LOT WIDTH A
House	4,500 sq. ft. min.	40 ft. min./ 120 ft. max.
Duplex	4,500 sq. ft. min.	40 ft. min./ 120 ft. max.
Townhouse	1,500 sq. ft. min.	20 ft. min./ 120 ft. max.
<u>Zero Lot Line House</u>	<u>3,500 sq. ft. min.</u>	<u>30 ft. min.</u>
Courtyard Housing	1,500 sq. ft. min.	15 ft. min./ 20 <u>240</u> ft. max.
<u>Cottage Court</u>	<u>1,200 sq. ft. min.</u>	<u>20 ft. min.</u>
<u>Apartment Multifamily*</u>	6,000 sq. ft. min.	60 ft. min./ 120 ft. max.
Live/Work	1,100 sq. ft. min.	15 ft. min./ 120 ft. max.
Neighborhood Shopfront	6,000 sq. ft. min.	60 ft. min./ 120 ft. max.
Civic Building	6,000 sq. ft. min.	50 ft. min.

All Lots 45 feet or less in width shall take vehicular access from a rear alley except Courtyard Housing.

* Where individual building footprints are 5,000 square feet or less, the maximum lot width is not required.

Process Improvements/Compliance with State Law



- Chapter 5 – Use Regulations
 - Land Use Matrix
 - This edit revise the land use matrix for certain uses to comply with state law.

TABLE 5.1 LAND USE MATRIX

TYPES OF LAND USES	CONVENTIONAL RESIDENTIAL					NEIGHBORHOOD DENSITY DISTRICTS					
	FD	MH	SF-R	SF-6	SF-4.5	ND-3	ND-3.2	ND-3.5	ND-4	N-CM	CD-1
RESIDENTIAL USES											
Single Family Detached / Tiny Home	P	P	tP	tP	tP	tP	tP	tP	tP	--	--
Cottage Court	--	==	--	--	--	--	--	tP	tP	--	--
Two Family	--	==	--	--	--	--	P	tP	tP	--	--
Single Family Attached	--	==	--	--	--	tP	tP	tP	tP	tP	--



#5-6

Process Improvements

- Chapter 5 – Use Regulations
 - Land Use Matrix
 - This edit adds microbrewery use to the Land Use Matrix

	FD	MH	SF-R	SF-6	SF-4.5	ND-3	ND-3.2	ND-3.5	ND-4	N-CM	CD-1	CD-2	CD-2.5	CD-3	CD-4	CD-5	CD-5D	BP	HC	LI	HI	MH	CM	DEFINITION USE STANDARDS
Major Utilities	--	==	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	C	-	--	Section 5.1.6.3
Antenna	See Section 5.1.6.3.D																							
INDUSTRIAL																								
Light Industrial	--	==	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	--	P	P	-	C	Section 5.1.7.1
<u>Microbrewery</u>	==	==	==	==	==	==	==	==	==	==	==	==	==	==	==	C	C	==	C	P	P	==	C	<u>Section 5.1.7.1</u>

Process Improvements



#5-23

- Chapter 5 – Use Regulations

- Division 7:

- Industrial Uses*

- *B. Microbrewery*

This edit adds a specific definition for microbrewery

- B. Microbrewery.**

- 1. Defined. A facility licensed by the Texas Alcoholic Beverage Commission (TABC) that is primarily engaged in the production and packaging of malt beverages, including beer and ale, for distribution, retail, or on-site consumption. A microbrewery typically produces no more than 15,000 barrels (465,000 gallons) of beer annually. Accessory uses may include a taproom, restaurant, retail sales, and tours, provided they remain subordinate to the primary brewing use. Allowance of On-Premise Consumption of alcohol will require a Conditional Use Permit in accordance with Section 2.8.3.7.**

Process Improvements



#5-7

- Chapter 5 – Use Regulations
 - Land Use Matrix
 - This edit adds Data Center use to the Land Use Matrix

	FD	MH	SF-R	SF-6	SF-4.5	ND-3	ND-3.2	ND-3.5	ND-4	N-CM	CD-1	CD-2	CD-2.5	CD-3	CD-4	CD-5	CD-5D	BP	HC	LI	HI	MH	CM	DEFINITION USE STANDARDS
<u>Data Center</u>	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	C	=	C	P	=	=	<u>Section 5.1.7.10</u>

Process Improvements

- **Chapter 5 – Use Regulations**
 - *Section 5.1.7.10 Data Center*
 - *This edit adds a definition and use standards for a data center.*

Section 5.1.7.10 Data Center

A. Defined. A facility housing a collection of computer servers and associated components, such as telecommunication, storage and backup systems, that supply information to single or multiple end users off-site. May also be referred to as a

server farm. The use of on-site gas/coal power generation for the data center shall be considered the use of a Major Utility and shall require a Conditional Use Permit.

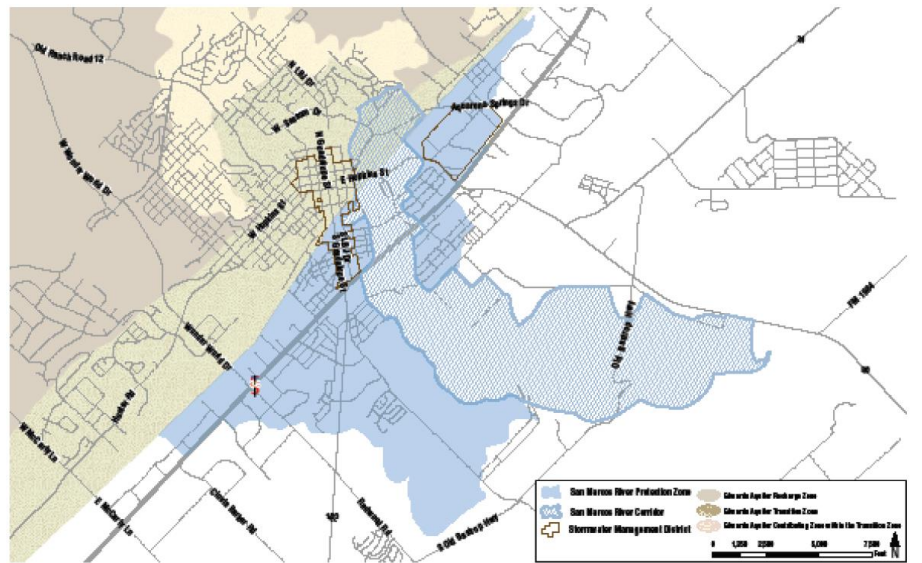
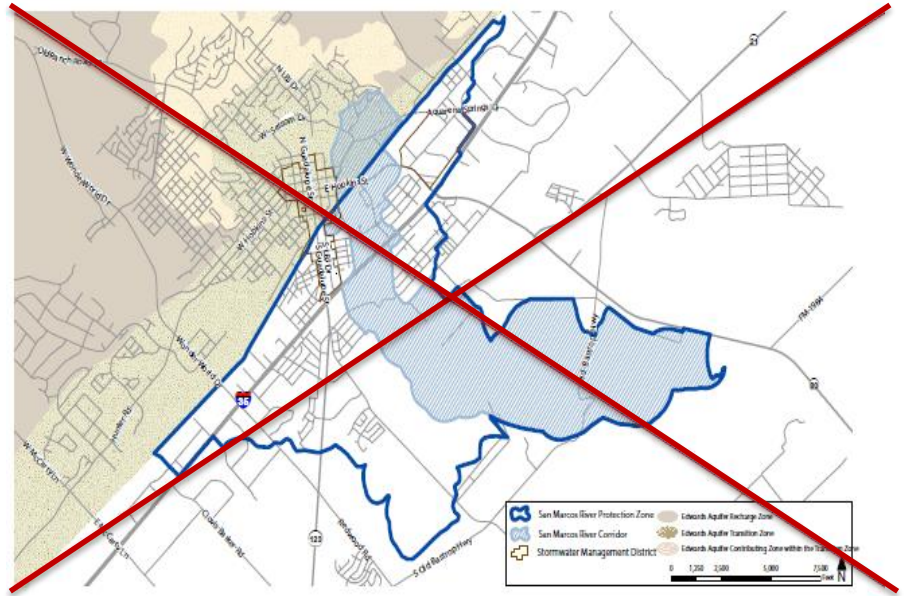
B. Use Standards. Where a data center is being proposed, it is subject to the following:

1. When adjacent to a residential use, all structures shall be setback 200 feet from the property line.
2. A Transitional Protective Yard Type C/D per Section 7.2.2.4 shall be installed.
3. On-site electrical equipment and any associated outdoor storage shall be opaquely screened from view of the public right-of-way and any adjacent residential use or zoning district, following Section 7.2.5.2.C.

Process Improvements

- Chapter 6 – Environmental Regulation
 - Figure 6.2 Environmental Protection zones
 - This edit updates the map to add sensitive features protection zones on plats.

FIGURE 6.2 ENVIRONMENTAL PROTECTION ZONES





Process Improvements

- Chapter 7 – Supplemental Development Standards
 - *Minimum Parking Requirements*
 - *This edit would allow on street parking to be counted toward the minimum parking in CD-5D. Curently all other districts are allow to use on street parking to be counted.*

DIVISION 2: MINIMUM PARKING REQUIREMENTS

Section 7.1.2.1 Minimum Requirements and Standards

- A. On-street public parking that is located directly adjacent to the property and meets all requirements for on-street parking in accordance with a street type containing dedicated and striped parking in Section 3.7.2.1 may be counted towards the minimum parking requirements in Section 7.1.2.1.
 1. ~~Exceptions. On-street public parking shall not be counted towards the minimum parking requirements in Section 7.1.2.1 in CD-5D zoning districts.~~

Process Improvements

- Chapter 7 – Supplemental Development Standards

– Table 7.1

This edit adds bicycle parking to certain uses.

TABLE 7.1 GENERAL MINIMUM PARKING REQUIREMENTS

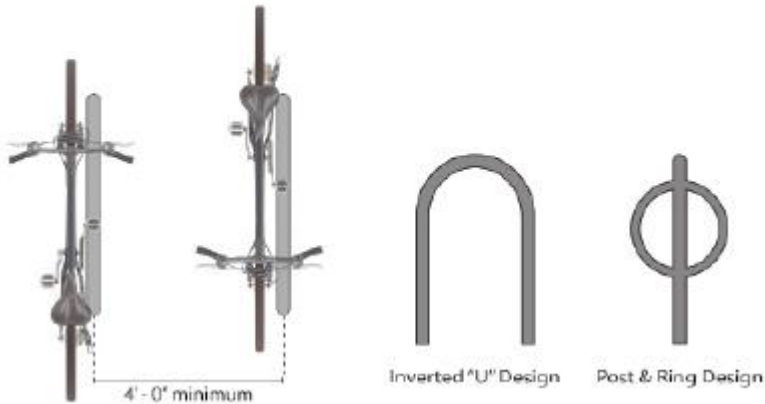
USE	MINIMUM PARKING	BICYCLE PARKING
HEAVY COMMERCIAL AND INDUSTRIAL		
Manufacturing	1 for each 1.5 employees in the maximum work shift.	<u>None 1 space per 5,000 sf GFA, minimum 4</u>
Warehouse and Distribution	1 space for each 2,000 SF GFA excluding office space, which shall be determined in accordance with the requirements for office and professional uses as set forth in this table.	<u>None 1 space per 5,000 sf GFA, excluding office space, which shall be determined in accordance with the requirements for office and professional uses, minimum 4</u>
Vehicle sales or rental dealer	1 space per 3,000 sf of open sales lot and enclosed floor area devoted to the sale, display, or rental of motor vehicles, mobile homes, or trailers.	<u>None 1 space per 5,000 sf GFA, minimum 4</u>
Vehicle repair facilities	1 space per 200 sf of floor area devoted to vehicle repair, excluding office space, which shall be determined in accordance with the requirements for office and professional uses as set forth in this table	<u>None 1 space per 5,000 sf GFA, excluding office space, which shall be determined in accordance with the requirements for office and professional uses, minimum 4</u>
Bus depot	1 space per 100 sf GFA	<u>None 1 space per 5,000 sf GFA, minimum 4</u>
Lumberyard and building material sales and service facility	1 space per 300 sf GFA	<u>None 1 space per 5,000 sf GFA, minimum 4</u>

Markup can be found on page 7:4 & 7:5 of the Land Development Code

Process Improvements

- Chapter 7 – Supplemental Development Standards
 - Table 7.1
 - This edits adds design and location standards for bicycle parking.

FIGURE 7.7 BICYCLE PARKING DESIGN



Section 7.1.4.3 Bicycle Parking

A. General Provisions

1. Bicycle parking shall be located in highly visible and well-lit areas to minimize theft and vandalism.
2. Bicycle racks must be securely anchored in place and must be designed to support a bicycle with at two (2) points of contact to prevent damage to the bicycle wheels and frame. An inverted U style or post & ring style bike rack is encouraged. However, other styles may be permitted so long as 2 points on contact are maintained per Figure 7.7.
3. At least 4ft of clearance shall be provided between bicycle racks and other objects and between other bicycle racks.

B. Non-Residential Bicycle Parking

1. Non-residential bicycle parking must be located within 100 feet from the primary entrance of the building that the bicycle parking is intended to serve.

C. Residential Bicycle Parking

1. Residential bicycle parking must be fully covered by a weather-resistant structure. This structure must be located within 300 feet from the primary entrance of the building that the bicycle parking is intended to serve.

Process Improvements

#D-6



- Design Manual
Appendix D:
Preferred Plant
List Article 3: Main
Street District

*This edit add
Pollinator Plant
Palette for Main
Street*

DIVISION 1: POLLINATOR PLANT PALETTE

<u>SPECIES</u>	<u>SCIENTIFIC NAME</u>	<u>BUTTERFLY</u>	<u>BEE</u>	<u>HUMMINGBIRD</u>	<u>LARVAL HOS</u>
<u>Mexican Oregano</u>	<u>Poliomintha longiflora</u>	X	X		
<u>Snakeherb</u>	<u>Dyschoriste linearis</u>	X			
<u>Artemisia</u>	<u>Artemisia 'Powis Castle'</u>				
<u>Catmint</u>	<u>Nepeta x fassenii 'Walker's Low</u>	X	X		
<u>Frogfruit</u>	<u>Phyla nodiflora</u>	X	X		X
<u>Pink Skullcap</u>	<u>Scutellaria suffrutescens</u>	X	X	X	
<u>Damianita</u>	<u>Chrysactinia mexicana</u>	X	X		

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Markup can be found on page D:1, D:17 - D:29 of the Design Manual

City Council Direction



#2-10

- Chapter 2 – Development Procedures

- Table 2.1

This edit shifts the responsibility of posted notices from the City to the applicant.

- E. Posted Notice. Whenever this Development Code requires that notice of a public hearing be posted on land, the ~~responsible-official applicant~~ shall cause notification signs stating the purpose and dates of the hearing to be placed on the subject property at least 11 days before the first public hearing unless a longer time period is identified in this development code.
 - F. Comprehensive plan map amendments or zoning map amendments initiated by a property owner, and a conditional use permit allowing the on premise consumption of alcohol or purpose built student housing require that the ~~responsible-official applicant send~~ post notice at least 17 days prior to the hearing date.

City Council Direction



#4-58

Chapter 4 – Zoning Regulations *Division 6: Development Overlay Regulating Plan, Section 4.5.6.1 - This edit is to create a Development Overlay option that may be considered alongside zoning request.*

- To clearly represent the final uses, building, and site conditions of a property
- Can be accompany a requested zoning map amendment to a Conventional Residential, Special District, or Character District.
- Regulating Plan will identify certain future conditions, if desired, including:
 - Location of proposed zoning districts
 - Uses permitted, limited, conditional, or not permitted and applicable standards/conditions
 - Maximum residential units proposed
 - Setbacks and/or Transitional Protective Yards
 - Parking and parkland location
 - Transportation plans (new streets, bicycle, pedestrian, greenways, or transit stops)
 - Non-buildable land such as floodplain
 - Other standards as proposed

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Markup can be found on page 4:147 & 4:148 of the Land Development Code

City Council Direction

- **Chapter 8 – Definitions**

- *Sound Definition*

This edit is to add Sound definitions

226. **Sound:**

- a. **Sound Amplifying Equipment:** any electronically powered, operated, or assisted device used for the enhancement or amplification of the human voice, music, or any other sound including, but not limited to, amplifiers (amps), microphones, speakers, sound systems, or other similar devices.
- b. **Amplified sound:** instrumental, digital, or vocal sounds which are made louder using sound amplifying equipment.
- c. **Acoustic sound:** instrumental or vocal sounds which are not amplified using sound amplifying equipment.
- d. **Background Sound:** amplified sound intended to enhance the ambiance of the business in which it is being played, and which is not plainly audible at the property line of the associated business.
- e. **Plainly Audible:** any amplified or acoustic sound which can be detected by the average person without the aid of hearing devices.

Clarification



#2-6

- Chapter 2 – Development Procedures

- Table 2.1

This edit is to add Demolition Delay process to Table 2.1

TABLE 2.1 DEVELOPMENT APPLICATIONS, DECISION AUTHORITY, AND NOTICE REQUIREMENTS TABLE												
APPROVAL PROCESS		REVIEW AND APPROVAL AUTHORITY							NOTICE			
	CITATION	RESPONSIBLE OFFICIAL	STAFF	HISTORIC PRESERVATION COMMISSION	NEIGHBORHOOD PRESENTATION	ZONING BOARD OF ADJUSTMENTS	PLANNING COMMISSION	CITY COUNCIL	APPLICATION NOTICE	PUBLISHED NOTICE	PERSONAL NOTICE	POSTED NOTICE
QUASI-JUDICIAL CONT.												
<u>Demolition Delay</u>		<u>Section 2.7.4.1</u>	<u>P</u>	<u>R</u>	<u>D/PH</u>			<u>A</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>



#5-18

Clarification

- Chapter 5 – Use Regulation

- *Overnight Lodging*
- Section 5.1.5.6
Overnight Lodging

This edit is clarify the number of rooms for overnight lodging.

Section 5.1.5.6 Overnight Lodging

A. Defined. Accommodations arranged for short term stays. Overnight lodging includes the following:

1. Bed and breakfast (~~up to 8 rooms~~).
2. Boutique hotel (~~up to 30 rooms~~).
3. Hotel/motel (~~more than 30 rooms~~).

Clarification

- **Chapter 6 – Environmental Regulation**
 - *Tree Preservation*
 - *Section 6.4.2.1. General Tree Preservation Requirements*

This edit revise and organize the section on what is required for a Tree Survey

1. Tree Survey. ~~To request City approval for the removal of a protected or heritage tree, s~~Submit a tree survey with the applicable development permit application. ~~Issuance of the applicable permit constitutes approval of tree removal and shall occur prior to any action being taken to remove a tree(s) or that may damage or disturb a tree(s) or its root system in any way. The tree survey shall include a drawing showing the following for all protected and heritage tree(s):~~
 - a. Tree species;
 - b. Tree diameter size;
 - c. Tree trunk location;
 - d. Scaled Critical Root Protection Zone (CRZ) where the radius of the circle is a number of feet equal to the diameter in inches of the tree as indicated in Figure 6.5, Tree Protection Standards; and
 - e. An indication of trees to be preserved or removed.



#6-7



Code Consideration Timeline

City Council Initial Authorization (August 19, 2025)

Public Comments

- Open House: October 9
- Comment Period: September 29 – October 26
- Development Stakeholder Survey: September 29– October 14

Updates to Boards/Commissions

- Historic Preservation Commission: October 2
- Planning & Zoning Commission: October 14
- Parks & Recreation Advisory Board: October 23
- Neighborhood Commission: November 19

Adoption Process

- Planning and Zoning Consideration and Recommendation: February 10
- **City Council Public Hearing and 1st Reading: March 3**
- City Council 2nd Reading: March 31

Planning and Zoning Commission Recommendation



On February 10, 2026 the Planning and Zoning Commission voted 6-0 to **recommend approval** of the Development Code with 5 amendments as indicated on the following slides.

***Note:** All P&Z Amendments have been incorporated into the mark-up of the Draft Development Code in the packet and are highlighted in yellow in the Justification Table*

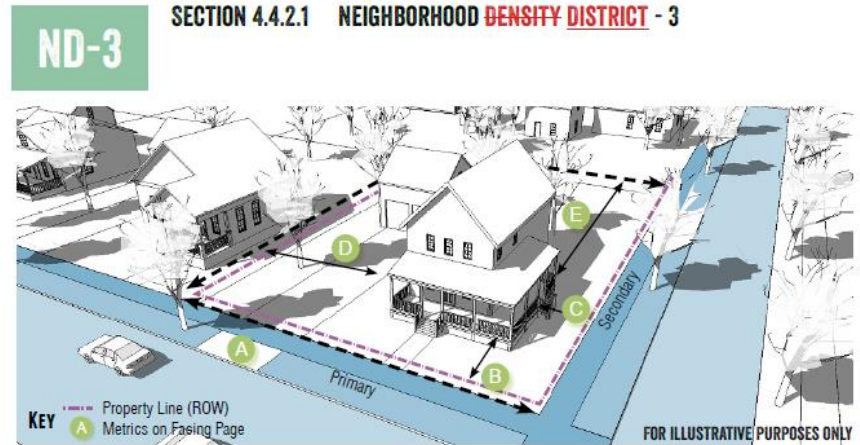
P&Z Amendment #1



Item #0-2 - to keep the word “Density” in the name of all Neighborhood “Density” Zoning Districts

Justification Table: The edit to remove the term “Density” from the name of these zoning districts was proposed by the public (citizen comments received)

4 CHAPTER ZONING REGULATIONS



Excerpt from page 4:64

P&Z Amendment #2



Item #3-26 - Remove “if applicable” and replace with “at the option of the applicant”

Justification Table: This edit was initially directed by City Council to request the applicant to include a summary of the significance of any street names in their application.

- C. All new streets shall be named at the time of platting. Street names shall be subject to City and County approval when located within the City limits, and County approval when located within the ETJ. The applicant shall include a list of proposed street names with the plat application including, if applicable, a summary of the significance of the requested street names.

“at the option of the applicant”

Excerpt from page 3:23

P&Z Amendment #3



Item #5-15 - Delete "non-consecutive" from third line.

Justification Table: This edit was proposed by the Joint PZ / City Council Conditional Use Permit Committee

3. The business must serve meals to customers ~~during at least two meal periods~~ at least 8 non-consecutive hours each day the business is open. A meal must consist of at least one entree, such as a meat serving, a pasta dish, pizza, a sandwich or similar food in a serving that serves as a main course for a meal. At least three entrees must be available during each ~~meal period~~ meal service. ~~A meal period means a period of at least four hours.~~

Excerpt from page 5:23

P&Z Amendment #4



C. Accessory Dwelling Units

1. **Defined.** A secondary living space which shares ownership and utility connections, and which is on-site with a primary living space and that may be contained within the same structure as is the primary living space, or may be contained in a separate structure.
2. **Use Standards.** Where a new accessory dwelling unit is allowed as a limited use it is subject to the following standards:

~~a. An accessory dwelling unit is considered an independent unit for the purposes of occupancy restrictions.~~

~~a. Where a new accessory dwelling unit is allowed as a limited use it is subject to the following standards:~~

~~1. The owner of the lot or parcel of land must maintain his or her primary residence on the lot;~~

- a. No more than one accessory dwelling unit may exist on a lot or parcel of land; and
- b. The habitable area of the accessory dwelling unit must not exceed the lesser of 1000 square feet or one-half the number of square feet of habitable area of the principal dwelling on the lot or parcel of land.

Item #5-15 – Reorganize the text

FIGURE 5.4 ACCESSORY DWELLING UNITS



*Excerpt from
page 5:11*

P&Z Amendment #5



Item #2-25 – Revise Section 2.8.3.4.A as follows.

***Note:** This amendment was discussed and received consensus at the February 4, 2026 Planning and Zoning Commission / City Council Joint CUP Committee meeting*

8. The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood;
9. Any other factors which shall substantially affect public safety; and
10. Any other factors which shall substantially affect public health.

C

#2-25

Excerpt from page 2:56

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Staff Recommendation

Staff recommends **approval** of the Development Code & Design Manual as presented in the Council Packet with the addition of two proposed amendments:

- **Staff Amendment #1:** Revise Section 5.1.5.5.B.7 to require that restaurants within the CBA be responsible for cleaning the area within 100 feet instead of 50 feet of any exit.

Background: This amendment was discussed and recommended by the Joint Planning and Zoning Commission / City Council Conditional Use Permit Committee at their February 4, 2026 meeting.



Staff Recommendation

- **Staff Amendment #2:** Revise *Section 2.2.4.2, Review Authority* to align with recent State Legislative changes per Section 211.0061 of the Texas Local Government Code.

Background: This proposed amendment does not change the substance of the original Draft Development Code language and seeks to rearrange text to provide clarity and avoid duplication.

A copy of the revised text is included in the packet as a separate attachment.