

Receive a presentation from staff, discuss, and provide direction on potential Development Code and City Code amendments to address concerns with developers requesting Texas Pollutant Discharge Elimination System (TPDES) permits, also commonly known as package treatment plants, from the Texas Commission on Environmental Quality (TCEQ) in lieu of connecting to City of San Marcos utility infrastructure.

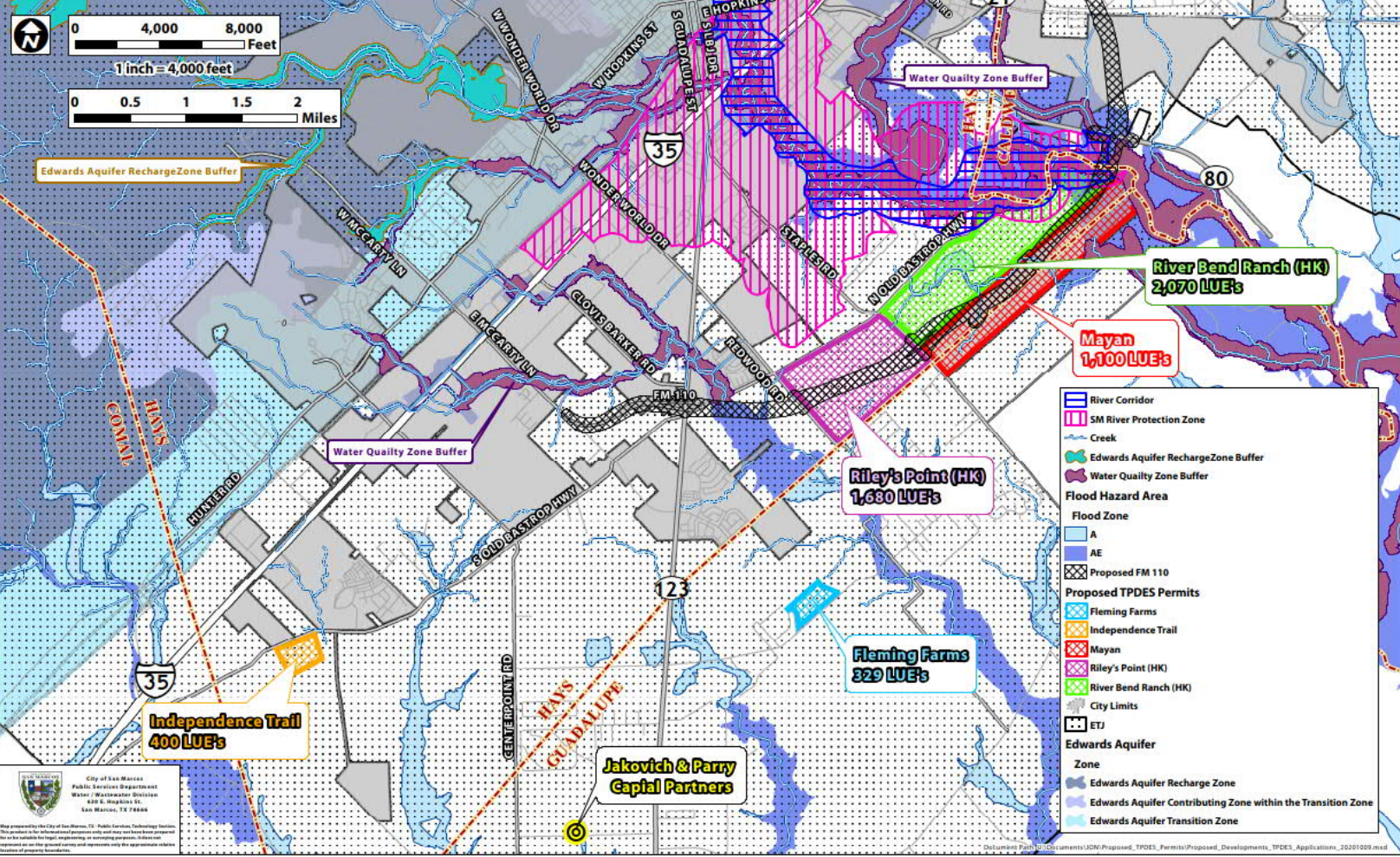


Discussion Topics

- Proposed Developments with active TPDES applications.
- City Opposition to TPDES applications
- Potential Connections and Estimated Revenue.
- Relevant Code Sections.
- Process & Potential Solutions.
- City Council Direction Requested.



Proposed Developments with TPDES Applications



City of San Marcos
 Public Service Department
 Water / Wastewater Division
 320 S. Hopkins St.
 San Marcos, TX 78666

Map prepared by the City of San Marcos, TX. Public Service Technology Section. This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or planning purposes. Information represents as and other stated terms and represents only the information relative to the project described.

SAN MARCOS City Opposition to TPDES Applications

- City Ordinances 70.052(a)(10): “the city discourages...package treatment plants”
- Protection of our environment and rivers
- Support of State legislative direction for regionalization of treatment services
- Impacts on quality of life (odors, discharge flows)
- Loss of City utility and general fund revenues
- Loss of centralized reuse of the wastewater processed at the package plants.
- Potential plant failures at unstaffed package plants could create health threats
- Limited expansion of utility systems into our preferred growth areas East of I-35
- Stranding invested City money in system capacities already installed
- Establishing a precedent for all ETJ developers

SAN MARCOS Potential Connections and Estimated Revenue

Existing Connections	Water	Wastewater
Existing	13,188	11,417
Potential Connections	Water	Wastewater
Riley's Point	1,680	1,680
Mayan		1,100
River Bend Ranch		2,070
Fleming Farms		329
Independence Trail		400
Total	1,680	5,579

Annual Additional Revenue*

Water	\$1,238,760
Wastewater	<u>\$4,545,612</u>
Total	\$5,784,372

8% Franchise Fee credited to
General Fund annually =
\$462,750

*based on average monthly
residential usage of 5,500 gallons

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Chapter 86 Utilities

- A petition for annexation is required for out of city utility connections or extensions.
- Developers indicate an unwillingness to annex and comply with City development regulations described in this presentation.

Sec. 86.003. - Extensions and connections to city water or wastewater system outside the city limits.

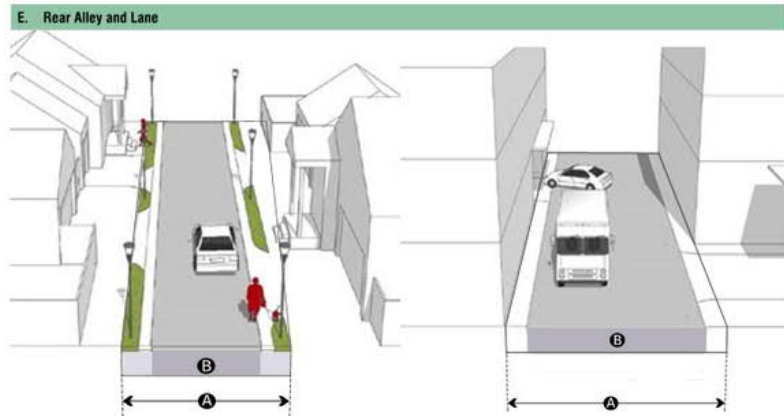
(a) Applications for service connections ... will be granted only with the approval of the city manager. Each such application must be accompanied by a written request for annexation of the applicant's property.

(b) Applications for extension of city water or wastewater lines ... will be granted only with the approval of the city council. An application for approval of such an extension must be accompanied by a written request for annexation of the applicant's property. ...

SAN MARCOS Relevant Development Code Sections

All lots forty (40) feet or less in width platted after the effective date of this Development Code are required to take vehicular access from an alley. The Responsible Official may waive this requirement for minor subdivisions platted under Section 3.2.4.1.

All lots 45 feet or less in width shall take vehicular access from a rear alley except Cottage Courts.



Alley Requirements

- Alleys are required for all lots under 40 ft. wide and in some instances, lots under 45 ft. wide.
- Developers indicate that alleys are too expensive and do not provide a benefit.
- Alternative Compliance is available as a relief procedure.

Garage Requirements

- Standards are provided to dictate the location standards for residential garages.
- If alleys are provided, alley loaded products meet code.
- Developers indicate the builders do not have affordable products that comply.
- Alternative Compliance is available as a relief procedure.

FIGURE 7.1 SEMI-FLUSH GARAGE

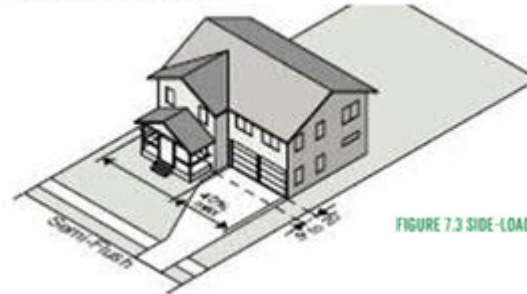
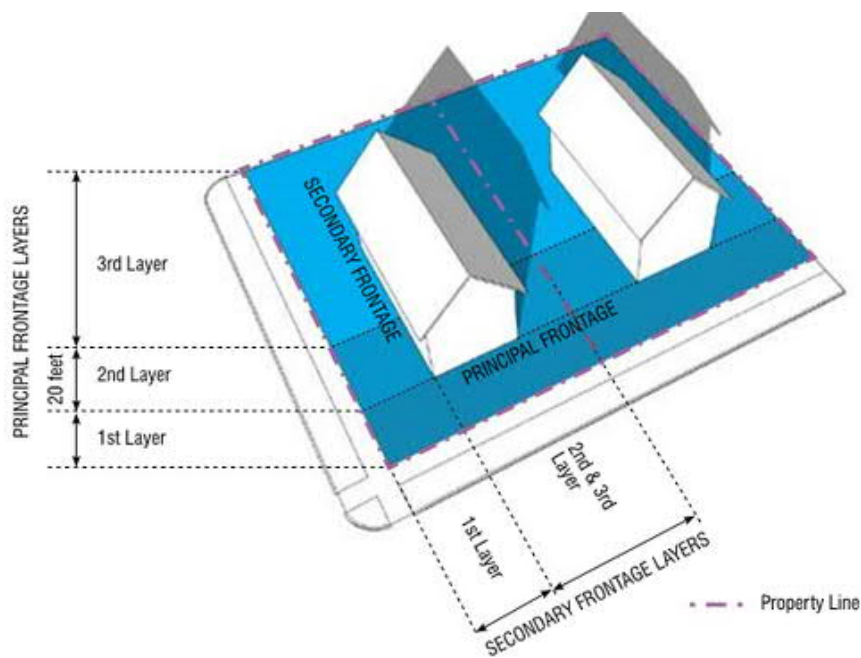


FIGURE 7.3 SIDE-LOADED GARAGE



FIGURE 7.4 DETACHED GARAGE



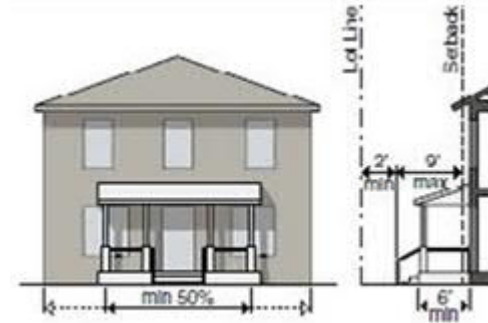


Surface Parking Requirements

- Surface parking is not permitted in front of the building façade (1st layer).
- Developers indicate the builders do not have affordable products that comply.
- Alternative Compliance is available as a relief procedure.

Porch Requirements

- When a porch is provided, the standards apply.
- When a porch is not provided, the standards do not apply.
- Developers indicate that they do not have home designs that meet the standards.
- Alternative Compliance is available as a relief procedure.



General Requirements:

1. A front porch must be at least 6 feet deep (excluding the steps).
2. A front porch must be contiguous with a width not less than 50% of the building facade.
3. A front porch must be roofed and may be screened but cannot be fully enclosed.
4. A front porch may extend up to 9 feet, including the steps, into a required front setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.

SAN MARCOS Relevant Development Code Sections Cont.

FIGURE 3.1 RESIDENTIAL BLOCK



FIGURE 3.10 SUBDIVISION ACCESS

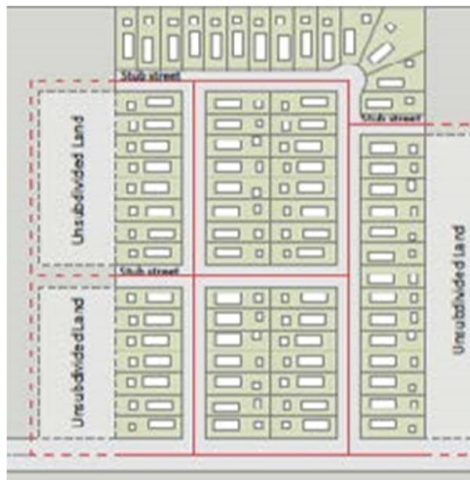


FIGURE 3.6 NATURAL OBSTRUCTION



Two-Tier Blocks

- Two tiers of residential lots are required, so that homes do not back onto major roadways.
- Developers indicate that this does not work with their standard residential development layout.
- Alternative Compliance is available as a relief procedure.

Table 4.1 Comprehensive Plan / District Translation Table

- Developers indicate that the process for a “NP” Not Preferred zoning request appears to take longer than a standard “C” Considered request.
- The process is the same.

TABLE 4.1 COMPREHENSIVE PLAN / DISTRICT TRANSLATION

DISTRICT CLASSIFICATION	COMPREHENSIVE PLAN		
	OPEN SPACE/ AGRICULTURAL	LOW INTENSITY	EXISTING NEIGHBORHOOD
Conventional Residential	NP	NP	C
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5
Character Districts	NP	C	<u>PSA</u>
Special Districts	<u>PSA</u>	NP	NP
Legend	<u>PSA</u> = Not Allowed (PSA Required)		NP=Not Preferred

SAN MARCOS Current Process & Potential Solutions

CURRENT PROCESS

(Development Agreement)

- Establish Council Committee.
- Negotiate Standards, Waivers, Annexation, Utilities, & Timing.
- +/- 6 month from application to approval.

CURRENT PROCESS

(Annex / Zone)

- No negotiation.
- Development follows all city standards or requests waivers through relief procedures in the Code.
- +/- 4 months from application to approval

POTENTIAL SOLUTIONS

- Amend Ch. 86 to make annexation more permissive.
- Amend Table 4.1
- Restore incentive options for residential developments
- Amend the City Code or Development Code city-wide or only for ETJ developments.



City Council Direction Requested

Staff recommends a combination of the following, in the order provided:

- 1) Amend Chapter 86 to make the annexation language more flexible, allowing the developer the potential to negotiate the timing of annexation through the OCU approval or Development Agreement process.
- 2) Amend Table 4.1 to indicate conventional residential zoning districts such as SF-6 and SF-4.5 as “C” or considered in areas of Low Intensity.
- 3) Restore the ability for developers to seek financial incentives as an incentive to negotiate development agreements or annex into the City.

Should Council wish, consideration may be given to amending the City Code of Ordinances or San Marcos Development Code, either city-wide or only for ETJ developments to remove some standards which developers indicate as barriers to successful development.

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