



# Exhibit A - Recommendations Table

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| To:   | Shannon Mattingly – Planning and Development Services Director  |
| From: | Planning & Development Services – Shavon Caldwell, Planner  |
| Date: | October 15, 2019  |
| Re:   | Proposed Changes to the San Marcos Land Development Code-Typos and Technical Errors, Expedited Policy Items, 2019 Legislative Session House Bills |

| Item # | Amendment Type          | Code Section                  | Change   | Reason  |
|--------|-------------------------|-------------------------------|--|---|
| 1      | House Bill (HB 3167)    | <a href="#">2.3.1.1(C)</a>    | Add statement clarifying application is not considered “filed” until it is determined complete.                          | Clarification. Application is not filed until determined complete                             |
| 2      | Typos/Errors            | <a href="#">2.3.2.1(G)</a>    | Change “2. Before the 12th day after an application is received” to “. . . after an application is determined complete.” | Clarification. Notice of application does not occur until application is determined complete. |
| 3      | Typos/Errors            | <a href="#">2.3.5.1(D)</a>    | “. . . as set forth in Section 2.3.5.3.”   | Clarification. Expiration and extension times for plats not consistently defined in Code.     |
| 4      | Technical/Clarification | <a href="#">2.3.5.3</a>       | Expand the table to include plats and replats and specify the extension period   | Clarification. Expiration and extension times for plats not consistently defined in Code      |
| 5      | Typos/Errors            | <a href="#">2.4.2.3(A)(2)</a> | Change “provide web notice” to “notice of the application”   | Consistency. “Web notice” used in previous iterations of Code.                                |
| 6      | Typos/Errors            | <a href="#">2.5.3.2(A)</a>    | Change “in this Division 5” to “in this Division”  | Wrong section reference   |

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|--------|-------------------------|--|---|--|
| 7      | Expedited Policy        | <a href="#">Chapter 2, Article 5, Divisions 5 and 6</a>                    | Require administrative Certificate of Appropriateness to paint properties in Downtown Historic District. Prohibit painting of previously unpainted masonry. | HPC Recommendation Resolution 2019-02RR  |
| 8      | Typos/Errors            | <a href="#">2.6.1.2(A)(2)(b)(1)</a>  | Add "Transition Zone and Contributing Zone within the Transition Zone" after Recharge Zone.   | Clarification. Specifies distinct geography where requirement applies                              |
| 9      | Typos/Errors            | <a href="#">2.7.1.1(C)(3)(a)</a>   | Revise "recharge or contributing zone" to "Recharge Zone, Transition Zone or Contributing Zone within the Transition"                                       | Clarification. Specifies distinct geography where requirement applies                              |
| 10     | Technical/Clarification | <a href="#">2.7.1.1(F)</a>   | Tighten up exemptions to site plan permit requirements; maybe just add "Documentation is required" after "2. Agricultural uses."                            | Clarification. Documentation required for agricultural uses exemption                              |
| 11     | Technical/Clarification | <a href="#">2.7.1.4(A)(2)</a>  | Add F – "Must be served by adequately by essential public facilities and services per Chapter 3, Article 5."  | Clarification. Adequate public facilities are a criteria for approval as per Chapter 3, Article 5. |
| 12     | Technical/Clarification | <a href="#">3.1.1.1(D)(5)</a>  | Exemptions for infill development should include "the current boundaries of the property existed in the same configuration since April 17, 2018."           | Clarification. Exemption is for unplatted properties and portions of lots not creation of new lots |
| 13     | Technical/Clarification | <a href="#">3.1.1.7(A)(2)</a>  | Add "Allowance for Electric Overhead and Underground Utilities easements shall be designed based on San Marcos Utilities (SMEU) Service Standards manual."  | Clarification. Directs user to SMEU standards manual.  |
| 14     | Technical/Clarification | <a href="#">Chapter 3, Articles 2 and 3, Plat Expiration and Extension</a> | Expand to include plats and replats and specify the extension period  | Clarification. Expiration and extension times for plats not consistently defined in Code           |
| 15     | Technical/Clarification | <a href="#">3.5.2.8(B)(3)</a>  | Revise "streets" to "Avenues, Boulevards, and Commercial Streets."  | Consistency with the Transportation Design Manual.   |

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| 16        | Technical/Clarification | <a href="#">3.6.3.1(B)(3)</a>   | Need to create an exemption for the 3:1 lot width-to-depth ratio for Townhomes, zero-lot line  | Technical Error. Townhome lots by nature exceed the 3:1 ratio standard.  |
| 17        | Typos/Errors            | <a href="#">3.10.1.2(B)</a>   | Change “in civic spaces” to “as plazas”  | Consistency with Section 3.10.2.1 Parkland Types   |
| 18        | Typos/Errors            | <a href="#">4.3.3.2(B)4)</a>  | Change “The street parallel to an alley within the block; and . . .” to “The street parallel to an alley within the block; or . . .”   | Clarification. Primary street may not meet all criteria listed.  |
| 19        | Technical/Clarification | <a href="#">4.3.3.2</a>   | Add definition of “principal frontage”   | Clarification. Defines principal frontage for user.  |
| 20        | House Bill (HB 2439)    | <a href="#">4.3.5.17(B)</a>   | Update applicability to reflect instances where building material standards can apply as per State law.  | Clarification. Defines applicability of durable building material standards as allowed by HB 2439  |
| 21        | Expedited Policy        | <a href="#">4.3.5.17(D)</a>   | Align primary materials definition to align with Secretary of Interior Standards   | HPC Recommendation Resolution 2019-02RR  |
| Exhibit C | House Bill (HB 2439)    | <a href="#">4.4.3.5</a> , <a href="#">4.4.3.6</a> ,<br><a href="#">4.4.5.1</a> , <a href="#">4.4.5.2</a> ,<br><a href="#">4.4.5.3</a> , <a href="#">4.4.5.4</a> . | Add section number to direct user to applicability section to determine if durable building material standards apply   | Clarification. Defines applicability of durable building material standards as allowed by HB 2439  |
| Exhibit C | House Bill (HB 2439)    | <a href="#">4.4.6.9</a> ,<br><a href="#">4.4.6.10</a> ,<br><a href="#">4.4.6.11</a> ,<br><a href="#">4.4.6.13</a> ,<br><a href="#">4.4.6.14</a> ,                 | Add section number to direct user to applicability section to determine if durable building material standards apply   | Clarification. Defines applicability of durable building material standards as allowed by HB 2439  |
| 22        | Typos/Errors            | <a href="#">4.4.2.5(B)</a>  | Residential Infill Compatibility Applicability Section should not have the second criteria   | Clarification. Standards apply to all lots in existing neighborhoods   |
| 23        | Typos/Errors            | <a href="#">4.5.2.1</a>   | 1) Remove the “Civil Air Patrol Building A” from landmark list and map.<br>2) Commemorative Air Force Hanger should be put back on the map.<br>3) Add effective dates of Landmarks and add Old Baptist Church to list. | 1) Typographical Error. This was demolished in 2010<br>2) Air Force Hanger erroneously removed<br>3) New landmark. Consistency. Dates listed for historic districts. |

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| 24     | Typos/Errors            | <a href="#">4.5.2.1</a>   | Change “1. Walls of continuity.” to “i. Walls of continuity.” and change “2. Scale of a Building.” to “j. Scale of a Building.” | Formatting change for purpose of clarity.  |
| 25     | Expedited Policy        | <a href="#">4.5.2.1</a>   | Prohibit the painting of previously unpainted masonry in the Downtown Historic District   | HPC Recommendation Resolution 2019-02RR  |
| 26     | Technical/Clarification | <a href="#">6.1.1.1</a>   | Better clearly identify when water quality is required for redevelopments.  | Clarification. Standards apply for new impervious cover regardless of improved site area or gross floor area |
| 27     | Typos/Errors            | <a href="#">6.1.2.3(A)</a>  | Revise “stormwater detention facility” to “stormwater facilities”   | Clarification. Cut/fill exemption applies to all stormwater facilities, not just detention ponds.            |
| 28     | Typos/Errors            | <a href="#">6.4.2.2(A)</a>  | Add “(i.e 54 inches)” after “four- and one-half feet”   | Clarification.   |
| 29     | Typos/Errors            | <a href="#">6.4.2.2(B)</a>  | ½ symbol not recognized in text, math does not compute correctly. Replace with .5.  | Clarification. Math problem in text does not compute correctly.  |
| 30     | Technical/Clarification | <a href="#">6.4.2.4(A)(3)</a><br>and<br><a href="#">6.4.2.4(A)(4)</a> | Change “barriers” to “fence”<br>After “debris” add “and vehicle parking”  | Clarification. Tree protection fences are required and parking on root zones is prohibited                   |
| 31     | Technical/Clarification | <a href="#">6.4.2.5(B)</a>  | Should be clarified, should refer to quadrants, and should also split fee-in-lieu to quadrants                                  | Clarification. Quadrant is correct geography for off-site mitigation and fee in lieu requirement             |
| 32     | Technical/Clarification | <a href="#">6.4.2.6</a>   | Remove Red Cedar and Huisache from the Plant List.  | Clarification. Eastern Red Cedar and Huisache are undesirable trees but qualify for tree credits.            |
| 33     | Typos/Errors            | <a href="#">7.1.2.1</a>   | N-CM (N-MS) district should be added to mixed use parking table   | Error. Mixed-use parking requirements should apply in N-CM zones   |
| 34     | Typos/Errors            | <a href="#">7.1.4.3(C)</a>  | Remove duplicate language “Interior islands may be . . . preserve existing trees” from 7.1.4.3(C)(1)                            | Removes duplicate language   |

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| 35     | Technical/Clarification | <a href="#">7.2.2.4(B)(2)</a>            | Should be revised to read something like “A required protective yard may not be located <i>within</i> any portions of an existing...”<br><br>Include an applicability section to read something like “Transitional protective yards shall be required for all new development along interior side lot lines and rear lot lines.” | Clarification. Transitional protective yards are required on private property, along interior side and rear lot lines |
| 36     | Technical/Clarification | <a href="#">7.2.6.2</a>                  | Add language to clarify 1st layer along secondary along secondary street is the first 20 feet from the curb (only for fences)  | Clarification. First layer along secondary frontage is the first 20 feet from curb.                                   |
| 37     | Typos/Errors            | <a href="#">7.3.1.8(C)</a>               | Change “violation of a spacing or location restriction in Section 7.3.1.6” to “. . . in Section 7.3.3.3 Location and spacing restrictions.”  | Wrong section referenced  |
| 38     | Typos/Errors            | <a href="#">7.5.2.1</a>                  | Figure 7.23 Environmental Performance Map is difficult to read.  | Clarification. Map is fuzzy and difficult to read.  |
| 39     | Typos/Errors            | <a href="#">9.1.1.1</a>                  | In the “Division 1: General” sentence, add Chapter 1, 2, and 8 (everything except 4 and 5)   | Clarification. All standards in Code except zoning regulations and use standards should apply to legacy districts     |
| 40     | Typos/Errors            | <a href="#">9.4.2.2</a>                  | This section needs to reference the design standards   | Design requirements erroneously removed   |
| 41     | House Bill (HB 3167)    | General/Find and replace throughout Code | All mentions or references to “site plan” should be changed to “site permit”.  | Clarification. Site permits are not subject to HB 3167  |
| 42     | Typos/Errors            | General/Find and replace throughout Code | All links to 4.3.2.2 need to be changed to 7.2.4.1, 7.2.4.2, and Design Manual for installation and maintenance of landscaping   | Wrong section referenced  |

| Item # | Amendment Type   | Code Section                             | Change   | Reason  |
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| 43     | Typos/Errors     | General/Find and replace throughout Code | Change ND-4M to N-MS on all Building type pages and under Abbreviated Designation in list of Neighborhood Density Districts (pg. 4:45). Change should be made throughout code with find/replace. | Typographical Error. N-MS is correct name of zoning district            |
| 44     | Typos/Errors     | General/Find and replace throughout Code | New code still says "Engineering Director" in a few spots  | Consistency. "Responsible Official" used in previous iterations of Code |
| 45     | Typos/Errors     | General/Find and replace throughout Code | Replace all references to Traffic Impact Analysis / Transportation Impact Analysis / Traffic Impact Assessment with "Transportation Impact Assessment."  | Consistency with the Transportation Master Plan                         |
| 46     | Expedited Policy | Section C.5.1.6 (Design Manual)          | Clarify language and figure to clearly define least and most appropriate location(s) for solar panel(s)  | HPC Recommendation Resolution 2019-02RR                                 |

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| 47     | Technical/<br>Clarification | City Code<br>86.188 | <p>Revise section to read as follows:</p> <ul style="list-style-type: none"> <li><b>A.</b> Any new development in the City Limits shall have underground electric utilities.</li> <li><b>B.</b> <del>Ør</del> Any redevelopment that encroaches upon existing overhead electric infrastructure will be required to convert to underground electric infrastructure along the entire frontage of the property or development adjacent to the easement or public right-of-way in which the infrastructure is in and located to a point at which extensions and connections to future subdivisions or developments can be made. If the property or development is not adjacent to an easement or public right-of-way, the extension of electric lines shall be accomplished in such a manner as to allow future extensions and connections to new subdivisions or developments. If new subdivisions or developments cannot be constructed beyond the applicant’s property due to physical or legal constraints, the Director or his designee may waive this requirement.</li> <li><b>C.</b> In order to maintain the electric system <del>reliability</del> capacity, the developer shall pay all cost associated with upgrading any electrical infrastructure necessary to serve new or increased electric load resulting from any new development or redevelopment within the San Marcos Electric Utility service area.</li> <li><b>D.</b> Design and construction standards for overhead and underground electric utility infrastructure <del>are available from the San Marcos Utility (SMEU), a division of the City of San Marcos Public Services Department.</del> in the City Limits are available from the Engineering Department from the Service Provider in the area.</li> <li><b>E.</b> All Overhead service installations in the City limits shall be on steel poles (45’ Class 3).</li> <li><b>F.</b> Allowances for Electric Overhead and Underground Utilities easements shall be designed based on San Marcos Utilities (SMEU) Service Standards manual.</li> </ul> | <p>Clarity. Run on sentence formatted into individual subsections, defines geography where standards apply, and directs user to SMEU standards manual.</p> <p>*Language and recommendation by SMEU</p> |