



# Discussion

## Land Development Code Update

Receive a staff presentation and hold discussion on proposed amendments to the San Marcos Land Development Code and Design Manual.

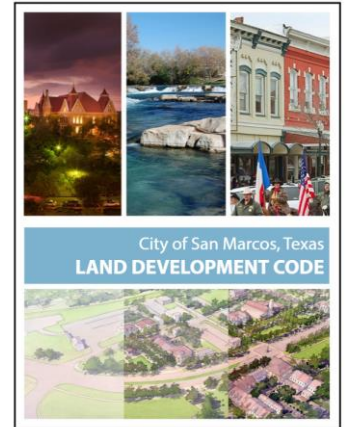


# About the Development Code

- **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;

# Purpose for an Update

- Implementing the newly adopted **Vision SMTX Comprehensive Plan**;
  - Improving **processes and correcting discrepancies**;
  - Aligning the code to reflect recent changes to **state law**; and
  - Providing **standards for new and emerging development types**.
- 
- **Stakeholder Input**
    - Development stakeholder group
    - Incorporating City Council direction
    - Incorporating Board/Committee Direction





# Updates

- In August, the San Marcos City Council authorized updates to the Development Code and Design Manual.
- **Overview of Land Development Updates**
  - Implementing the newly adopted Vision SMTX Comprehensive, which sets out the community's vision for development in San Marcos over the next 20-30 years
  - Improving processes and correcting discrepancies in response to ongoing feedback from the development community, stakeholders, and members of the public
  - Aligning the code to reflect recent changes to state law
  - Providing standards for new and emerging development types

# Proposed Edits

- Chapter 2  
Development  
Applications *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.												
Watershed Protection Plan I or II	Section 2.6.1.1	E	D				A			N	N	N
Qualified Watershed Protection Plan	<del>Section 2.6.1.1</del>	E	Ø				PM	A		N	N	N
Construction Permit	Section 2.7.3.1	B	D							N	N	N

#2-7

Redline can be found on Page 2:4 of the Land Development Code

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# Proposed Edits

- Chapter 2  
Section 2.3.2.1  
General Notice  
Requirements



4. Notice may be served by depositing the notice, properly addressed and first class postage prepaid, in the United States mail.

**#2-10**

- 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.

1. A minimum of one 2' x ~~2~~ 4' sign shall be placed on each street frontage. Property with multiple street frontages shall have the requisite sign on each street. Signs shall be placed in a visible, unobstructed location near the front property line.

**#2-10**

3

Redlines can be found on page 2:14 of the Land Development Code

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# Proposed Edits

- Chapter 2  
Section 2.3.2.1  
General Notice  
Requirements

#2-11

**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.

Redlines can be found on page 2:14 of the Land Development Code

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# Proposed Edits



- Chapter 2  
Section 2.4.2.2  
*Application  
Requirements*

## Section 2.4.2.2 Application Requirements

- A. An application for a Comprehensive Plan map amendment shall be submitted in accordance with the universal application procedures in Section 2.3.1.1.

#2-14

~~B. Consideration of Preferred Scenario Map amendments that are modifications to a Neighborhood Low-Existing Place Type shall be limited to twice per year as determined by the Responsible Official.~~

Redlines can be found on page 2:21 of the Land Development Code

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# Proposed Edits

- Chapter 3  
Subdivisions

*Preliminary  
Subdivision or  
Development Plat  
Section 3.2.2.1.B  
Applicability*

## DIVISION 1: PRELIMINARY SUBDIVISION OR DEVELOPMENT PLAT

### Section 3.2.1.1 Purpose, Applicability, Exceptions and Effect

- A. **Purpose.** The purpose of a preliminary subdivision or development plat shall be to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development and the overall compliance of the land division with applicable requirements of this Development Code.
- B. **Applicability.** A preliminary subdivision or development plat is required for developments where:
1. ~~Public infrastructure is required and the developer has elected not to file a subdivision improvement agreement.~~  
The proposed development is to occur in phases.

#3-5

Redlines can be found on page 3:8 of the Land Development Code

# Proposed Edits

- Chapter 3  
Subdivisions  
*Lot Standards*  
*Section 3.6.3.1.B.3,*  
*Irregularly*

#3-44

standards of this Development Code.

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.~~



Redlines can be found on page 3:34 of the Land Development Code

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# Proposed Edits

- Chapter 3  
Subdivisions

*New Streets and  
Existing Streets*

*Article 7, New Streets  
& Article 8, Existing  
Streets*

constructed in accordance with this Article.

3. Sidewalks in the ETJ. Sidewalks shall be provided along all new streets in the ETJ in accordance with this Article, except for residential lots greater than one acre where no site plan is required.

#3-50

4. Existing streets may remain requiring existing development

Redline can be found on pages 3:39 of the Land Development Code

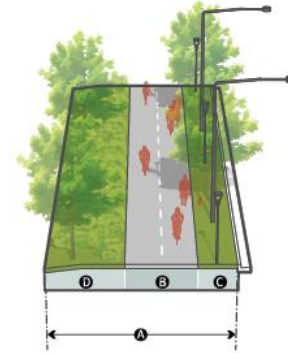
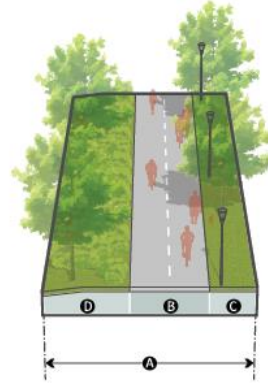
# Proposed Edits

- Chapter 3  
Subdivisions  
Greenway  
Section 3.7.2.6.F  
Multi-Use Greenway  
& Section 3.8.1.1.B  
General Applicability  
(Existing)

Redlines can be found on page 3:56 of the Land Development Code

#3-53

F. Multi-Use Greenway



## GREENWAY TRAIL DESCRIPTION

Provides a connected network of recreational trails and protected bikeways shared-use paths and walk and bike trails throughout San Marcos.

GENERAL	TYPICAL	
Right of Way or Public Access Easement	32' min	A
Walkway	Multi-Use Path	
Bikeway	Multi-Use Path	
Parking	N/A	
Planting	N/A	

## GREENWAY

Multi-Use Path	12' min	B
Greenway Shoulder	7' 10' min	C
Tree Spacing	40' o. c. average	

## STREET-ADJACENT GREENWAY DESCRIPTION

Provides a connected network of recreational trails and protected bikeways shared-use paths and walk and bike trails along existing or future roads.

GENERAL	ALONG A ROAD	
Right of Way or Public Access Easement	22' 19' min	A
Walkway	Multi-Use Path	
Bikeway	Multi-Use Path	
Parking	N/A	
Planting	N/A	

## GREENWAY

Multi-Use Path	12' min	B
Greenway Shoulder, Exterior	7' min	C
Greenway Shoulder, Interior (optional)	10' min	D
Tree Spacing	40' o. c. average	



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# Proposed Edits

- Chapter 3  
Subdivisions  
*Parkland Dedication*  
*Section 3.10.1.2.A*  
*General Calculation*  
*of Required Parkland*

#3-56

1. The first six residential units 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.
- B. Land Required in the Downtown and Midtown areas as identified in Figure 1.1 of the Design Manual. Residential or mixed use developments with 30 or more dwelling units shall provide a minimum of five percent (5%) of the site or lot as plazas that are either privately held and open to the public or dedicated as parkland. Land dedicated under this Section 3.10.1.2.B shall count towards the general parkland dedication requirements in Section 3.10.1.2.A. Upon determination of the responsible official, this requirement may be waived by the Parks and Recreation Board.

#3-57

Redlines can be found on page 3:67 of the Land Development Code



# Proposed Edits

- Chapter 4 Zoning Regulations

## *Character Districts*

### *Table 4.5, Character Districts*

TABLE 4.5 CHARACTER DISTRICTS #4-10			
ABBREVIATED DESIGNATION	DISTRICT NAME	DISTRICT INTENT	SEC.
CD-4	Character District-4	The CD-4 district is intended to accommodate a variety of residential options including single-family, two-family and multifamily with limited commercial <del>or mixed use on the corners.</del>	Section 4.4.3.5

Redlines can be found on page 4:10 & 4:84 of the Land Development Code

# Proposed Edits

- Chapter 4 Zoning Regulations

## Front Porch

### Table 4.14, Building Elements Table

#### 4 CHAPTER

#### ZONING REGULATIONS

#4-22

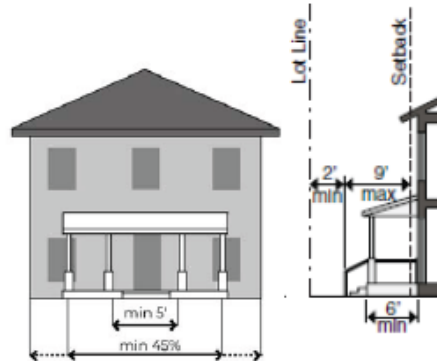
TABLE 4.13 BUILDING ELEMENTS TABLE

##### FRONT PORCH

Description. A raised structure attached to a building that forms a covered entrance to a doorway.

##### General Requirements:

- A front porch must be at least 6'4" feet deep (excluding the steps and any porch posts).
- ~~A front porch shall have a minimum of 50 square feet.~~
- Front porch posts which flank the front door, entry, or access point to the unit shall be separated a minimum of 5'.
- A front porch must be contiguous with a width not less than ~~46%~~ 35% of the building facade.
- A front porch must be roofed and may be screened but cannot be fully enclosed.
- 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.



Redlines can be found on page 4:36 of the Land Development Code

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# Proposed Edits

- Chapter 4 Zoning Regulations  
*Neighborhood Density – 4 Section 4.4.2.4*

LOT		
BUILDING TYPE	LOT AREA	LOT WIDTH
Townhouse	1,500 sq. ft. min.	20 ft. min.
<u>Duplex</u>	<u>4,000 sq. ft. min.</u>	<u>40 ft. min.</u>
Small Multi-Family	6,000 sq. ft. min.	50 ft. min.
Courtyard Housing	6,000 sq. ft. min.	80 ft. min.
Neighborhood Shopfront	6,000 sq. ft. min.	50 ft. min.
Civic Building	6,000 sq. ft. min.	50 ft. min.

Redlines can be found on page 4:70 & 4:71 of the Land Development Code

4

CHAPTER

#4-6  
#4-33

ZONING REGULATIONS

## ND-4

SECTION 4.4.2.4 NEIGHBORHOOD DENSITY - 4







### GENERAL DESCRIPTION

The ND-4 district is primarily intended for residential living. ND-4 should be applied in areas where the land use pattern is a mixture of housing types that includes multi-family or townhouse with some commercial. This district can accommodate smaller scale multi-family living that fits in with a single family character and can include some limited neighborhood oriented commercial ~~on corners only~~.

### TRANSPORTATION

Block Perimeter	2,000 ft. max	Section 3.6.2.1
Streetscape Type	Residential Conventional	Section 3.8.1.10 Section 3.8.1.7

### DENSITY

Impervious Cover	80% max.
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### Occupancy Restrictions

Section 5.1.4.4

### BUILDING TYPES ALLOWED

Accessory Dwelling <u>Unit</u>	Section 4.4.5.1
Townhouse	Section 4.4.5.6
<u>Duplex</u>	<u>Section 4.4.5.4</u>
Small Multi-Family	Section 4.4.5.7
Courtyard Housing	Section 4.4.5.8
Neighborhood Shopfront	Section 4.4.5.11



# Proposed Edits

- Chapter 4  
Zoning  
Regulations  
*House Section*  
4.4.5.2

## 4 CHAPTER ZONING REGULATIONS

#4-43

Section 4.4.5.2 House

FD: SF-R: SF-6: SF-4.5: ~~MH~~: ND-3: ~~ND-3.2~~: ND-3.5: ~~ND-4~~: CD-2: CD-2.5: CD-3: CD-4



Redlines can be found on page 4:110 of the Land Development Code

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# Proposed Edits

- Chapter 4 Zoning Regulations

*Cottage Court*

*Section 4.4.5.3*



4  
CHAPTER

#4-44

ZONING REGULATIONS

Section 4.4.5.3 Cottage Court

ND-3.5: ~~ND-4~~; CD-3 ~~CD-4~~;



Redlines can be found on page 4:112 of the Land Development Code

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# Proposed Edits



## Chapter 4 Zoning Regulations *Development Overlay Regulating Plan,* *Section 4.5.6.1*

- 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



# Proposed Edits

## Chapter 5 Use Regulations

## Table 5.1 Land Use Matrix

TABLE 5.1 LAND USE MATRIX

#5-1

TYPES OF LAND USES	CONVENTIONAL RESIDENTIAL					NEIGHBORHOOD DENSITY DISTRICTS					CHARACTER DISTRICTS					SPECIAL DISTRICTS					DEFINITION USE STANDARDS			
	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-50	BP	HC	LI		HI	MH	CM
Special Event Facility	C	=	C	--	--	--	--	--	--	C	--	C	--	--	--	--	--	P	--	--	--	--	--	Section 5.1.5.9
Parking Garage (as a primary use)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	--	--	--	--	--	Section 5.1.5.10
PUBLIC & INSTITUTIONAL																								
Civic, except as listed below.	P	P	L	L	L	L	L	L	P	P	L	L	L	L	P	P	P	P	P	P	P	P	P	Section 5.1.6.1
Day Care Center	C	=	--	--	--	C	C	C	L	P	--	C	C	C	P	P	P	P	P	C	C	--	P	Section 5.1.6.1
Parks, Open Space, and Greenways	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 5.1.6.2
Minor Utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 5.1.6.3
Microbrewery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	C	P	P	--	C	Section 5.1.7.1
Data Center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	C	L	--	--	Section 5.1.7.10

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Redlines can be found on page 5:4 of the Land Development Code



# Proposed Edits

- **Chapter 5 Use Regulations** *Section 5.1.4.1 Household Living Shaped Lots & Section 3.6.3.1.C, Lot Dimensions*

## **DIVISION 4: RESIDENTIAL USES**

### **Section 5.1.4.1 Household Living**

- A. **Defined.** Residential occupancy of a dwelling unit by a household. Household living includes the following.

1. Single family detached, cottage court, two-family, single family attached, small multi-family, courtyard housing, multi-family(10 units or more).
2. Purpose-Built Student Housing.
3. Manufactured home.
4. Mobile home community. **#5-12**

- B. ~~**Use Standards.** All household living uses within the City where the property is rented to and occupied by persons other than the property owner for a time period greater than 30 days, irrespective of whether they existed and constituted permitted non-conforming uses immediately prior to the effective date of this development code, must be registered with the City pursuant to Chapter 34, Article 7 of the City Code.~~

- C. ~~**Proof of Occupancy.** Prima facie proof of occupancy of a dwelling unit by more than three unrelated persons is established in any prosecution for violation of this section if it is shown that the same three or more vehicles with registrations to persons having different surnames and addresses were parked overnight a majority of nights in any 21-day period. This establishment of a prima facie level of proof in this subsection does not preclude a showing of "occupancy" of a dwelling unit by a person in any other manner.~~

- D. ~~**Responsibility for Compliance with Occupancy Restrictions.** The property owner and any agent of the property owner shall be legally responsible for directly or indirectly allowing, permitting, causing, or failing to prohibit the occupancy of a dwelling unit by more than three unrelated persons.~~



# Proposed Edits

- Chapter 5 Use Regulations  
Section  
5.1.5.5.B.4.b  
On-Premise Consumption of Alcohol

#5-15

1. Permits for an eating establishment including alcohol sales in the downtown CBA boundary are valid for up to three years from date of issuance. A renewal permit for a current permit holder may be administratively issued under Section 2.8.3.7.

2. The business must have a kitchen and food storage facilities of sufficient size to enable food preparation. The kitchen must be equipped with, and must utilize, a commercial grill, griddle, fryer, oven, or similar heavy food preparation equipment in accordance with the City's Health Code.

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~~

#5-15

~~period meal service. A meal period means a period of at least four hours.~~

4. The business must be used, maintained, advertised and held out to the public as a place where meals are prepared and served. An eating establishment shall have a posted menu on their website and any applicable social media platforms.





# Proposed Edits

## • Chapter 5 Use Regulations *5.1.7.10 Data Centers, Microbrewery.*

### Section 5.1.7.10 Data Center **#5-24**

- 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 allowed as a limited use, 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.

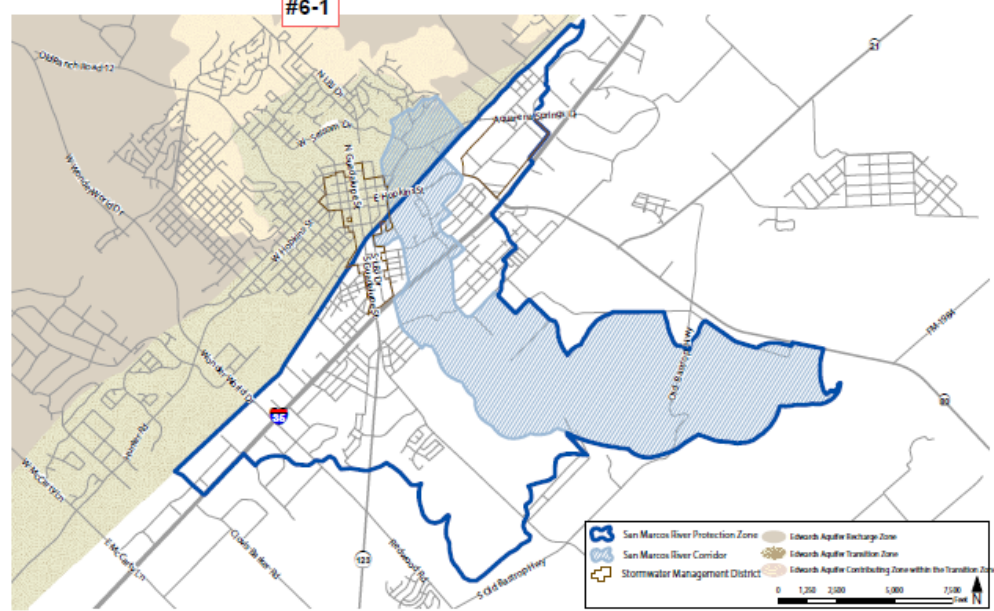
### B. Microbrewery. **#5-23**

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.

# Proposed Edits

- Chapter 6:  
Environmental  
Changes  
*Environmental  
Protection Zones  
6.1.4.1 Stormwater  
Quality and Stream  
Protection; Fig. 6.2*

FIGURE 6.2 ENVIRONMENTAL PROTECTION ZONES



Redlines can be found on page 6:7 of the Land Development Code



# Proposed Edits

- Chapter 6:  
Environmental  
Changes  
*Enhanced Protection  
Zones*  
*Section 6.2.1.1(C)*  
*Purpose, Applicability  
and Exceptions;*  
*Designation Required*

Redlines can be found on page 6:8 of the Land Development Code

## ARTICLE 2: ENHANCED PROTECTION ZONES

### DIVISION 1: GENERAL

#### Section 6.2.1.1 Purpose, Applicability and Exceptions

- A. **Purpose.** The purpose of the standards in this Division are to protect water quality in more sensitive areas and to prevent flood damage throughout the City and its Extraterritorial Jurisdiction.
- B. **Applicability.** This Article applies to development affecting any waterway including the Blanco and San Marcos Rivers located within the City or its Extraterritorial Jurisdiction unless otherwise stated in this Development Code
- C. **Designation required.** The water quality zones and buffer zones and sensitive feature protection zones required by this Article shall be designated when a plat is required for a development, and shall be shown on all associated watershed protection plans, plats, site permits, and building plans. Unless required by the Responsible Official to be dedicated as a flowage easement and dedicated for public maintenance, water quality zones and buffer zones shall be privately held and maintained.

#6-2

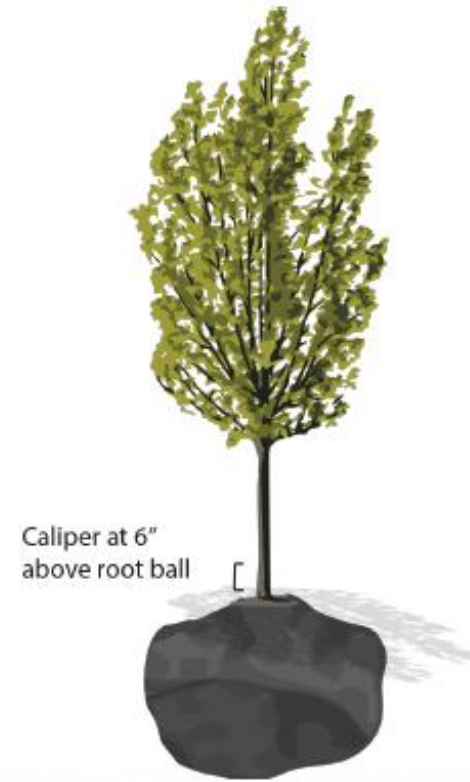


# Proposed Edits

- Chapter 6:  
Environmental  
Changes  
*Tree Preservation*  
*Section 6.4.2.1.*  
*General Tree*  
*Preservation*  
*Requirements*

Redlines can be found on page 6:15 &  
6:16 of the Land Development Code

FIGURE 6.4 MEASURING ROBERT STOCK



- D. Measuring Existing Trees with an angle or on a slope. When the trunk is at an angle or is on a slope, the trunk is measured at right angles to the trunk 4.5 feet along the center of the trunk axis, so the height is the average of the shortest and longest sides of the trunk.





# Proposed Edits

- Chapter 6:  
Environmental  
Changes  
*Tree Mitigation*  
Section 6.4.2.5. *Tree*  
*Fee-in-lieu*

#6-9

1. The Responsible Official shall consider the following criteria when evaluating a request for fee-in-lieu of additional tree plantings:
  - a. Diameter inches of existing trees to be preserved on site;
  - b. Amount and diameter inches of new trees to be planted on site;
  - c. Environmental features or easements that prevent additional tree plantings;
  - d. Opportunities for off-site tree plantings in a park or public right-of-way near the subject property;
  - e. Any other information deemed appropriate in the professional judgment of the Responsible Official. Immediately notify the Responsible Official.

Redlines can be found on page 6:18 of the Land Development Code

# Proposed Edits

- Chapter 6:  
Environmental  
Changes  
*Tree Credits*  
*Section 6.4.2.6,*  
*Incentives to Retain*  
*Existing Trees*

## Section 6.4.2.6 Tree Credits

- A. Incentives to Retain Existing Trees. In order to encourage the preservation of trees that are already established and growing, particularly heritage trees, additional credit as outlined in the table below shall be given for healthy existing trees. To receive credit, the existing tree must be of a species included on the preferred list in the technical manual and located within the limits of construction (LOC) of the development site. To receive credit, trees must remain in healthy condition at the time of Certificate of Occupancy. Tree credits for preserving existing trees can be used to meet either the landscaping requirements for trees or the mitigation requirements for other removed trees.

#6-10

Redlines can be found on page 6:18 of the Land Development Code

# Proposed Edits

- **Chapter 7:  
Environmental  
Changes**  
*Mitigation for  
Exceeding Maximum  
Parking*  
*Section 7.1.1.3,  
Mitigation  
Requirements*

G. All parking spaces, excluding drive aisles, shall utilize a permeable paving system meeting the performance standards for infiltration rates and storage included in the city's stormwater technical manual.

- A. Intent. The intent of the maximum parking requirement is to mitigate the impact of impervious cover added to a site in excess of what is required to satisfy the minimum parking provisions.
- B. Applicability. Except for single- and two-unit living or for uses providing 10 or fewer surface parking spaces, when the surface parking provided to serve a use exceeds 150% of the required parking ratios as specified in Section 7.1.2.1, one or more of the following mitigation requirements must be provided.

## C. Mitigation Requirements

1. All parking spaces provided above the maximum shall utilize a permeable paving system meeting the performance standards for infiltration rates and storage included in the City's Stormwater Technical Manual. The pervious pavement areas shall be vacuum-swept and washed with a high-power hose. This shall not apply to drive aisles.
2. All required landscape islands per Section 7.1.4.3 must be a minimum of 300 square feet with no dimension less than

9 feet in size. Shade trees are required in all landscape islands in accordance with Section 7.1.4.3.

3. Preservation of existing trees may be used to offset excess parking spaces. For every 6" caliper of trees preserved, one (1) additional parking space may be provided above the maximum, provided that no more than 25% of the root protection zone of the tree is disturbed. Preserved trees must be of a species found on the City's Preferred Plant List.

## 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.

**#7-3**

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.

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

- B. Table 7.1 below includes minimum parking requirements for any proposed uses except those in the N-CM, CD-4, CD-5, or CD-5D zoning districts.

Redlines can be found on page 7:2 & 7:3 of the Land Development Code

# Proposed Edits

- Chapter 7:  
Environmental  
Changes  
*Landscaped Islands*  
*Section 7.1.4.4,*  
*Parking Lot*  
*Landscaping*

## Section 7.1.4.4 Parking Lot Landscaping

**#7-12**

- A. **Applicability.** ~~Parking lot landscaping is required for all off-street vehicle parking areas with more than 20 spaces except in the CD-5 or CD-5D zoning districts.~~ Parking lot landscaping is required for all off-street surface parking areas with more than 20 spaces except in CD-5D zoning districts. Multiple platted lots contained on a single site plan and any separate parking areas connected with drive aisles are considered a single parking area.

Redlines can be found on page 7:13 of the Land Development Code



# Proposed Edits

- Chapter 7:  
Environmental  
Changes  
*Walls and Fences*  
*Section 7.2.6.2.F.1.A,*  
*Height*

## F. Height

1. A wall or fence may not exceed 6 feet in height except that a maximum of 8 feet may be permitted where:
  - a. A joint fencing application is made with the signature of ~~both adjacent property owners; and the adjacent~~ property owner(s) where the proposed fence is on the property line and/or within the setback.
  - b. The Responsible Official considers the desired fence to protect the interests of adjacent property owners and the community at large.

#7-32

Redlines can be found on page 7:25 of the Land Development Code

# Proposed Edits

- Chapter 7:  
Environmental  
Changes  
*Signs*  
*Section 7.3.4.9,*  
*Monument Sign*

## Section 7.3.4.9 Monument Sign



### DESCRIPTION

A sign that is erected on a solid base directly on the ground, and that is itself constructed of a solid material.

DIMENSIONS	<del>ND-4, CD-4</del>	#7-39	<del>N-6M, CD-5, CD-5D, CD-4, ND-4, CD-3, CD-2.5</del>
Quantity (max)	<del>1 per Lot</del>		1 per lot if the location standards below are met
Area ( <del>max</del> )	<del>12 sq. ft.</del>		18 sq. ft.
Height (max)	<del>4 ft.</del>		6 ft.
Location Restrictions applicable to CD-5D:			Monument signs are permitted only on S. L B J Dr. and S. Guadalupe St. between E. Grove St. and I-35 Frontage St.
Location Restrictions applicable to <del>CD-6, N-6M, CD-2.5, CD-3, CD-4:</del>			<del>Monument signs are permitted where an existing building does not meet the build-to requirements of this development code or if approved through an alternative compliance request where consistent with the design manual: One monument sign is allowed per subdivision entrance.</del>

[sanmarcostx.gov](http://sanmarcostx.gov)

Redlines can be found on page 7:44 of the Land Development Code



# Proposed Edits

- Chapter 7: Environmental Changes *Lighting and Glare Standards, Section 7.5.2.1.A, Lighting Performance Zones*

**TABLE 7.10 ENVIRONMENTAL LIGHTING PERFORMANCE ZONES #7-44**

ENVIRONMENTAL LIGHTING PERFORMANCE ZONES	DESCRIPTION	MAXIMUM AVERAGE LIGHT LEVEL IN HORIZONTAL FOOT-CANDLES
<del>E-1 Z-1</del>	<del>Urbanized, non-residential areas along Interstate Highways</del> <u>Areas within 350ft of IH-35</u>	2.0
<del>E-2 Z-2</del>	<del>Urbanized non-residential areas along certain State Highways and arterial roadways</del> <u>Areas within 350ft of SH-123 (extending south from IH-35), Hopkins St/SH-80 (extending east from the San Marcos River), and FM-110</u>	1.5
<del>E-3 Z-3</del>	<del>Residentially dominated areas</del> <u>All areas not identified as a Z-1 or Z-2 designation</u>	1.0
<del>E-4 Z-4</del>	<del>Designated Open Space Areas</del> <u>Enhanced protection features (City-owned parks and natural areas, FEMA designated floodway, water quality zones, sensitive feature zones)</u>	.5
<u>Open Space Lighting Overlay</u> <u>Enhanced Protection Feature</u> <u>Lighting Overlay</u>	A 350 ft. buffer adjusting light levels in any zone	One-half of applicable performance zone level
<u>All distances are measured from the outer edge of the right-of-way or enhanced protection feature.</u>		

Redlines can be found on page 7:52 & 7:54 of the Land Development Code



# Proposed Edits

- Chapter 8:  
Environmental  
Changes

*Chapter 8. Article 1:  
HUD-Code  
Manufactured Home  
Definition*

**#8-2**

entrance at Sidewalk grade. See Table 5.2.8.11D (Private Frontage).

214. Short Term Rental: A residence having fewer than five bedrooms, or portion thereof, used for lodging accommodations to guests with a lease term for a period of less than 30 consecutive days. A short term rental does not include a bed and breakfast inn. Regulated and restricted by Chapter 34 of the City's Code.

Redlines can be found on page 8:15 of the Land Development Code

# Proposed Edits

- Chapter 8:  
Environmental  
Changes  
*Chapter 8. Article 1:  
Sound Definition*



municipal, commercial and agricultural operations and from community and institutional activities.

**#8-3**

226. **Sound:**

- 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.
- Amplified sound: instrumental, digital, or vocal sounds which are made louder using sound amplifying equipment.
- Acoustic sound: instrumental or vocal sounds which are not amplified using sound amplifying equipment.
- 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.
- Plainly Audible: any amplified or acoustic sound which can be detected by the average person without the aid of hearing devices.

# Proposed Edits

- Design Manual  
*Appendix D:  
Preferred Plant List  
Division 1:  
Landscaping/Mitigati  
on Trees*

## ARTICLE 3: SIDEWALK SEATING AREAS

#D-12

### DIVISION 1: ABOUT SIDEWALK SEATING AREAS

#### Section B.3.1.1 Introduction

- A. Purpose. Sidewalk Seating Areas provide a simpler way to create a welcoming environment for any business using the public right-of-way. Sidewalk Seating Areas enhance the streetscape by providing amenities for the general public. The City of San Marcos has created a free application process to allow for removable furniture, such as tables and chairs, for any business type to promote the space along the sidewalk.

### DIVISION 2: HOW DO I APPLY?

#### Section B.3.2.1 Sidewalk Cafe Application

- A. Pre-Application. A completed application will include the following:
1. City of San Marcos Sidewalk Seating Area Application.
  2. Application Fee Submitted with Application.
  3. Detailed Site Plan.
  4. Supporting design materials.
- B. Application Review. The application package, including all supporting materials, should be submitted to the City of San Marcos Planning and Development Services Department. The application will be reviewed by City Staff to determine if the application meets all designated requirements. Additionally, reviewing staff will analyze aspects of the application and plans such as location, maintenance plan, and compliance with Texas Food Establishment Rules.
- C. Approval. Once City staff determines an application is complete and all City departments determine that the application, plans, and associated documents meet the standards set forth by the City of San Marcos Ordinance 2022-69, a certificate will be administratively approved.

### DIVISION 3: SIDEWALK SEATING AREA GENERAL REQUIREMENTS

#### Section B.3.3.1 Requirements

- A. Any business seeking a certificate for a sidewalk seating area must comply with the following:
1. Maintain a minimum width of unobstructed paved areas on a sidewalk of six feet.
  2. Have a sidewalk layout which clearly shows the location of all proposed tables, chairs, planters or other private appurtenances, and all existing signage, planters, or other public appurtenances approved by the city and available in the business for public inspection.
  3. No barrier device, screen, or fence shall be installed to serve a sidewalk seating area.
  4. The business shall have posted hours of operation near the main entrance.
  5. All approved appurtenances are permitted to be placed in the public right of way no earlier than one hour prior to the posted opening time of the business and shall be removed no later than one hour following the posted closing time of the business.
  6. Insurance shall not be required; however, the business owner must indemnify, defend, hold harmless and release the city, its officers, agents, and employees from any and all claims, losses, damages, causes of action, suits, and liability of every kind, including all expenses of litigation for injury or death of any person, or for damage to any property, arising out of or in connection with the use of public right-of-way.
  7. The certificate of use shall be posted in the same area and manner as the certificate of occupancy.

#### Section B.3.3.2 Materials and Furniture

- A. Tables, chairs, and outdoor appurtenances must be durable, waterproof, and able to withstand weather elements.



Redlines can be found on page B:12 of the Land Development Code

# Proposed Edits

- **Design Manual**  
*Purpose Statement –  
Sustainability  
Guidelines  
Section C.5.1.1  
Design Manual*

Redlines can be found on page C:45  
of the Land Development Code

## ARTICLE 5: STANDARDS FOR GUIDELINES FOR SUSTAINABILITY

### Section C.5.1.1 Purpose and Introduction

#D-1

- A. **Purpose.** Before implementing any energy conservation measures to enhance the sustainability of a historic building, the existing energy-efficient characteristics of the building should be assessed. The key to a successful rehabilitation project is to identify and understand any lost original and existing energy-efficient aspects of the historic building, as well as to identify and understand its character-defining features to ensure they are preserved. The most sustainable building may be one that already exists. Thus, good preservation practice is often synonymous with sustainability. There are numerous treatments—traditional as well as new technological innovations—that may be used to upgrade a historic building to help it operate even more efficiently. Whether a historic building is rehabilitated for a new or a continuing use, it is important to utilize the building's inherently sustainable qualities as they were intended. It is equally important that they function effectively together with any new measures undertaken to further improve energy efficiency. The following guidelines offer specific guidance on how to make historic buildings more sustainable in a manner that will preserve their historic character.





# Proposed Edits

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

## **DIVISION 1: POLLINATOR PLANT PALETTE**

<b><u>SPECIES</u></b>	<b><u>SCIENTIFIC NAME</u></b>	<b><u>BUTTERFLY</u></b>	<b><u>BEE</u></b>	<b><u>HUMMINGBIRD</u></b>	<b><u>LARVAL HOST</u></b>	<b><u>BIRD</u></b>
<u>Mexican Oregano</u>	<u>Poliomintha longiflora</u>	<u>X</u>	<u>X</u>			<u>X (Seed heads)</u>
<u>Snakeherb</u>	<u>Dyschoriste linearis</u>	<u>X</u>				
<u>Artemisia</u>	<u>Artemisia 'Powis Castle'</u>					

Redlines can be found on page D:17 of the Land Development Code

# Community Input Opportunities



## Development Stakeholder Survey (on-going)

## Development Code Comment Period

*Interactive Code Commenting*

*September 29– October 26*

[www.sanmarcostx.gov/2859/Code-Updates](http://www.sanmarcostx.gov/2859/Code-Updates)

[planninginfo@sanmarcostx.gov](mailto:planninginfo@sanmarcostx.gov)

512.393.8230



You're invited to the City of San Marcos  
Planning & Development Services

**LAND DEVELOPMENT CODE UPDATE**

**OPEN HOUSE**

Thursday, October 9th  
San Marcos Activity Center  
501 E Hopkins St  
5:30-7:30 PM



The City of San Marcos is updating its Land Development Code (LDC)—the set of rules that guides how our city grows and develops. Examples of topics covered in the Land Development Code include:

- Land uses in different zoning districts
- Parking requirements
- Infrastructure requirements for new development
- Environmental regulations for new development

This update will help implement the Vision SMTX Comprehensive Plan, improve development processes, align with state law, and address new types of development. Community input is essential!

Scan the QR code for more information on the code update process



CoSM Planning Department  
[planninginfo@sanmarcostx.gov](mailto:planninginfo@sanmarcostx.gov)  
512.393.8230

# Code Consideration Timeline



## City Council Initial Authorization (August 19, 2025)

### Updates to Boards/Commissions

- Historic Preservation Commission: *October 2*
- **Planning & Zoning Commission: (Today)**
- Neighborhood Commission: *October 15*
- Parks & Recreation Advisory Board: *October 16*

### Adoption Process

- *January 2026*: Planning and Zoning Consideration and Recommendation
- *March 2026*: City Council Consideration and Action