



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Draft Planning and Zoning Commission

Tuesday, June 9, 2020

6:00 PM

Virtual Meeting

Due to COVID-19, this will be a virtual meeting. To view the meeting please go to <http://www.sanmarcostx.gov/541/PZ-Video-Archives> or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Gleason at 6:01 p.m. on Tuesday, June 9, 2020 via Virtual Meeting due to COVID-19.

II. Roll Call

- Present** 8 - Commissioner Mike Dillon, Commissioner Betseygail Rand, Commissioner Gabrielle Moore, Commissioner Travis Kelsey, Commissioner William Agnew, Commissioner Mark Gleason, Commissioner Kate McCarty, and Commissioner Griffin Spell
- Absent** 1 - Commissioner Matthew Haverland

III. Chairperson's Opening Remarks

EXECUTIVE SESSION

IV. 30 Minute Citizen Comment Period

Miguel Arredondo provided a comment that was read aloud during the meeting. In it, he said that Items 14, 26, 32 and 35 and proposed changes to the Land Development Code would have a negative impact on affordability of homes. He requested adopting the Housing Task Force's recommended language on meeting affordability outlined in Strategic Housing Action Plan instead of the Staff's amended text, omitting occupancy restrictions for CD3 Zoning Districts, denying the Public Hearing requirement for zoning map amendments to Neighborhood Density Districts, not requiring CUPs for accessory dwelling units, and not creating a CD2.5 Zoning District.

Keely Sonlitner provided a comment that was read aloud during the meeting. She asked the Commission to postpone Items 20, 23, 26, 30, 32, 35, 36, 37 and 38 to phase 3 because they are policy changes. She said that an entire revision of the Code does not make sense, and the proposed changes negate the City's goals of affordable and diverse housing.

Sarah Simpson provided a comment that was read aloud during the meeting. Ms. Simpson postponement of Items 14, 23, 26, 30, 32, 36, 3 and 38. She advised against

making changes to parking policy that would increase usage of high carbon transportation. She also advised against changes to the Land Development Code that would make it harder for people to building or occupy affordable housing in all areas is unethical to ending discrimination in zoning practices.

Lisa Marie Coppoletta provided a comment that was read aloud during the meeting. She said that some, but not all of her neighbors received postcards informing them that their neighborhood would be a dump site for the Hopkins Overlay project. She said it's a toxic site. She also said she advised the City there needed to be road blocks installed, which have not been added. She said that her block did not get their trees trimmed, but those residents across Bishop on Belvin St. did, and an 18-wheeler got stuck on her block, hitting Live Oak trees.

Laura Dupont provided a written comment that was read aloud during the meeting. She said she served on the Housing Taskforce, and gained a better understanding of the needs and wants of the community. She added that a strategic plan was introduced, but at the time, the Planning and Zoning Commission chose not to adopt the plan as created, and asked why. She added that Code SMTX was created after years of community initiative to better guide growth and development in the community, and said now it's in jeopardy of being dismantled, and asked why. She added that polices and codes that favor one kind of neighbor does not show interest in inclusion and diversity. She provided comments for Items 14 (Strategic Action Housing Plan), 26 (CD-3 Occupancy Restrictions), 32 ("Information Meetings") for Neighborhood Districts, 35 (Making ADUs a Conditional Use for all Zoning Districts and 38 (CD-2.5) for the Commission to review.

CONSENT AGENDA

1. PC-20-16 (Cottonwood Creek Phase 3 Unit 8) Consider a request by Pape Dawson Engineers, on behalf of Continental Homes of Texas, LP to approve the Final Plat consisting of approximately 21.471 acres, more or less, out of the Farnham Frye and John F. Geister Surveys. (T. Carpenter)

A motion was made by Commissioner Kelsey, seconded by Commissioner Dillon, that the Consent Agenda be approved. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

Absent: 1 - Commissioner Haverland

NON-CONSENT

2. Consider a recommendation to the City Council regarding text amendments to the San Marcos Development Code to address recommendations from the Alcohol Conditional Use Permit Committee, the Housing Task Force, the Historic Preservation Commission, and

recommendations from City staff concerning application processing and requirements, block perimeter standards, Certificate of Appropriateness appeals, Concept Plat applicability, right-of-way dimensional standards, building type definitions, Neighborhood Density District zoning regulations, Character District zoning regulations, a new Special Events Facility use, multifamily parking standards, accessory dwelling units, neighborhood transitions, durable building materials, detention and water quality requirements for plats of four residential lots or less, detention requirements outside the Urban Stormwater Management District, delineation of water quality and buffer zones, channel design for water quality zone reclamation, sensitive geologic feature protection zones, geological assessment waivers, and Qualified Watershed Protection Plan applicability, and adoption of Appendix Q of the International Residential Code (S. Caldwell)

A motion was made by Commissioner Kelsey, seconded by Commissioner McCarty that the text amendments to the San Marcos Development Code be approved.

A motion was made by Commissioner Gleason seconded by Commissioner Spell, that Item #1 (Expand Administrative Approval Ability for Qualified Watershed Protection Plans) be approved with the condition that: It shall require the Commission to receive a presentation when the Water Quality Protection Plan is over 40 acres, exercising its Quasi-judicial ability.

Commissioner Gleason removed the previous amendment.

A motion was made by Commissioner Gleason, seconded by Commissioner Spell that Item #1 (Expand Administrative Approval Ability for Qualified Watershed Protection Plans) be approved with the condition that: It shall require the Commission to receive an informational only presentation when the Water Quality Protection Plan is over 40 acres. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Moore, seconded by Commissioner Kelsey, that Item #2 (Fee-in-Lieu of Detention & exemption to Water Quality Treatment Requirement-for platting 4 or less lots in Single Family Residential Zoning Districts) be approved with the condition that: It remove language for Single Family and reword to - Plats of four lots or less where the lots subdivided from the parent parcel do not exceed .5 acres each, are restricted by

zoning or deed to 65% Impervious Cover or less and are served by an existing street be approved. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Rand, seconded by Commissioner Spell, that Item #2 (Fee-in-Lieu of Detention & exemption to Water Quality Treatment Requirement-for platting 4 or less lots in Single Family Residential Zoning Districts) be approved with the condition that: It add the language: "An exemption is not allowed for the submittal of a series of plats of 4 lots or less with the intention of producing a tract that is greater than 4 lots be approved. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Moore, seconded by Commissioner Kelsey, that tem #4 (Fee-in-Lieu of Detention & exemption to Water Quality Treatment Requirement-for platting 4 or less lots in Single Family Residential Zoning Districts) be approved with the condition that: It remove language for Single Family and reword to - Plats of four lots or less where the lots subdivided from the parent parcel do not exceed .5 acres each, are restricted by zoning or deed to 65% Impervious Cover or less and are served by an existing street be approved. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Gleason, second by Commissioner

Kelsey that Item #13A (Update Noise Ordinance) should be approved with the following condition: To change the verbiage to read that sound shall not come from the property.

A motion was made by Commissioner Gleason, seconded by Commissioner Kelsey that Item #13A (Update Noise Ordinance) that the initial motion be amended so that the verbiage reads that: No activity coming from the property shall produce noise. The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Rand, seconded by Commissioner Moore, that Item #13A (Update Noise Ordinance) be approved with the condition that: It shall remove Section 3, 7.4.2.1(A)(3). The motion carried by the following vote:

For: 8 - Commissioner Dillon, Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 0

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Rand, seconded by Commissioner McCarty that Item #13 (Update Noise Ordinance) be approved with the condition that: The City Council shall look into ways of installing continuous cloud streaming monitors around repeat noise offenders. The motion was withdrawn.

A motion was made by Commissioner Moore, seconded by Commissioner Rand, that Item #14 (Add Strategic Housing Action Plan as zoning criteria) be approved with the condition to: Update the language to adopt the Housing Taskforce's recommended language to include: Meets affordability needs as defined in the Strategic Housing Action Plan. The motion failed by the following vote:

For: 3 - Commissioner Dillon, Commissioner Moore and Commissioner Kelsey

Against: 5 - Commissioner Rand, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Agnew, seconded by Commissioner McCarty, that Item #15 (Exempt small lot and infill development from the maximum lot width to depth requirement) be approved with the condition that: Infill language shall be removed, leaving the Code as is. The motion carried by the following vote:

For: 6 - Commissioner Dillon, Commissioner Rand, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 2 - Commissioner Moore and Commissioner Kelsey

Absent: 1 - Commissioner Haverland

A motion was made by Commissioner Moore, seconded by Commissioner Kelsey, that item #20 (Allow recommendation and approval of less intense zoning classification) be approved with the condition to: Remove the proposed policy change. The motion failed by the following vote:

For: 2 - Commissioner Dillon and Commissioner Moore

Against: 5 - Commissioner Rand, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Absent: 2 - Commissioner Haverland and Commissioner Kelsey

A motion was made by Commissioner Moore to postpone Item #23 (Increase block perimeter in the ETJ). to Phase 3. The motion failed for lack of second.

A motion was made by Commissioner Moore, seconded by Commissioner Rand, that Item #26 (Add occupancy restrictions to CD-3 zoning district) be approved with the condition that: It be moved to Phase 3.

A motion was made by Commissioner Moore, seconded by Commissioner Rand, to amend the initial motion so that Item #26 (Add occupancy to CD-3 zoning district) be removed for consideration. The motion failed by the

following vote:

- For:** 2 - Commissioner Rand and Commissioner Moore
- Against:** 5 - Commissioner Dillon, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell
- Absent:** 2 - Commissioner Haverland and Commissioner Kelsey

A motion was made by Commissioner Moore, seconded by Commissioner Rand, that Item #30 (Create a Neighborhood Density District) be removed for consideration. The motion failed by the following vote:

- For:** 1 - Commissioner Moore
- Against:** 6 - Commissioner Dillon, Commissioner Rand, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell
- Absent:** 2 - Commissioner Haverland and Commissioner Kelsey

A motion was made by Commissioner Rand that Item #32 (Amend Table 4.1 to provide clarity) be removed for consideration. The motion failed for lack of second.

A motion was made by Commissioner Moore, seconded by Commissioner Rand, that Item #35 (Require CUP for ADU) be removed for consideration. The motion failed by the following vote:

- For:** 2 - Commissioner Rand and Commissioner Moore
- Against:** 5 - Commissioner Dillon, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell
- Absent:** 2 - Commissioner Haverland and Commissioner Kelsey

A motion was made by Commissioner Moore to remove Item #36 (On Street Parking) for consideration. The motion failed for lack of second.

A motion was made by Commissioner Moore to remove Item # 37 (Parking Exemptions Specific to CD-5 and CD-5D) for consideration. The motion failed for lack of second.

A motion was made by Commissioner Moore, seconded by Commissioner Rand, to remove Item #38 (Amend Character Districts) for consideration. The motion failed by the following vote:

For: 2 - Commissioner Rand and Commissioner Moore

Against: 5 - Commissioner Dillon, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Absent: 2 - Commissioner Haverland and Commissioner Kelsey

Chair Gleason called for a vote on the main motion to approve the text amendments to the San Marcos Development Code. The motion carried by the following vote:

For: 6 - Commissioner Dillon, Commissioner Rand, Commissioner Agnew, Commissioner Gleason, Commissioner McCarty and Commissioner Spell

Against: 1 - Commissioner Moore

Absent: 2 - Commissioner Haverland and Commissioner Kelsey

V. Question and Answer Session with Press and Public.

There were no questions from the Press or Public.

VI. Adjournment

The meeting was adjourned at 10:32 p.m.

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title: