



Cover Memo

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| To: | Shannon Mattingly – Planning and Development Services Director |
| From: | Planning & Development Services – Shavon Caldwell, Planner |
| Date: | October 30, 2019 |
| Re: | Proposed Changes to the San Marcos Land Development Code-Typos and Technical Errors, Expedited Policy Items, 2019 Legislative Session House Bills |

Summary and Background

In April 2018 the City of San Marcos adopted the San Marcos Development Code, which was developed through the multi-year CODE SMTX process. Beginning in March 2019, Planning & Development staff began conducting public outreach in support of the annual Land Development Code update. Staff provided a request form on the City's website where interested parties could submit their proposed change and the purpose behind their request. Staff shared the online request form and code update schedule via an initial e-mail notification and also in person at the regular meetings of the Downtown Association, Historic Preservation Commission, Neighborhood Commission, Parks Board, and Planning and Zoning Commission. After an additional reminder e-mail to those on the City's notification list, the request form was closed on May 7th.

A joint workshop between the Planning and Zoning Commission and City Council was held in June 2019. The purpose of the workshop was to allow City Council and the Planning and Zoning Commission the opportunity to review the proposed changes and provide staff direction on which requests should be reviewed and brought back with a recommendation. At that time the Commission and Council identified items that they would like staff to analyze and bring back for further discussion and items that would not be considered as part of this annual update. For specific amendments, the Commission and Council also provided additional direction and items that should be considered in staff's analysis.

Criteria for Approval

Section 2.4.1.4 Criteria for Approval states that review and recommendations on text amendments to the Development Code should consider the below criteria. The following list is not all-inclusive.

| Evaluation | | | Criteria for Approval (Sec. 2.4.1.4) |
|------------|--------------|---------|---|
| Consistent | Inconsistent | Neutral | |
| x | | | The proposed text amendment corrects an error or meets the challenge of some changing condition, trend or fact. |

| Evaluation | | | Criteria for Approval (Sec. 2.4.1.4) |
|------------|--------------|---------|--|
| Consistent | Inconsistent | Neutral | |
| X | | | The proposed text amendment is in response to changes in state law. |
| X | | | The proposed text amendment is generally consistent with the Comprehensive Plan and other adopted plans |
| X | | | The proposed text amendment does not conflict with any specific policy or action item of the Comprehensive Plan |
| X | | | The proposed text amendment is generally consistent with the stated purpose and intent of this Development Code. |
| X | | | The proposed text amendment constitutes a benefit to the City as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time |
| X | | | The proposed text amendment is not tied solely to a particular tract or development proposal |
| X | | | The proposed text amendment significantly impacts the natural environment, including air, water, noise, stormwater management, and wildlife vegetation. |
| X | | | The proposed text amendment significantly impacts existing conforming development patterns, standards, or zoning regulations |

Attachments

Exhibit A – Recommendations Table

Exhibit B – Redlined Code

Exhibit C – Zoning District and Building Standards Pages, House Bill 2439

Exhibit D – Historic Preservation Commission Recommendation Resolution

Exhibit E – House Bill 2439, House Bill 3167

Next Steps

In addition to the amendments currently being proposed, the Engineering Department has identified several code sections that could be amended in order to align and avoid conflict with other code sections. Additionally, at the direction of City Council, several City Boards and Commissions have provided recommendations on items that may have impact on the San Marcos Development Code. Staff recommends presenting a thorough analysis and recommendation on these proposed updates following final action on the amendments currently being proposed.