

Land Development Code Amendments Typos & Technical Errors

Hold a public hearing and consider approval of text amendments to the San Marcos Land Development Code to address typographical and technical errors, Historic Preservation Commission Resolutions, and to implement changes related to the 2019 Legislative Session.

Background and Summary

- April 2018 Code Adoption
- March – May 2019 Solicitation of Comments
- June 2019 Joint Workshop
 - Directed staff to bring proposed amendments listed in the Typos and Technical Errors exhibit
 - Identified expedited HPC policy related items
- September 1, 2019 Effective dates of House Bills
- November 6, 2019 Initial Authorization for Text Amendments
- November 12, 2019 Planning & Zoning Commission recommends approval with two amendments

Next Steps

1. December 2019 Typos and Technical Errors Considered
2. Early-Mid 2020 Engineering Department and City Boards and Commissions Amendments Considered
3. Summer 2020 Proposed Policy Changes Considered

Typographical Errors

- **#5** “web notice” changed to “notice of application”
- **#15** “streets” changed to “avenues, boulevards, and commercial streets”
- **#17** “in civic spaces” changed to “as plazas”
- **#18** “and” changed to “or”
- **#23** removes The Civil Air Patrol Building A which was demolished in 2010

Typographical Errors

- **#24** corrects numbering/lettering
- **#27** “stormwater detention facilities” changed to “stormwater facilities”
- **#43** “ND-4M” and “N-MS” changed to “N-CM”
- **#44** “Engineering Director” changed to “Responsible Official”
- **#45** “Transportation Impact Assessment” replaces old code language

Incorrect Section References

- **#6** Amend reference to Division
- **#37** Amend to refer to correct Section
- **#42** Amend to refer to correct Section

San Marcos Electric Utility (SMEU) Recommendations

- **#13** Directs users to the San Marcos Electric Utility (SMEU) Service Standards Manual
- **#47** Improves formatting for readability
Defines geography where standards apply
Directs user to SMEU Service Standards Manual

Technical Additions

Specific to Subdivision Plats

- **#3 & #14** Provides consistency for plat expiration provisions
- **#4** Ensures all plat types are included on the expiration and extension table
- **#12** Clarifies infill exemption to allow construction of single family homes on existing lots – does not allow additional lots to be created

Technical Additions (cont.)

Specific to Watershed Protection Plans

- **#8** Applicability to include all Edwards Aquifer geographies

Specific to Site Plans

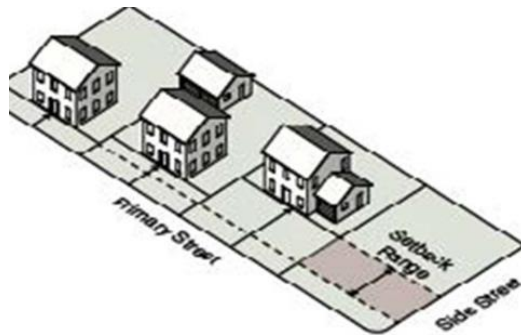
- **#9** Applicability to include all Edwards Aquifer geographies
- **#10** Requires documentation to ensure compliance for Agricultural Exemption
- **#11** Ensures development is adequately served by public facilities / utilities

Technical Additions (cont.)

- **#19** Defines Principal Frontage
- **#23** Add Old African American Baptist Church, Include Dates of Historic Designation for all Landmarks & Update the Historic Landmarks Map
- **#26** Clarifies that Stormwater standards apply for all new impervious cover
- **#39** Ensures all code standards apply in Legacy Districts
- **#40** Design requirements erroneously removed

Technical Corrections

- **#2** Notice of application is sent based on the date an application is determined complete / filed, not when received
- **#22** Requires Residential Infill Compatibility for all lots in existing neighborhoods
- **#28** Clarifies tree measurement
- **#29** Clarifies tree calculation
- **#30** Clarifies tree protection fencing requirement and prohibits vehicle parking in tree protection zones
- **#31** Corrects geography for tree mitigation



Technical Corrections

- **#32** Remove Eastern Red Cedar & Huisache from Preferred Plant List
- **#33** Add N-MS (N-CM) to allow mixed-use parking calculations to apply in this zoning district
- **#34** Remove duplicate language:

34 DIVISION 2: MINIMUM PARKING REQUIREMENTS

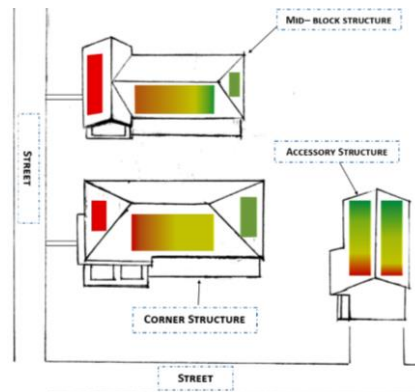
Section 7.1.4.3 Parking Lot Landscaping

C. Interior Islands

1. A landscaped interior island must be provided every 10 parking spaces. Interior islands must be distributed evenly throughout the parking area. ~~Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.~~
2. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include one shade tree.
3. An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include 2 shade trees.
4. All rows of parking must terminate with a landscaped interior terminal island. No more than 30 parking spaces may be located between terminal islands.
5. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.
6. Interior islands must be installed below the level of the parking lot surface to allow for runoff capture and be designed to infiltrate runoff water within 24 hours.

Technical Corrections

- **#35** Clarifies the location of transitional protective yards
- **#36** Provides measurement for fences along secondary streets
- **#38** Increases resolution of map for clarity
- **#46** Increases resolution for image and clarifies location standards for solar panels in Historic Districts



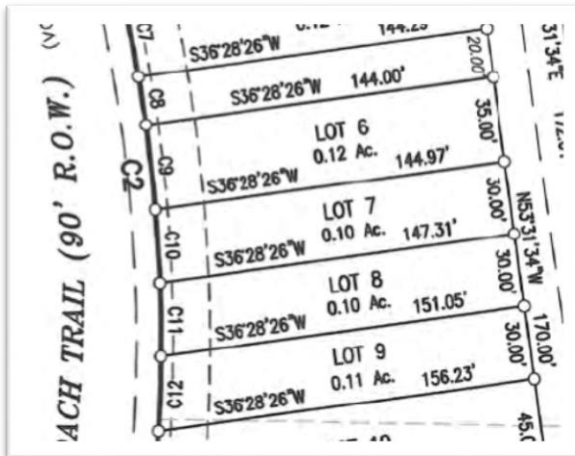
SOLAR PANELS MAY BE CONSIDERED MORE APPROPRIATE AT ANY LOCATION FOR PROPERTIES THAT FRONT ALONG AN ALLEY.



Technical Corrections

- **#16** Creating an exemption for the 3:1 lot depth-to-width standard for townhomes & zero lot line homes

At their regular meeting on November 12, 2019 the Planning and Zoning Commission recommended this amendment be removed.



Staff recommends alternate language which would allow lots with 6:1 lot depth-to-width



Historic Preservation 2019-02RR

- **Management of the painting of historic buildings, including the prohibition against painting of historic masonry in certain circumstances.**
- **#7** Creates a process for Administratively Approved Certificate of Appropriateness (COA)
- **#21** Aligns Primary Materials definition with Secretary of the Interior Standards
- **#25** Requires Administrative COA for painting downtown, prohibits painting of previously unpainted masonry, establishes a color palette for administrative approval

Historic Preservation 2019-02RR

At their regular meeting on November 12, 2019 the Planning and Zoning Commission requested additional information regarding the painting of murals on brick buildings downtown.

Research indicates that sealing or painting historically unpainted brick creates performance issues with the material by trapping moisture. The brick's color and texture are an important part of its appearance and historical significance. Other communities in Texas do not allow murals on previously unpainted brick surfaces.

Staff recommends the Code amendments as initially proposed

A decorative horizontal bar at the bottom of the slide, divided into three colored segments: red, blue, and green.

Historic Preservation 2019-02RR

At their regular meeting on November 12, 2019 the Planning and Zoning Commission recommended an amendment to this proposed change:

J. Painting of Buildings in the Downtown Historic District...

~~C. Historic paint palettes from all major paint manufacturers are allowed~~

Staff recommends retaining the Code amendments as initially proposed, to serve as a guideline for administrative approval and alternatively the addition of Historic Preservation Commission approval for colors not specified as historic paint colors.

House Bill 3167 (Shot Clock Bill)

- **Requires Cities act on certain application types within specified periods of time. Inaction results in approval of the application.**
- **#1** Statement added regarding the “filing” date of applications
- **#41** for consistency & clarity renames “Site Plan Permit” to “Site Permit”
- All other aspects of this bill are handled on the City’s official application form

House Bill 2439 (Building Materials)

- **Limits where cities may enforce building material standards which exceed national model code standards. Provides some exceptions for Main Streets and Historic Districts/Buildings.**
- **#20** Copies the applicability section of HB 2439
- **Exhibit C** Directs users to the applicability section added in #20 above

Staff Recommendation:

Staff recommended **approval** of the proposed amendments as submitted.

Planning and Zoning Commission Recommendation:

At their regular meeting on November 12, 2019 the Planning and Zoning Commission unanimously recommended **approval** of the proposed amendments with the following conditions:

- 1) Staff provide more information on the effects of paint on brick and stone, as well as the impact to murals in downtown
- 2) Removal of item #16
- 3) Removal of item "C" under #25