

Written Public Hearing Statement for Item 4 Code Updates // 05.12.2020 P&Z Meeting

To the San Marcos Planning & Zoning Commission:

As you consider recommendations for text amendments to the Land Development Code this evening (Agenda item 4), I urge you to remove and defer any items that have policy implications on housing and transportation in San Marcos to later phases of the code update as associated with the Comprehensive Plan rewrite and the Strategic Housing Action Plan.

As outlined by staff, any code updates to follow after the current Phase 2 items before you this evening are to include "all items which would have a policy implication" and are to be postponed until a new "Comprehensive Plan and city-wide visions and goals are adopted." Policy changes should be determined holistically and by the community any time the comprehensive plan is updated. Addressing them piecemeal and outside of this process undermines the integrity of the comp plan vision and negates collective community input.

Please honor and acknowledge the process outlined by staff - as well as the many years of collective input that went into Vision San Marcos and the resulting land development code that was just recently adopted - and pull the items that will have major impacts on housing affordability and sustainable transportation policy. **In the chart titled Exhibit A, I strongly recommend these to include items 14, 23, 26, 30, 32, 35, 36, 37, and 38 (attached and highlighted on the following pages, as well).**

Please defer these items to the comprehensive plan rewrite or to further action with the strategic housing action plan so that the community and associated focus boards can collectively determine direction on these and maintain the integrity of the current code and comp plan. These items have serious policy implications and will negatively impact housing affordability, sustainable transportation progress, and the holistic environmental vision as laid out in the Vision San Marcos. To include these items in any set of recommendations this evening will undermine the housing committee's work as well as the integrity of past and future comprehensive plans.

Thank you for your review of these and any other items you see to have policy implications.

Sarah Simpson
407 s. Stagecoach trail
San Marcos, tx

Please remove highlighted items that have major housing affordability and transportation policy impacts.

Exhibit A - Recommendation Table

Item #	Amendment Type	Code Section	Proposed Amendment	
14	Housing Task Force Recommendation	2.5.1.4	Add "meets affordability needs as defined in the Strategic Housing Action Plan" as rezone evaluation criteria.	<p>Policy change different from intent of the proposed amendment. Housing task force wanted affordability to be a distinct consideration in approvals but proposed changes do not honor this.</p> <p>This recommendation from the Housing Task Force was reviewed at the June 5, 2019 workshop.</p> <p>Staff recommends the edits as presented which would require staff and decision makers to consider alignment with <u>all</u> applicable City Council adopted plans as a criteria for approval when considering rezones.</p>
15	Housing Task Force Recommendation	3.6.3.1	Exempt smaller lot and infill development from the Lot Width to Depth requirements	<p>This recommendation from the Housing Task Force was reviewed at the June 5, 2019 workshop.</p> <p>Staff recommends consideration of the edits as presented. This amendment would exempt infill development only (not small lot development) from the 3:1 lot width to depth requirement. The amendment as proposed would not allow these lots to exceed a 6:1 width to depth ratio.</p>
16	Housing Task Force Recommendation	4.4.6.1	Allow ADU parking in second layer of lot.	<p>This recommendation from the Housing Task Force was reviewed at the June 5, 2019 workshop.</p> <p>Staff recommends the edits as presented which would allow the additional parking required for Accessory Dwelling Units in the second, as well as third layer of the lot.</p>
17	Housing Task Force Recommendation	Chapter 7, Article 6 San Marcos Code of Ordinances, Chapter 14, Buildings and Building Regulations	Modify definition of RV and manufactured home parks to include tiny homes. Adopt Appendix Q of 2018 building code	<p>This recommendation from the Housing Task Force was reviewed at the June 5, 2019 workshop.</p> <p>Staff recommends the edits as presented which would clarify that 1) tiny homes (built to building code) are allowed in Manufactured Home zoning districts and should follow Manufacture Home park standards, and 2) that tiny home construction and inspections shall meet requirements in Appendix Q of the International Residential Code.</p> <p>Staff recommends consideration of tiny home specific standards and policy decisions following the update and adoption of the San Marcos Comprehensive Plan.</p>
18	Predevelopment Meetings	2.3.1.1 (D)	Make predevelopment meetings mandatory. Provide Responsible Official with authority to waive if application does not warrant a meeting.	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Staff recommends the amendment as presented to require predevelopment meetings unless waived by the Responsible Official.</p>

Exhibit A - Recommendation Table

Item #	Amendment Type	Code Section	Proposed Amendment	Staff Notes & Recommendation
19	Text Amendments	2.4.1.2 (B)	Remove requirement for initial authorization from City Council for amendments initiated, requested, or directed by City Council.	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Staff recommends the amendment as presented to remove requirement for initial authorization from City Council when analysis and recommendation on amendment is requested or directed by Council.</p>
20	Zoning Procedures	2.5.1.2-2.5.1.3	Allow Planning & Zoning Commission to recommend approval of a less intense zoning district classification. Allow City Council to approve a less intense zoning district classification.	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Staff recommends the amendment as presented to allow Planning and Zoning Commission and City Council to recommend and approve a less intense zoning district classification.</p>
21	Certificates of Appropriateness	2.5.5.5	Make City Council (not ZBOA) the appellate body for City owned properties.	<p>This amendment was reviewed by City Council and Planning & Zoning Commission at June 5, 2019 Workshop with the recommendation to staff to bring forward.</p> <p>Staff recommends consideration of the amendment as presented. This amendment would designate City Council as the appellate body for City owned properties.</p>
22	Concept Plats	3.2.1.1	Exempt applicant from requirement for Concept Plat when applicant is ready to submit a Preliminary Plat	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Staff recommends the amendment as presented to remove requirement for a Concept Plat when the applicant is prepared to submit a preliminary plat.</p>
23	transportation Block Perimeter	3.6.2.1	Increase maximum block perimeter in ETJ from 3,000 feet to 5,000 feet.	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Major transportation policy change. ETJ in theory may one day be within city limits proper and should be developed to similar standards.</p> <p>Staff recommends the amendment as increase the maximum block perimeter in the ETJ from 3,000 feet to 5,000 feet.</p>
24	Block Perimeter	3.6.2.1	Add waiver/exception to block perimeter requirement in Heavy Industrial districts.	<p>This amendment was reviewed by City Council and Planning & Zoning Commission at June 5, 2019 Workshop with the recommendation to staff to bring forward.</p> <p>Staff recommends consideration of the amendment as presented to allow for an increased block perimeter in HI districts in order to accomodate facilities that by their nature, are larger than general commercial facilities. Staff recommends not allowing the perimeter to exceed any more than what is needed for the individual structure and the required parking and landscaping.</p>

Exhibit A - Recommendation Table

Item #	Amendment Type	Code Section	Proposed Amendment	Staff Notes & Recommendation
25	Streets	3.7.2.2- 3.7.2.6	Align right-of-way standards in Development Code to recommendations appendix of Transportation Master Plan.	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Staff recommends the amendments as presented to ensure the dimensional standards for ROW in the Development Code match the Transportation Master Plan</p>
26	housing / affordability Zoning	4.4.3.3.	Include occupancy restrictions in CD-3 zoning.	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Major housing policy change. Occupancy restrictions in new areas of development go against affordable housing measures.</p> <p>Staff recommends the amendment as presented to apply occupancy restrictions in CD-3 zoning districts which are intended for low density residential.</p>
27	Building Types	4.2.1.1 (Update 4.4.1.1-4.4.3.7 to reflect updated definition)	Provide better definition for "house" and "cottage."	<p>This is an additional amendment identified by staff since the the June 5th workshop and Phase 1 amendments.</p> <p>Staff recommends the amendments as presented to clarify that since a "house" and "cottage" building type are identical and the base standards of the zoning district determine the structure size and scale, only one building type is necessary.</p>
28	Historic Preservation Commission Recommendation	San Marcos Design Manual, Section C.5.1.1	Add sustainability purpose section to Historic Design Guidelines Standards for Sustainability	<p>Resolution 2019-03RR was approved by Council in December 2019. In February 2020, Council directed staff to bring forward amendments during the current update rather than as a separate agenda item.</p> <p>Staff recommends consideration of the edits as presented in order to include a purpose statement in the Sustainability Guidelines in Historic Districts section of the Design Manual.</p>
29	Event Center Use	5.5.5.9	Add new "Special Events Facility" use	<p>This amendment was requested by a developer in January 2020.</p> <p>Staff recommends consideration of the amendments as presented in order to facilitate this new use city-wide.</p>
30	housing / affordability Neighborhood Density District	4.4.2.2	Add an ND-3.2 zoning district which allows more moderate increase in density, setbacks, and allowed housing types from conventional residential districts	<p>City Council request to expedite this amendment at the January 7, 2020 work session.</p> <p>Major housing policy change. Bloats the code and undermines intent to encourage more affordable missing middle housing types.</p> <p>Staff recommends consideration of the amendment as presented.</p>
31	Comprehensive Plan Map Amendments	2.4.2.3	Require majority-plus-one vote from Planning & Zoning and City Council for all comprehensive plan map amendments	<p>City Council request to expedite this amendment at the January 7, 2020 work session.</p> <p>Staff recommends consideration of the amendment as presented.</p>

Exhibit A - Recommendation Table

Item #	Amendment Type	Code Section	Proposed Amendment	Staff Notes & Recommendation
32	Application Processing-Informational Meetings	4.1.1.6	Require Comprehensive Plan Map Amendment any time a higher intensity zoning designation is requested Remove "Corridor" column from table.	City Council request to expedite this amendment at the January 7, 2020 work session. Major policy change. Adds significant time and expense barriers to small scale infill projects in existing neighborhoods. Removing corridor-based language undermines vision san marcos intent. Staff would recommend the amendment as presented which would require a CUP in low density, single-family districts.
33	Neighborhood Transitions	4.3.4.5	Replace current standards with requirement that Commercial use across the street from established residential use be limited to 1 story.	The addition of this amendment was requested by City Council at the March 3rd work session. Staff recommends consideration of the amendment as presented to limit height within a certain distance of a single family zoning district.
34	Durable Building Materials	4.3.5.1.7	Include a statement that the City prefers the use of Durable Building Materials	The addition of this amendment was requested by City Council at the March 3rd work session. Staff recommends consideration of the amendment as presented.
35	housing / affordability Accessory Dwelling Units	5.1.1.2 5.1.3.1	Change from by-right to conditional use in all districts	The addition of this amendment was requested by City Council at the March 3rd work session. Major housing policy change. Eliminating ADUs by right goes against intent of code to allow incremental, small scale development / missing middle housing built by typical home owner. Already have requirement for primary house to be owner-occupied, piling on additional barriers to ADU creation. Staff recommends consideration of the amendment as presented which would require a CUP in low density, single-family districts.
36	housing / affordability / transportation Parking	7.1.2.1	On street parking should not count towards Multifamily parking requirement in CD-5D districts	The addition of this amendment was requested by City Council at the March 3rd work session. Major transportation (and environmental) policy change. Leads to increased impervious cover and underutilized assets of public on street parking in neighborhoods; barrier to small scale development Staff recommends consideration of the amendment as presented.
37	housing / affordability / transportation Parking	7.1.2.2.B.1	Remove exemption for projects of 10 or fewer units in CD-5 and CD-5D zones	The addition of this amendment was requested by City Council at the March 3rd work session. Major transportation / parking policy change. Main Street advisory board made a recommendation to keep this in to enable more adaptive reuse of existing buildings downtown for housing vs. bulldozing or letting them sit vacant; and to increase small scale housing projects downtown. Staff would allow an applicant to seek approval from City Council.
38	housing / affordability Character District	4.4.3.3	Add a Character District (CD) between 2 and 3 that allows single family with occupancy restrictions compatible with other CDs. Add maximum lot width to CD-5D.	The addition of this amendment was requested by City Council at the March 17th regular session. Major housing and transportation policy change. CD2 is rural and CD3 is low density housing. By creating a CD2.5 equivalent to legacy districts, undermines intent of vision san marcos to create improved development patterns that help conserve natural lands.

From: Betsy Robertson

Sent: Tuesday, May 12, 2020 11:14 AM

To: Citizen Comment <CitizenComment@sanmarcostx.gov>

Subject: [EXTERNAL] Proposed Changes to the San Marcos Development Code

Good evening,

I served on the committee that helped develop our Land Development Code and I would like to address some of the proposed amendments to that code. I will be brief:

Section	Summary	My comment
3.6.2.1	Increase ETJ max block perim. be city.	These areas may eventually be annexed and should held to standards that we would want within the
4.4.2.2	Add ND-3.2 zoning	This is unnecessary and complicates the Code.
4.3.4.5	C across from established limited to 1-story be	"Established residential" includes multi-story MF so this would not be appropriate. Setbacks would better solution.
5.1.1.2	Change by right to CUP for ADU is oversight	This violates the original intent of the Code. There no reason ADUs should be under different from houses or apartments.
4.4.3.3	Add CD 2.3	This is unnecessary and complicates the Code.

Thank you for your consideration,

Betsy Robertson