

## Phase 2 Code Amendments

Receive a staff presentation and hold discussion on 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.

## Code Amendment History

- March – May, 2019 – Public Solicitation for Amendments
- June, 2019 – City Council / Planning and Zoning Commission Joint Workshop
- December, 2019 – Phase 1 approved by City Council
- March 3, 2020 – Phase 2 initial authorization from City Council
- May 12, 2020 – Phase 2 Public Hearing at Planning & Zoning Commission  
(postponed from March 28, 2020 due to COVID-19)
- June 9, 2020 – Phase 2 Recommendation from Planning and Zoning Commission
- August 18, 2020 – Phase 2 Work Session Presentation & Discussion
- August 18, 2020 – Phase 2 Public Hearing and Action
- September 1, 2020 – Phase 2 Ordinance Reconsideration



## **#1 & #9 Expand Administrative Approval Ability**

**For Qualified Watershed Protection Plans**

### **What is a Qualified Watershed Protection Plan (QWPP)?**

- QWPP's are required for developments that
  - Reclaim floodplain, water quality, and/or buffer zones
  - Request to increase impervious cover requiring mitigation
  - Development of 20 acres or more of land within the floodplain
- QWPP's must comply with environmental chapter and Flood Damage Prevention Ordinance and include mitigation measures.
- P&Z approves QWPP's

### **Reason for Change:**

- Criteria for approval is a technical assessment that allows limited discretionary direction by P&Z. Need for additional P&Z approval has been questioned.

## **#1 & #9 Expand Administrative Approval Ability**

### **For Qualified Watershed Protection Plans**

Proposed Revision: Previous mitigation measures as part of QWPP are now required in code.

- Reclamation must be accomplished in a way that preserves the natural function and aesthetic of original waterway.
- TSS removal requirement for increase in impervious cover or water quality and buffer zone reclamation.
- QWPP's come before P&Z when mitigation proposed varies from code requirements.

Planning & Zoning Commission Recommendation:

- Add an information meeting when the property is greater than 40 acres.



## **#2 & #4 Fee-in-Lieu of Detention & Exemption to Water Quality Treatment Requirement**

**For Platting 4 or Less Lots in Single Family Residential Zoning Districts**

Reason for Change: Reduce cost of single family home development meeting minor plat requirements.

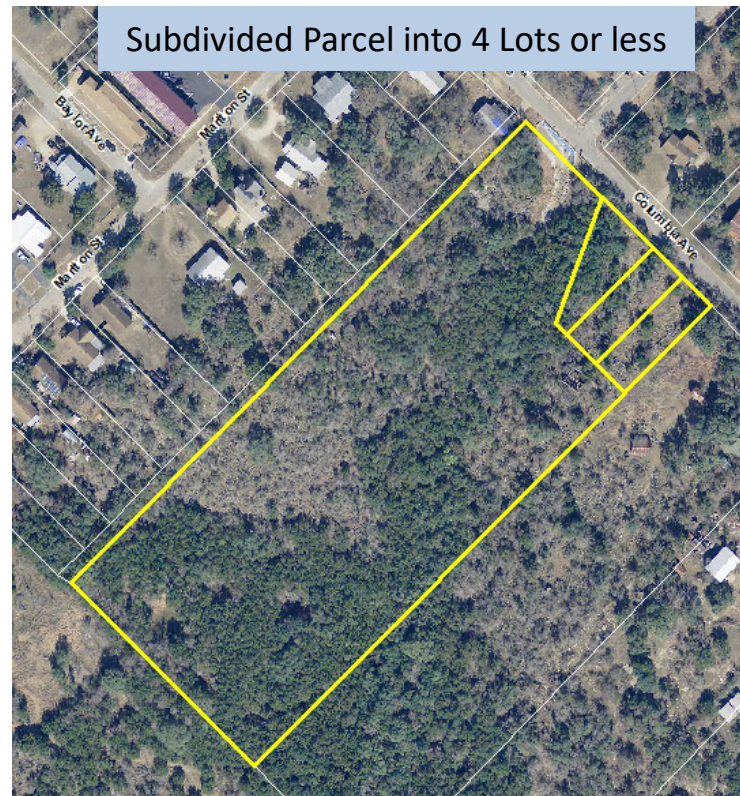
Proposed Revision: Required to pay fee-in lieu of detention and incorporate disconnected impervious cover and vegetated filter strips (TCEQ approved stormwater treatment method). Must show no impacts downstream.

### Planning & Zoning Commission Recommendation:

- Remove Single-Family and reword to include standards:
  - Lots subdivided from the parent parcel do not exceed .5 acres;
  - Restricted by zoning or deed to 65% IC or less; and
  - 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

## #2 & #4 Fee-in-Lieu of Detention & Exemption to Water Quality Treatment Requirement

For Platting 4 or Less Lots in Single Family Residential Zoning Districts





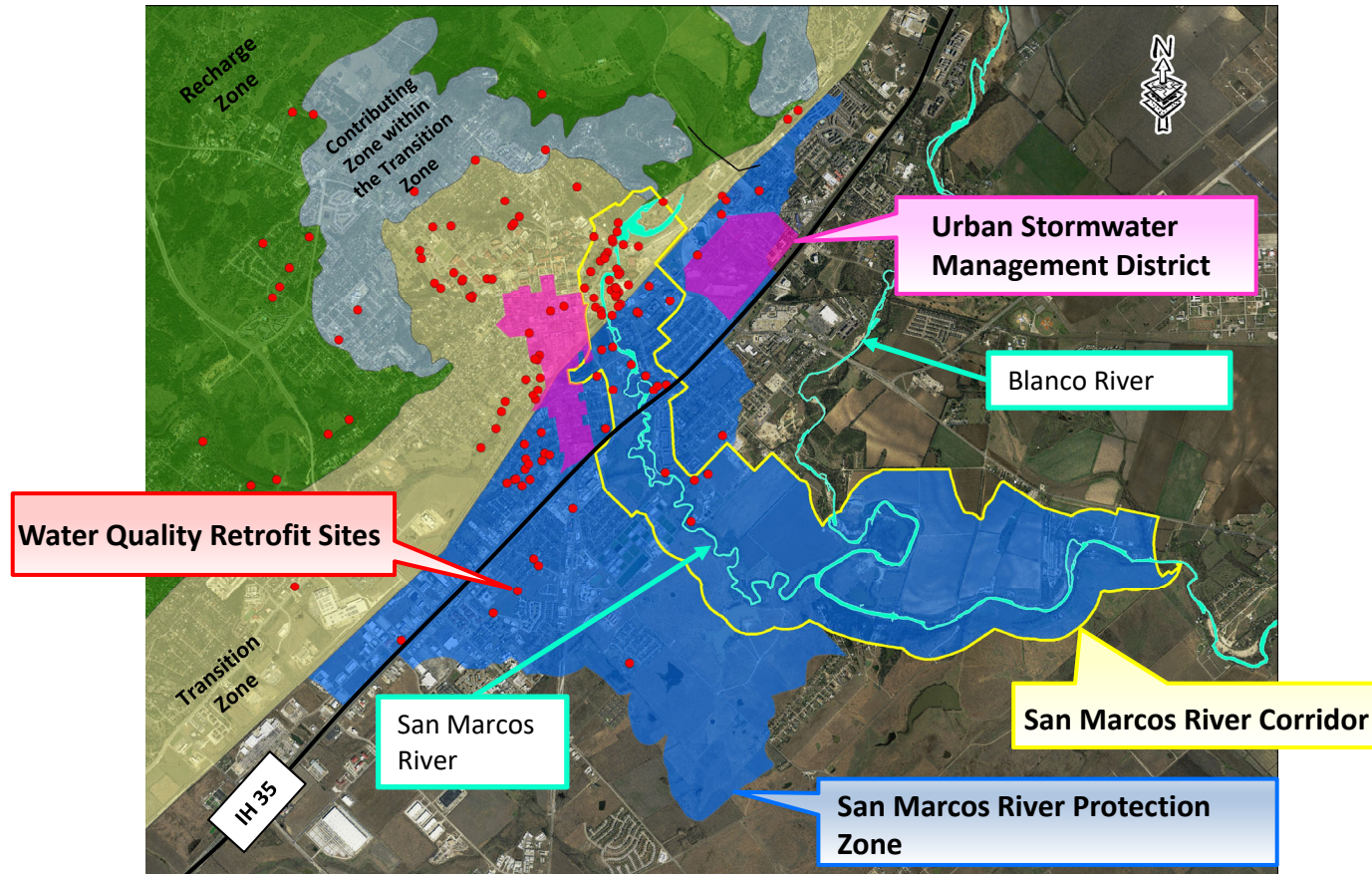
## #3 Fee-in-Lieu of Detention and Water Quality For Significantly Constrained Sites Outside Urban Stormwater Management District

Reason for Change: Provide flexibility for sites that have extreme difficulty meeting detention and water quality requirements on-site.

Proposed Revision: Provide Fee-In-Lieu option. Must show no impacts downstream.



## Fee-in-Lieu of Detention/Water Quality Water Quality Retrofit Sites

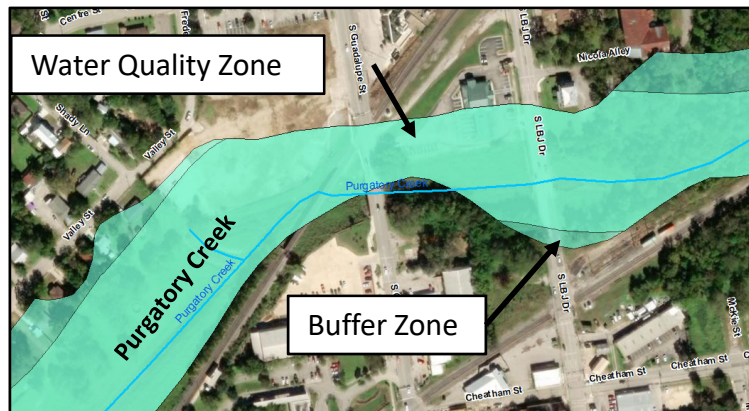




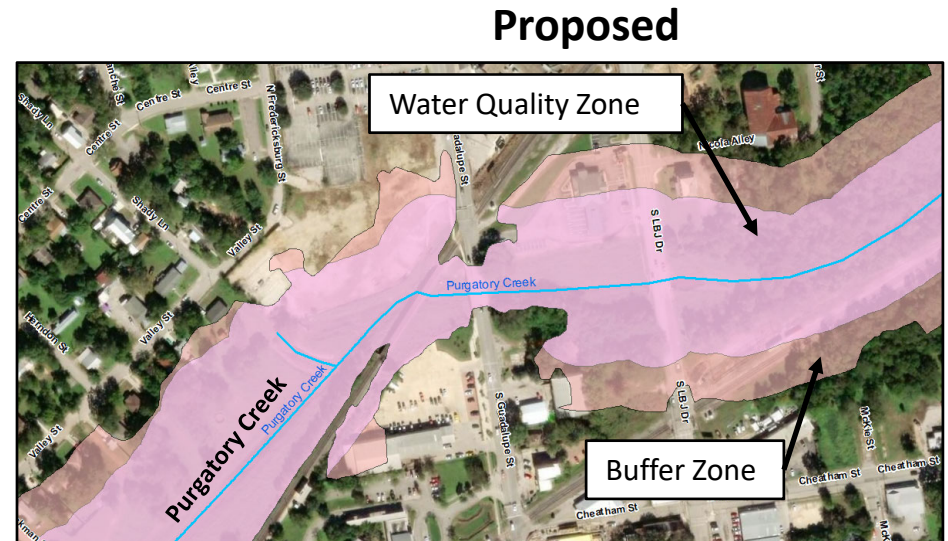
## Clarify Delineation of Water Quality and Buffer Zones

Reason for Change: Current measurement based on floodway which is no longer valid with new FEMA maps.

Proposed Revision: Limits based on natural geometry of waterway.



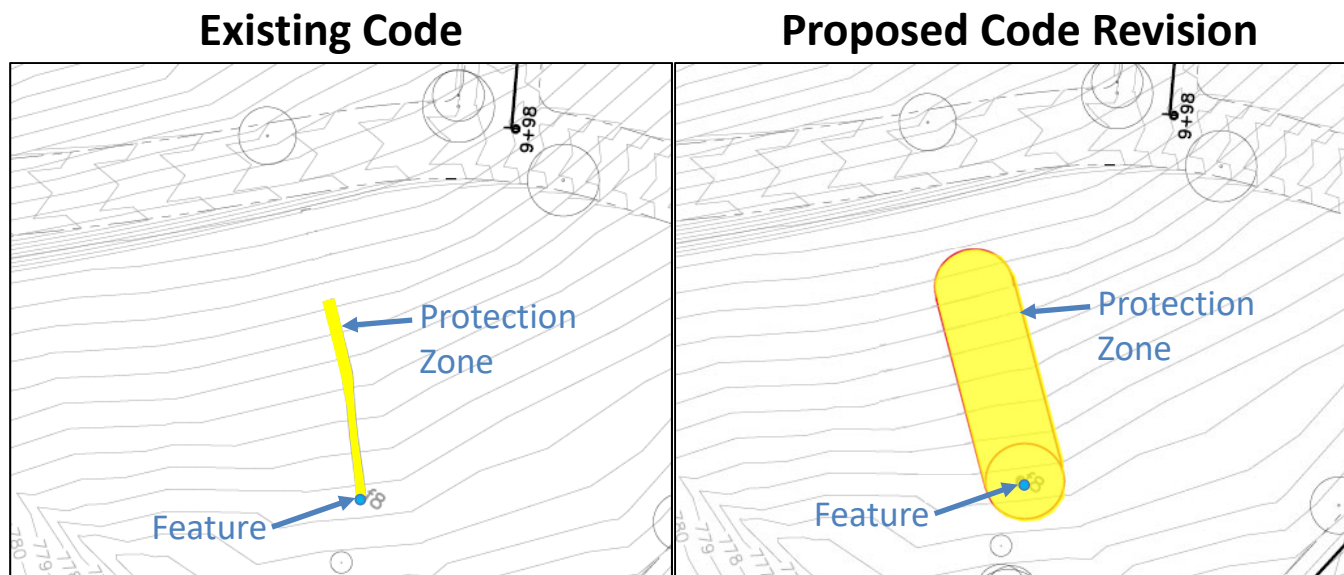
Previous



**#6 Increase Sensitive Feature Protection Zone**

Reason for Change: Code language results in very narrow protection zones on hill sides.

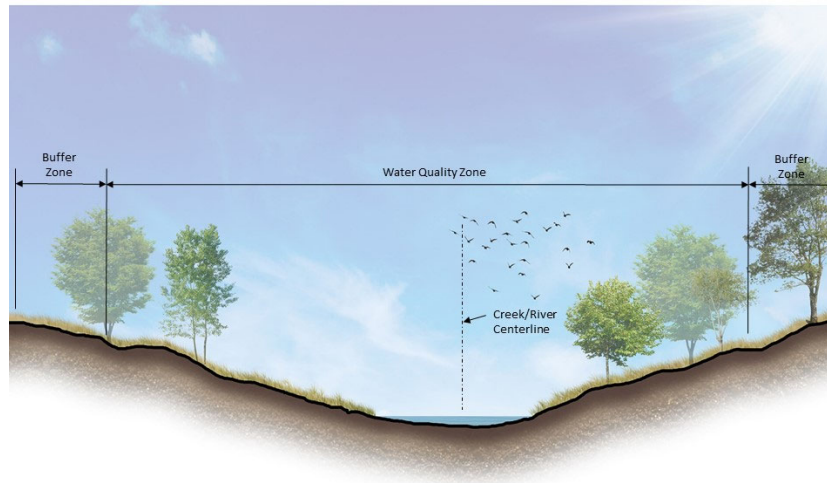
Proposed Revision: Widens protection zone



## Incorporate Natural Channel Design for Water Quality Reclamations

Reason for Change: Waterways outside Edwards Aquifer Recharge Zone can be channelized and rerouted to accommodate site development.

Proposed Revision: Reclamation must be accomplished in a way that preserves the natural function and aesthetic of original waterway.



Creek/River Cross Section

**Reason for Change:**

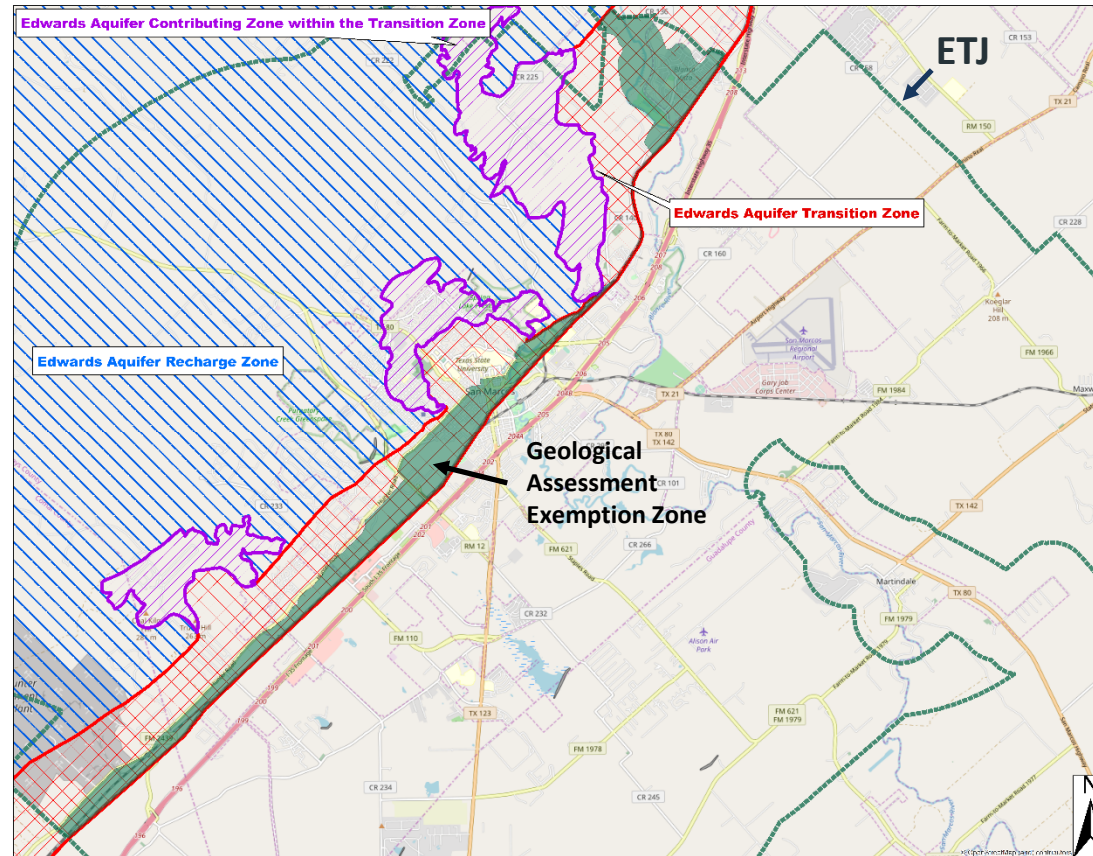
- Geologic Assessments (GA's) in the Transition Zone was a new requirement added in the 2018 code update.
- Some areas within Transition Zone have very low likelihood of having geologic features (Houston Black Clay areas near eastern edge of Transition Zone).

**Proposed Revision:**

- Not require GA's in proposed Exemption Area (approximately 36% of Transition Zone) developed through collaboration with registered geologist.
- Code still requires investigation of geologic features discovered during construction in GA Exempted Area and allows for protection if determined to be sensitive.







**Section 2.8.3.5 Duration; Expiration; Suspension; Violation; Revocation****A. Duration.**

1. A conditional use permit shall remain in effect until it expires, is suspended, or is revoked in accordance with Section 2.3.7.5A(1 - 4) as supplemented by Section 2.8.3.5.

2. Conditional Use Permits granted for on-premises consumption of alcoholic beverages ~~unless otherwise specified by the Planning and Zoning Commission,~~ shall remain in effect for ~~the duration of the State TABC (Texas Alcoholic Beverage Commission) license or permit~~ no longer than three years, or until the license or permit is canceled, revoked, or allowed to expire, or until one of the following conditions occurs, after which the dispensing of alcoholic beverages for on-premises consumption requires issuance of a new Conditional Use Permit:

# Alcohol Conditional Use Permit Committee Recommendation

#11

Limit appeal of denial to the applicant only



-Any property owner or tenant within notification area can appeal an approval

*-Only the applicant can appeal a denial*

-Individuals cannot demand a use in their neighborhood if the applicant is not interested in pursuing

## Alcohol Conditional Use Permit Committee Recommendation

### #12 Require permit holders keep site in a clean & sanitary condition



#### Within the Central Business Area

Maintenance of sidewalk, gutters, parking lot, and all areas within **50 feet** of exits

#### Outside the Central Business Area

Maintenance of sidewalk, gutters, parking lot, and all areas within **100 feet** of exits



Proposed Revision:

- Noise level maximums now apply to any noise
- Noise in excess of the allowed max decibels does not have to continue for a period exceeding one minute
- Changed hours max decibels are allowed to 10 am-10 pm and 10 pm-10 am
- Max decibels of 63 as measured from single-family residential zoning or use
- Clarified noise measurement protocols
- Provides specific exemptions

## Alcohol Conditional Use Permit Committee Recommendation

### #13

### Update noise ordinance

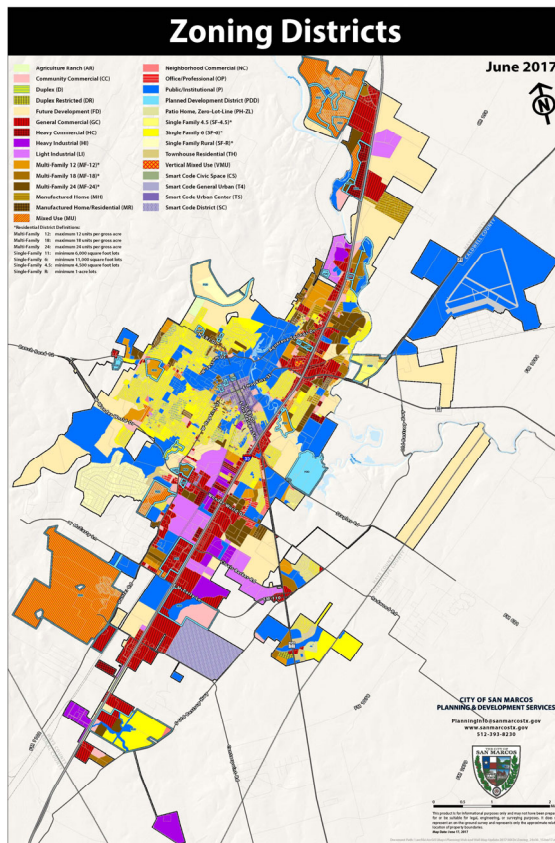
#### Planning & Zoning Commission Recommendation:

- Change “The property shall not produce sound:” to  
“No activity on the property shall produce sound:”
- Remove A.3. “In excess of 63 decibels at any time as measured from within the property line of any single-family residential zoning or use.”

A motion was made, and received a second, that requested Council look into ways of installing continuous cloud streaming monitors, or other means of enforcement, for repeat offenders. During the discussion Commissioners expressed concerns with privacy and implementation.

The Motion was Withdrawn.

## Housing Task Force Recommendation Add Strategic Housing Action Plan as zoning criteria



**#15 Exempt small lot and infill development from the maximum lot width to depth requirement**

Alternate Staff Recommendation:

- b) Severely elongated (in excess of 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~~ townhomes or zero lot line building type lots, or for infill development.
- c) Townhome ~~and~~ lots, Zero Lot Line lots, and infill development lots may not exceed a six to one (6:1) length to width ratio

Planning & Zoning Commission Recommendation:

- Denial of Amendment #15

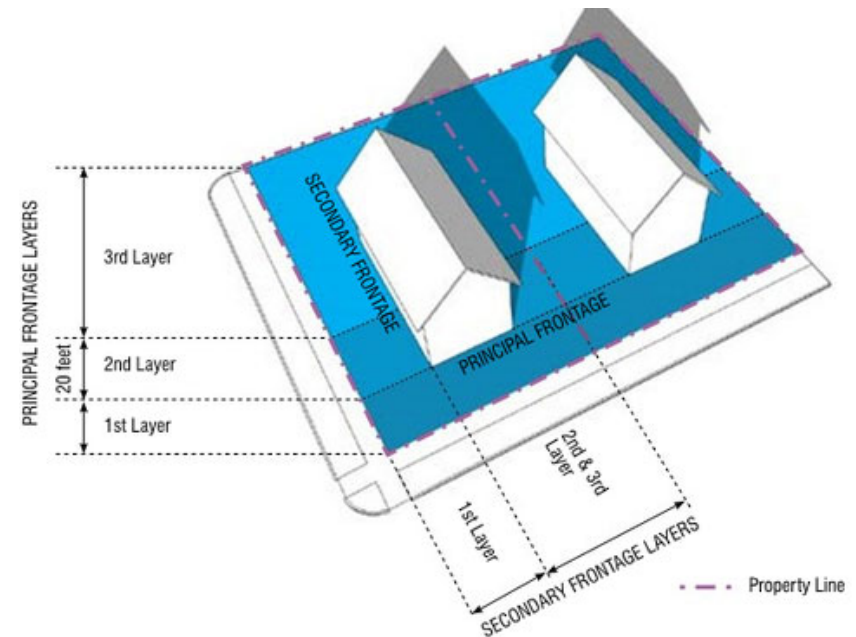
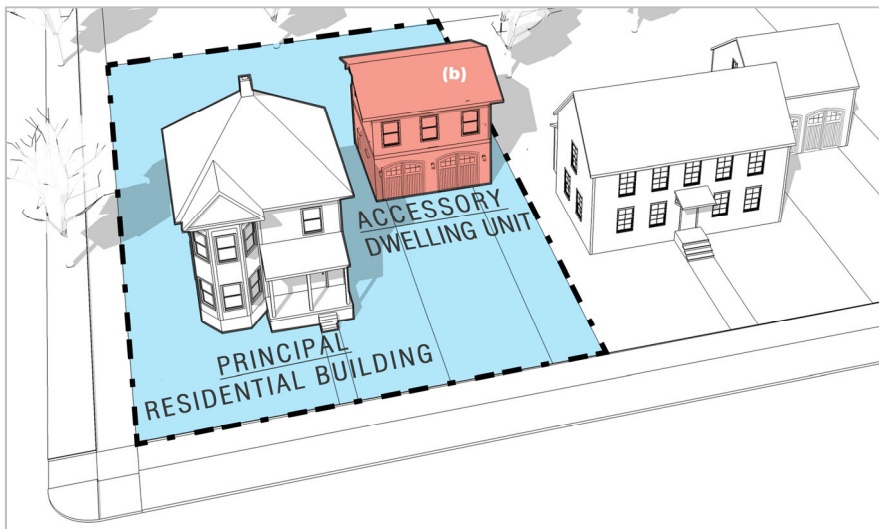




#16

## Housing Task Force Recommendation

Allow Accessory Dwelling Unit parking  
in the second layer



1. Modify definition of RV to include tiny homes,
2. Modify definition of manufactured home parks to include tiny homes, and
3. Adopt Appendix Q (International Residential Code)



#17.1

Housing Task Force Recommendation

Modify **definition of RV** to include tiny homes

Tiny Home on wheels

- Based on building code,  
Tiny Home = Travel Trailers/RVs
- Currently allowed in the same locations  
with the same standards as travel trailers  
and RVs
- For “short term stays”

Staff Recommendation:

- No Change



## #17.2

### Tiny homes on foundations

- Based on building code,  
Tiny Home =  
Single Family
- Currently allowed in  
residential zoning districts as  
long as standards are met.

### Staff Recommendation:

- *Update Use Table –  
P&Z did not vote on this  
recommendation*

## Housing Task Force Recommendation

Modify **definition of manufactured home parks**  
to include tiny homes

### Tiny Home Villages

- Multiple Units on a Single Lot –  
Currently allowed in Multifamily  
and Mobile Home Park (MHP)

### Staff Recommendation:

- Define “Tiny Home”
- Add “Tiny Home Village” to MHP  
Zoning District

## Housing Task Force Recommendation

### #17.3

Adopt Appendix Q of the International Residential Code





## Make pre-development meetings mandatory unless waived by Responsible Official

### Section 2.3.1.1 Application Processing

**E. Pre-Development Meeting.** An applicant is ~~encouraged~~ required to request a pre-development meeting with the Responsible Official prior to filing an application. The Responsible Official shall have the authority to waive the pre-development meeting, if such application does not warrant a meeting, or if alternative measures have been taken to address concerns and/or questions that may arise out of the application. No application shall be accepted for filing at a pre-development meeting. A pre-development meeting ~~is voluntary, and thus~~ does not trigger any grandfathering rights or commence a review period.

## Remove initial authorization for text amendments directed by City Council

### Section 2.4.1.2 Application Requirements

- A. An application for a text amendment to the Development Code shall be submitted in accordance with the universal application procedures in Section 2.3.1.1.
- B. An application for a text amendment requires initial authorization by the City Council.
- C. Text amendments initiated, requested, or directed by City Council do not require initial authorization.
- ED. The City Council shall consider the initial authorization of a text amendment and may reject the petition or direct further consideration of the application for text amendment in accordance with Section 2.4.1.3.

**Allow recommendation and approval  
of less intense zoning classification**

The Planning and Zoning Commission may recommend approval or denial of the application for a zoning map amendment [or, subject to the consent of the owner, such other less intense zoning district classification](#)

The City Council should consider the criteria in Section 2.5.1.4 and may vote to approve or deny the specific proposed zoning map amendment [or, subject to the consent of the owner, such other less intense zoning district classification.](#)

A motion was made, and received a second, to postpone to Phase 3. Code Phases and implementation of this amendment were discussed.

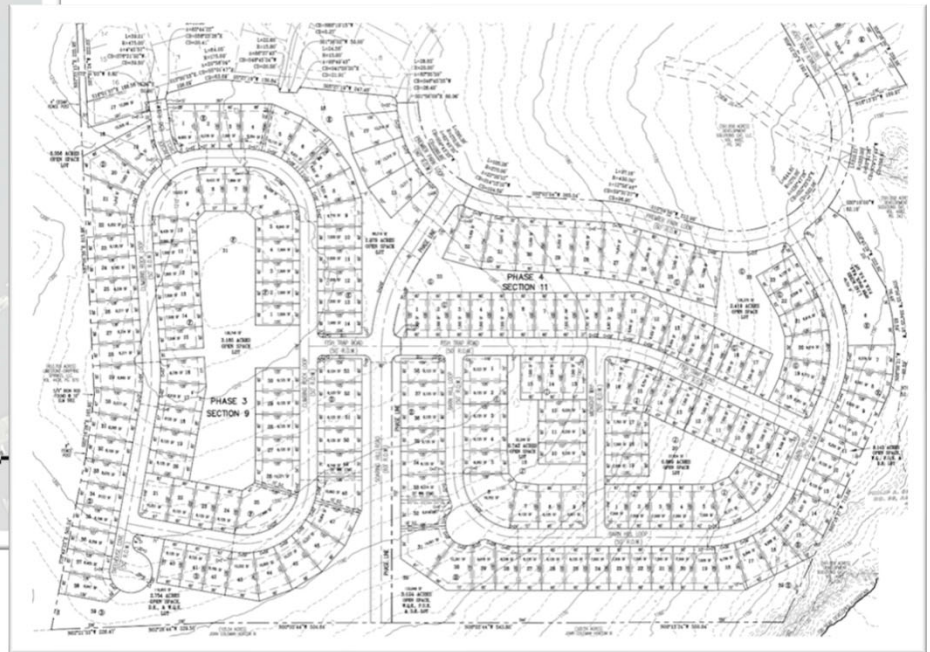
*The Motion Failed on a Roll Call Vote.*

## Make City Council the appellate body for Certificates of Appropriateness on City owned property

### Section 2.5.5.5 Appeals

**A. General Procedure.** An applicant or other interested person within the four-hundred foot (400') personal notification area may appeal a final decision of the Historic Preservation Commission on an application for a certificate of appropriateness to the Zoning Board of Adjustments within ten days of the Historic Preservation Commission's action on the application, except for appeals pertaining to property owned by the City of San Marcos. Appeals pertaining to property owned by the City of San Marcos shall be made to the City Council within ten days of the Historic Preservation Commission's action on the application.

## #22 Exempt applicant from concept plat if they are prepared to submit a preliminary plat





## Section 3.6.2.1. Block Perimeter

Block Perimeters		
Zoning District	Block Perimeter (max)	Dead-End Street (Max)
FD, CD-1, CD-2	N/A	500 Ft.
SF-6, ND-3, SF-R, SF-4.5	3,000 Ft.	300 Ft.
ND-3.5, ND-4, CD-3	2,800 Ft.	250 Ft.
CD-4	2,400 Ft.	200 Ft.
CD-5, CD-5D	2000 Ft.	Not Allowed
EC, HC, HI, LI, <a href="#">ETJ</a>	5,000 Ft.	400 Ft.
Legacy Districts <del>and ETJ</del>	3,000 Ft.	300 Ft.

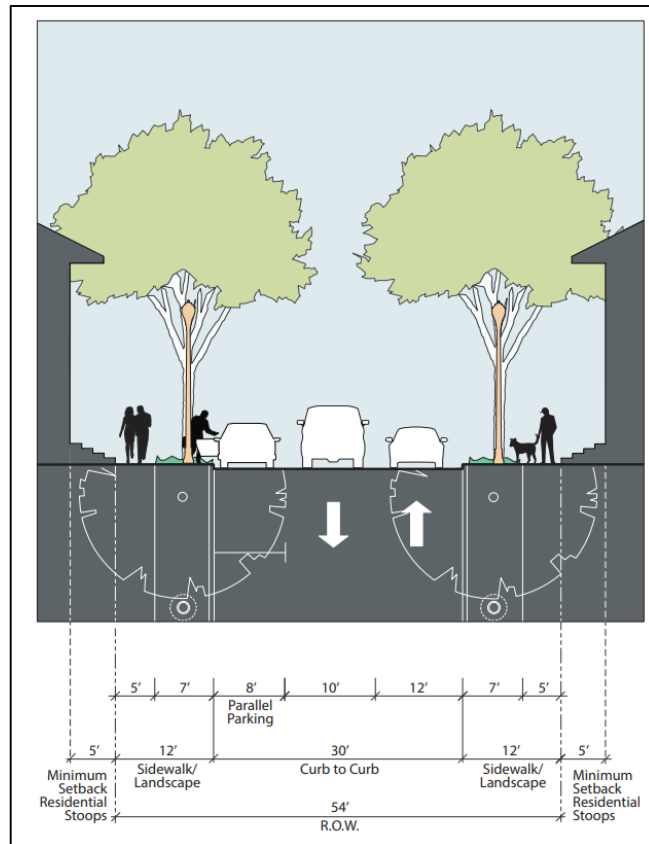
A motion was made to postpone to Phase 3.  
There was no Second.

### Section 3.6.2.1 Block Perimeter

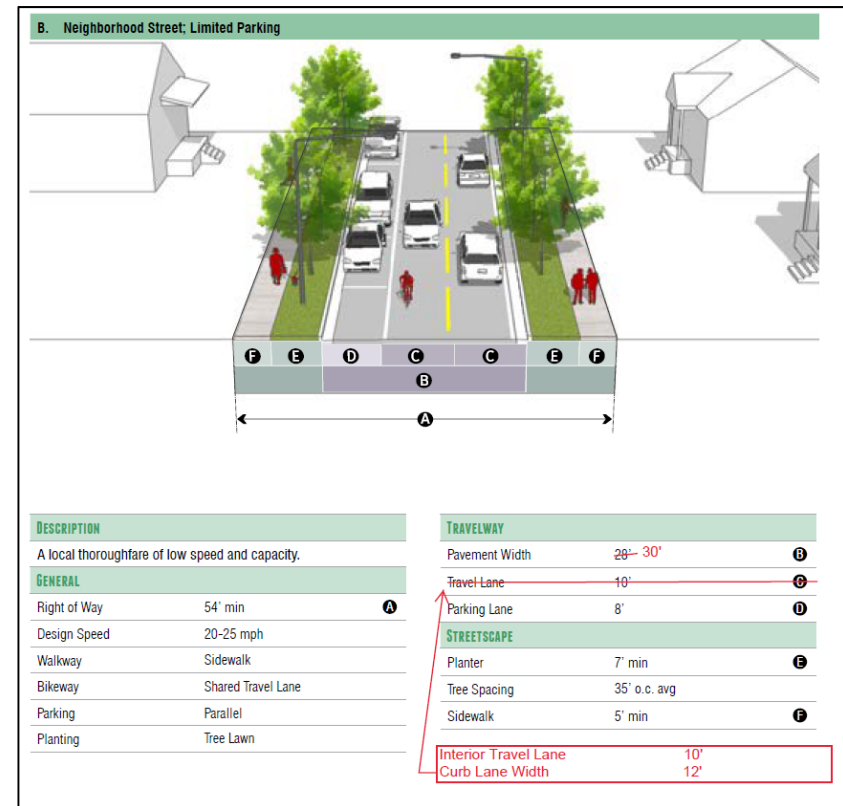
#### C. Block Measurement

A larger block perimeter may be permitted for HI zoned lots with a building that exceed 200,000 square feet. The block perimeter shall not exceed the lot area required to meet parking and landscaping provisions for the individual structure





## Align standards in Development Code to Transportation Master Plan



### Create new CD-2.5 District

### Add occupancy restrictions to CD-3

	Single Family 6 (SF-6)	Single Family 4.5 (SF-4.5)	Character District 2.5 (CD-2.5)	Character District 3 (CD-3)
Density (units per acre)	5.5 max.	7.5 max.	8 max.	10 max.
Impervious Cover	50% max.	60% max.	60% max.	60% max.
Occupancy Restrictions	Apply	Apply	Apply	<del>Do Not</del> Apply
Building Types Permitted	House, ADU	House, ADU	House, ADU	House, ADU, Duplex, Cottage Court, Zero Lot Line
Height Max.	2 Stories (35 ft.)	2 Stories (35 ft.)	2 Stories (35 ft.)	2 Stories (35 ft.)

A motion was made, and received a second, to postpone both #26 & #38 to Phase 3.

The Motions Failed on Roll Call Votes.

## Provide better definition for “house” and “cottage”

### Section 4.4.1.3 Single Family-6

LOT		
BUILDING TYPE	LOT AREA	LOT WIDTH
House	6,000 sq. ft. min.	50 ft min.
<del>Cottage</del>	<del>6,000 sq. ft. min.</del>	<del>50 ft min.</del>
Civic	6,000 sq. ft. min.	50 ft. min.

### Staff Recommendation:

- Remove Cottage definition, Keep House
- Maintain entitlements with lot minimums

### Section 4.4.3.3 Character District-3

LOT		
BUILDING TYPE	LOT AREA	LOT WIDTH
<del>House</del>	<del>5,000 sq. ft. min.</del>	<del>50 ft. min.</del>
<del>Cottage</del> House	4,000 sq. ft. min.	40 ft. min.
Cottage Court	1,200 sq. ft. min.	20 ft. min.
Duplex	4,000 sq. ft. min.	40 ft. min.
Zero Lot Line House	3,500 sq. ft. min.	30 ft. min.
Civic Building	5,000 sq. ft. min.	50 ft. min.



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.

- Allow as a conditional use in FD, SF-R, N-CM, CD-2, and GC districts
- Site plan and floor plan required at time of CUP
- Minimum parcel size of 5 acres
- Type D transitional protective yard required on perimeter of property
- Parking lot screening along right-of-way required
- Permit holder cannot hold a TABC license
- Must comply with noise ordinance
- Single-family preservation buffer required



## Create a new Neighborhood Density District to allow moderate increase in density

	Neighborhood Density District 3 (ND-3)	Neighborhood Density District 3.2 (ND-3.2)	Neighborhood Density District 3.5 (ND-3.5)
Density (units per acre)	10 max.	12 max.	16 max.
Impervious Cover	60% max.	65% max.	75% max.
Occupancy Restrictions	Apply	Apply	Apply
Building Types Permitted	House, Zero Lot Line, ADU	<u>House</u> <u>**4,500 sq. ft.,</u> Zero Lot Line, <u>**ADU</u>	House, Zero Lot Line, Cottage Court, Duplex, Townhouse, Small MF
Height Max.	2 Stories (35 ft.)	2 Stories (35 ft.)	2 Stories (35 ft.)

A motion was made, and received a second, to postpone to Phase 3.

The Motion Failed on a Roll Call Vote.

## Increase Votes Required for Comprehensive Plan Amendment (PSA)

**Approval process will be updated to mirror language for zoning changes in Existing Neighborhoods:**

B. Planning and Zoning Commission Action.

**3. A recommendation for approval from the Planning and Zoning Commission requires an affirmative vote of six (6) members...**

C. City Council Action.

**4. The approval of a Comprehensive Plan amendment requires an affirmative vote of five (5) members...**

- Clearly note where a Preferred Scenario Amendment is required
- Corridors exist on the preferred scenario map, but have not been fully vetted for appropriate zoning change requests – remove Corridor and consider during comprehensive plan update

**TABLE 4.1 COMPREHENSIVE PLAN / DISTRICT TRANSLATION**

DISTRICT CLASSIFICATION	COMPREHENSIVE PLAN DESIGNATIONS					
	OPEN SPACE/ AGRICULTURAL	LOW INTENSITY	EXISTING NEIGHBORHOOD	MEDIUM OR HIGH INTENSITY ZONE	EMPLOYMENT CENTER	<del>CORRIDOR</del>
Conventional Residential	NP	NP	C	<u>PSA</u>	<u>PSA</u>	<del>_____</del>
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	<del>_____C_____</del>
Character Districts	NP	C	<u>PSA</u>	C	NP	<del>_____C_____</del>
Special Districts	<u>PSA</u>	NP	NP	NP	C	<del>_____C_____</del>
Legend	<u>PSA</u> = Not Allowed (PSA Required)		NP=Not Preferred		C = Consider	




## Require PSA for increase in density Alternate Recommendation from Staff

- A request for an increase in density which requires a Preferred Scenario Amendment may not be appropriate if only a moderate increase is being requested.

	OPEN SPACE/ AGRICULTURAL	LOW INTENSITY	EXISTING NEIGHBORHOOD	MEDIUM OR HIGH INTENSITY ZONE	EMPLOYMENT CENTER	<del>CORRIDOR</del>
Conventional Residential	NP	NP	C	<u>PSA</u>	<u>PSA</u>	<del>---</del>
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	<del>C</del>
Character Districts	NP	C	<u>PSA</u>	C	NP	<del>C</del>
Special Districts	<u>PSA</u>	NP	NP	NP	C	<del>C</del>
Legend	<u>PSA</u> = Not Allowed (PSA Required)		NP = Not Preferred		C = Consider	

## Require PSA for increase in density Alternate Recommendation from Staff

- A request to change from Existing Neighborhood to Low or Medium / High Intensity would be accompanied by a request for Character Districts, which are currently not permitted in Existing Neighborhoods.



	OPEN SPACE/ AGRICULTURAL	LOW INTENSITY	EXISTING NEIGHBORHOOD	MEDIUM OR HIGH INTENSITY ZONE	EMPLOYMENT CENTER	<del>CORRIDOR</del>
Conventional Residential	NP	NP	C	<u>PSA</u>	<u>PSA</u>	—
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	— C —
<u>Character Districts</u>	NP	C	<u>PSA</u>	C	NP	— C —
Special Districts	<u>PSA</u>	NP	NP	NP	C	— C —
Legend	<u>PSA</u> = Not Allowed (PSA Required)		NP=Not Preferred		C = Consider	

## Require PSA for increase in density Alternate Recommendation from Staff

- **Staff Proposal #1:** to remove the “NP” allowance and require a PSA for Special Districts which include Heavy Commercial and Industrial in Existing Neighborhoods, and
- A change to Section 4.1.2.4 – 4.1.2.5 instead.

	OPEN SPACE/ AGRICULTURAL	LOW INTENSITY	EXISTING NEIGHBORHOOD	MEDIUM OR HIGH INTENSITY ZONE	EMPLOYMENT CENTER	<del>CORRIDOR</del>
Conventional Residential	NP	NP	C	<u>PSA</u>	<u>PSA</u>	<del>_____</del>
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	<del>C</del>
Character Districts	NP	C	<u>PSA</u>	C	NP	<del>C</del>
Special Districts	<u>PSA</u>	NP	<u>PSA</u>	NP	C	<del>C</del>
Legend	<u>PSA</u> = Not Allowed (PSA Required)		NP = Not Preferred		C = Consider	

**Require PSA for increase in density  
Alternate Recommendation from Staff**

- Table 4.4 Classifies Conventional and Neighborhood Density Districts into Neighborhood Density Categories.
- Table 4.5 indicates how these categories are to be used in a zoning change request.

**TABLE 4.4 NEIGHBORHOOD DENSITY CATEGORIES**

NEIGHBORHOOD DENSITY CATEGORIES	NEIGHBORHOOD DENSITY DISTRICTS	CONVENTIONAL, SPECIAL, AND LEGACY DISTRICTS
Low Density	ND3	FD, AR, SF-R, MR, SF-6, SF4.5, DR, D, PH-ZL, P
Medium Density	ND3.5	TH, MF-12, P
High Density	ND4	MU, MF-18, MF-24, P
Commercial / Mixed Use	N-MS	OP, NC, CC, GC, HC, LI, HI, MH, VMU, P

**TABLE 4.5 NEIGHBORHOOD DENSITY DISTRICT / EXISTING ZONING TRANSLATION TABLE**

	NEIGHBORHOOD DENSITY CATEGORIES			
	LOW DENSITY	MEDIUM DENSITY	HIGH DENSITY	COMMERCIAL/ MIXED USE
ND-3	C	C	NP	NP*
ND-3.5	NP*	C	C	NP*
ND-4	NP*	NP	C	NP
N-MS	NP*	NP*	C	C



## Require PSA for increase in density Alternate Recommendation from Staff

- **Staff Proposal #2:** better define the districts that are within each Density Category

Neighborhood Density Category	CURRENT CODE	PROPOSED CHANGES
Low Density	FD, AR, SF-R MR, SF-6, SF-4.5, DR, D, PH-ZL, P	FD, AR, SF-R MR, SF-6, SF-4.5 <del>DR, D, PH-ZL,</del> P
Medium Density	TH, MF-12, P	<del>DR, D, PH-ZL,</del> TH, MF-12, P
High Density	MU, MF-18, MF-24, P	MU, MF-18, MF-24, P
Commercial / Mixed Use	OP, NC, CC, GC, HC, LI, HI, MH, VMU, P	OP, NC, CC, GC, HC, LI, HI, MH, VMU, P

## Require PSA for increase in density Alternate Recommendation from Staff

- **Staff Proposal #3:** Combine Tables 4.4 & 4.5 for a better user experience.
- **Staff Proposal #4:** Increase the instances where changes are NP or require additional votes of P&Z and City Council (NP\*).

	FD, AR, SF-R, MR, SF-6, SF-4.5, P	DR, D, PH-ZL, TH, MF-12, P	MU, MF-18, MF-24, P	OP, NC, CC, GC, HC, LI, HI, MH, VMU, P
ND-3	C	<u>€ NP</u>	NP*	NP*
<u>ND-3.2</u>	<u>NP</u>	<u>C</u>	<u>NP*</u>	<u>NP*</u>
ND-3.5	NP*	C	C	NP*
ND-4	NP*	NP	C	NP
N-CM	NP*	NP*	<u>€ NP</u>	C

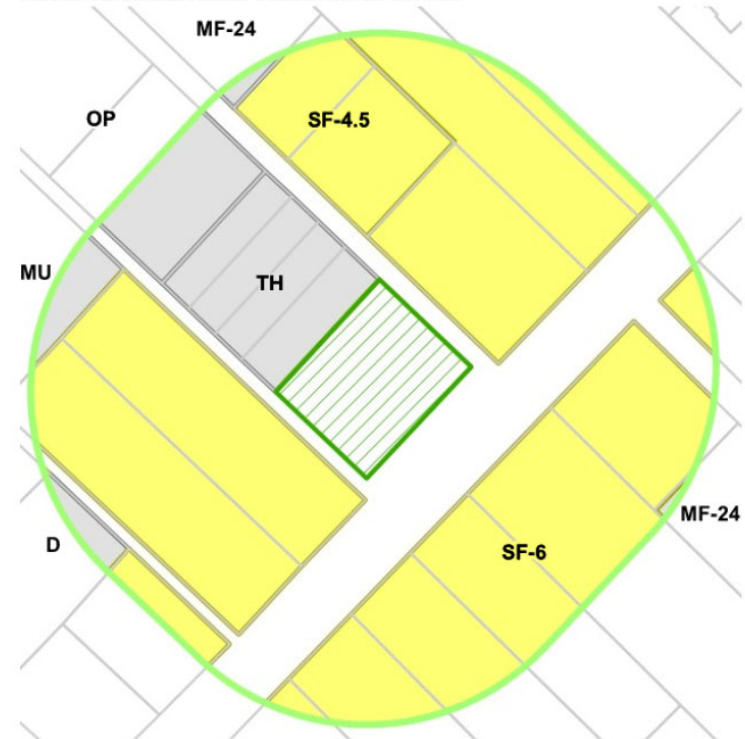




- **Staff Proposal #5:** Require the Single Family Preservation Buffer, even when a zoning change is “Considered”
- **Staff Proposal #6:** include language that requires the Single Family Preservation Buffer in addition to any Small Area Plan
- **Staff Proposal #7:** Require additional informational meetings when there is a request for a Neighborhood Density District in and Existing Neighborhood.

## Require PSA for increase in density Alternate Recommendation from Staff

FIGURE 4.2 SINGLE FAMILY PRESERVATION BUFFER



**Require PSA for increase in density  
Alternate Recommendation from Staff****Staff Proposal Summary:**

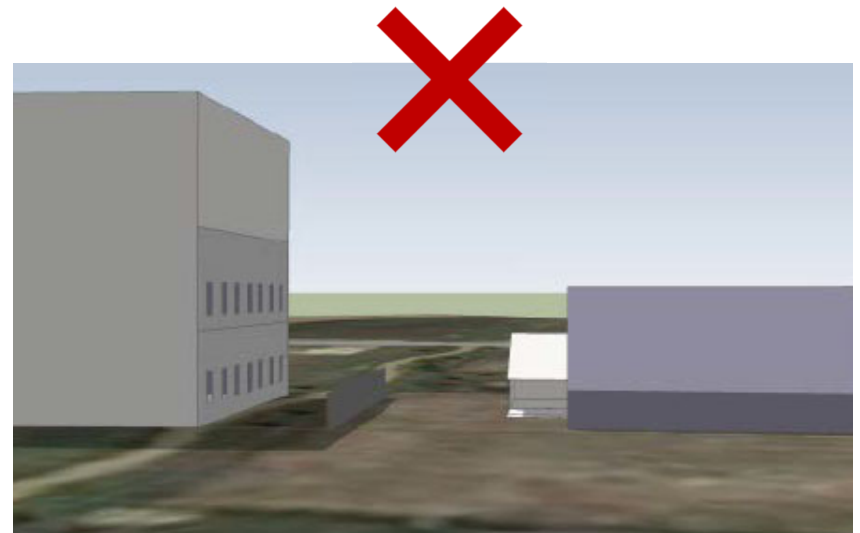
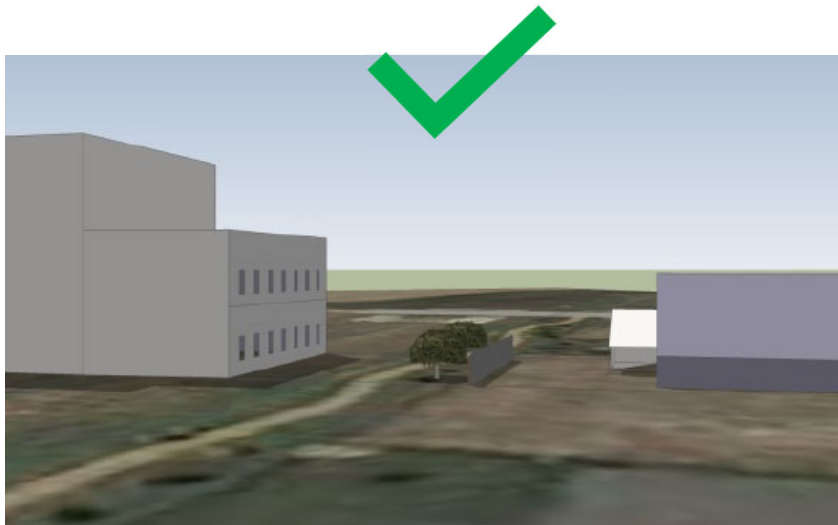
1. Do not allow Special Districts in Existing Neighborhoods,
2. Reclassify Duplex and all Patio Home Zero Lot Line as Medium Density,
3. Combine Tables 4.4 & 4.5 for ease of use,
4. Increase the instances when additional votes are required for approval,
5. Require the Single Family Preservation Buffer for every zoning change in Existing Neighborhoods,
6. Require the Single Family Preservation Buffer in addition to any Small Area Plans
7. Require additional, informational, meetings – this would be in addition to the Neighborhood Presentation Meeting that is currently required.

A motion was made to postpone to Phase 3.

There was no Second.

## **Residential Height Compatibility** **Limit height near single family residential**

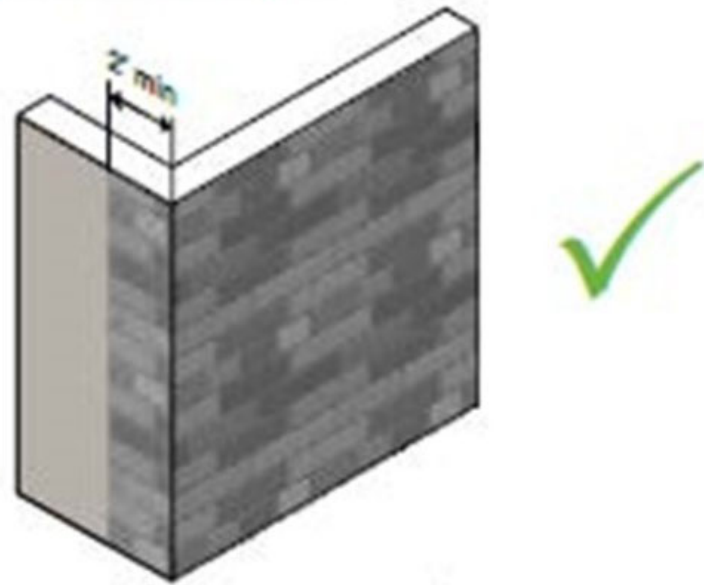
- Limits building height within 70 feet of single family residential zoning.
- Measured from Property Line.



## Durable Building Material Preference

- Add statement that the City prefers the use of Durable Building Materials.

FIGURE 4.16 PRIMARY MATERIAL CHANGES



## Require Conditional Use Permit for Accessory Dwelling Units

### **Staff Alternate Proposal Summary:**

- Maintain “Permitted” status in higher density districts that allow a mixture of housing types: ND-4, N-CM, CD-4, CD-5, & CD-5D.
- Allow as “Limited” in medium density districts that allow a mixture of housing types and on large lot residential: FD, SF-R, ND-3.5, CD-2, CD-2.5, & CD-3
  - Include additional standards when limited to require:  
1) A single utility meter, & 2) separate trash & recycle bins
- Change to “Conditional” in low density single family districts:  
SF-6, SF-4.5, ND-3, & ND-3.2

A motion was made, and received a second, to postpone to Phase 3.

The Motion Failed on a Roll Call Vote.

## Remove Parking Exemptions for Multi-Family Specifically in Downtown

### On Street Parking

- Shall not be counted toward Multifamily (including Student Housing) in CD-5D.

### Parking Exemptions Specific to CD-5 and CD-5D

- ... properties with 10 4 or fewer units are exempt from the minimum parking requirements ...
- ... properties with 5 – 10 units may be exempt ... with approval of a Conditional Use Permit by City Council ...

Note: Remote parking with an approved agreement is an available option.

Motions were made to postpone both #36 & #37 to Phase 3.

There was no Second.



### SECTION 4.4.3.6 CHARACTER DISTRICT-5 DOWNTOWN

#### LOT

#### BUILDING TYPE

#### LOT AREA

#### LOT WIDTH

A

Townhouse

1,500 sq. ft. min.

15 ft. min.

Apartment

2,000 sq. ft. min.

20 ft. min. 340 ft. max.

Live/Work

1,100 sq. ft. min.

15 ft. min.

Mixed Use Shopfront

2,000 sq. ft. min.

20 ft. min. 340 ft. max.

Civic Building

2,000 sq. ft. min.

20 ft. min.



## Recommendation

Staff recommended **approval** as presented.

The Planning & Zoning Commission recommended, with a 6-1 vote, **approval** with the following amendments:

**Item #1:** Require an informational meeting with Planning & Zoning Commission for Watershed Protection Plans that are 40 acres or more.

**Item #2:** Provide standards for exemption including lot size and impervious cover limits, and do not allow exemption for 4 lots or less with the intention of creating a development more than 4 lots in the future.

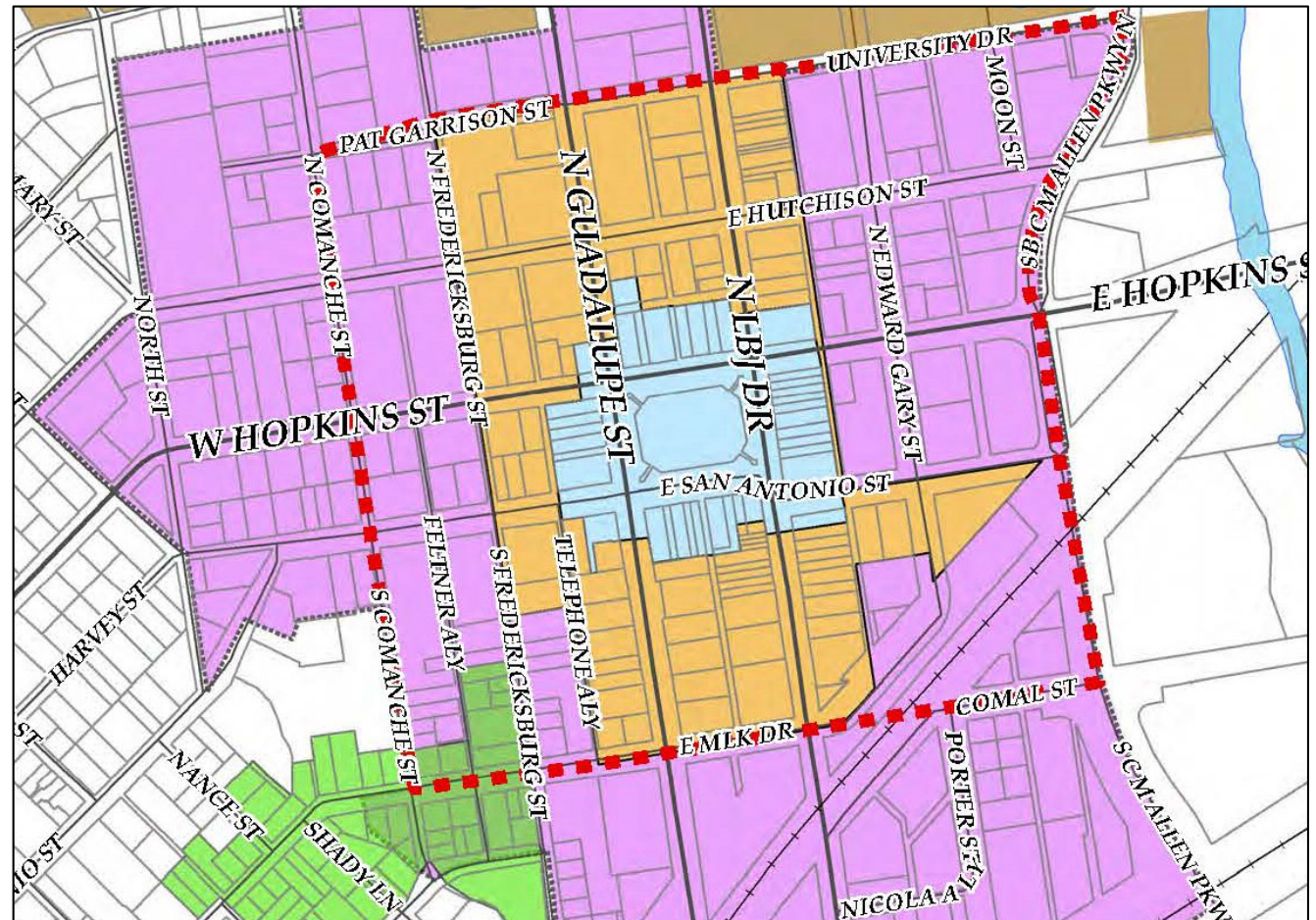
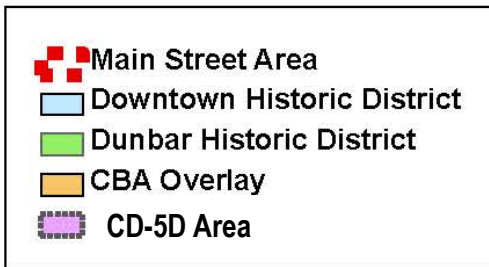
**Item #4:** Provide standards for exemption including lot size and impervious cover limits.

**Item #13:** Clarify applicability and remove specific single family specific regulation.

**Item #15:** Denial of 6:1 for infill development.



# Downtown Boundaries Map For Reference Only



## Option for Updated Use Table re: Tiny Homes

Types of Land Use	Conventional Residential				Neighborhood Density Districts					Character districts						Special Districts					Use Standards
	FD	SF-R	SF-6	SF-4.5	ND-3	ND-3.2	ND-3.5	ND-4	N-CM	CD-1	CD-2	CD-3	CD-4	CD-5	CD-5D	HC	LI	HI	MH	EC	
Single Family Detached	P	L	L	L	L	L	L	L	--	--	P	P	P	--	--	--	--	--	--	--	Section 5.1.4.1
<a href="#">Tiny Home</a>	<a href="#">P</a>	<a href="#">L</a>	<a href="#">L</a>	<a href="#">L</a>	<a href="#">L</a>	<a href="#">L</a>	<a href="#">L</a>	<a href="#">L</a>	<a href="#">--</a>	<a href="#">--</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">--</a>	<a href="#">--</a>	<a href="#">--</a>	<a href="#">--</a>	<a href="#">--</a>	<a href="#">--</a>	<a href="#">--</a>	Section 5.1.4.1
Manufactured Home <del>z</del> <a href="#">Tiny Home</a>	--	--	--	--	-	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	Section 5.1.4.1
Mobile Home Community <a href="#">/ Manufactured Home Park / Tiny Home Village</a>	--	--	--	--	-	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	Section 5.1.4.1 <sup>56</sup> <small>sanmarcostx.gov</small>