Phase 2 Code Amendments

Presentation for Second Reading

Consider approval of Ordinance 2020-59, on the second of two readings, amending various sections of the San Marcos Development Code, to, among other things, 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.

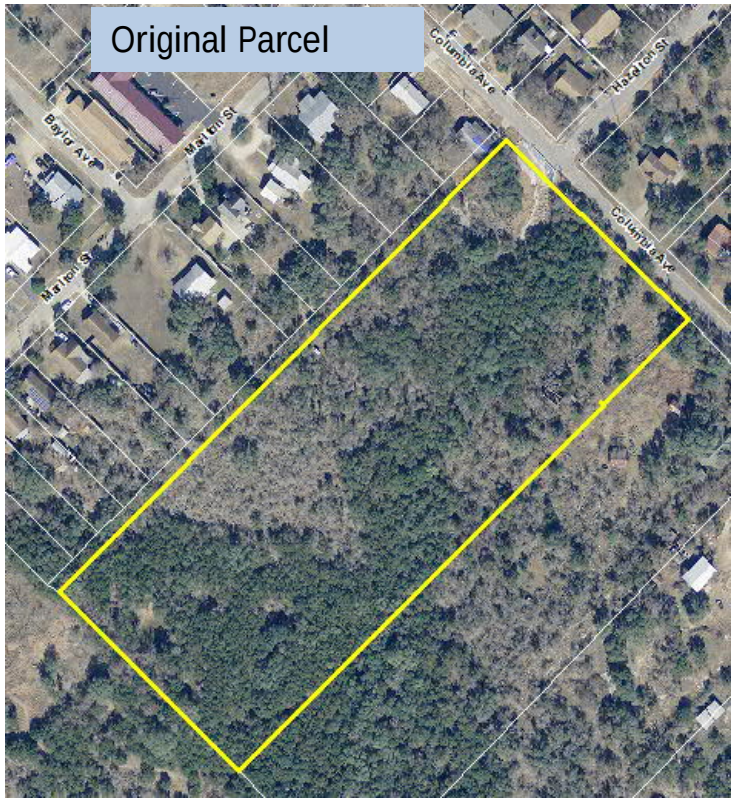
Proposed Revision: Required to pay fee-in lieu of detention and incorporate disconnected impervious cover and vegetated filter strips (TCEQ approved stormwater treatment method). Must show no impacts downstream.

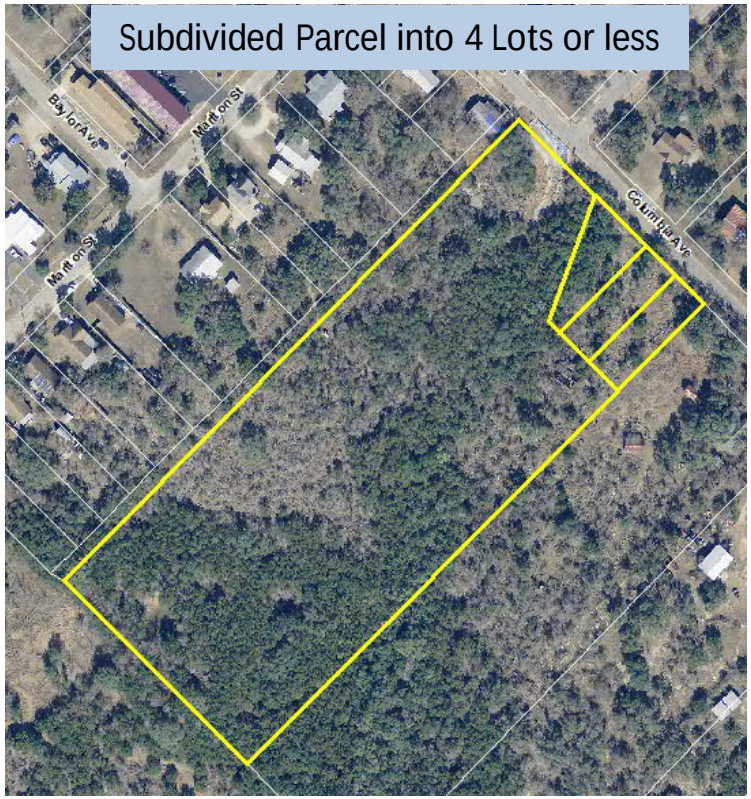
Planning & Zoning Commission Recommendation:

- 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



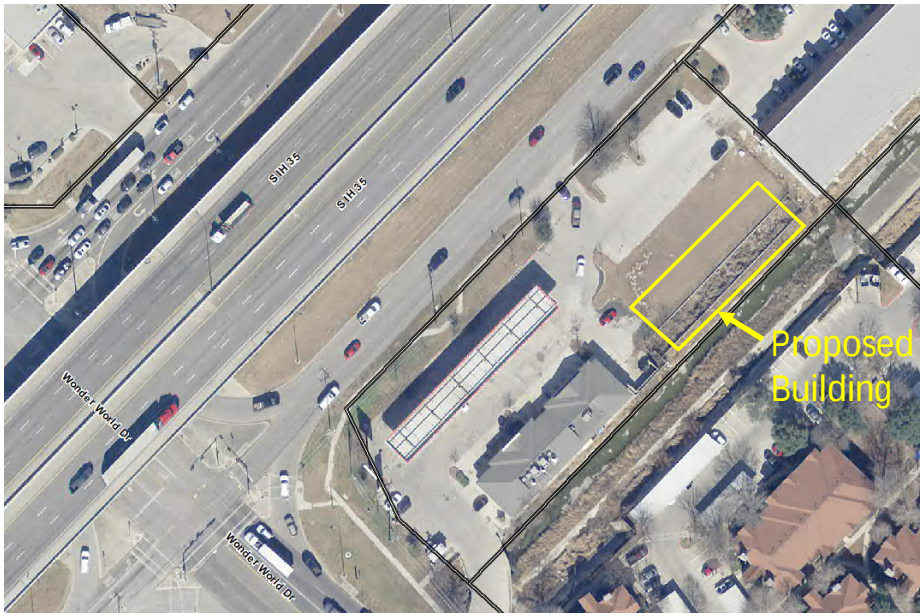


#3 Fee-in-Lieu of Detention and Water Quality

For Significantly Constrained Sites Outside Urban Stormwater Management District

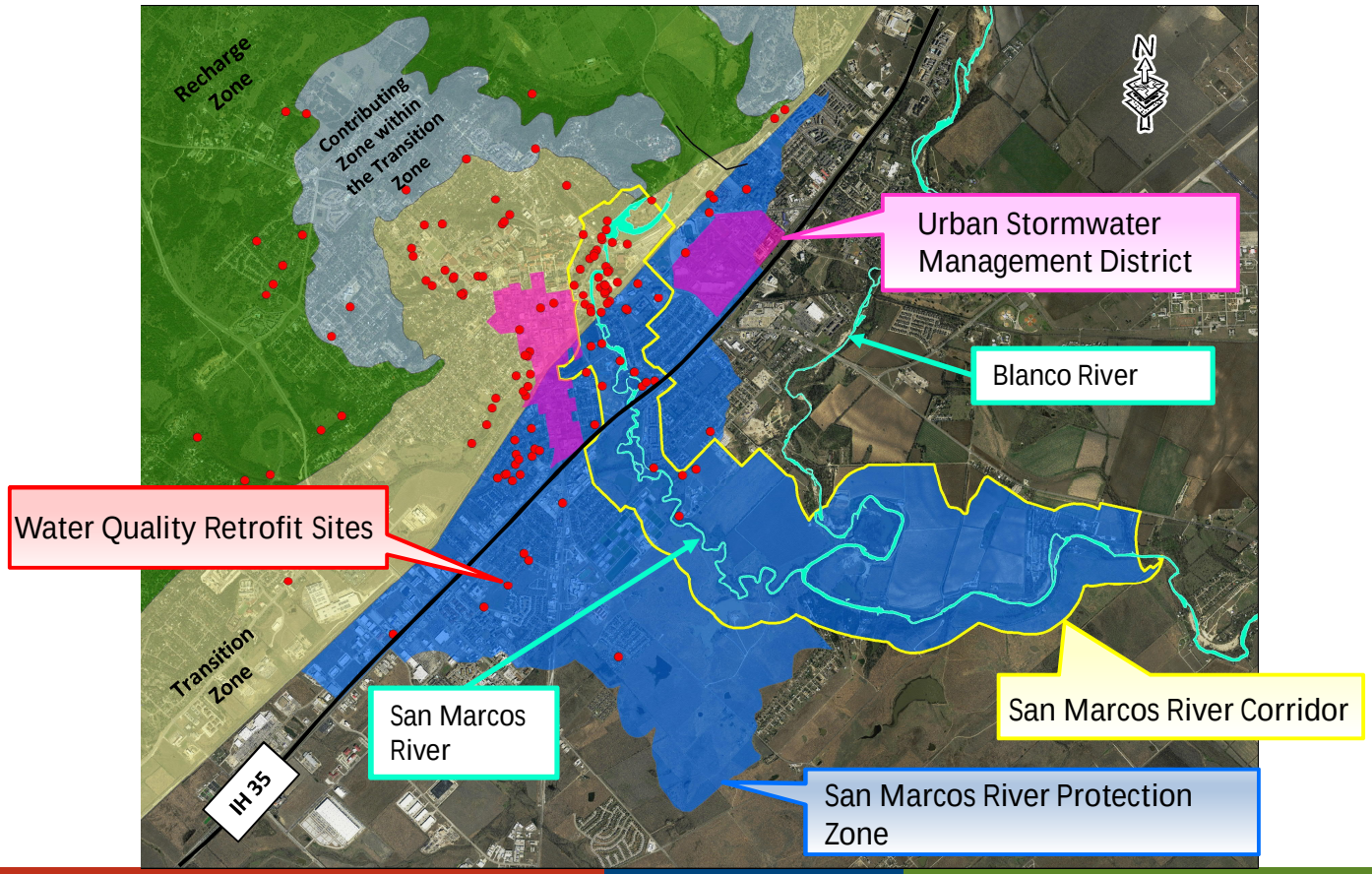
Reason for Change: Provide flexibility for sites that have extreme difficulty meeting detention and water quality requirements on-site.

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



Fee-in-Lieu of Detention/Water Quality

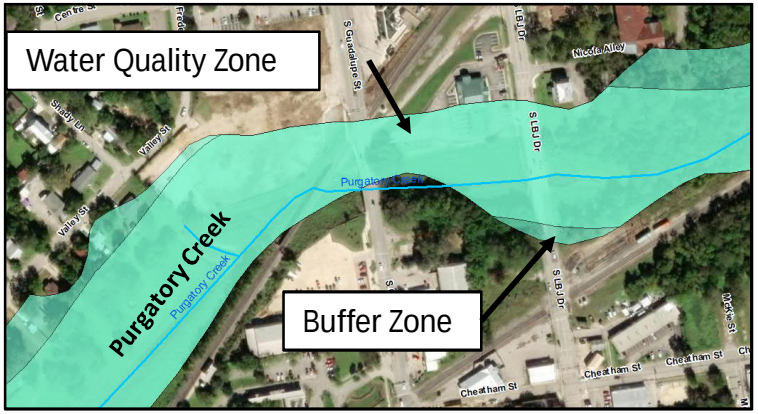
Water Quality Retrofit Sites



#5 Clarify Delineation of Water Quality and Buffer Zones

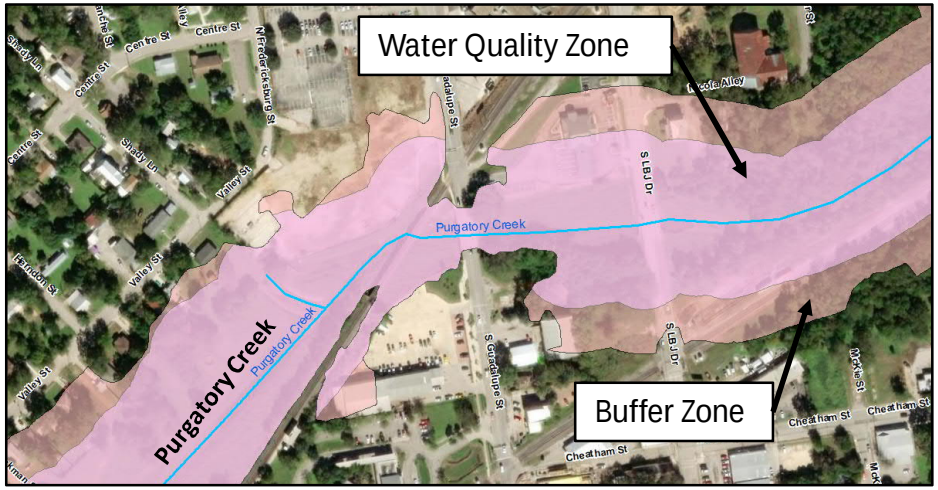
Reason for Change: Current measurement based on floodway which is no longer valid with new FEMA maps.

Proposed Revision: Limits based on natural geometry of waterway.



Previous

Proposed

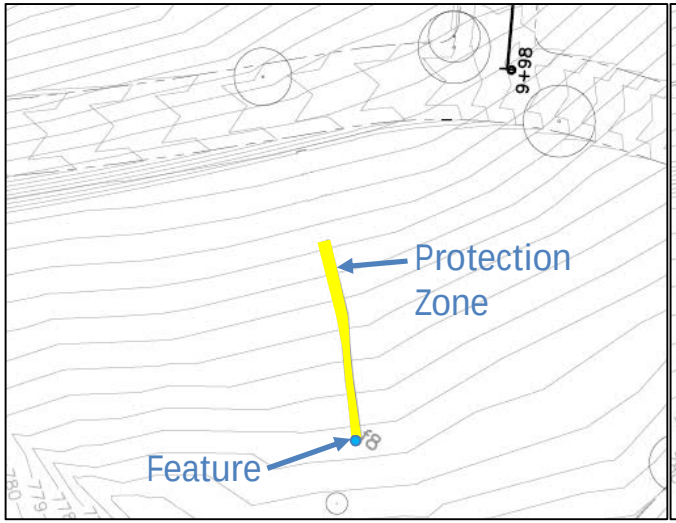


#6 Increase Sensitive Feature Protection Zone

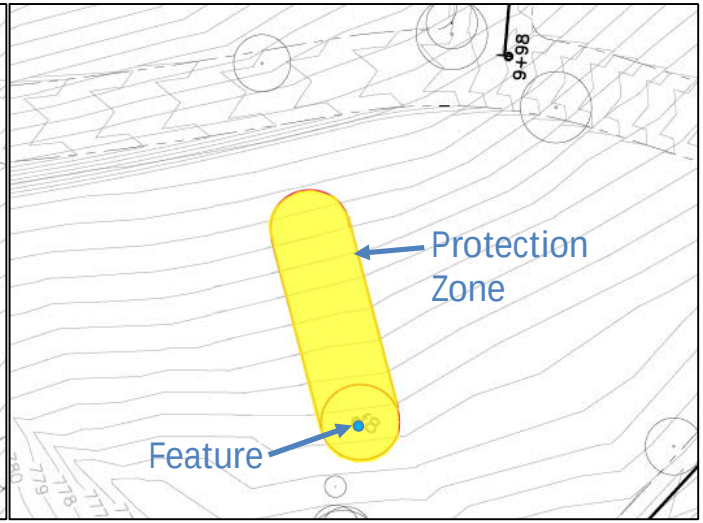
Reason for Change: Code language results in very narrow protection zones on hill sides.

Proposed Revision: Widens protection zone

Existing Code



Proposed Code Revision

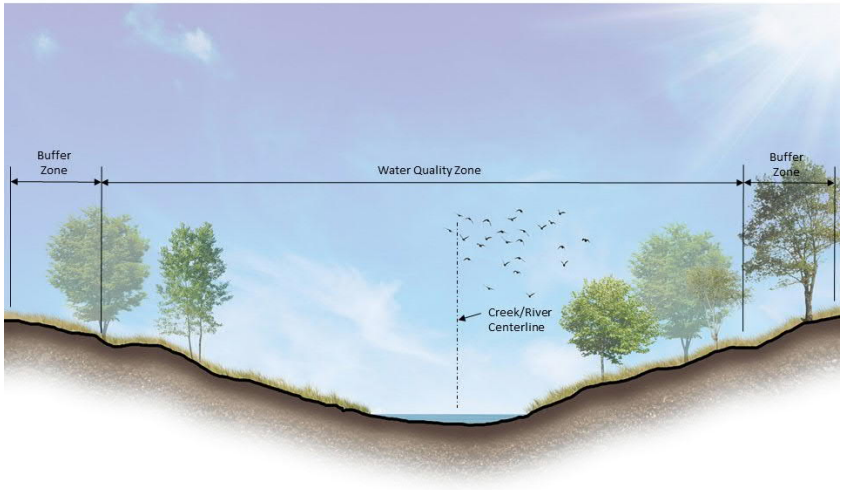


#7

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

#8

Waiver of Geologic Assessment
Within Transition Zone

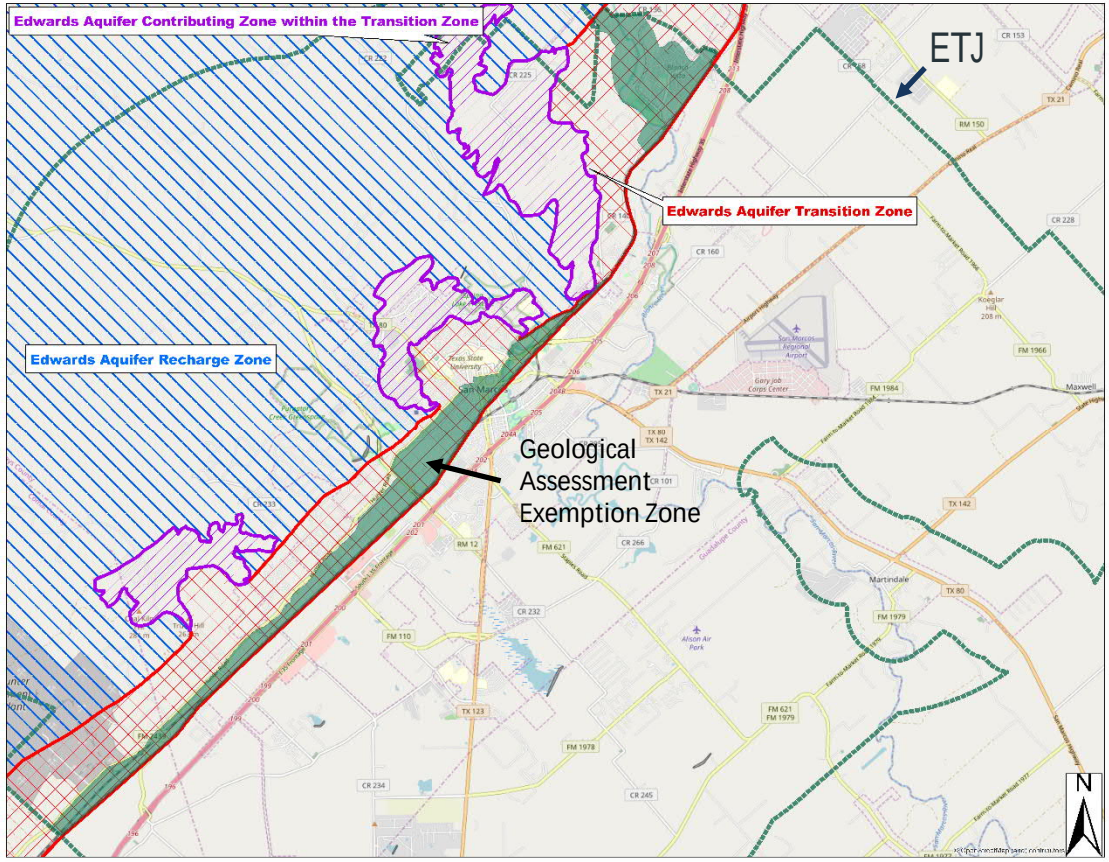
Reason for Change:

- 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.

#8 Waiver of Geologic Assessment
Within Transition Zone



Alcohol Conditional Use Permit Committee Recommendation

#10 Expire alcohol conditional use permits after three years

Section 2.8.3.5 Duration; Expiration; Suspension; Violation; Revocation

A. Duration.

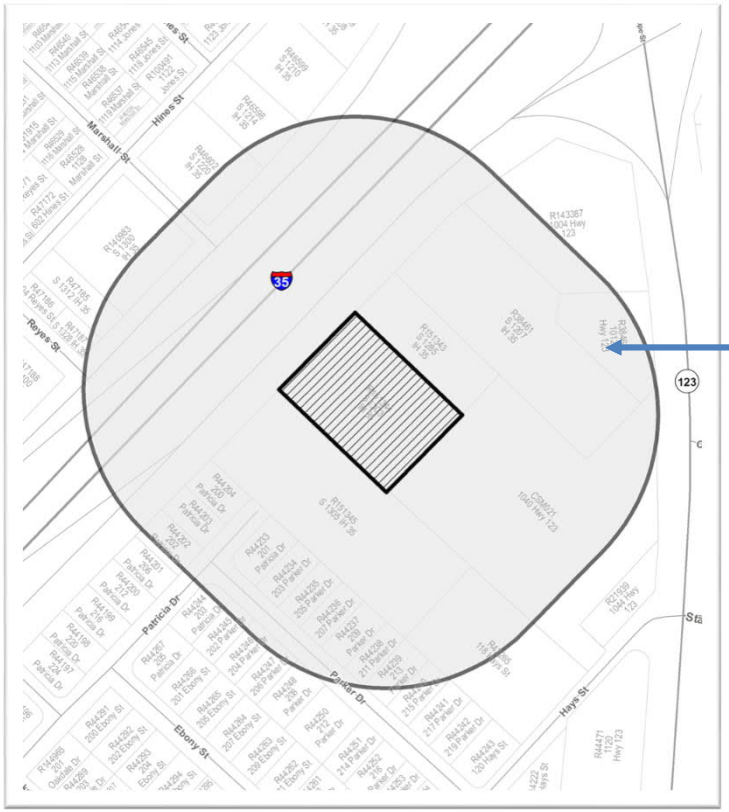
1. A conditional use permit shall remain in effect until it expires, is suspended, or is revoked in accordance with Section 2.3.7.5A(1 - 4) as supplemented by Section 2.8.3.5.

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

Alcohol Conditional Use Permit Committee Recommendation

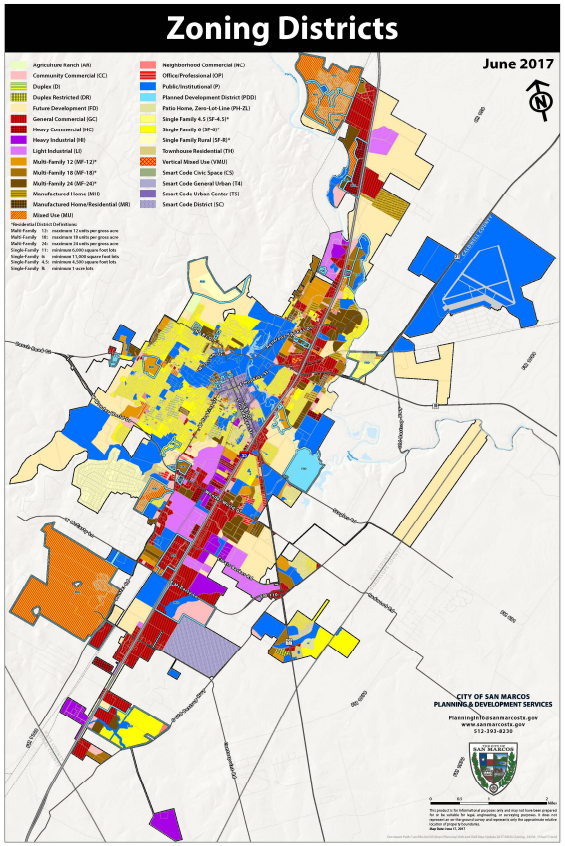
#13 Update noise ordinance

Proposed Revision Summary:

- 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
- Clarified noise measurement protocols
- Provides specific exemptions

Housing Task Force Recommendation

#14 Add Strategic Housing Action Plan as zoning criteria



Alternate Staff Recommendation:

- Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council;

Housing Task Force Recommendation

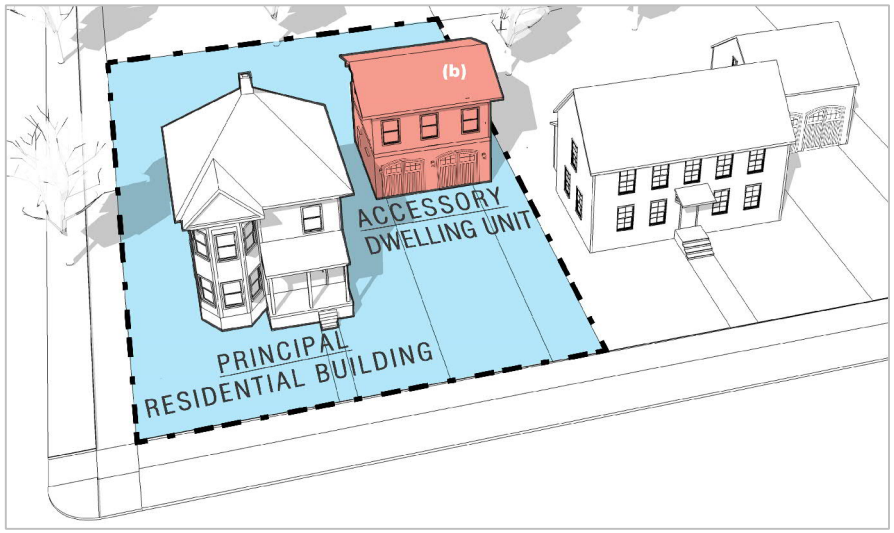
#15 Exempt small lot and infill development from the maximum lot width to depth requirement

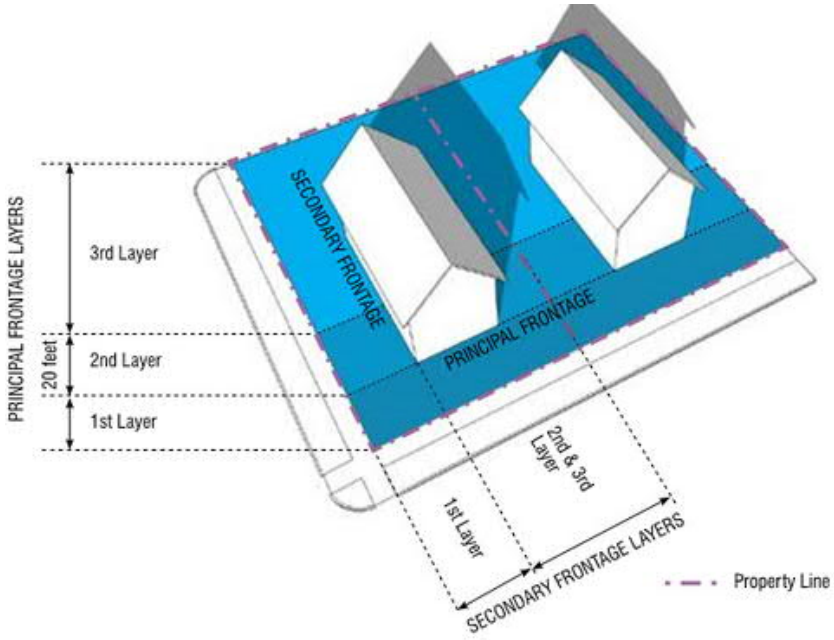
Amendment #15 was removed by City Council on First Reading

Housing Task Force Recommendation

#16

Allow Accessory Dwelling Unit parking in the second layer





Housing Task Force Recommendation

#17 Incorporate Tiny Homes into the Development Code

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)

Housing Task Force Recommendation

#17.1

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

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Housing Task Force Recommendation

#17.2

Modify definition of manufactured home parks to include tiny homes

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 to indicate that Tiny Homes are Permitted or Limited in the same areas as Single Family Detached

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

#17.2

Modify definition of manufactured home parks to include 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 / Tiny Home	P	L	L	L	L	L	L	L	--	--	P	P	P	--	--	--	--	--	--	--	Section 5.1.4.1
Mobile Home Community / Manufactured Home Park / Tiny Home Village	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	Section 5.1.4.1

Housing Task Force Recommendation

#17.3 Adopt Appendix Q of the International Residential Code

#18 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.

#19 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.

~~C~~D. 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.

#20 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.

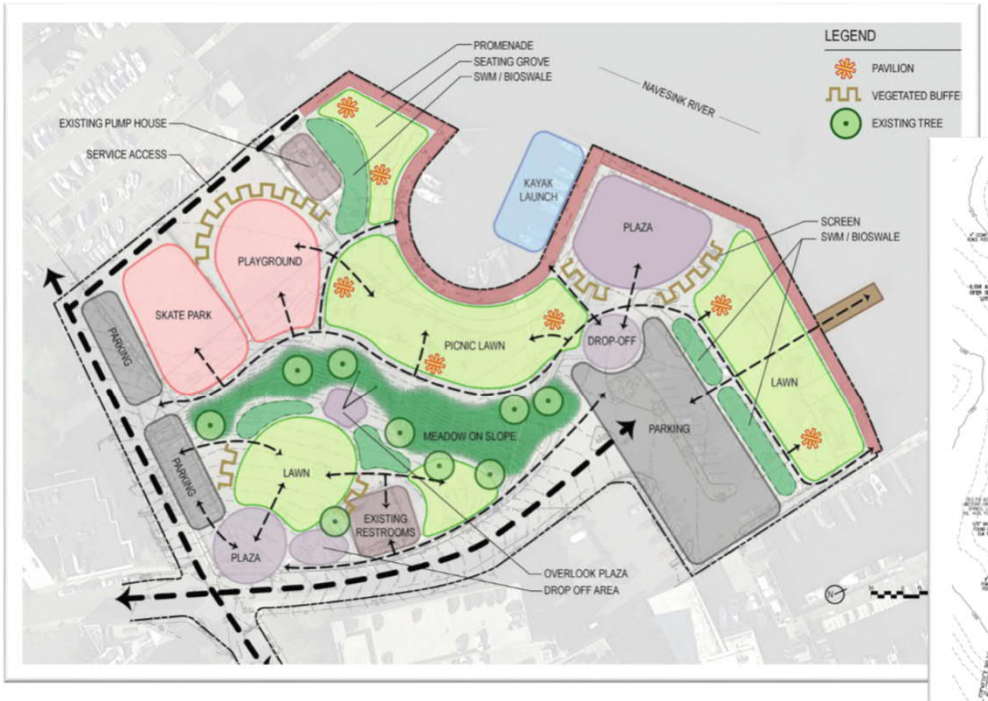
#21

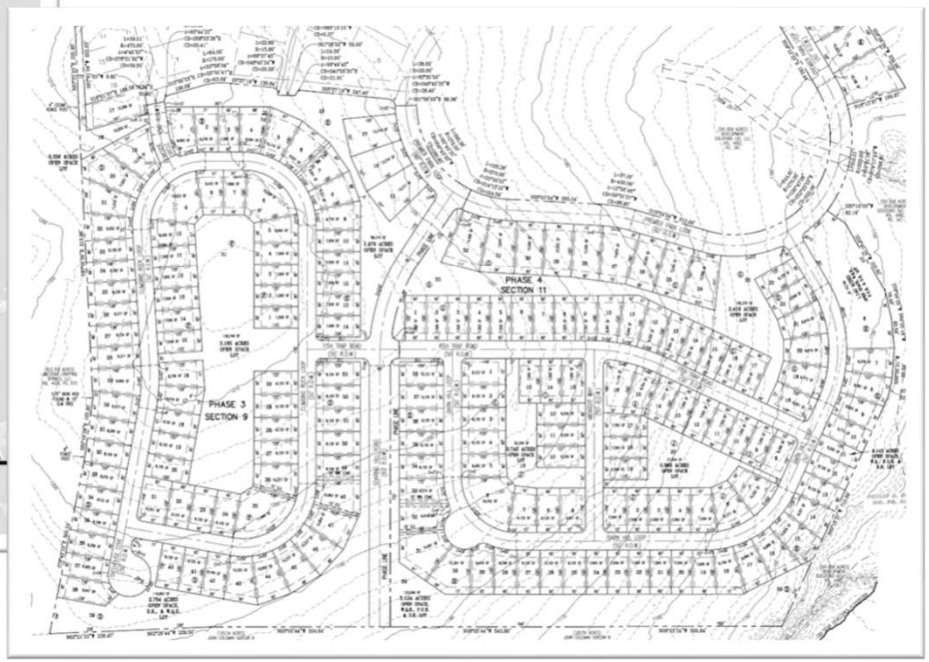
Make City Council the appellate body for Certificates of Appropriateness on City owned property

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





#23 Increase block perimeter in the ETJ

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, ETJ	5,000 Ft.	400 Ft.
Legacy Districts ~~and ETJ~~	3,000 Ft.	300 Ft.

#24 Provide alternative block perimeter standards for HI zoned lots

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

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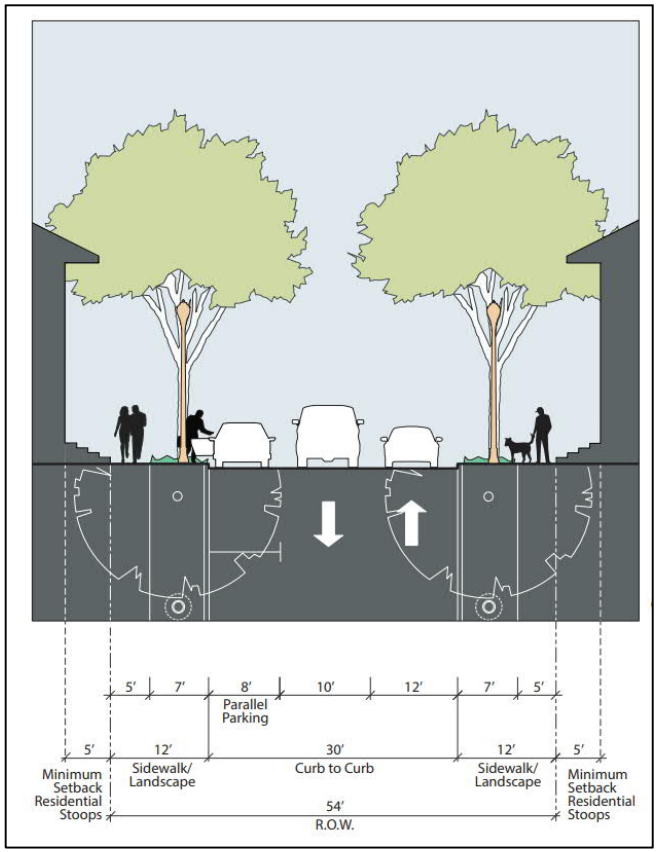
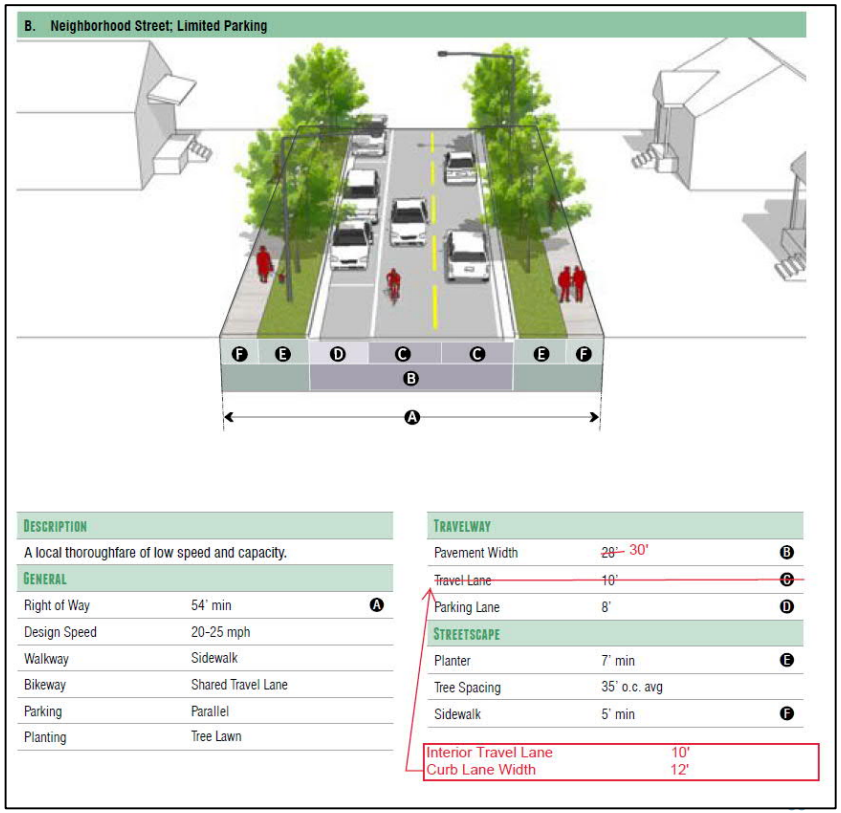
#25

Align standards in Development Code to Transportation Master Plan





B. Neighborhood Street; Limited Parking

Description		
A local thoroughfare of low speed and capacity.		
General		
Right of Way	54' min	A
Design Speed	20-25 mph	
Walkway	Sidewalk	
Bikeway	Shared Travel Lane	
Parking	Parallel	
Planting	Tree Lawn	

Travelway		
Pavement Width	~~28'~~ 30'	B
~~Travel Lane~~	~~10'~~	~~C~~
Parking Lane	8'	D
Streetscape		
Planter	7' min	E
Tree Spacing	35' o.c. avg	
Sidewalk	5' min	F

Interior Travel Lane	10'
Curb Lane Width	12'

#26

Amend Character Districts
to allow single family with occupancy restrictions

Amendment #26 was removed by City Council on First Reading

#27 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.
~~Cottage~~	~~6,000 sq. ft. min.~~	~~50 ft min.~~
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
~~House~~	~~5,000 sq. ft. min.~~	~~50 ft. min.~~
~~Cottage~~ 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.

#28 Add Sustainability Purpose Statement per approved HPC-2019-03RR

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.

#29 Add new “Special Events Facility” Use

- 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

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#30

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	House Zero Lot Line, ADU	House, Zero Lot Line, Cottage Court, Duplex, Townhouse, Small MF
Height Max.	2 Stories (35 ft.)	2 Stories (35 ft.)	2 Stories (35 ft.)

#31

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...

#32 Amend Table 4.1 to provide clarity

- 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	~~CORRIDOR~~
Conventional Residential	NP	NP	C	PSA	PSA	~~—~~
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	~~C~~
Character Districts	NP	C	PSA	C	NP	~~C~~
Special Districts	PSA	NP	NP	NP	C	~~C~~
Legend	PSA = ~~Not Allowed~~ (PSA Required)		NP=Not Preferred		C = Consider	

#32

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	~~Corridor~~
Conventional Residential	NP	NP	C	PSA	PSA	
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	~~C~~
Character Districts	NP	C	PSA	C	NP	~~C~~
Special Districts	PSA	NP	NP	NP	C	~~C~~
Legend	PSA = ~~Not Allowed~~ (PSA Required)		NP=Not Preferred		C = Consider	

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#32

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	~~Corridor~~
Conventional Residential	NP	NP	C	PSA	PSA	~~—~~
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	~~C~~
Character Districts	NP	C	PSA	C	NP	~~C~~
Special Districts	PSA	NP	NP	NP	C	~~C~~
Legend	PSA = ~~Not Allowed~~ (PSA Required)		NP=Not Preferred		C = Consider	

#32

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	~~Corridor~~
Conventional Residential	NP	NP	C	PSA	PSA	~~—~~
Neighborhood Density Districts	NP	NP	See Section 4.1.2.4 - 4.1.2.5	NP	NP	~~C~~
Character Districts	NP	C	PSA	C	NP	~~C~~
Special Districts	PSA	NP	PSA	NP	C	~~C~~
Legend	PSA = ~~Not Allowed~~ (PSA Required)		NP=Not Preferred		C = Consider	

#32

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

SAN MARCOS

#32

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 ~~DR, D, PH-ZL,~~ P
Medium Density	TH, MF-12, P	DR, D, PH-ZL, 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

SAN MARCOS

#32

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*).

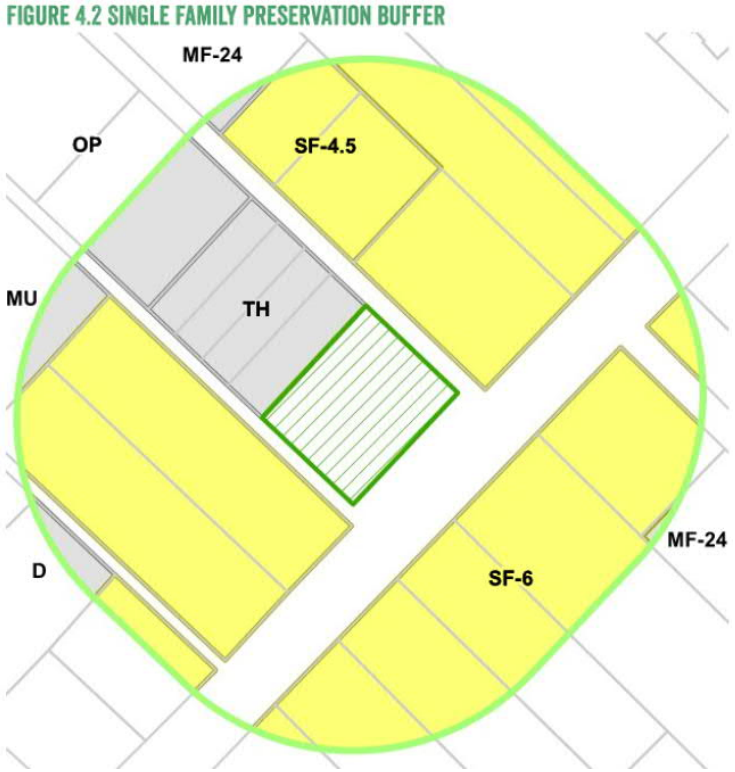
	FD, AR, SF-R, MR, SF-6, SF-4.5, P	DR, D, PH-ZL, TH, MF-12, P	MU, MF-18, MF-24, P	OP, NC, CC, GC, HC, LI, HI, MH, VMU, P
ND-3	C	~~C~~ NP	NP*	NP*
ND-3.2	NP	C	NP*	NP*
ND-3.5	NP*	C	C	NP*
ND-4	NP*	NP	C	NP
N-CM	NP*	NP*	~~C~~ NP	C

#32

Require PSA for increase in density

Alternate Recommendation from Staff

- 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: was removed by City Council on First Reading



SAN MARCOS

#32

Require PSA for increase in density
Alternate Recommendation from Staff

Council Addition: Provide clarity for Character Districts in Low Intensity Areas

	AR, SF-R, MR, SF-6, SF-4.5	FD, DR, D, PH-ZL, TH, MF-12, P	MU, MF-18, MF-24, P	OP, NC, CC, GC, HC, LI, HI, MH, VMU, P
CD-1	C	C	C	C
CD-2	C	NP	NP	NP*
CD-2.5	C	NP	NP	NP*
CD-3	NP	C	C	NP
CD-4	NP*	C	C	C
CD-5	PSA	NP*	C	C

Note: CD-5D is only used in downtown

#32

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

City Council Addition:

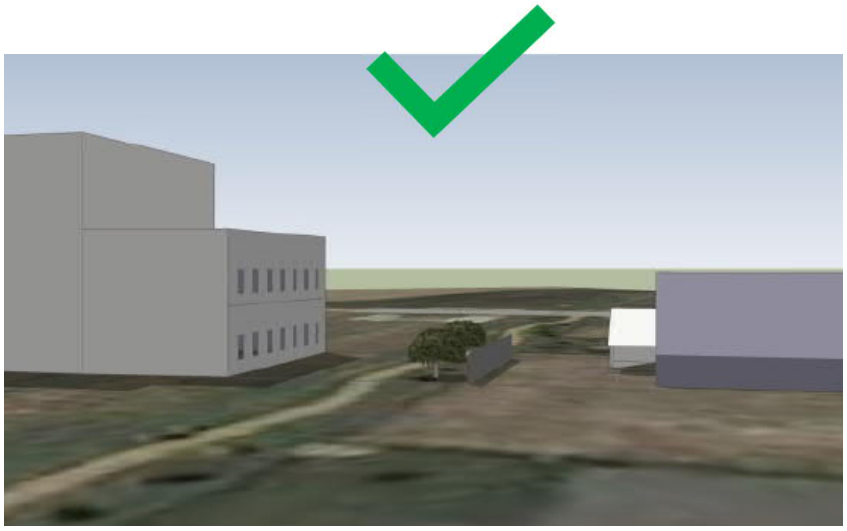
1. Provide clarity for Character Districts in Low Intensity Areas

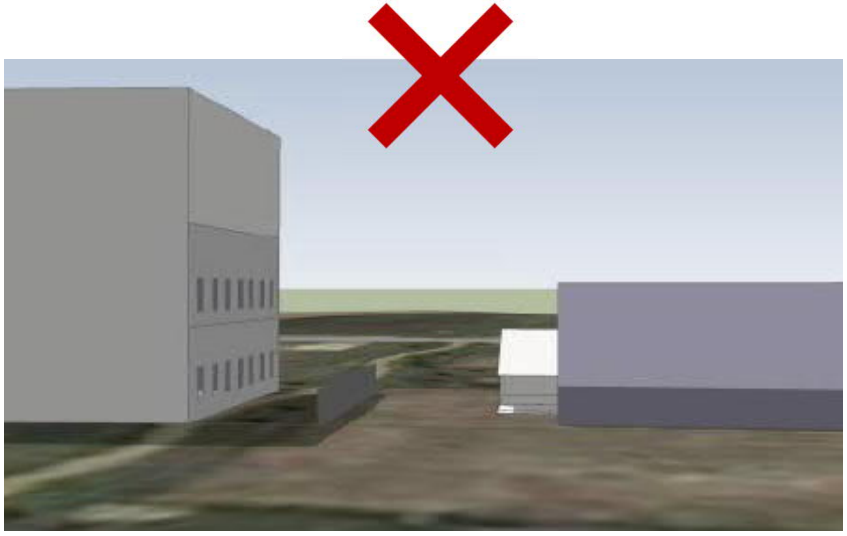
#33

Residential Height Compatibility

Limit height near single family residential

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



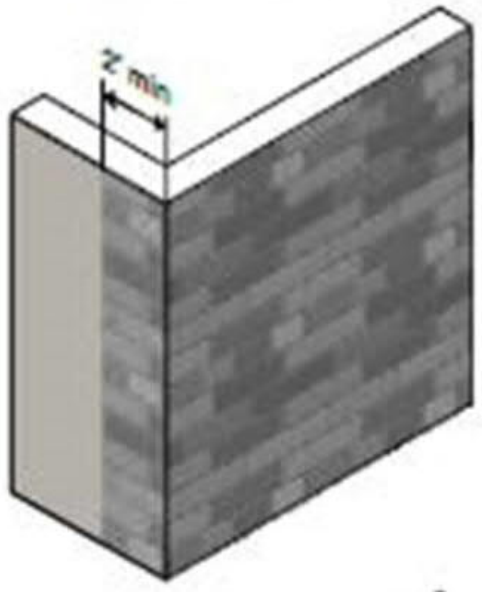


#34

Durable Building Material Preference

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

FIGURE 4.16 PRIMARY MATERIAL CHANGES



#35

Require Conditional Use Permit for Accessory Dwelling Units

Amendment #35 was removed by City Council on First Reading

#36 & #37 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 5 units or fewer may be exempt … with approval of a Conditional Use Permit by City Council …

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

SANMARCOS #38.1

Amend Character Districts to allow single family with occupancy restrictions

Create new CD-2.5 District

	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	Do Not 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.)

#38.2

Amend Character Districts
to limit lot width for Apartments in CD-5D

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.	

Planning and Zoning Commission Recommendation

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.

City Council Approval on First Reading

Approval of the recommendation from the Planning and Zoning Commission with the following amendments / additions:

Item #26: Denial of the amendment to add occupancy restrictions to Character District 3 (CD-3).

Item #32 (staff proposal #7): Denial of part seven. Do not require additional meetings for Neighborhood Density District requests in Existing Neighborhoods.

Item #32: Add the provided table, and required associated text, to provide clarity for Character District zoning change requests in Low Intensity Areas on the Preferred Scenario map.

Item #35: Denial of adding Conditional Use Permit requirements for Accessory Dwelling Units.

Item #37: Denial of the amendment to allow an exemption for parking for small multifamily in CD-5D, but keeping the conditional use permit process for properties with up to 5 units.