

Development Code Amendments – Justification Table

(May 25, 2021 Planning and Zoning Commission)

Item #	Topic & Section	Justification	Redline Page #
<p style="text-align: center;">City Engineering Recommendations These changes are recommended by the Engineering Department staff</p>			
#1	Watershed Protection Plans 2.6.1.2 Application Requirements	This change adds the Edwards Aquifer Transition Zone and Contributing Zone within the Transition Zone to the list of areas where a Watershed Protection Plan Phase 2 (WPP2) is required for minor subdivision plats or replats and where WPP2 may not be applied for and approved as an element of a comprehensive site permit or public improvement construction plan.	1
#2	Site Permits 2.7.1.1 Purpose Applicability, Exceptions, and Effect	This change adds clarity to the site permitting approval and application process. It also reduces the threshold for when a site permit is required for existing non-residential and multifamily uses proposing to add or redevelop an area from greater than 5,000 square feet to greater than 1,000 square feet.	2
#3	Stormwater Collection and Drainage Systems 3.9.1.1 Flood Control Requirements	This change allows detention to be waived for developments directly adjacent waterways if no adverse impacts are demonstrated and a payment-in-lieu is made into the stormwater management fund. Developments outside areas requiring stormwater treatment will be required to meet the stream protection volume requirement for a 1.25-inch rainfall.	3
#4	Stormwater Management 6.1.4.1 Stormwater Quality and Stream Protection	This revision changes the term “water quality” to “stream protection” to provide clarity and consistency with other sections of the code that refer to this section.	4

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Residential Garage / Access Requirements City Council directed Staff to revise the garage standards in accordance with the Alternative Compliance requests for Vantage and High Branch developments approved in 2020 and 2021.			
#5	Parking Location & Design 7.1.4.1 Single-Family and Two-Family	This change revises the garage standards to allow a garage to be flush with the front façade or front most protrusion of a house and was approved as conditional language during the High Branch and Vantage Alternative Compliance requests.	5
#6	Pedestrian Residential Access 3.6.4.2 Site Access	This change reflects conversations with Fire/EMS regarding safe access to front doors of homes and was approved as conditional language during the High Branch and Vantage Alternative Compliance requests.	6
#7	Front Porch 4.3.5.11 Front Porch	This change provides a minimum area for a front porch and ensures adequate clearance between front porch posts for first responders. This language approved as conditional language during the High Branch and Vantage Alternative Compliance requests.	6
#8	Residential Front Door Entrances 4.3.5.1 Residential Front Door Requirements	This change reflects conversations with Police and first responders and provides a new standard for residential front door entrances to enhance visibility and assist first responders. This language was approved as conditional language during the Vantage Alternative Compliance requests.	7
#9	Residential Front Door Entrances – Building Type Updates 4.4.6.2 House	<p>This page provides an excerpt from the House Building Type in which staff will indicate that the residential front door requirements apply to this building type (as indicated in Section 4.3.5.1).</p> <p>This change will also occur on the Cottage Court, Duplex, Zero Lot Line, and Townhome Building Type pages of the Development Code and those pages will be updated accordingly.</p>	8

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Use of Self Storage and Outdoor Storage Staff was directed by Council to revise the regulations regarding the use of Self Storage			
#10	Outdoor Storage Use 5.1.3.2 Accessory Uses	During analysis of the “Self Storage” use staff found changes also needed to be made to the “Outdoor Storage” use. Proposed changes: <ul style="list-style-type: none"> • Clarify the definition of outdoor storage • Amend the allowable height (Building height is further defined in Section 4.3.4.1) • Provide additional standards for location • Remove the “Limited” standards regarding screening and make screening a <u>required</u> standard in all instances. 	9
#11	Outdoor Storage Use 5.1.1.2 Land Use Matrix	The Land Use Matrix reflects the changes made in Section 5.1.3.2 to revise all references of “Limited (L)” to “Permitted (P)” in the Land Use Matrix.	9
#12	Self Storage Use 5.1.7.7 Self Storage	The changes provide clear definitions, standards based on research from surrounding cities, and require that the use must be approved through a Conditional Use Permit by City Council.	10
#13	Self Storage Use 5.1.1.2 Land Use Matrix	The changes to the Land Use Matrix indicate that the use Self Storage is no longer “Permitted (P)” in any zoning district and is only “Conditional (C)” in Commercial (CM) zoning. (Note, name change from Employment Center zoning to Commercial zoning #14). The Conditional Use Permit requires a recommendation at the Planning and Zoning Commission with final approval at City Council.	10
#14	Commercial (CM) Zoning 4.4.5.1. Commercial	Staff revised the name of the “Employment Center (EC)” zoning district to “Commercial (CM)” to provide less confusion in the Development Code. Currently, there is both an “Employment Center” zoning district and a “Employment Center” Preferred Scenario designation. Staff will update the name of this district throughout the Code.	11
#15	Commercial (CM) Zoning 5.1.1.2 Land Use Matrix	Proposed changes to the Land Use Matrix reflect the revisions outlined in #14. In the top header row, the abbreviation for “CM” is now reflected. To limit the intensity of uses in this district, staff is proposing changes to allowable uses, such as not permitting a truck stop and requiring a Conditional Use Permit for uses such as gasoline sales or warehouse and distribution.	12-15

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Allowable Uses in CD-2.5 and ND-3.2			
#16	CD-2.5 and CD-3.2 Allowable Uses 5.1.1.2 Land Use Matrix	Staff added the two newly created zoning districts, CD-2.5 and ND-3.2, to the Land Use Matrix. The uses included for CD-2.5 generally mirror those of SF-6. The uses for ND-3.2 generally mirror those of ND-3. This was overlooked with the September, 2020 Code Amendments.	16-19
Typographical Errors			
#17	Administrative Certificate of Appropriateness 2.1.1.1 Classification of Applications and Decisions; Rules Governing Decision-Making	Staff added the Administrative Certificate Appropriateness process previously approved by Council for the painting of buildings (Ord. 2019-45, 12-17-19) to Table 2.1. This Table 2.1 outlines the approval process, the review and approval authority, and the notice requirements.	20
#18	Agricultural Zoning Typo Table 4.6 Character District / Existing Zoning Translation Table	This change corrects the misspelling of "AR", Agricultural Ranch Zoning.	20
#19	Agricultural Zoning Typo Table 4.12 Conventional Residential Districts	This change removes "AR, Agricultural Ranch District" from table 4.12 because it is incorrectly located on this page. "AR" is not a Conventional Residential District but rather a Legacy District correctly located in Chapter 9.	21
#20	Character District 2.5 Description 4.4.3.3 Character District 2.5	This change corrects misspellings.	21
#21	Accessory Dwelling Unit 4.4.6.1 Accessory Dwelling Unit	This change corrects a typo in the Section title.	21
#22	Apartment Building Type 4.4.6.9 Apartment	This change removes the table titled "Courtyard". The table was incorrectly copied on this page.	22
#23	Calaboose Museum Local Landmark 4.5.2.1 Historic District	This change adds the Calaboose African American History Museum to the list of local Historic landmarks. The Calaboose was recently approved as a local Historic landmark in March 2021.	22
#24	Demolition by Neglect 4.5.2.1 Demolition by Neglect	This change adds in missing words.	22
#25	Community & General Commercial 9.2.2.5 Community Commercial and 9.2.2.6 General Commercial	This change corrects the description of these two zoning districts which were incorrectly flipped. The last sentence in the definition of Community Commercial was also removed.	23

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#26	Land Use Matrix Legend Section 5.1.1.2 Land Use Matrix	This change adds a legend to the bottom of each Land Use Matrix page to clarify the allowable uses.	23
#27	Revise “N-MS” to “N-CM” Throughout Development Code	Remove all instances of “Neighborhood Main Street (N-MS)” and replace with “Neighborhood Commercial (N-CM)”. The name of this district was updated during a previous Development Code update (Ord. No. 2019-45, 12-17-19), however, there are a few instances in which the name change was not updated in the text.	23
#28	Add hyphens to zoning districts Throughout Development Code	Update all zoning district abbreviations to include a hyphen where necessary. Applicable zoning districts in which a hyphen should occur are SF-R, SF-6, SF-4.5, ND-3, ND-3.2, ND-3.5, ND-4, N-CM, CD-1, CD-2, CD-2.5, CD-3, CD-4, CD-5, CD-5D. This will ensure that searches for text in the Development Code are more accurate.	23
#29	Demolition Review for Historic Age Resources 2.7.4.3 Process	Correct name of Heritage Association of San Marcos and add City Council to notification list.	24