



Meeting Minutes  
City Council

---

Monday, January 30, 2017

5:30 PM

City Council Chambers

---

**Activity Center, Room 3- Joint City Council/Planning & Zoning Commission Workshop**

I. Call To Order

**With a quorum present, the joint workshop meeting of the San Marcos City Council and the Planning and Zoning Commission was called to order by Mayor Thomaides at 5:37 p.m. Monday, January 30, 2017 in the Activity Center, Room 3, 501 E. Hopkins, San Marcos, Texas 78666.**

II. Roll Call

**Commissioner Porterfield arrived after roll call at 5:48 p.m.**

**Present:** 14 - Mayor John Thomaides, Council Member Saul Gonzales, Mayor Pro-Tem Jane Hughson, Council Member Melissa Derrick, Council Member Scott Gregson, Council Member Ed Mihalkanin, Deputy Mayor Pro Tem Lisa Prewitt, Shawn Dupont, Jim Garber, Kate McCarty, Travis Kelsey, Lee Porterfield, Angie Ramirez and Betseygail Rand

1. Receive a Staff presentation and participate in a joint workshop of the City Council and Planning and Zoning Commission facilitated by Diane Miller to discuss Code SMTX including, but not limited to: Development Process; New Housing Types; Neighborhood Character; Material Standards and Affordable Housing, and provide direction to Staff.

**Mayor Thomaides provided a welcome and overview of how the workshop will be conducted.**

**Abigail Gillfillan, Planning Manager, provided a history of the Code SMTX process up to this point.**

**Diane Miller with Civic Collaboration stated that they would be reviewing 5 topics: Development Process; New Housing Types; Neighborhood Character; Material Standards; Affordable Housing.**

**Ms. Gillfillan reviewed revisions related to the Development Process and how they were primarily made to clarify and simplify processes making the chapter more accessible to applicants and the public. In summary what the staff heard was the desire for enhanced notification, increased scrutiny and streamlining processes.**

**Ms. Gillfillan reviewed how notifications would be improved by providing more information on the website that is automatically updated and accurate from initial submission. Require neighborhood meetings open to any and all neighborhood organizations or individuals held by the developer to describe the project. The intent of each standard is included as well as criteria to analyze any alternative way to meet that standard. Guidance for where and when certain zoning districts should be used has been included based on the location and type of request.**

**The following were provided when the assembly was asked, "What do you want to see the new code do to address this topic?"**

#### **Who**

- **Include opt-in email notification for any citizen**
- **Need neighborhood meeting defined (when, who presents)**
- **Make sure the neighborhood meetings about projects are facilitated**
- **Increase neighborhood meeting to allow for stakeholder input**

#### **Web**

- **Need web notice to be easily found on website (create short site name)**
- **When will the website be user friendly**

#### **Timing**

- **Need more notice time / More time for notification**
- **Increase published notice to 30 days / 15 day to 30 day**

#### **Notice Area**

- **Larger distance for notification / Expand notification radius to 400 ft. / Extend notification area to at least 500 ft.**
- **Email notices to people in the neighborhood**

#### **Violations**

- **Add environmental violations to fines & penalties**
- **Make fines and penalties proportional to the cost for the city to fix the violation**

#### **Process / Intent**

- **Make intent easy to understand**
- **Clearly define a path for the developers and the community to know expected outcomes**

- When will existing neighborhoods be defined on map
- Define what developments get web notice & neighborhood meeting
- Need more {cases} “noticed” not just legislative, include quasi, etc, LDC changes proposed

#### **Staff Recommendation / Analysis**

- Provide an answer as quick as possible if it will definitely be “no” or “Not allowed”

**Ms. Gillfillan reviewed revisions related to New Housing Types. Staff heard a desire to accommodate the need for diverse housing for residents and families in exhibiting neighborhoods. Diverse housing types are not appropriate in areas that are entirely single family detached housing. Diverse housing in Intensity Zones needs to be encouraged and better enabled by the zoning standards.**

**Staff proposed place-based zoning. Zoning districts are created based on the character of the place. Different building types at different scales are designed to fit into that type of place. Providing different zoning districts for neighborhood areas and Intensity Zones allows those places to be regulated differently while both providing opportunities for Diverse Housing. Staff also provided building types as both a regulatory tool and as guidance to encourage diverse housing and medium density housing over large multi-family development.**

**The following were provided when the assembly was asked, "What do you want to see the new code do to address this topic?"**

#### **Student housing**

- Cottage court – these could quickly turn into Sagewood. What prevents this?
- Make certain compatibility includes the occupants not just intensity or scale of building (ex. Students vs SF)
- Create a purpose built owner occupied deed restriction for infill housing
- What about current restriction on unrelated in SF now in ND or CD areas

#### **Housing Types in Districts**

- Create apartments with stores on first floor building type for CD5D
- Need to modify 4.2.1.2 building types allowed by district. When can we do this in detail?
- Must show exactly what type of housing is allowed in each neighborhood or district

- Better define what you mean by not preferred and what will happen.
- What does “- -“ mean
- Prevent SF-11 & SF-6 from being converted to a neighborhood district

#### Process

- Define ways zoning districts are initiated
- When will character studies be published

#### Workforce housing

- In workforce housing, price ranges create enhanced rental restricts to promote single family rentals

#### Standards

- Change setbacks to allow infill housing development
- Cap on proximity of multifamily units in areas of stability
- City needs to provide parking if city is going to reduce parking requirements

Ms. Gillfillan reviewed revisions related to Neighborhood Character. Staff heard a desire for buffers and transitions from Comprehensive Plan Intensity Zones to Existing Neighborhood Areas should be larger that are more meaningful. More needs to be done to encourage higher rates of home ownership in existing neighborhoods. Encourage the inclusion of condominiums as an allowable type. Better Management of the high rate of rental properties in existing neighborhoods. Transitions and buffers. Increase the buffers and transitions between high intensity areas and existing neighborhoods. Stronger protection for current neighborhoods from developments like Bowie Tract and Lindsey Hill.

Staff proposed transitions from high intensity areas where height step downs and maximum lot sizes are required where high intensity zones meet existing residential properties. Buffers are required where high intensity zones meet existing residential. Traffic circulation patterns are regulated to minimize access to high intensity areas through existing residential neighborhoods. Staff proposed compatibility standards where height step downs and setback averaging are required for infill developments. Street facing entrances and building widths are regulated for infill development in order to maintain the look and feel of a neighborhood from the street. Staff also proposed use and maintenance. Owner occupancy regulations are expanded to new building types in existing neighborhoods. Rental registration is required for new building types within existing neighborhoods. A permanent organization and funding source such as an HOA is required for the maintenance of any shared

spaces.

The following were provided when the assembly was asked, "What do you want to see the new code do to address this topic?"

#### **Enforcement**

- **Maximize rental registration opportunities**
- **City should be a party to the HOA's for enforcement**
- **Clear definition for enforcement (how/when/why)**

#### **Uses**

- **Do not allow multifamily housing nor commercial in residential neighborhoods**
- **Need a full review of alcohol CUP process**

#### **Standards**

- **Concern about building step down not enough**

#### **Transition Zones**

- **Requires long/wide transition areas and buffers**
- **No parking garages in transition zones**
- **Limit uses in transition and buffer areas based on character studies**
- **Commercial alcohol use in appropriate locations as identified in transition areas as well as hours of operation**
- **Alcohol CUP restrictions in transition zones (ie. The Gumby's level of CUP would be allowed as a max)**

**Ms. Gillfillan reviewed revisions related to Material Standards. Staff heard that standards should focus on prohibiting materials that don't meet durability or aesthetic goals, new building form standards, and new architectural standards. Singling out a limited list of permitted materials are not effective in ensuring quality development. In relation to building scale material standards are most effective for buildings over 3-4 stories tall. Smaller commercial buildings intended to fit into a neighborhood should have materials similar to the surrounding buildings.**

**Staff proposed that traditional materials of all downtown buildings, prohibited building materials have been incorporated for all developments including EIFS and metal sheet siding. The building form and articulation of all buildings located in use based districts where form standards are limited require material standards. Form and articulation standards have taken the place of**

**material standards for smaller building types. All buildings in the most intense districts have material standards. All apartment buildings have material standards.**

**The following were provided when the assembly was asked, "What do you want to see the new code do to address this topic?"**

#### **Existing Multifamily / Commercial Material Standards**

- P&Z & Council has recently passed a commercial material ordinance why not incorporate in code SMTX**
- Multifamily already have material standards that are in place**
- Does this code prevent an all metal building in a traditional neighborhoods**

#### **Character Districts vs Transition Zones**

- Define and develop style standards for character districts**
- Have materials standards in transition zones fit the zones – ie. Gumby's**
- Need to determine what the material standards are for mixed use. MF vs commercial**

#### **Small Business**

- Does too much (or depth of articulation) take away from necessary square footage from developer that may be needed for affordability to both developer down to tenant**
- Barrier for local business owners & favors national chains (supporting changes proposed)**
- Define size of smaller commercial developments that could have an alternative material standard**

#### **Standards vs Creativity**

- Fully agree with complaints – prevents creativity and doesn't correlate with charm**

#### **Historical Materials**

- Must protect heritage areas allow wood or wood type products**

#### **City Compliance**

- Is city government going to be required to follow code smtx**

**Ms. Gillfillan reviewed revisions to integrate affordable housing into the existing fabric of the city. Supporting diverse housing types offered by the market for affordable housing may not be enough due to the fact that San**

**Marcos is a college town. Diverse housing in a college town is often used as rental housing and if not managed correctly may further degrade a neighborhood. Affordable housing in or adjacent to existing neighborhoods should focus on opportunities for home ownership for all types of residents.**

**Staff proposed integrating housing criteria for location efficient areas have been included as a requirement for affordable housing. When affordable units are included within a development requirements for proportional dispersals of the units are included. Affordable housing has been limited to ownership opportunities within existing neighborhoods. Rental Registration and standards for the managements of any shared spaces have been included. Proposed development incentives include density bonuses, additional stories and parking reductions.**

**The following were provided when the assembly was asked, "What do you want to see the new code do to address this topic?"**

#### **Student Housing**

- How can you keep student housing costs and allowances from inflating overall housing costs?**
- When affordable is approved limits on renting to students is prohibited / discouraged (near or in single family residential**
- Must increase by a lot purpose built student housing in appropriate zones, to take pressure off other zones**
- How to convince university to build move housing on campus**
- Can we designate student housing districts that are townhouse styles / condos so we keep neighborhoods more non student oriented / ownership**
- How do you limit affordable housing to ownership within neighborhoods**

#### **Transportation**

- Parking reduction bonuses should be within 1/4 mile of public transportation**
- Bus routes should be within 1/4 mile of affordable / work housing. Walk shed considered to be 1/4 and ridership drops off significantly above that**

#### **Affordability**

- Must target 30-40% of median income, not 80%. 80% is a typical renter. No available housing for 30-40%**
- How do we ensure affordable options actually become affordable housing**
- 10-20% of units is too low for density bonuses. Aim for 20-40%**
- Provide distinction between affordable vs workforce housing**
- Focus on a single family or smaller scale affordable housing types rather than**

**big MF projects**

- Find a strategy to building missing middle homes for owner occupied use
- Don't draw folks to SMTX with our affordable housing limits so we take care of current residents
- Allow for smaller square foot housing without driveways increase affordability and infill options
- Typo on 4.3.4.5 on w/ points 1 & 2. 20% is better or 30%

**Incentives**

- Need to review the bonus incentives. These are too much for too little return
- How will you encourage buy-in by developers to make affordable housing attractive
- Find a strategy to encourage townhome style development that's affordable & owner occupied

**Enforcement**

- Define how will enforce affordability provisions
- How to limit ownership – great idea – how to enforce

**Zoning & Affordable Housing**

- Does code SMTX encourage lower income populations to move to San Marcos
- Can the smaller scale housing types be requested in existing neighborhoods and if so how will this happen

**Parking**

- Can you offer parking incentives & still keep cars off streets in residential neighborhoods
- If incentive like parking are given, ensure that it fits with larger parking plan
- Parking reduction by CUP only until culture changes

Ms. Gillfillan reviewed the next steps and the second workshop that will take place on February 8, 2017 at 5:30 p.m.

Mayor Pro Tem Hughson requested some additional work group sessions. Deputy Mayor Pro Tem Prewitt and Council Member Derrick shared Mayor Pro Tem Hughson's sentiments and requested additional work group sessions also. Following discussion, Staff will offer work sessions and will provide a schedule.

III. Question and Answer Session with Press and Public.

Lisa Marie Coppoletta, asked why effluent fees didn't hit the code? Have we

**not considered charging people? What happened to the Tree Board? Can we not put that on the table? Mayor Thomaides replied that the product is not final. Mayor Thomaides provided response regarding tree preservation. Ms. Coppoletta asked if the Tree Board could be added? Mayor Thomaides asked Staff to reply. Shannon Mattingly and Abigail Gillfillan replied that we have enhanced standards and that the Think Tank reviewed the option and that the tree board did not make it into the draft.**

IV. Adjournment.

**Mayor Thomaides adjourned the joint workshop meeting of the San Marcos City Council and the Planning and Zoning Commission at 8:17 p.m.**

Jamie Lee Case, City Clerk

John Thomaides, Mayor