



Legislation Details (With Text)

**File #:** Ord. 2018-02(c)      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Individual Consideration

**File created:** 2/21/2018      **In control:** City Council

**On agenda:** 4/17/2018      **Final action:**

**Title:** Consider the following ordinances on second reading:

A. Ordinance 2018-02, adopting a new San Marcos Development Code (“CodeSMTX”), including appendices (the “Design Manual”), under Subpart B of the San Marcos City Code to replace both the current Land Development Code under Subpart B and the San Marcos Smartcode under Subpart C of the San Marcos City Code; approving other technical references to be used by City Staff in administering the new San Marcos Development Code; providing for penalties; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

B. Ordinance 2018-03, amending the City’s Comprehensive Plan, Vision San Marcos: A River runs Through Us, by amending various sections for consistency with the goals of the City’s new Development Code (“CodeSMTX”), including providing updated descriptions of and visions for identified Development Zones, establishing existing Neighborhood Areas or Land Preservation Areas as two types of areas of stability, providing new descriptions for types of Development Corridors, and amending the boundaries of Activity Nodes, Employment Centers and Intensity Zones described in the Preferred Scenario Map; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

C. Ordinance 2018-04, amending various sections of the San Marcos City Code for consistency with, or to complement the concurrent adoption of the new San Marcos Development Code (“CodeSMTX”); providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance No. 1-CODESMTX and Design Manual, 2. Ordinance No. 2-Comprehensive Plan and Preferred Scenario Map Amendments, 3. Proposed Preferred Scenario Map, 4. Comprehensive Plan Text, 5. Ordinance No. 3-Miscellaneous City Code Amendments, 6. City Code Redline, 7. Memo - Code SMTX Amendments, 8. San Marcos Development Code, 9. Design Manual

Date	Ver.	Action By	Action	Result
4/17/2018	1	City Council		
4/17/2018	1	City Council		
4/17/2018	1	City Council		
4/17/2018	1	City Council		

**AGENDA CAPTION:**

Consider the following ordinances on second reading:

A. Ordinance 2018-02, adopting a new San Marcos Development Code (“CodeSMTX”), including appendices (the “Design Manual”), under Subpart B of the San Marcos City Code to replace

both the current Land Development Code under Subpart B and the San Marcos Smartcode under Subpart C of the San Marcos City Code; approving other technical references to be used by City Staff in administering the new San Marcos Development Code; providing for penalties; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

- B. Ordinance 2018-03, amending the City’s Comprehensive Plan, Vision San Marcos: A River runs Through Us, by amending various sections for consistency with the goals of the City’s new Development Code (“CodeSMTX”), including providing updated descriptions of and visions for identified Development Zones, establishing existing Neighborhood Areas or Land Preservation Areas as two types of areas of stability, providing new descriptions for types of Development Corridors, and amending the boundaries of Activity Nodes, Employment Centers and Intensity Zones described in the Preferred Scenario Map; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
- C. Ordinance 2018-04, amending various sections of the San Marcos City Code for consistency with, or to complement the concurrent adoption of the new San Marcos Development Code (“CodeSMTX”); providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

**Meeting date:** 2/20/2018 - 1<sup>st</sup> Reading  
04/17/2018 - 2<sup>nd</sup> Reading

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** N/A  
**Account Number:** N/A  
**Funds Available:** N/A  
**Account Name:** N/A

**Fiscal Note:**

**Prior Council Action:** [Click or tap here to enter text.](#)

**City Council Goal:** [Please select goal from dropdown menu below]

Goal #2 Beautify & Enhance the Quality of Place

Goal #5 Maintain & Improve City's Infrastructure

Goal #9 Protect & Preserve San Marcos River and Edwards Aquifer Recharge Zone

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

Economic Development - Diverse Local Economic Environment

Environment & Resource Protection - Natural Resources necessary for community's health, well-being, and prosperity secured for future development

- Land Use - Direct Growth, Compatible with Surrounding Uses
- Neighborhoods & Housing - Protected Neighborhoods in order to maintain high quality of life and stable property values
- Parks, Public Spaces & Facilities - Collection of connected and easily navigated parks and public spaces
- Transportation - Safe, Well coordinated transportation system implemented in an environmentally sensitive manner
- Not Applicable

**Master Plan:** *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Transportation Master Plan

**Background Information:**

The Code SMTX process to re-write the City's Land Development Code began in July 2014 after the adoption of the Comprehensive Plan. The purpose of the new San Marcos Development Code is to implement standards and tools for regulating development that are in line with the Vision established in the City's Comprehensive Plan.

In addition to adoption of a new Development Code this item includes updates to the following documents in order to maintain consistency across all planning, regulatory and technical documents including:

- Updates to the Preferred Scenario Map;
- Updates to the text of the Comprehensive Plan;
- Updates to the City Code; and
- A new Design Manual.

Planning staff notified all property owners affected by the modifications to the Preferred Scenario Map and received a response from one property owner requesting a modification to the proposed boundaries. This letter is included in your packet and staff is in support of the property owner request.

**Council Committee, Board/Commission Action:**

On November 14, 2017 the Planning and Zoning Commission recommended that the San Marcos Development Code be approved, removing the Neighborhood Districts until the Neighborhood Character Studies have been conducted, with the following amendments: 1) Personal Notice is increased to 17 days for all requests; 2) Posted Notice is increased to 17 days; 3) Applications expire if they have not progressed within one year, unless otherwise specified in the code; 4) The Character District - 4 (CD-4) Zoning district requires parking at a rate of 1.05 per bedroom; and that 5) Legacy Districts be added back into the code until the Neighborhood Character Studies have been completed. The motion carried 6 - 2 - 1 with Commissioners Dupont and Porterfield opposing and Commissioner McCarty absent.

On February 20, 2018 the San Marcos City Council approved the following on first reading:

- 1) Updates to the Preferred Scenario Map with the following amendments:
  - a. Acceptance of a property owner request to expand the boundary of the Employment Center by 500' for a property located on IH 35 between Las Colinas and Highpoint Trace developments.
  - b. Removal of the names/ labels for the six Existing Neighborhood Areas to provide flexibility for future planning efforts.
- 2) Updates to the Comprehensive Plan Text with the following amendment:
  - a. Remove all descriptions or the number of Neighborhood Character Studies to be completed and the boundaries to provide flexibility for future planning efforts.
- 3) Approval of the new San Marcos Development Code "Code SMTX" and associated design manual with various amendments as included in the attached amendment log.
- 4) Updates to the City Code with the following amendments:
  - a. Include an effective date of January 2019 for new rental registration regulations in order to establish a budget and process for implementation and
  - b. Various amendments as included in the attached amendment log.

**Alternatives:**

**Recommendation:**

Staff offers the following recommendations for your consideration:

- 1) Approval of the updates to the Preferred Scenario Map and Comprehensive Plan Text as attached
- 2) Approval of the new San Marcos Development Code "Code SMTX" and associated design manual as attached
- 3) Approval of the updates to the San Marcos City Code as attached.