



## Legislation Details (With Text)

**File #:** Ord. 2018-02(b) **Version:** 1 **Name:**  
**Type:** Ordinance **Status:** Passed  
**File created:** 2/7/2018 **In control:** City Council  
**On agenda:** 2/20/2018 **Final action:** 2/20/2018  
**Title:** Receive a Staff presentation and consider the following:

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; and consider approval of Ordinance 2018-02, on the first of two readings.

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; and consider approval of Ordinance 2018-02, on the first of two readings.

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; and consider approval of Ordinance 2018-04, on the first of two readings.

D. Provide direction to staff on a resolution regarding the next steps following adoption of Code SMTX.

### 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. Ordinance No. 3-Miscellaneous Code Amendments First Reading.pdf, 4. Presentation, 5. Council Member Amendments, 6. Current Preferred Scenario Map, 7. Proposed Preferred Scenario Map with request, 8. Property Owner Request Letter, 9. Comprehensive Plan Text - Summary of Changes, 10. Comprehensive Plan, 11. Code SMTX Redline, 12. Regulating Plan Amendment Summary, 13. Code SMTX Final Draft, 14. Design Manual, 15. City Code Amendments Redline

Date	Ver.	Action By	Action	Result
2/20/2018	1	City Council	approved	
2/20/2018	1	City Council	amended	Pass
2/20/2018	1	City Council	amended	Pass

2/20/2018	1	City Council	amended	Pass
2/20/2018	1	City Council	amended	Pass
2/20/2018	1	City Council	amended	Pass
2/20/2018	1	City Council	postponed	Pass
2/20/2018	1	City Council	amended	Pass
2/20/2018	1	City Council	amended	Pass
2/20/2018	1	City Council	approved	Pass
2/20/2018	1	City Council	approved	Pass

**AGENDA CAPTION:**

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- 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; and consider approval of Ordinance 2018-02, on the first of two readings.
- 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; and consider approval of Ordinance 2018-04, on the first of two readings.
- D. Provide direction to staff on a resolution regarding the next steps following adoption of Code SMTX.

**Meeting date:** 2/20/2018

**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.

**Alternatives:**

**#1 Requirement for completion of a regulating plan for all property owner requested re-zonings to a Neighborhood District.**

**#2 Inclusion of a Single Family Buffer where property owners of single family zoned properties in predominantly single family areas may not request the following zoning districts: ND3.5, ND4, or ND4M.**

**#3 Addition of an additional zoning district named Neighborhood District - 2 (ND-2) that is restricted to the following building types: Accessory Dwelling Unit, House, Cottage, and Attached House.**

**#4 Modification of the standards and renaming of the attached house building type to Zero Lot Line house in order to allow for a detached or attached single family home where one of the side setbacks is zero and subject to additional standards.**

**Recommendation:**

Staff offers the following recommendations for your consideration:

- 1) Approval of the 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 the Las Colinas and Highpoint Trace

- developments.
  - b. Change the name of one of the Comprehensive Plan areas from Low Intensity Zone to Land Preservation Area.
  - c. Remove the names/labels for the six Existing Neighborhood Areas from the map
- 2) Approval of the updates to the Comprehensive Plan Text with the following amendments:
- a. Remove a description of the number of Neighborhood Character Studies to be completed; the study boundaries will be determined as the first stage of the process.
- 3) Approval of the new San Marcos Development Code “Code SMTX” and associated design manual with the following amendments:
- a. All 4 alternatives as presented and included above.
  - b. Completion of Neighborhood Character Studies with the goal of guiding the application of neighborhood districts adopted in Code SMTX.
  - c. Direction for further study and analysis of housing costs and solutions to increase the rates of home ownership in San Marcos utilizing the established affordable housing committee.
- 4) Approval of the updates to the City Code with the following amendments:
- a. Include an effective date of January 2019 for Rental Registration in order to establish a budget and process for implementation.