



Legislation Details (With Text)

File #:	Ord. 2020-59(b)	Version:	1	Name:	
Type:	Ordinance	Status:	Individual Consideration		
File created:	8/18/2020	In control:	City Council		
On agenda:	9/1/2020	Final action:			
Title:	Consider approval of Ordinance 2020-59, on the second of two readings, amending various sections of the City's 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, amending Section 14.041 of the San Marcos City Code to Adopt Appendix Q to the International Residential Code, which appendix establishes certain standards for tiny houses where allowed, providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.				

Sponsors:

Indexes:

Code sections:

Attachments: 1. Presentation, 2. Ordinance, 3. Staff Memo, 4. Exhibit A - Code Amendment Table, 5. Exhibit B - Redlined Code, 6. Exhibit C-Windemere Ranch Request Letter, 7. Exhibit D-HPC Resolution, 8. Exhibit E-Appendix Q of IRC, 9. Public Comment to Date 6.9.2020

Date	Ver.	Action By	Action	Result
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AGENDA CAPTION:

Consider approval of Ordinance 2020-59, on the second of two readings, amending various sections of the City's 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, amending Section 14.041 of the San Marcos City Code to Adopt Appendix Q to the International Residential Code, which appendix establishes certain standards for tiny houses where allowed, providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Meeting date: September 1, 2020

Department: Planning & 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: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

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

- ☐ Economic Development - Choose an item.
- ☒ Environment & Resource Protection - Choose an item.
- ☒ Land Use - Choose an item.
- ☒ Neighborhoods & Housing - Choose an item.
- ☐ Parks, Public Spaces & Facilities - Choose an item.
- ☒ Transportation - Choose an item.
- ☐ Core Services
- ☐ Not Applicable

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

Choose an item.

Background Information:

A joint workshop between the Planning and Zoning Commission and City Council was held in June 2019. The purpose of the workshop was to allow City Council and the Planning and Zoning Commission the opportunity to review the proposed changes and provide staff direction on which requests should be reviewed and brought back with a recommendation. At that time, the Commission and Council identified items that they would like staff to analyze and bring back for further discussion and items that would not be considered as part of this

annual update. For specific amendments, the Commission and Council also provided additional direction and items that should be considered in staff's analysis.

In November 2019 the Planning and Zoning Commission reviewed and provided a recommendation on proposed Phase 1 amendments which consisted of typos and technical errors, policy items that the joint committee directed be expedited at the June 2019 workshop, and amendments related to House Bills approved during the 2019 Legislative Session. These amendments were reviewed at the December 3rd City Council meeting and approved upon second reading at the December 17th City Council meeting.

At this time, staff is presenting Phase 2 amendments proposed by City Staff and several City Boards and Commissions. These amendments received initial approval from City Council on March 3, 2020. At their regular meeting on May 12, 2020, the Planning and Zoning Commission received a staff presentation and held a public hearing on Phase 2 amendments. At their regular meeting on June 9, 2020 they recommended approval of the amendments with some changes noted below.

In addition to the amendments to the Development Code, staff is recommending a related amendment to Section 14.041 of the San Marcos City Code to adopt Appendix Q of the International Residential Code. Appendix Q establishes certain building and safety standards for Tiny Houses where allowed under the Development Code.

Council Committee, Board/Commission Action:

At their regular meeting on June 9, 2020 the Planning and Zoning Commission recommended 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 series of 4 lots or less plat submittals with the intention of creating a development more than 4 lots.
- 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

At their regular meeting on August 18, 2020 the City Council voted to approve the text amendments to the San Marcos Development Code, including amendments to Items 1, 2, 4, 13, and 15 recommended by the Planning and Zoning Commission and also including the following amendments as discussed during the Council Work Session held on that same day:

- 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.

Alternatives:

Section 2.4.1.3 of the San Marcos Development Code requires the City Council to approve, approve as revised, deny, or send the proposed text amendments back to an advisory body or the Responsible Official for additional consideration.

Recommendation:

Staff recommended ***approval*** of the proposed Land Development Code text amendments and the adoption of Appendix Q of the International Residential Code as presented.