



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final Planning and Zoning Commission

Tuesday, May 12, 2015

6:00 PM

City Council Chambers

630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Chairperson's Opening Remarks
- IV. 30 Minute Citizen Comment Period

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on April 14, 2015 and April 28, 2015.
2. PC-04-10_01K (Cottonwood Creek Master Plan) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, LTD., for consent to a one-year extension of the Master Plan of the Cottonwood Creek subdivision, consisting of approximately 471.97 acres at the intersection of State Highway 123 and Monterrey Oak, San Marcos, Texas.

PUBLIC HEARINGS

3. CUP-15-08 (Pizza Hut) Hold a public hearing and consider a request by Tom Marzano on behalf of Pizza Hut for a new Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 900 Bugg Lane, Suite 118.
4. PC-15-04_04 (Sac-N-Pac Replat) Hold a public hearing and consider a request by ETR Development Consulting, LLC, on behalf of Sac-N-Pac Stores, Inc., for approval of a replat of Lot 3 of the Sac-N-Pac Centerpoint Subdivision establishing Lots 3A, 3B, and 3C located on South Interstate 35 approximately 580 feet north of Centerpoint Road.
5. LDC-15-01 Hold a public hearing and consider revisions to Subpart C of the City's Code of Ordinances (SMARTCODE) updating Articles 1 and 5 to revise allowable heights within SmartCode Districts.
6. Public hearing, staff presentation and discussion on the FY 2016-25 Capital Improvements Program.

NON-CONSENT AGENDA

- 7. Development Services Report:
 - a. Code SMTX update

V. Question and Answer Session with Press and Public.

VI. Adjournment

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title:



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Legislation Text

File #: ID#15-255, **Version:** 1

AGENDA CAPTION:

Consider approval of the minutes of the Regular Meeting on April 14, 2015 and April 28, 2015.

Meeting date: May 12, 2015

Department: Planning and Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

BACKGROUND:



City of San Marcos

DRAFT

Meeting Minutes

Planning and Zoning Commission

630 East Hopkins
San Marcos, TX 78666

Tuesday, April 14, 2015

6:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

With a quorum present, the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Wood at 6:00 p.m. on Tuesday, April 14, 2015 in the Council Chambers of the City of San Marcos, City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, TX 78666.

II. Roll Call

Present 9 - Chairperson Chris Wood, Vice Chair Kenneth Ehlers, Commissioner Angie Ramirez, Commissioner Brian Olson, Commissioner Amy Stanfield, Commissioner Jim Garber, Commissioner Travis Kelsey, Commissioner Shawn Dupont, and Commissioner Saul Gonzales

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Robert Martin, owner of single family dwelling on Debbie Court for about 6-7 years. He stated that there were a good percentage of residents present in opposition to the zoning change. He explained that a zoning change from single family to town homes has many physical changes. He mentioned that the Commission and residents need to understand the Code. Mr. Martin pointed out that the Code is difficult to understand. He felt it would be valuable for someone to create a list of the physical characteristics that they could understand. He added that the premiability of the area should also be studied.

Bob Klett, resident of 1201 Cimmarron Court and formerly of 1124 Debbie Court since approximately 2004. He stated that he moved to Debbie Court because it was a quiet and family friendly area. He added that many residents are raising their families in the area. Mr. Klett mentioned that his child walked to school at Crockett Elementary and since has moved one block closer to Crockett. He pointed out that on paper the property is identified as mixed use, but felt that it was deceived because there are several single family residents in the area. Mr. Klett expressed his concerns of having a Sagewood repeat in the area in addition to rent by the room development. He pointed out that there is not a transition zone between the proposed development and current single family homes. Mr. Klett added that town homes would be unstable. He stated he is concerned for the safety of the children with increased traffic. He is also concerned with ruining the neighborhood.

Karen Schneider, 1100 Cimmarron Court, stated that her husband wrote letter which she read. Ms. Schneider stated they are opposed to the changes because of his concern with safety of the families in the neighborhood. She stated that the area is quiet and the neighbors look out for each other. The children play outside in the streets and front yards. She pointed out that transient type residents have the possibility of allowing less than preferred individuals in the immediate area with little control. They understand that is not a statement for all townhome development. In addition, traffic and street access is a major concern. Ms. Schneider add that the zoning change will lead to more congestion and concerns for safety of the families in the neighborhood.

CONSENT AGENDA

1. Consider approval of the minutes of the Regular Meeting on April 14, 2015 and April 28, 2015.
2. PC-15-06_02 (Cottonwood Creek Phase 1, Section 2) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, LTD, for approval of a Preliminary Subdivision Plat of Cottonwood Creek Phase 1, Section 2 for approximately 9.25 acres, more or less, out of the Farnam Frye, John F Geister, and Charles Henderson Surveys, consisting of 58 residential lots and two 2 private parkland lots located near the intersection of Monterrey Oaks and Highway 123.
3. PC-15-07_02 (Blanco Vista, Tract C-2) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Preliminary Plat for approximately 11.2 acres, more or less, out of the William Ward League Survey, located east of Blanco Vista Boulevard.

A motion was made by Commissioner Stanfield, seconded by Commissioner Olson, that Action Agenda be approved. The motion carried by the following vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

PUBLIC HEARINGS

4. CUP-15-03 (Japan Latino) Hold a public hearing and consider a request by Wen Feng Lin on behalf of Japan Latino Sushi and Steak for the renewal of a Conditional Use Permit for the sale of mixed drinks for on premise consumption at 1328 N IH 35.

Chair Wood opened the public hearing.

Will Parrish, Staff Planning Technician gave an overview of the project.

There were no citizen comments and the public hearing was closed.

A motion was made by Commissioner Kelsey, seconded by Vice Chair Ehlers, that CUP-15-03 (Japan Latino) be approved with conditions that the permit shall be valid for three (3) years, provided standards are met, subject to the point system, and that the permit shall be posted in the same area and manner as the Certificate of Occupancy . The motion carried by the following

vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

5. ZC-15-01 (Marlton St. at Hamilton Ave.) Hold a public hearing and consider a request by John and Forrest Higdon for a zoning change from "SF-6" Single Family Residential to "TH" Townhome for approximately 1.544 acres out of the Thomas J. Chambers Survey, Abstract No. 2, Hays County, Texas located at the corner of Marlton St. and Hamilton Ave.

Chair Wood opened the public hearing.

Andrea Villalobos, Staff Planning Technician gave an overview of the request.

John Stovall, 1104 Debbie Court stated that the neighborhood is in opposition to the proposed zoning change. He stated that 50 residents are in opposition to the request. He explained that his neighborhood is very active in the real estate business. Investors and families are competing in a very tight market for single family residents. Mr. Stovall pointed out that the neighborhood is desirable because of close proximity to Crockett Elementary School, which is consistently rated a high performance school. He pointed out that there are several concerns regarding the property that need to be addressed. Mr. Stovall added that a developer can go bankrupt as seen in other locations or sold to another developer. Mr. Stovall stated that they were presented with photos by the developer which is all that they can go on. He presented photos of duplex units across the street from the proposed development which showed 7 cars in the driveway. Mr. Stovall also presented a police report.

Lucy Gamez, 1005 Perkins, stated that her property is directly across from proposed development where she has resided for 18 years. She explained that her main concern has always been immediate drainage especially when it involves impervious cover. No permit was issued and the developer began to move dirt. She explained the natural water flow which goes behind her home. She spoke to Sabas and Avila and the site was viewed and expressed concerns. She explained that the previous owner did not receive a permit and began to move and fill in dirt on the property in a location near her home. Ms. Gamez explained that water drainage is a big issue. She pointed out that she spoke to Mr. Avila at the time and he came out to the site. Based on their conversation Mr. Avila also expressed concerns. Ms. Gamez added that Mr. Avila advised her that there are major drainage issues and that he would deny the proposed development at that time. She pointed out that it has been 20 years and the drainage issues have not been resolved. She said that growth is good and San Marcos is growing but we must plan smart and healthy. She felt that town homes will attract renters and not homeowners especially in this case because it is in proximity to the university. She added that without the property man power the City will not be able to enforce the Occupancy Restrictions Ordinance. Ms. Gamez pointed out that

the City has currently approved several apartments projects that will provide adequate housing for renters. She added that the property is best suited for single family residents. In addition, the comp plan calls for single family homes on the lot. She told the Commission keep the property as single family residential and keep the integrity of the neighborhood. Ms. Gamez asked why the .578 acres remain as single family and if duplexes are allowed.

Leslie Adams, homeowner for five years at 1124 Cimarron Court. He mentioned that he has a 2 year old daughter and they are expecting another daughter. Mr Adams stated that he went to school in San Marcos and received his masters at Texas State. He said that his major concern is safety. He explained that his family walk to the mailboxes and to the two playscapes in the area. Mr. Adams pointed out that when you drive up Marlton Street it is barely wide enough to drive through because of cars parked in front of homes. Mr. Adams stated that he is against the request and would love to raise his children where he currently resides located near a elementary school.

Jason Cain, 906 Marlton, within 200 foot buffer, stated that he is against the request. He feels that the request is counter to the long term intentions and goals of zoning. Mr. Cain said that the neighborhood is already establish as a single family neighborhood. He pointed out that the duplexes are separated from the single family homes. He felt that single family is more sensible for the property. He stated that he is not against students but it is difficult to manage their lifestyles. Mr. Cain mentioned that no one wants to live next to students. He added that his wife works as the University and he works in Austin and they choose to live in San Marcos.

Emily Magley, 907 Marlton, said the map indicates the property is zoned duplex but stated that the property has never been a duplex. She stated that she has lived in the neighborhood for 24 years and the street is narrow because there was not a road on Marlton when she purchased the house. Two cul de sacs were added which was a great addition. She said they all want a development that will compliment the neighborhood, add integrity to the neighborhood and does not detract from it. She added that there is already diversity in the neighborhood and they do not need to add more diversity. Ms. Magley mentioned that they are not opposed to growth but how the growth in the neighborhood is developed.

Marcus Bryant, 1109 Cimarron Court, stated that the statistics are incorrect and that he owns the house and is opposed to the request.

John Higdon, the applicant stated he was from Austin Texas and is happy to bring the community together and apologized to all in opposition. He explained that the his son as a Real Estate Agent and himself as a Real Estate Broker saw an undeveloped block face that had not been platting within the city limits which is very close to jobs and community services. Mr. Higdon said the property having all the city infrastructure already in place and has gone through many zoning and has never been developed. He saw it as an opportunity to develop the entire block face in a create and flexible way that will not endanger anyone's neighborhood. Mr. Hidgon felt that the development would enhance the neighborhood and provide families and maybe

elderly that like to move out of single family with a large lot and can't take care of the property. He explained that he presented photos of town homes with no vehicles parked in front of it because that is what he would like to happen and that is what he has observed. Mr. Hidgon added that if they are allowed to develop the property they will put the services in the rear to try and preserve the neighborhood. He felt that students could not afford the expense of a the town homes in addition to their tuition. Mr. Higdon stated he is available to answer questions.

There were no additional comments and the public hearing was closed.

A motion was made by Commissioner Kelsey, seconded by Commissioner Garber, that ZC-15-01 be denied. The motion carried by the following vote:

For: 9 - Chairperson Wood, Vice Chair Ehlers, Commissioner Ramirez, Commissioner Olson, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

NON-CONSENT AGENDA

- 6. Presentation and discussion on years 2016-2018 of the City's 10 year Capital Improvement Program.

Laurie Moyer, Director of Engineering/CIP Department gave a presentation on the years 2016-2018 of the City's 10 year Capital Improvements Program. She provided the Commission with Capital Improvement Project binders for their review. She advised the Commission that a Public Hearing would be held at the next Planning Commission meeting and that Department Directors would be available to answer questions.

V. Question and Answer Session with Press and Public.

There were no questions from the press and public.

VI. Adjournment

A motion was made by Commissioner Ehlers, seconded by Commissioner Olson, that the meeting be adjourned at 7:19 p.m. The motion carried unanimously.

Chris Wood, Chair

Kenneth Ehlers, Vice Chair

Angie Ramirez, Commissioners

Travis Kelsey, Commissioner

Amy Stanfield, Commissioner

Brian Olson, Commissioner

Jim Garber, Commissioner

Saul Gonzales, Commissioner

Shawn Dupont, Commissioner

ATTEST:

Francis Serna, Recording Secretary

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

Title:



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

DRAFT

Meeting Minutes

Planning and Zoning Commission

Tuesday, April 28, 2015

6:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

With a quorum present, the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Wood at 6:00 p.m. on Tuesday, April 28, 2015 in the Council Chambers of the City of San Marcos, City Hall, 630 E. Hopkins, San Marcos, TX 78666.

II. Roll Call

- Present** 7 - Chairperson Chris Wood, Commissioner Angie Ramirez, Commissioner Amy Stanfield, Commissioner Jim Garber, Commissioner Travis Kelsey, Commissioner Shawn Dupont, and Commissioner Saul Gonzales
- Absent** 1 - Commissioner Brian Olson
- Excused** 1 - Vice Chair Kenneth Ehlers

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

There were no citizen comments.

CONSENT AGENDA

1. PC-15-08_02 (Blanco Vista, Tract K-1) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Preliminary Plat for approximately 34.549 acres, more or less, out of the William Ward League Survey, located west of Royal Oak Boulevard.

A motion was made by Commissioner Kelsey, seconded by Commissioner Ramirez, that Action Agenda be approved. The motion carried by the following vote:

- For:** 7 - Chairperson Wood, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales
- Against:** 0
- Absent:** 1 - Commissioner Olson
- Excused:** 1 - Vice Chair Ehlers

PUBLIC HEARINGS

2. CUP-15-06 (Pie Society INC.) Hold a public hearing and consider a request by Chase Katz, Seth Katz, and Benjie Ackerman on behalf of Pie Society INC., for a renewal of a Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 700 N LBJ Drive, Suite 106 & 107.

Chair Wood opened the public hearing.

Shannon Mattingly, Planning & Development Services Director gave an overview of the request.

There were no citizen comments and the public hearing was closed.

A motion was made by Commissioner Kelsey, seconded by Commissioner Dupont, that CUP-15-06 (Pie Society Inc.) be approved with conditions that the permit shall be valid for three (3) years, provided standards are met, subject to the point system; and the permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 7 - Chairperson Wood, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

Excused: 1 - Vice Chair Ehlers

3. PC-15-05_04 (JaVaStone Acres) Hold a public hearing and consider a request by ETR Development Consulting, LLC, on behalf of JaVaStone Capital Holdings, LLC, for approval of a replat, of 2.42 acres, more or less, establishing JaVaStone Acres, City of San Marcos, Hays County, Texas.

Chair Wood opened the public hearing.

Shannon Mattingly, Planning & Development Services Director gave an overview of the request.

Thomas Rhodes, ETR Development, 5395 Highway 183, Lockhart, agent for the applicant stated that he was available to answer questions.

There were no additional citizen comments and the public hearing was closed.

A motion was made by Commissioner Stanfield, seconded by Commissioner Ramirez, that PC-15-05_04 (JaVaStone Acres) be approved. The motion carried by the following vote:

For: 7 - Chairperson Wood, Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 0

Absent: 1 - Commissioner Olson

Excused: 1 - Vice Chair Ehlers

4. Public hearing, staff presentation and discussion on the FY 2016-18 Capital Improvements Program and distribution of 10-year Capital Improvement Project list.

Chair Wood opened the public hearing.

Laurie Moyer, Engineering Director gave a presentation of the FY 2016-18 Capital Improvements Program.

Terry Norris, owner of 634 Mill Street and 654 Mill Street, said he pays property and school taxes for both properties. He added that his neighbor at 624 Mill Street was also present. Mr. Norris showed the Commission photos of Mill Street and explained that a year ago he was advised that there had to be at least 5,000 cars within a 24 hours period and 80% of vehicles had to go over 10 mph to be considered for traffic cushions. Mr. Norris stated he was also asked to provide a petition in which he did and was advised that speed cushions would be installed. He added that the North end of the speed cushions are failing to such an extent that the students don't slow down. Mr. Norris pointed out that Mill Street is deteriorating so badly that when people drive over the pot holes their vehicles scrape the street. He said he understands the many projects, millions of dollars and the need of projects. He asked if it is possible to rearrange the priorities and consider moving the Mill Street construction project forward.

There were not additional citizen comments and the public hearing was closed.

NON-CONSENT AGENDA

5. Discussion and possible action concerning provision of alternate dates or cancellation of the November 24, 2015 and December 22, 2015 regular commission meetings.

A motion was made by Commissioner Stanfield, seconded by Commissioner Garber, that the November 24, 2015 and the December 22, 2015 Regular Planning Commission Meetings be cancelled. The motion carried by the following vote:

For: 6 - Commissioner Ramirez, Commissioner Stanfield, Commissioner Garber, Commissioner Kelsey, Commissioner Dupont and Commissioner Gonzales

Against: 1 - Chairperson Wood

Absent: 1 - Commissioner Olson

Excused: 1 - Vice Chair Ehlers

6. Development Services Report:
a. Code SMTX update

Shannon Mattingly, Planning & Development Services Director gave an update on Code SMTX, Neighborhood Workshops and the Think Tank meetings.

V. Question and Answer Session with Press and Public.

There were no questions from the press and public.

VI. Adjournment

A motion was made by Commissioner Kelsey, seconded by Commissioner Dupont, that the meeting be adjourned at 7:24 p.m. The motion carried unanimously.

Chris Wood, Chair

Angie Ramirez, Commissioner

Travis Kelsey, Commissioner

Amy Stanfield, Commissioner

Jim Garber, Commissioner

Saul Gonzales, Commissioner

Shawn Dupont, Commissioner

ATTEST:

Francis Serna, Recording Secretary

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

Title:



Legislation Text

File #: PC-04-10_01K, **Version:** 1

AGENDA CAPTION:

PC-04-10_01K (Cottonwood Creek Master Plan) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, LTD., for consent to a one-year extension of the Master Plan of the Cottonwood Creek subdivision, consisting of approximately 471.97 acres at the intersection of State Highway 123 and Monterrey Oak, San Marcos, Texas.

Meeting date: May 12, 2015

Department: Planning and Development Services

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

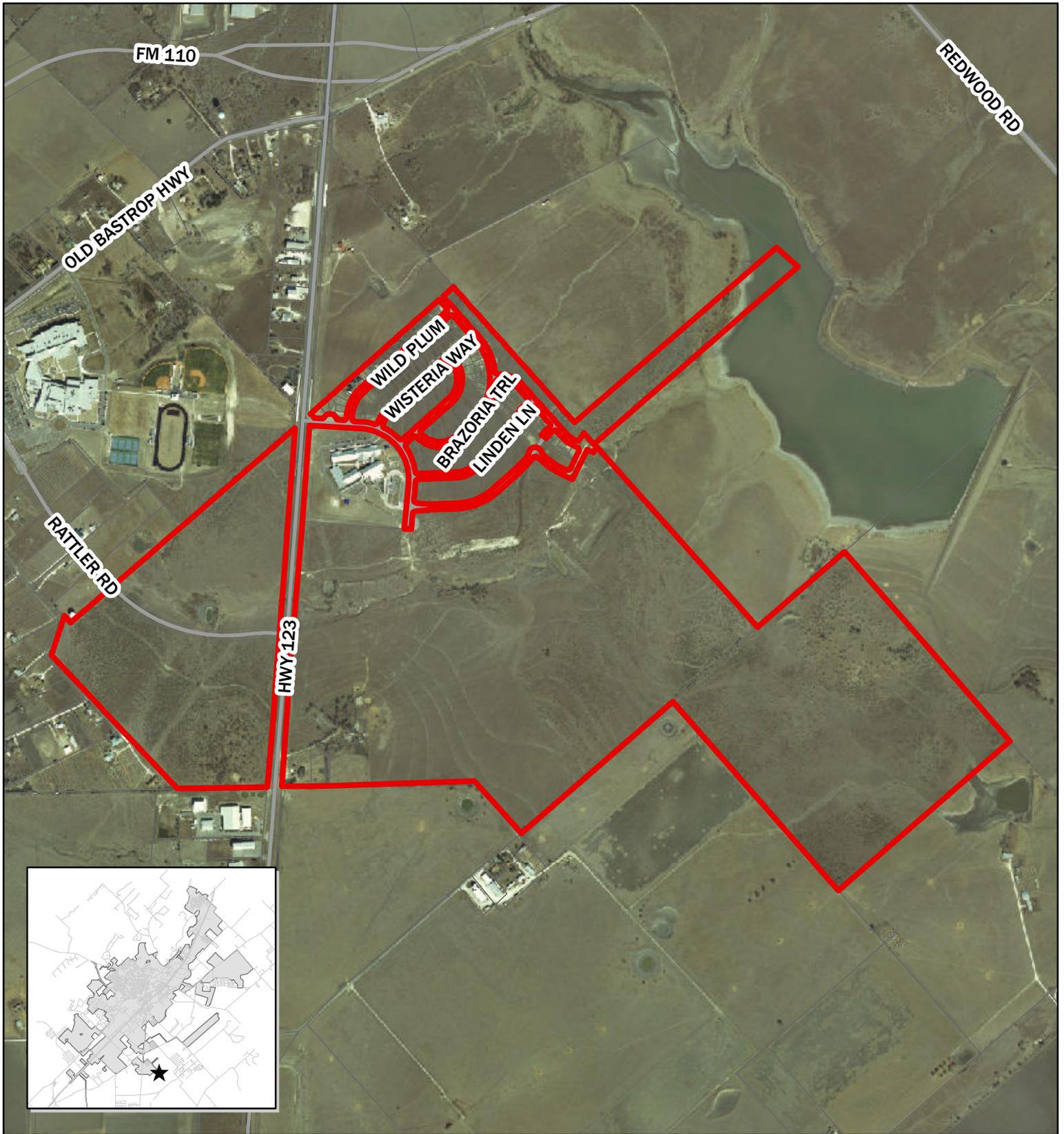
CITY COUNCIL GOAL:

Community Wellness/ Strengthen the Middle Class

BACKGROUND:

The Master Plan for Cottonwood Creek Subdivision was originally approved by the Planning and Zoning Commission on May 28, 2002. Approval of the Master Plan may be extended for one-year periods by consent of the commission. It was last renewed by the Planning & Zoning Commission in May 2014 and the applicant is requesting a new one-year extension.

There have been no changes to the plan since 2014 and staff recommends that the Subdivision Master Plan be extended for an additional one year period.

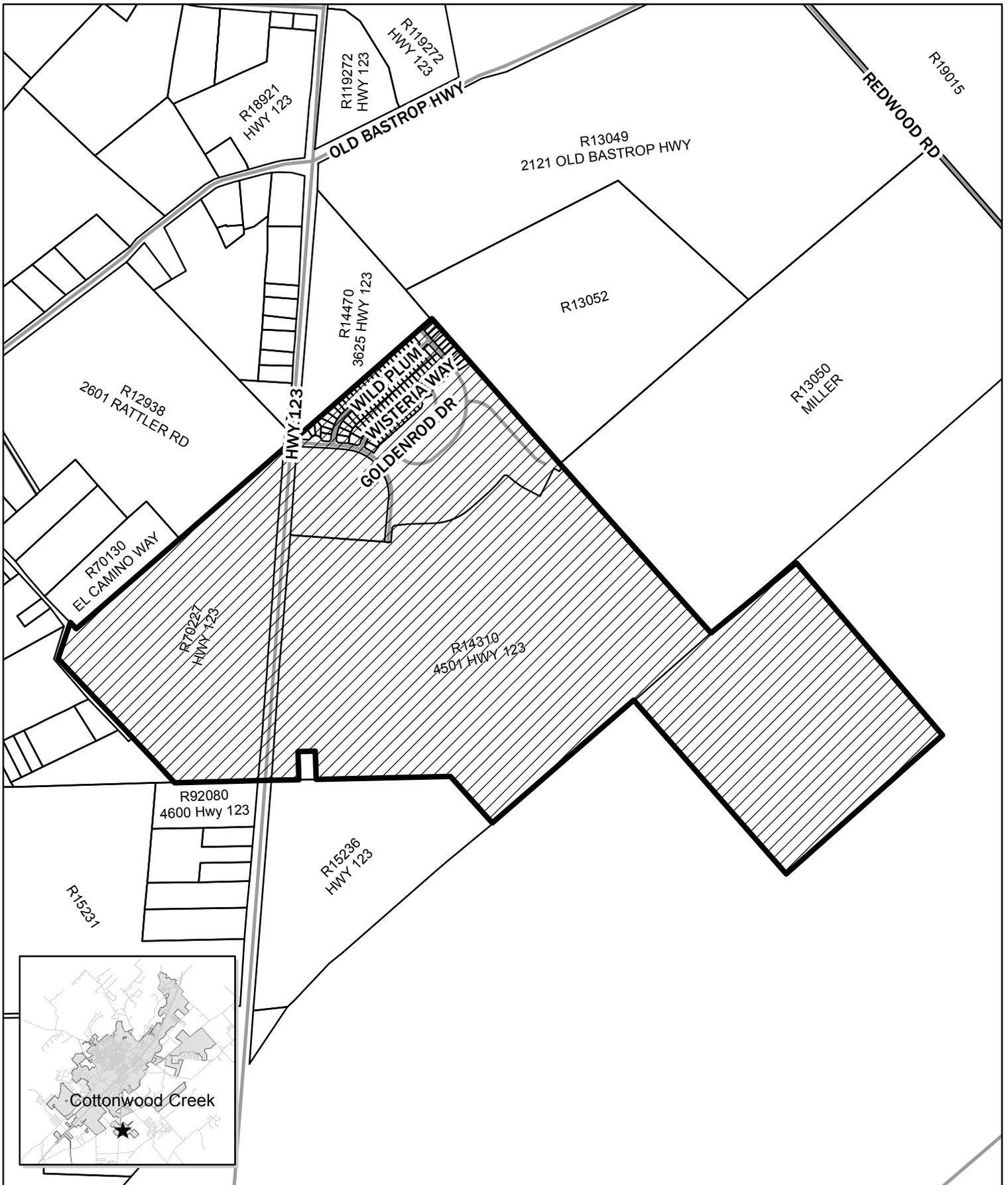


PC-04-10_01K
Cottonwood Creek
Master Plan Renewal
Map Date: 4/28/2015

 Site Location



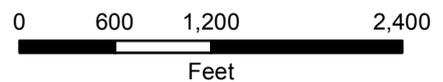
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



PC-04-10_01K
Cottonwood Creek
Master Plan Renewal
Map Date: 4/27/2015

 Site Location

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.



PC-04-10_01K Cottonwood Creek Subdivision Master Plan Renewal



Applicant Information:

Applicant:	Ramsey Engineering, LLC 3206 Yellowpine Terrace Austin TX 78757
Property Owner:	Cottonwood Creek, JDR, Ltd 333 Cheatham Street San Marcos, TX 78666
Notification:	Notification not required
Type & Name of Subdivision:	Master Plan Renewal of Cottonwood Creek Subdivision

Subject Property:

**Traffic /
Transportation:** This Master Plan is proposing a thoroughfare network that will include the future extension of McCarty Road to State Highway 123. Access within the subdivision will be achieved by a means of arterials connecting to State Highway 123. An internal street network will provide access from the arterials to the residential portions of this subdivision.

**Master Plan
Compatibility:** The subject tract is located along State Highway 123 approximately one half mile south of Old Bastrop Road. The master plan proposes a total of 2,694 residential dwelling units. The total number of dwelling units represents a mix of single-family homes, garden homes, two-family homes, town homes, and apartment units.

Utilities: The City of San Marcos provides water and wastewater service and Bluebonnet Electric provides electrical to this subdivision.

Zoning Pattern: The property is zoned in accordance with the approved Cottonwood Creek Master Plan.

Planning Department Analysis:

The Master Plan for Cottonwood Creek Subdivision was originally approved by the Planning and Zoning Commission on May 28, 2002. Approval of the Master Plan may be extended for one-year periods by consent of the commission. It was last renewed by the Planning & Zoning Commission in May 2014 and the applicant is requesting a one-year extension.

Construction of single-family homes in Phase I Section 1B, 1C, and 1D has continued since the previous renewal.

The current composition of the Cottonwood Creek Master Plan is as follows:

- The development consists of approximately 492 acres divided into four phases.
 - Phase I is a 146.30 acre tract that is currently being developed as follows:
 - 17.7 acres developed as an elementary school, platted July 2005 as Sec 1-A
 - 19.32 acres developed as 102 single family lots, platted May 2008 as Sec 1-B
 - 14.618 acres developed as 72 single family lots and two private parks that function as trail connections, platted December 2010 as Sec 1-C.
 - 13.56 acres currently being developed as 71 single family lots, platted in 2012 as Sec 1-D.
 - 9.25 acres was included in the Phase 1 Section 2 preliminary plat consisting of 58 patio-home lots approved by the Commission in April of this year.
 - 71.85 acres yet to be platted or developed
 - Phase II is an 85.44 acre tract – yet to be developed, identified as multi-family, duplex, senior group home, commercial, public & institutional, and parkland.
 - Phase III is a 139.47 acre tract – yet to be developed, identified as single-family, garden homes, townhomes, commercial, public and institutional, and private park.
 - Phase IV is a 100.76 acre tract – yet to be developed, identified as single-family and private park.
- As new plats are submitted for review and approval, they must be in compliance with the subdivision requirement under which this Master Plan is being regulated.
- The renewal of the Cottonwood Creek Master Plan is subject to discretionary approval by the Planning & Zoning Commission.

Changes approved in May 2012

- Road name changed from Daisy Drive to Blue Briar Court.
- No changes in use, design, or density are proposed.

Changes approved in May 2014

Cypress Parkway, which will connect Hwy 123 to Monterrey Oaks, has been changed from a 60' right-of-way dedication to a 50' right-of-way dedication. After the applicant expressed safety concerns, Development Services and Engineering staff reviewed the request and determined that the proposed reduction accommodates the transportation needs of the roadway.

The interior lot layout has been removed from the 9.01 acre townhouse portion of the development. To ensure orderly development, staff has required that the applicant provide a note stating that "all townhouse lots shall take access off of an alley."

Staff Recommendation

Staff finds that the Cottonwood Creek Master Plan meets the criteria for approval. This Master Plan also guides developments to maximize the utilization of existing and proposed public improvements. For these reasons, staff recommends that the Subdivision Master Plan be extended for an additional one year period.

Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

The Commission's Responsibility:

The Commission is charged with making the final decision regarding this proposed master plan extension. Because the last extension expires in May of this year, it is necessary to approve another extension at this meeting if the commission wishes to continue the Subdivision Master Plan. Your options are to grant consent to the extension of the Master Plan for another one-year period or to withhold consent.

The commission shall not change the approved overall layout unless the subdivider agrees to the change or the commission finds that adherence to the previously approved overall layout will:

1. Hinder the orderly subdivision of land in the area in accordance with this chapter; or
2. Be detrimental to the public health, safety or general welfare.

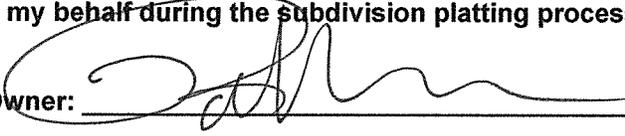
Prepared by:

Tory Carpenter, CNU-A	Planner	May 6, 2015
Name	Title	Date

City of San Marcos
SUBDIVISION PLAT APPLICATION

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	<u>RAMSEY ENGINEERING, LLC</u>	<u>COTTONWOOD CREEK JDR, LTD</u>
Mailing Address	<u>3206 YELLOWPINE TERRACE</u> <u>AUSTIN, TEXAS 78757</u>	<u>333 CHEATHAM STREET</u> <u>SAN MARCOS, TEXAS 78666</u>
Daytime Phone	<u>512-650-6800</u>	<u>512-353-1776</u>
Email Address	<u>ramsey-eng@att.net</u>	<u>jenny@randallmorris.com</u>

AGENT ACKNOWLEDGEMENT STATEMENT:
 I RANDALL MORRIS acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize RAMSEY ENGINEERING, LLC to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner: 

Printed Name: RANDALL MORRIS Date: 3/24/15

Signature of Agent: 

Printed Name: STEPHEN RAMSEY, P.E. Date: 3/23/15



Subdivision Plats <input checked="" type="checkbox"/> Subdivision Concept Plat <i>Master Plan</i> <input type="checkbox"/> Preliminary Subdivision Plat <input type="checkbox"/> Final Subdivision Plat <input type="checkbox"/> Variance Section _____ <input type="checkbox"/> Plat Vacation Accompanying _____	Development Plats <input type="checkbox"/> Preliminary Development Plat <input type="checkbox"/> Final Development Plat
Minor Subdivision Plats (for Administrative Approval) <input type="checkbox"/> Minor Subdivision Plat	
Revisions to Recorded Plats (for Administrative Approval) <input type="checkbox"/> Amending Plat <input type="checkbox"/> Replat without Vacation	

SUBJECT PROPERTY

Subdivision Name: COTTONWOOD CREEK

Address or General Location: SH 123 - MONTERREY OAK

Proposed Number of Lots: 2,694 Acres: 471.97

Appraisal District Tax ID: R14310, R135076, R135068, R70227

Located In City Limits ETJ* - Please circle county: *Caldwell Comal Guadalupe Hays*
 S.M. River Corridor Planned Development District

Proposed Use of Land RESIDENTIAL, COMMERCIAL, PUBLIC&INSTITUTIONAL, PARKLAND, OPEN SPACE

**Subdivision plat applications for land in the ETJ may be subject to additional requirements and review as defined by the Interlocal Agreement for the respective county.*

SUBDIVISION IMPROVEMENT AGREEMENT

Whenever public improvements to serve the development are deferred until after Final Subdivision Plat or Final Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two years following the date upon which the Final Subdivision Plat or Final Development Plat is approved.

I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat.

I wish to defer installation of public improvements and will complete a Subdivision Improvement Agreement with the City.

Signature: _____ *N/A*

Printed Name: _____ Date: _____

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Electric Service Provider Bluebonnet Electric Cooperative

Applicable Utility Service Code(s) A + D

Comments/Conditions Additional easements maybe needed.

Signature of Electric Company Official Rodney Gerik

Title Sr Project Coordinator Date 3-23-2015

GAS UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Gas Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Gas Company Official _____

Title _____ Date _____

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:

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- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of *Electric Service Provider* _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Electric Company Official _____

Title _____ Date _____

GAS UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of *Gas Service Provider* CenterPoint Energy

Applicable Utility Service Code(s) A

Comments/Conditions _____

Signature of Gas Company Official Wendy Jenschke

Title Operations Supervisor Date 3/26/2015

Cottonwood Creek Master Plan

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider City of San Marcos

Applicable Utility Service Code(s) C

Comments/Conditions _____

Signature of Water Utility Official: Tony Salomon

Title: Water Dist Manager Date: March 23, 2015

Name of Wastewater Service Provider _____

Applicable Utility Service Code(s) _____

OR, the use of either 1) _____ a private wastewater treatment system, or 2) _____ septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments/Conditions _____

Signature of City or County Wastewater Official: _____

Title: _____ Date _____

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Telephone Company Official _____

Title: _____ Date _____

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

Cottonwood Creek Subdivision Master Plan 2015 Annual Renewal

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Water Utility Official: _____

Title: _____ Date: _____

Name of Wastewater Service Provider City of San Marcos

Applicable Utility Service Code(s) A

OR, the use of either 1) _____ a private wastewater treatment system, or 2) _____ septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments/Conditions _____

Signature of City or County Wastewater Official: [Signature]

Title: Wastewater Coll. mgr Date 3-24-15

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Telephone Company Official _____

Title: _____ Date _____

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Water Utility Official: _____

Title: _____ Date: _____

Name of Wastewater Service Provider _____

Applicable Utility Service Code(s) _____

OR, the use of either 1) _____ a private wastewater treatment system, or 2) _____ septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments/Conditions _____

Signature of City or County Wastewater Official: _____

Title: _____ Date _____

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider CenturyTel of San Marcos, Inc. DBA CenturyLink.

Applicable Utility Service Code(s) A _____

Comments/Conditions _____

Signature of Telephone Company Official Adam Monsen _____

Title: Engineer _____ Date 03/26/2015 _____

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

- Complete application
- Required fees \$ 2,010.00 (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- N/A* Names and addresses of property lien-holders
- One digital copy of submittal materials including CAD file
- Five 18"x24" hard copies of plat document*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant: Stephen Ramsey, P.E.

Printed Name: Stephen Ramsey, P.E., Agent

Date: 3/23/15

*Plats in the ETJ may require additional hard copies.

ADDITIONAL REQUIREMENTS:

Subdivision Concept Plats:

- Watershed Protection Plan (Phase 1)
- N/A* Residential compatibility site plan (where applicable)
- N/A* Cluster development plan (where applicable)

Preliminary Subdivision Plats or Preliminary Development Plats

- Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Final Subdivision or Final Development Plats:

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential) .
Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Minor Subdivision Plats:

Minor subdivisions plats must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

Amending Plats and Replats:

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

Fee Schedule

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000) + \$10.00 Technology Fee
Concept Plan	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Preliminary Plat	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Final Plat	\$1000 plus \$100 acre (max \$2500) + \$10.00 Technology Fee
Replat, not administrative	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Vacation of Previously Recorded Plat	\$150 + \$10.00 Technology Fee
Subdivision Variance Request	\$600 + \$10.00 Technology Fee
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max) + \$10.00 Technology Fee

STAFF USE ONLY:

Submittal Date: _____ **5 Business Days from Submittal:** _____

Completeness Review By: _____ **Date:** _____

Contact Date for Supplemental Info: _____

Supplemental Info Received (required within 5 days of contact): _____

Application Returned to Applicant: _____

Application Accepted for Review: _____ **Fee:** _____

Comments Due to Applicant _____

Date for Plat Resubmittals _____

Date of Planning and Zoning Commission Meeting: _____



Legislation Text

File #: CUP-15-08, **Version:** 1

AGENDA CAPTION:

CUP-15-08 (Pizza Hut) Hold a public hearing and consider a request by Tom Marzano on behalf of Pizza Hut for a new Conditional Use Permit to allow the sale of beer and wine for on-premise consumption at 900 Bugg Lane, Suite 118.

Meeting date: May 12, 2015

Department: Planning and Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL: Strengthen the Middle Class, Encourage Strong Neighborhoods, Education and Workforce

BACKGROUND:

Pizza Hut is a new restaurant located in the San Marcos Place Shopping Center at the corner of Bugg Lane and Linda Drive. The former Pizza Hut location at 720 E. Hopkins Street is no longer operational and did not serve beer and wine. This request would be for a new Conditional Use Permit to allow the sale of beer and wine at the new location.

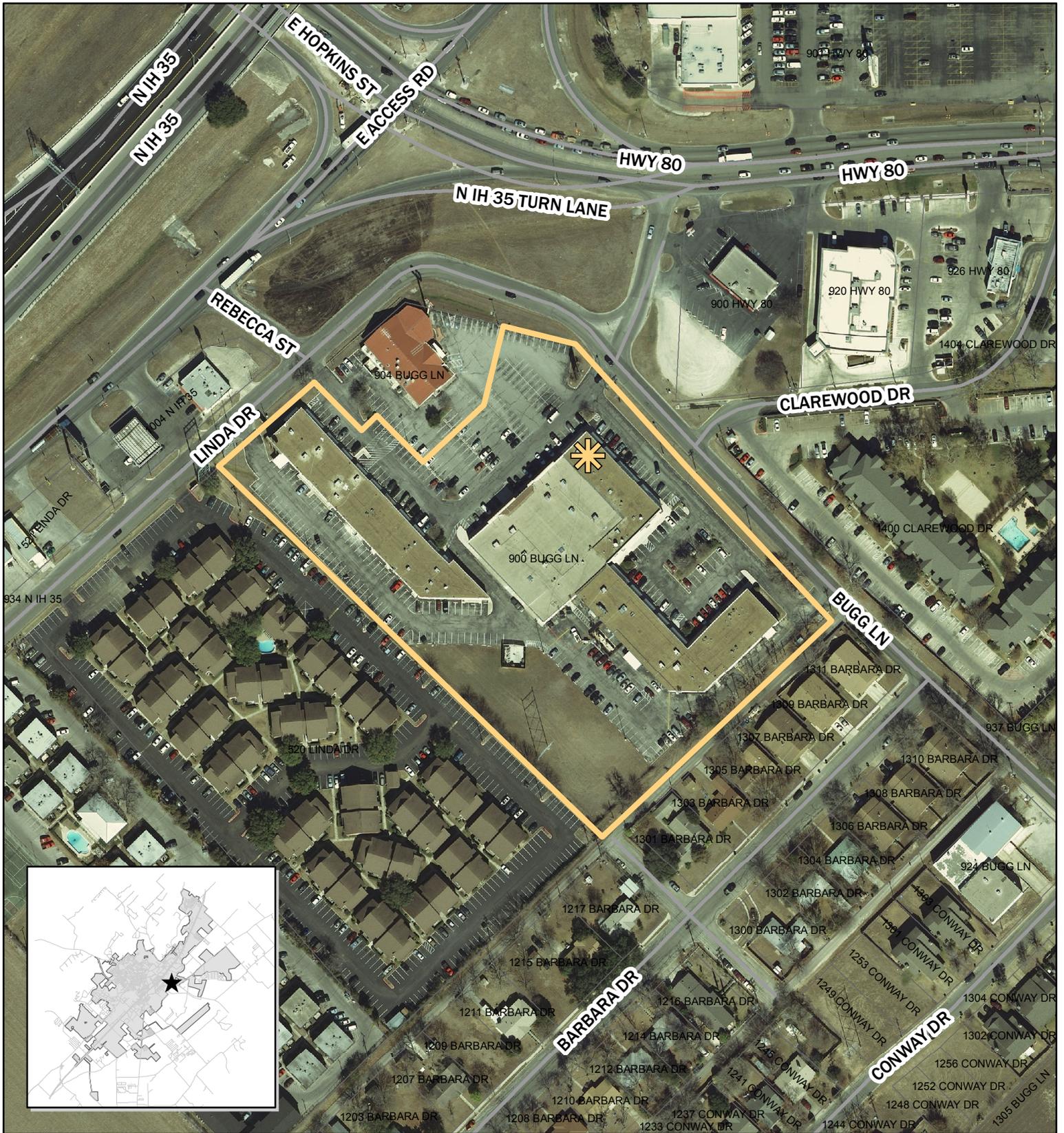
The San Marcos Place Shopping Center consists of two multi-tenant buildings containing various services including a restaurant, financial institutions, and office tenants. Pizza Hut will occupy a 3,033 square foot tenant space adjacent to the Half Price Books Store and Flexi Furniture Appliances. Pizza Hut received a Certificate of Occupancy on April 20, 2015 and is currently open as a restaurant with no on-premise consumption of beer and wine.

The proposed hours of operation are Sunday - Thursday 11:00 a.m. to 10:00 p.m. and Friday - Saturday 11:00 a.m. to 11:00 p.m. No live music or entertainment facilities are proposed at this time. Total indoor fixed seating is 44. No outdoor seating is proposed. Based on the occupancy, 11 off-street parking spaces are required (one space per four seats). The requirement has been satisfied. No other improvements are being proposed at this time.

Staff provides this request to the Commission for your consideration and recommends **approval** of the

Conditional Use Permit with the following condition:

1. The permit shall be valid for one (1) year, provided standards are met, subject to the point system; and
2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

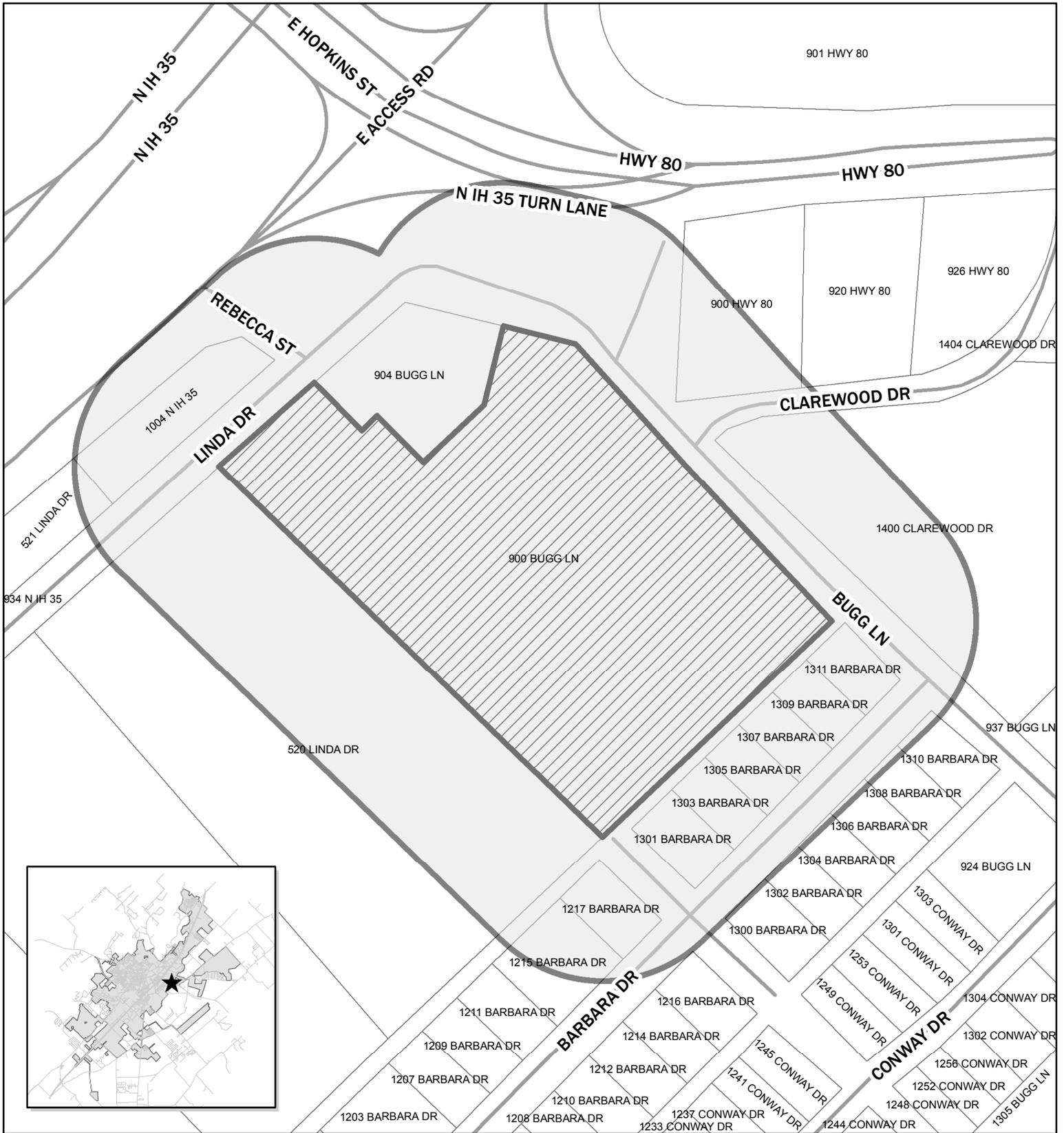


CUP-15-08
Pizza Hut
900 Bugg Lane Suite 118
Map Date: 4/24/2015

-  Site Location
-  Pizza Hut Suite



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



CUP-15-08
Pizza Hut
900 Bugg Lane Suite 118
Map Date: 4/24/2015

-  Site Location
-  Notification Buffer (200 feet)

0 100 200 400 Feet



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

CUP-15-08
TABC Conditional Use Permit
Pizza Hut
900 Bugg Lane, Suite 118



Applicant Information:

Applicant: Tom Marzano
 Armadillo Beverage Co., INC.
 12813 Stonegate Trail
 Belton, TX 76513

Property Owner: Robb Lane LTD.
 4200 N Lamar Blvd, #200
 Austin, TX 78756

Applicant Request: Request for a new Conditional Use Permit (CUP) to allow the on-premise consumption of beer and wine.

Notification: Public hearing notification mailed on April 29, 2015

Response: None as of Staff Report Date

Subject Property:

Location: 900 Bugg Lane, Suite 118

Legal Description: Lot 1A, Intercon Addition No.1

Frontage On: Parking Lot along Bugg Lane

Neighborhood: Blanco Gardens

Existing Zoning: General Commercial (GC)

Utilities: Adequate

Existing Use of Property: Vacant Suite / Commercial Shopping Center

Zoning and Land Use:

	Current Zoning	Existing Land Use
N of Property	GC	Bank/Dairy Queen/Gas Station
S of Property	SF-6/D	Residential
E of Property	MF-24	Apartment Complex
W of Property	MF-24	Apartment Complex

Code Requirements:

A Conditional Use Permit (CUP) allows the establishment of uses which may be suitable only in certain locations or only when subject to standards and conditions that assure compatibility with adjoining uses. Conditional uses are generally compatible with permitted uses, but require individual review and imposition of conditions in order to ensure the appropriateness of the use at a particular location.

Under Section 4.3.4.2 of the LDC a business applying for on-premise consumption of alcohol must not be within 300 feet of a church, school, hospital, or a residence located within a zoning district that limits density to six units per acre or less. This location **does meet** the distance requirements. There is no church or school within 1,000 feet.

This location is also outside the boundary of the Central Business Area (CBA) and is therefore not subject to the additional requirements in the CBA.

Case Summary

Pizza Hut is a new restaurant located in the San Marcos Place Shopping Center found at the corner of Bugg Lane and Linda Drive. The former Pizza Hut location at 720 E. Hopkins Street is no longer operational and did not serve alcohol.

The San Marcos Place Shopping Center consists of two multi-tenant buildings containing various services such as Half Price Books Store, China Palace Buffet, financial institutions, and additional office tenants. Pizza Hut will occupy a 3,033 square foot tenant space adjacent to the Half Price Books Store and Flexi Furniture Appliances. Pizza Hut received a Certificate of Occupancy on April 20, 2015 and is currently open as a restaurant with no on-premise consumption of alcohol.

The proposed hours of operation are Sunday – Thursday 11:00 a.m. to 10:00 p.m. and Friday – Saturday 11:00 a.m. to 11:00 p.m. No live music or entertainment facilities are proposed at this time. Total indoor fixed seating is 44. No outdoor seating is proposed. Based on the occupancy, 11 off-street parking spaces are required (one space per four seats). The requirement has been satisfied. No other improvements are being proposed at this time.

Comments from Other Departments:

There have been no comments or concerns from other departments. There have been no other code or Police Department violations at the subject property.

Planning Department Analysis:

Staff has reviewed the request for compliance with the Land Development Code and it appears that the request is consistent with the policies and the general intent of the zoning district.

Although the San Marcos Place Shopping Center is adjacent to the Blanco Gardens Neighborhood, the subject tenant space is substantially buffered from the neighborhood by a southern section of the shopping center. Staff finds the use is consistent with the General Commercial Zoning District and is compatible with adjacent zoning districts and neighborhoods as well as other businesses within the commercial strip center.

In addition to the minimum requirements of section 4.3.4.2 of the LDC, staff has considered the impact of the proposed conditional use on surrounding properties under the section 1.5.7.5 of the LDC. Staff finds that the request does not generate pedestrian or vehicular traffic which is hazardous or conflicts with existing traffic, and no other specific adverse impacts were identified at this time.

In order to monitor new permits for on-premise consumption of alcohol, the Planning Department's standard recommendation is that they be approved initially for a limited time period. Other new conditional use permits have been approved as follows:

- Initial approval for 1 year;
- Renewal for 3 years;
- Final approval for the life of the State TABC license, provided standards are met.

Staff provides this request to the Commission for your consideration and recommends **approval** of the Conditional Use Permit with the following condition:

1. The permit shall be valid for one (1) year, provided standards are met, subject to the point system; and
2. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

Planning Department Recommendation:	
	Approve as submitted
X	Approve with conditions or revisions as noted
	Alternative
	Denial

Commission's Responsibility:

The Commission is required to hold a public hearing and receive comments regarding the proposed Conditional Use Permit. After considering public input, the Commission is charged with making a decision on the Permit. Commission approval is discretionary. The applicant, or any other aggrieved person, may submit a written appeal of the decision to the Planning Department within 10 working days of notification of the Commission's action, and the appeal shall be heard by the City Council.

The Commission's decision is discretionary. Provided the request meets the minimum requirements of Section 4.3.4.2 of the LDC, the Commission shall also evaluate the impact of the proposed conditional use on surrounding properties under Section 1.5.7.5 of the LDC, by considering the extent to which the use:

- is consistent with the policies of the Comprehensive Plan and the general intent of the zoning district;
- is compatible with the character and integrity of adjacent developments and neighborhoods;
- includes improvements to mitigate development-related adverse impacts; and
- does not generate pedestrian or vehicular traffic which is hazardous or conflicts with existing traffic in the neighborhood.

Conditions may be attached to the CUP that the Commission deems necessary to mitigate adverse effects of the proposed use and to carry out the intent of the Code.

Prepared by:

Andrea Villalobos

Planning Technician

April 28, 2015

Name

Title

Date

09/12

CUP-15 - 08

City of San Marcos

CONDITIONAL USE PERMIT APPLICATION
To Allow On-Premise Consumption of Alcoholic Beverages
Outside the Central Business Area

LICENSE INFORMATION

Trade Name of Business: Pizza Hut

Application is filed by:

Individual Partnership Corporation Other: _____

Name of Individual or Entity: Armadillo Beverage Co, Inc Phone Number: 512-396-3696

Mailing Address: 12813 Stonegate Trail, Belton, TX 76513

Email Address: Wayne V @ rest mgmt. com

Type of Permit Requested: Mixed Beverage Beer & Wine Other: _____

PROPERTY

Street Address: 900 Bugg Lane, Suite 118 Current Zoning: Commercial

Legal Description: Lot 1A Block _____ Subdivision Intercom Addition #1

Tax ID Number: R 133250

Property Owner's Name: Robb Lane Ltd. Phone Number: _____

Address: 4200 N. Lamar Blvd, #200, Austin, TX 78756

BUSINESS DETAILS

Primary Business Use: Restaurant Bar Other: _____

Hours of Operation: 11:00 am - 10:00 pm Sunday - Thursday 11:00 am - 11:00 pm Sat - Sun

Type of Entertainment Facilities: None

Indoor Fixed Seats Capacity: 44 Outdoor Fixed Seats: 0

Gross Floor Area Including Outdoor Above-ground Decks: 3,033 Square Feet

Number of Off-Street Parking Spaces Provided: 64

Located more than 300 feet from church, public school, hospital, low density residential? Y N

APPLICATION FOR CITY OF SAN MARCOS CONDITIONAL USE PERMIT-TABC

CUP PERMIT HISTORY *Check all that apply*

- New request, no existing TABC CUP Permit at this location**
- Change to existing TABC Permit. Nature of Change:** _____
- Renewal**
- Change in name of license holder of existing business at same location**
- Change in name of existing business at this location**

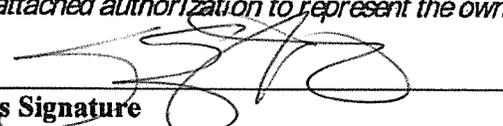
SUBMITTAL REQUIREMENTS

- **Beer and Wine Permit:** \$600 Application fee + \$10.00 Technology Fee (non-refundable)
- **Mixed Beverage Permit:** \$600 Application fee + \$10.00 Technology Fee (non-refundable)
- **Change to Existing Permit/Renewal:** \$300.00 fee + \$10.00 Technology Fee (non-refundable)
- **Site Plan** drawn to scale, preferably on paper no larger than 11" x 17", showing dimensions of property, locations and square footage of building(s), interior layout showing dimensions of tables, bar area, etc., number of off-street paved parking spaces, and fences buffering residential uses.
- **Copy of State TABC License Application**

I certify that this information is complete and accurate. I understand that I or a representative should be present at all meetings regarding this application.

- I am the property owner of record; or*
- I have attached authorization to represent the owner, organization, or business in this application.*

Applicant's Signature



Printed Name: WAYNE VOTKO

Date: 3/26/2015

To be completed by Staff:

Meeting Date: _____ **Application Deadline:** _____

Accepted By: _____ **Date:** _____

09/12



Conditional Use Permit Application Checklist To Allow On-Premise Consumption of Alcoholic Beverages Outside the Central Business Area

Provided by applicant as of date of submittal		By staff as of date of completeness review	
Completed	Required Item	Staff Verification	Staff Comments
<input type="checkbox"/>	A pre-application conference with staff is recommended	<input type="checkbox"/>	
<input type="checkbox"/>	A completed application for Conditional Use Permit and required fees. * (see note below)	<input type="checkbox"/>	
<input type="checkbox"/>	A site plan <i>drawn to scale</i> showing dimensions of property, locations and square footage of building(s), number of off-street paved parking spaces, and fences buffering residential uses. * (see note below)	<input type="checkbox"/>	
<input type="checkbox"/>	Interior layout showing all proposed seating; kitchen and bar areas; and restroom facilities	<input type="checkbox"/>	
<input type="checkbox"/>	All information and illustrations necessary to show the nature of the proposed use and its effect on surrounding properties	<input type="checkbox"/>	
<input type="checkbox"/>	Authorization to represent the property owner, if applicant is not the owner	<input type="checkbox"/>	
Any of the following pieces of information as requested by the Director of Development Services : *(see note below)			
<input type="checkbox"/>	Landscaping and/or fencing of yards and setback areas and proposed changes	<input type="checkbox"/>	
<input type="checkbox"/>	Design of ingress and egress	<input type="checkbox"/>	
<input type="checkbox"/>	Off-street loading facilities	<input type="checkbox"/>	
<input type="checkbox"/>	Height of all structures	<input type="checkbox"/>	
<input type="checkbox"/>	Proposed uses	<input type="checkbox"/>	
<input type="checkbox"/>	The location and types of all signs	<input type="checkbox"/>	
<input type="checkbox"/>	Copy of State TABC License application	<input type="checkbox"/>	
<input type="checkbox"/>	Impervious cover or drainage issues or impacts	<input type="checkbox"/>	
<input type="checkbox"/>	Menu	<input type="checkbox"/>	

* For renewals, staff may accept a written statement that no changes have been made to these items if copies are available on file.

I hereby certify and attest that the application is complete and all information above is complete and hereby submitted for review.

Signed: _____ Date: _____

Print Name:

Engineer Surveyor Architect/Planner Owner Agent: _____

Villalobos, Andrea

From: Marzano Tom <TomM@restmgt.com>
Sent: Tuesday, April 28, 2015 6:33 PM
To: Villalobos, Andrea
Subject: RE: Pizza Hut CUP-15-08

The hours of operation are Sunday – Thursday 11am – 10pm, Friday and Saturday 11am – 11pm.

Tom Marzano
Area Manager for Pizza Hut
512-351-1505

From: Tanya Garrison [mailto:tgarrison@cencorrealty.com]
Sent: Friday, April 24, 2015 3:47 PM
To: Villalobos, Andrea
Subject: FW: San Marcos Pizza Hut CUP-15-08

Good afternoon Andrea,

Cencor Realty Services is the owner's representative for the San Marcos Place Shopping Center and Robb Lane, Ltd. We are excited to welcome Pizza Hut into our center. The landlord hereby gives authorization for Wayne Voytko and Tom Marzano to submit and apply for the Conditional Use Permit from the City of San Marcos.

Thank you for your assistance. Please let me know if you have any questions.

Tanya Garrison
Senior Property Manager

CENCOR REALTY SERVICES

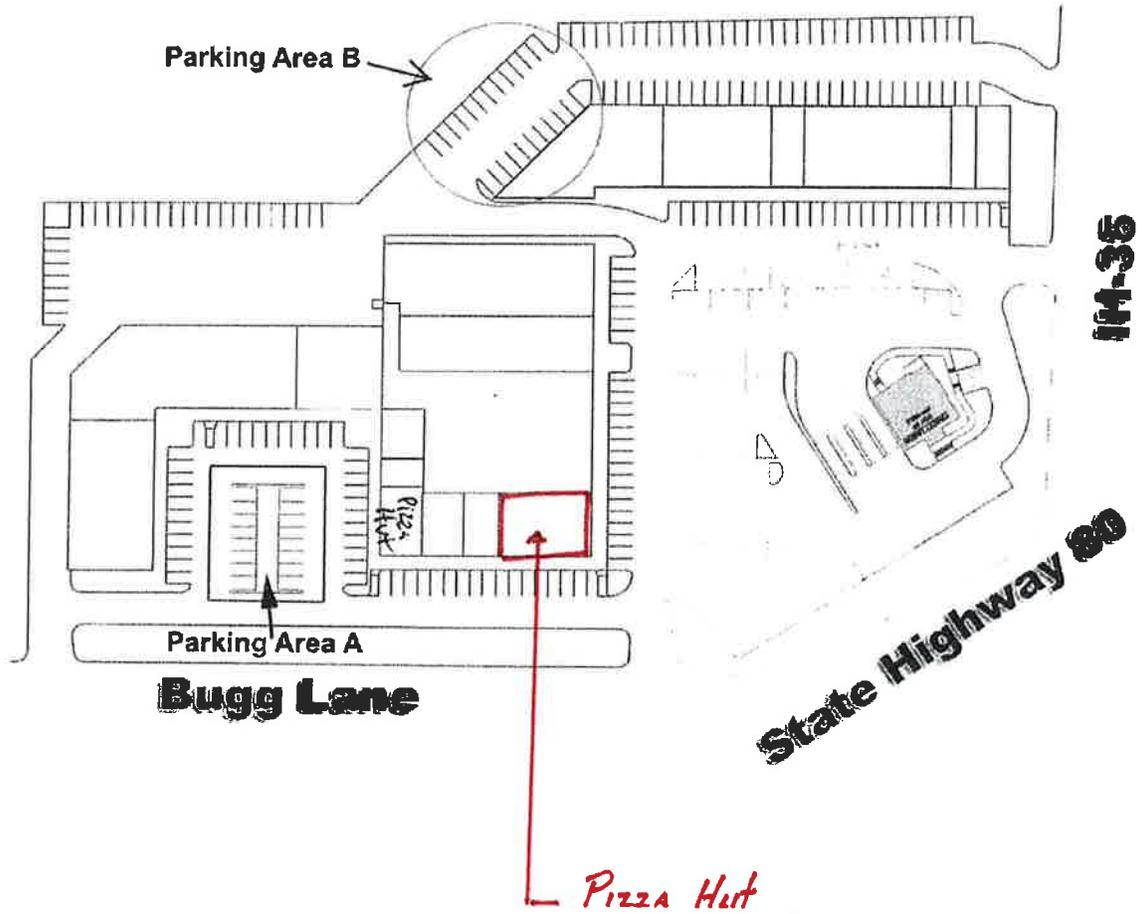
4200 North Lamar Blvd | Suite 200 | Austin, TX 78756
O 512.482.8383 | F 512.482.9021

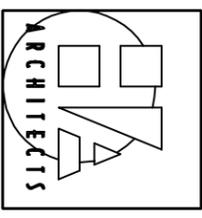
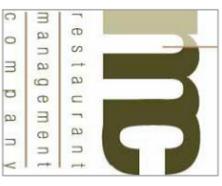


Exhibit "B"
Site Plan

San Marcos Place
San Marcos, Texas

Employee Parking





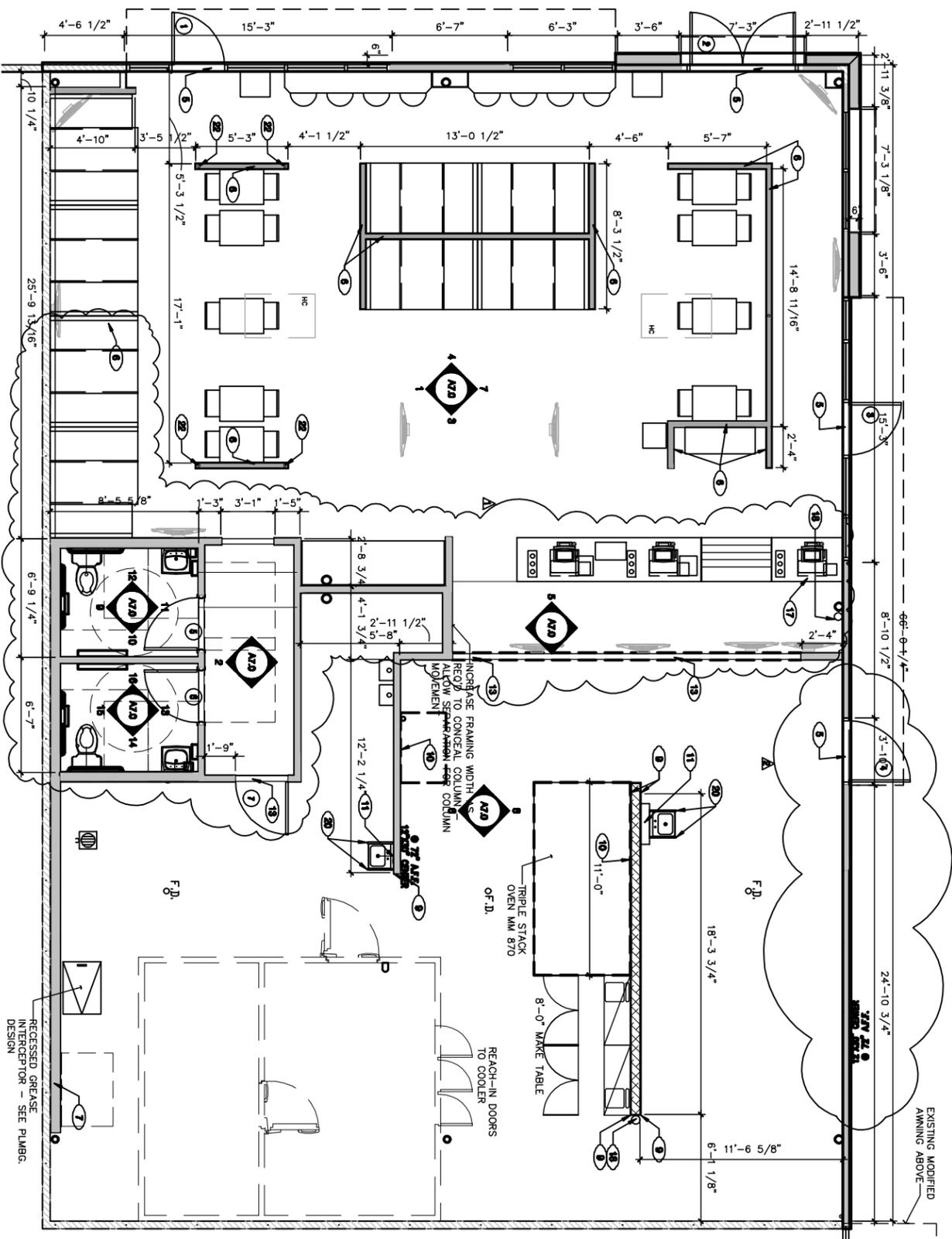
HUNNEY & ASSOCIATES, ARCHITECTS
 1726 South Hilde, Wichita, Kansas, 67211
 Phone (316) 862-4265
 Fax (316) 862-1441

PERMIT SET 11-6-14	
COUNTER RECORDS 11-29-14	
OWNER CHANGE 12-28-14	
CONTRACT TYPE	XXXDOCK
PLANNING	Part (a)
ESTIMATING	XXXXXXX
CONSTRUCTION	XXXXXX

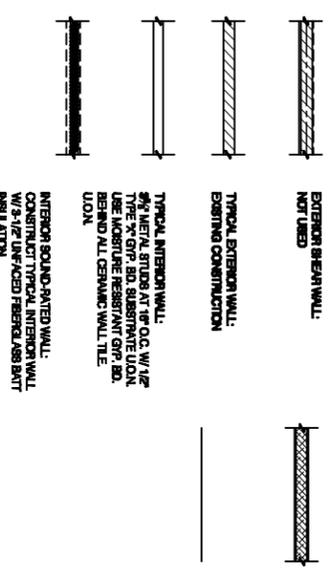


PIZZA HUT
 San Marcos TX

FLOOR PLAN
A1.0



FLOOR PLAN 1st-4th



EXTERIOR BREAK WALL:
NOT USED

EXTERIOR WALL:
EXISTING CONSTRUCTION

TYPICAL INTERIOR WALL:
5/8" METAL STUDS AT 16" O.C. W/ 1/2" TYPE-X GYPSUM BOARD SUBSTRATE ON EACH SIDE. FINISH: 5/8" GYPSUM BOARD BEHIND ALL CERAMIC WALL TILE U.O.N.

INTERIOR SOUND-RATED WALL:
CONSTRUCT TYPICAL INTERIOR WALL W/ 5/8" UNFACED FIBERGLASS BATT INSULATION.

HOODWALL: MET. STUDS W/ STAINLESS STL. PANES OVER 1/2" CEEMENT BOARD. SEE SCOPE OF WORK. PANES TO COVER ENTIRE WALL FROM 18" ABOVE TOP OF HOOD DOWN TO TOP OF BASE TILE. AND EXTEND PAST ENDS OF HOOD AS NOTED BY LOCAL JURISDICTION. MIN. 18" NO EXPOSED STRUCTURAL MEMBERS.

GENERAL NOTES:
ALL WALLS IN THE KITCHEN AREA WHERE WALL MOUNTED EQUIPMENT OR FIXTURES ARE SHOWN MUST HAVE 5/8" COX PLYWOOD FROM CEILING DOWN TO 12" A.F.F. AND 5/8" CEEMENT BD. DOWN TO FLOOR. IF IN THE O.C. RESPONSIBLE TO THE GENERAL CONTRACTOR TO DETERMINE IF FIRE RESISTIVE RATED SUBSTRATE AND BLOCKING MUST BE USED.

WALL LEGEND

FLOOR PLAN NOTES

KEY NOTES

- DIMENSIONS:**
 A. ALL DIMENSIONS ARE TO FACE OF STRUCTURAL MEMBER UNLESS OTHERWISE NOTED.
 B. DIMENSIONS TO FACE OF WALL OR CEILING UNLESS OTHERWISE NOTED.
 C. ALL DIMENSIONS TO FACE OF WALL OR CEILING UNLESS OTHERWISE NOTED.
 D. ALL DIMENSIONS TO FACE OF WALL OR CEILING UNLESS OTHERWISE NOTED.
- WINDOW DOORS:**
 A. ALL WINDOW DOORS TO BE 1/2" MIN. CLEARANCE ABOVE AND BELOW FRAME.
 B. ALL WINDOW DOORS TO BE 1/2" MIN. CLEARANCE TO THE SIDES.
 C. ALL WINDOW DOORS TO BE 1/2" MIN. CLEARANCE TO THE SIDES.
 D. ALL WINDOW DOORS TO BE 1/2" MIN. CLEARANCE TO THE SIDES.
- FLOOR FINISH:**
 A. ALL FLOOR FINISH TO BE AS NOTED ON DRAWING.
 B. ALL FLOOR FINISH TO BE AS NOTED ON DRAWING.
 C. ALL FLOOR FINISH TO BE AS NOTED ON DRAWING.
 D. ALL FLOOR FINISH TO BE AS NOTED ON DRAWING.
- GENERAL:**
 A. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 B. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 C. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
 D. ALL WORK TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
- REMOVABLE MULLION AT ENTRY DOOR.
 - FIRE ROLLUP. COORDINATE W/ CHL.
 - GALV. MET. DOWNPOUTS. SEE EXT. ELEV. SH. A.1.
 - ELECTRICAL MAIN SWITCH BOARD. REFER TO ELEC. DWGS.
 - METAL THRESHOLD. REFER TO DOOR SCHEDULE ON MAIL.
 - LOW WALL. SEE DETAIL 7/10A.
 - ELECT. PANELS IN WALL. REFER TO ELEC. DWGS.
 - ALUMINUM COLUMN IN CEILING. SEAL AS REQUIRED.
 - 3/4" CORNER GUARD WALL. CAP TOP. ALL CORNERS IN BACK-KITCHEN AREA FROM REAR WALL TO THE FRONT END OF THE SERVICE COUNTER. SEE DETAIL 7/10A.
 - 4" FLYWOOD BLOCKING BEHIND WALL MOUNTED HAND SINKS.
 - MILKWORK PROVIDED BY PI.
 - LINE OF FLOOR FINISH CHANGE. SEE DETAIL 4/10A.
 - FACTORY FLOOR FINISH (GALV. STU) W/ INTERPOL CONE BASE.
 - STAINLESS STEEL BASE SUPPLIED BY WALLPAPER.
 - PHONE FLOOR TILE INSIDE WALK-IN COOLER AND DRY STORAGE SECTION.
 - FORCE MAIN THE PLATFORM AT GIVE LOCATION. SEE DETAIL 11/10A.
 - FIRE EXTINGUISHER (PER LOCAL CODE) TO BE RUNNERED AND INSTALLED AT CORNER 24" HIGHER IN PUBLIC SPACES AND AT THE "X" IN THE KITCHEN AREA.
 - CONCRETE FILL BOX LOCATION.
 - FLASH GUARD. RE: 18/10A.
 - INSTANTANEOUS WATER HEATERS MOUNTED ABOVE CEILING.
 - SEE PLUMBING SHEETS.
 - STEEL PIPE FOR LOW WALL SUPPORT. SEE DETAIL 7/10A.
 - INSTALL CARPET OVER EXISTING CONCRETE THROUGHOUT DINING AREA.



Legislation Text

File #: PC-15-04_04, **Version:** 1

AGENDA CAPTION:

PC-15-04_04 (Sac-N-Pac Replat) Hold a public hearing and consider a request by ETR Development Consulting, LLC, on behalf of Sac-N-Pac Stores, Inc., for approval of a replat of Lot 3 of the Sac-N-Pac Centerpoint Subdivision establishing Lots 3A, 3B, and 3C located on South Interstate 35 approximately 580 feet north of Centerpoint Road.

Meeting date: May 12, 2015

Department: Planning and Development Services

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

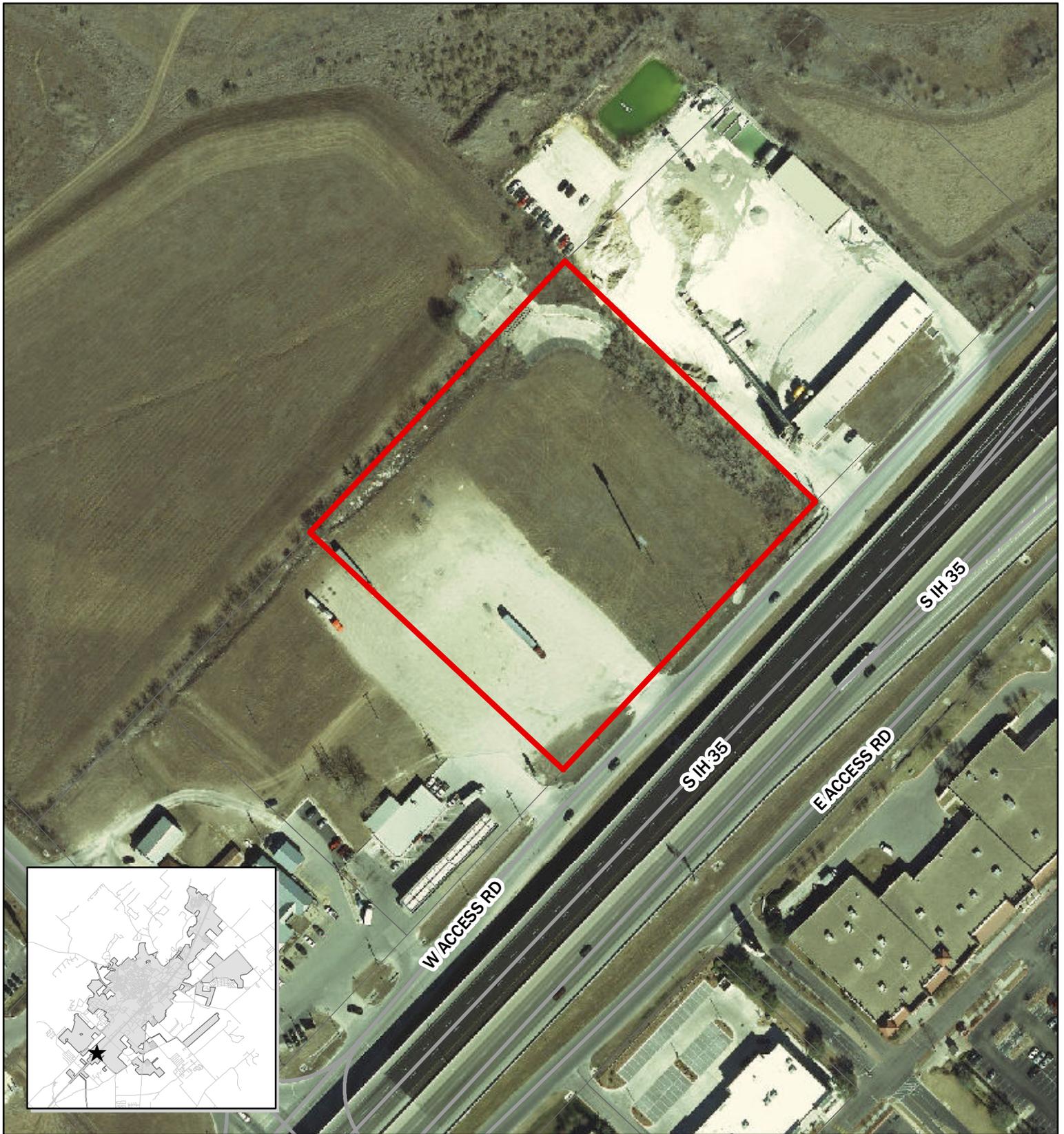
Account Name: N/A

CITY COUNCIL GOAL: Community Wellness/ Strengthen the Middle Class

BACKGROUND:

The proposed replat creates three Lots from property that was originally platted in 2014. The property has frontage along Interstate 35 and Lot 3A has a joint access agreement with the property to the south. The proposed use for the properties is commercial. While the majority of the property is zoned General Commercial, a portion along the 100 year floodplain is zoned Future Development. A six-foot sidewalk is proposed to be constructed along Interstate 35.

Staff has reviewed the request and finds the proposed replat meets all criteria of Section 1.6.8.2 of the LDC and recommends **approval**.

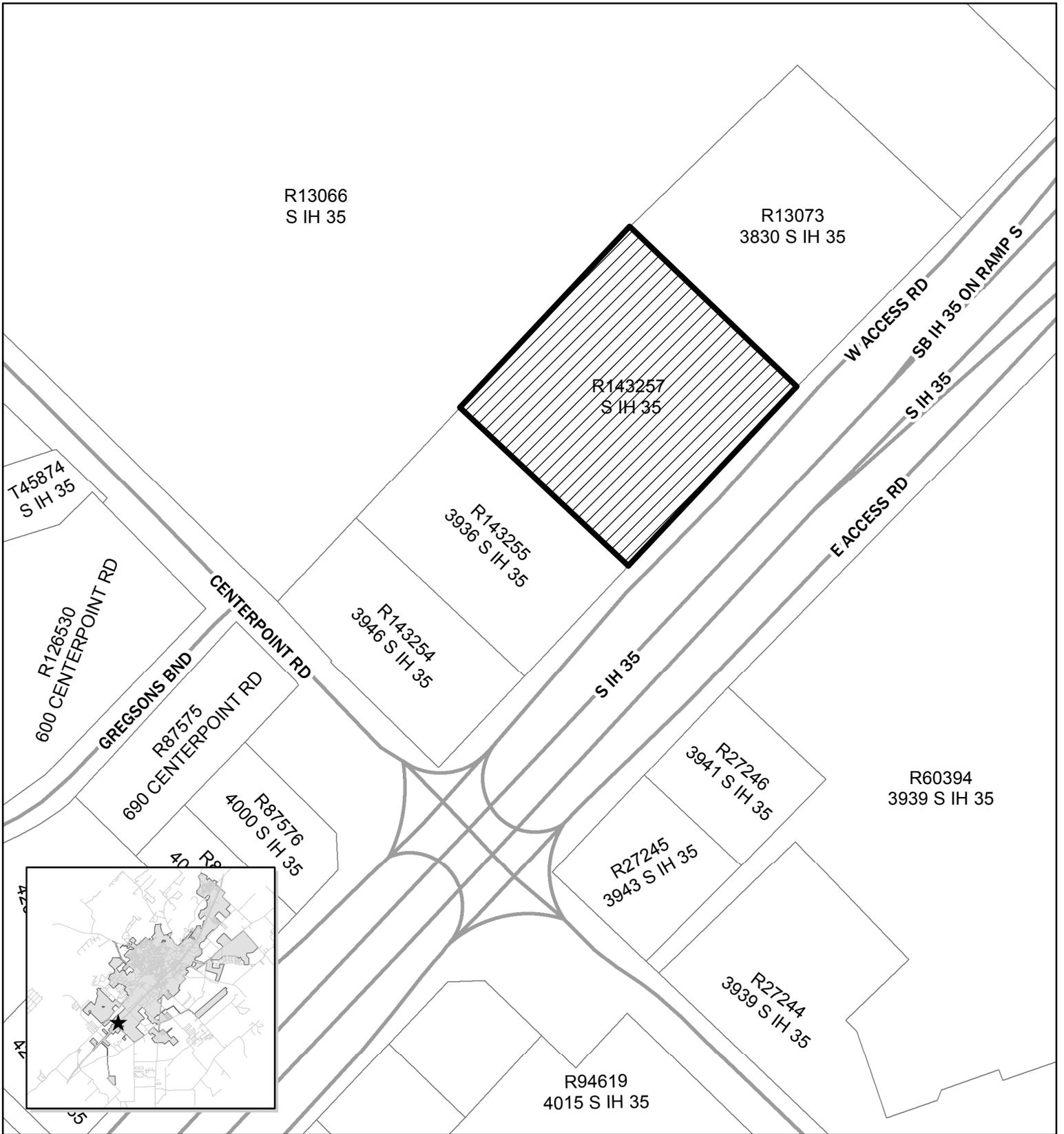


PC-15-04_04
Resubdivision of Lot 3 Sac-N_Pac
Centerpoint Subdivision
Map Date: 4/28/2015

 Site Location

0 115 230 460 Feet N 

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



PC-15-04_04
Resubdivision of Lot 3 Sac-N-Pac
Centerpoint Subdivision
Replat
Map Date: 4/2/2015

 Site Location



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

PC-15-04_04 Replat, Sac-N-Pac Centerpoint Subdivision



Applicant Information:

Agent: ETR Development Consulting, L.L.C.
5395 Highway 183
Lockhart, TX 78644

Property Owner: Sac-N-Pac Stores, Inc.
1405 United Dr. Suite 115
San Marcos, TX 78666

Notification: Notice published in the March 29, 2015 San Marcos
Daily Record

**Type & Name of
Subdivision:** Replat, Sac-N-Pac Centerpoint

Subject Property:

Summary: The subject property is approximately 4.732 acres and is a replat of Lot 3 Sac-N-Pac Centerpoint Subdivison. The replat establishes Lots 3A, 3B, and 3C.

Zoning: General Commercial & Future Development

Traffic/ Transportation: The property is located on Interstate 35 north of Centerpoint Road. No right-of-way dedication is required as Interstate 35 is currently 300 feet in width. A six-foot sidewalk will be required to be constructed by the developer at the time of site development.

Utility Capacity: Water and wastewater is provided by the City of San Marcos and electric service is provided by Bluebonnet Electric.

Planning Department Analysis:

The replat creates three lots from property that was originally platted in 2014. The property has frontage along Interstate 35 and Lot 3A has a joint access agreement with the property to the south. The proposed use for the properties is commercial. While the majority of the property is zoned General Commercial, a portion along the 100 year floodplain is zoned Future Development. A six-foot sidewalk is proposed to be constructed along Interstate 35.

Staff has reviewed the request and finds the proposed replat meets all criteria of Section 1.6.8.2 of the LDC and recommends **approval**.

Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Statutory Denial

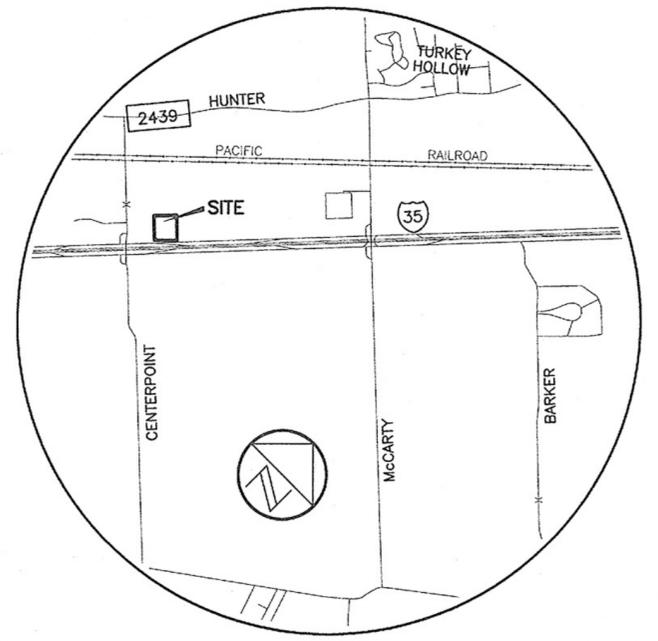
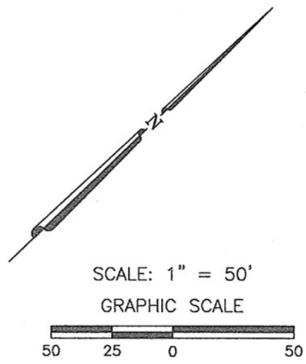
The Commission's Responsibility:

The Commission is charged with making the final decision regarding this proposed Replat. The City Charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission’s decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove if the plat does not meet the criteria set in the approval section of the Land Development Code, or statutorily deny (an action that keeps the application “in process”) the plat.

Prepared By:

Tory Carpenter, CNU-A	Planner	April 28, 2015
Name	Title	Date

RESUBDIVISION OF LOT 3 SAC-N-PAC CENTERPOINT SUBDIVISION



LOCATION MAP
NOT TO SCALE

THIS IS A SURFACE DRAWING.

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), SOUTH CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAPARRAL CONTROL POINT "CNT1".

4" ALUMINUM DISK SET IN CONCRETE

SURFACE COORDINATES:
N 13852908.92
E 2291439.64

TEXAS STATE PLANE COORDINATES:
N 13851108.28
E 2291141.79

ELEVATION = 652.30'
VERTICAL DATUM: NAVD 88 (GEOID 99)

COMBINED SCALE FACTOR = 0.999870
(FOR SURFACE TO GRID CONVERSION)

INVERSE SCALE FACTOR = 1.000130
(FOR GRID TO SURFACE CONVERSION)

SCALED ABOUT 0,0

LEGEND			
●	1/2" REBAR FOUND (OR AS NOTED)	J.A.E.	JOINT ACCESS EASEMENT
● ^{CH}	1/2" REBAR WITH "CHAPARRAL" CAP FOUND	W.E.	WATER EASEMENT
○	1/2" REBAR WITH "CHAPARRAL" CAP SET	P.U.E.	PUBLIC UTILITY EASEMENT
⊙	IRON PIPE FOUND (SIZE NOTED)	E.E.	ELECTRIC EASEMENT
⊗	TxDOT TYPE II DISK FOUND	S.W.E.	SIDEWALK EASEMENT
⊠	X IN CONC. FOUND	W.W.E.	WASTEWATER EASEMENT
△	MAG NAIL WITH "CHAPARRAL" WASHER SET	W.L.E.	WATER LINE EASEMENT
⊕	CONTROL POINT/BENCHMARK LOCATION	D.E.	DRAINAGE EASEMENT
P.O.B.	POINT OF BEGINNING	P.A.E.	PUBLIC ACCESS EASEMENT
		()	RECORD INFORMATION

SAC-N-PAC STORES, INC.
63.119 ACRES
(1905/610)

100 YEAR
FLOODPLAIN

EDWARD BURLESON SURVEY NO 18
ABSTRACT NO. 63

RESUBDIVISION OF LOT 3,
SAC-N-PAC CENTERPOINT SUBDIVISION
CITY OF SAN MARCOS, TEXAS

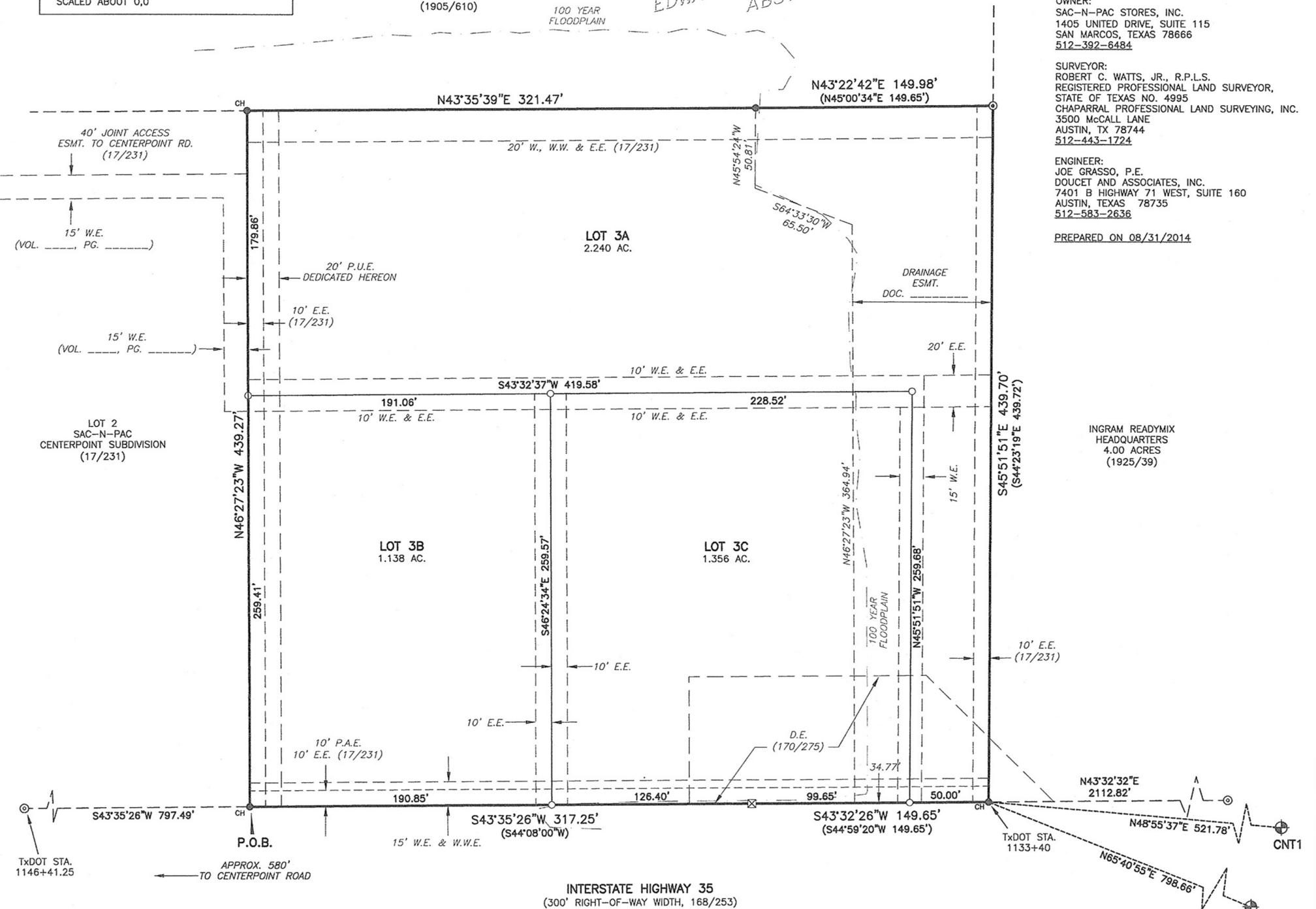
OWNER:
SAC-N-PAC STORES, INC.
1405 UNITED DRIVE, SUITE 115
SAN MARCOS, TEXAS 78666
512-392-6484

SURVEYOR:
ROBERT C. WATTS, JR., R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR,
STATE OF TEXAS NO. 4995
CHAPARRAL PROFESSIONAL LAND SURVEYING, INC.
3500 McCALL LANE
AUSTIN, TX 78744
512-443-1724

ENGINEER:
JOE GRASSO, P.E.
DOUCET AND ASSOCIATES, INC.
7401 B HIGHWAY 71 WEST, SUITE 160
AUSTIN, TEXAS 78735
512-583-2636

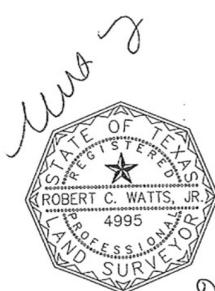
PREPARED ON 08/31/2014

INGRAM READYMIK
HEADQUARTERS
4.00 ACRES
(1925/39)



20' WASTEWATER EASEMENT DESCRIBED IN
VOLUME 4835, PAGE 348, AND SHOWN ON THE PREVIOUS PLAT, VOLUME 17, PAGE 231,
HAS BEEN VACATED IN VOLUME _____ PAGE _____.

DRAINAGE EASEMENT DESCRIBED IN
VOLUME 1012, PAGE 660, AND SHOWN ON THE PREVIOUS PLAT, VOLUME 17, PAGE 231,
HAS BEEN VACATED IN VOLUME _____ PAGE _____.



Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3500 McCall Lane
Austin, Texas 78744
512-443-1724

PROJECT NO.:	419-004
DRAWING NO.:	419-004-PL2
PLOT DATE:	04/09/2015
PLOT SCALE:	1"=50'
DRAWN BY:	RCW
SHEET	01 OF 02

PC-15-04 (04)

City of San Marcos
SUBDIVISION PLAT APPLICATION

	APPLICANT	PROPERTY OWNER
Name	ETR Development Con, LLC	Sac-N-Pac Stores, INC
Mailing Address	5395 Hwy. 183 N. Lockhart, Texas 78644	1405 United Dr. Suite 115 San Marcos, Tx 78666
Daytime Phone	(512) 618-2865	(512) 392-6484
Email Address	ed@etrdevcon.com	kevinb@sacnpac.com

AGENT ACKNOWLEDGEMENT STATEMENT:

I _____ acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize _____ to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner: see Attached

Printed Name: _____ Date: _____

Signature of Agent: _____

Printed Name: _____ Date: _____

Subdivision Plats <input type="checkbox"/> Subdivision Concept Plat <input type="checkbox"/> Preliminary Subdivision Plat <input checked="" type="checkbox"/> Final Subdivision Plat <input type="checkbox"/> Variance <input type="checkbox"/> Plat Vacation	Development Plats <input type="checkbox"/> Preliminary Development Plat <input type="checkbox"/> Final Development Plat Section _____ Accompanying _____
Minor Subdivision Plats (for Administrative Approval) <input type="checkbox"/> Minor Subdivision Plat	
Revisions to Recorded Plats (for Administrative Approval) <input type="checkbox"/> Amending Plat <input type="checkbox"/> Replat without Vacation	

SUBJECT PROPERTY

Subdivision Name: Resubdivision of Lot 3, Sac-n-Pac Centerpoint Subdivision

Address or General Location: near intersection of IH-35 south 1/2 Centerpoint Rd.

Proposed Number of Lots: 3 Acres: 4.732

Appraisal District Tax ID: R13067, R13087

Located in City Limits ETJ* - Please circle county. *Caldwell Comal Guadalupe Hays*
 S.M. River Corridor Planned Development District

Proposed Use of Land Commercial

*Subdivision plat applications for land in the ETJ may be subject to additional requirements and review as defined by the Interlocal Agreement for the respective county.

SUBDIVISION IMPROVEMENT AGREEMENT

Whenever public improvements to serve the development are deferred until after Final Subdivision Plat or Final Development Plat approval, the property owner shall enter into a Subdivision Improvement Agreement by which the owner covenants to complete all required public improvements no later than two years following the date upon which the Final Subdivision Plat or Final Development Plat is approved.

I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat.

I wish to defer installation of public improvements and will complete a Subdivision Improvement Agreement with the City.

Signature: _____

Printed Name: _____ Date: _____

ELECTRIC UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of *Electric Service Provider* _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Electric Company Official _____

Title _____ Date _____

GAS UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of *Gas Service Provider* CenterPoint Energy _____

Applicable Utility Service Code(s) C _____

Comments/Conditions Currently, there are no gas lines in this area. _____

Signature of Gas Company Official Wendy Jenschke _____

Title Operations Supervisor _____ Date 02/12/2015 _____

Soc. N. Pac

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider City of San Marcos

Applicable Utility Service Code(s) A

Comments/Conditions _____

Signature of Water Utility Official: Tony Soliman

Title: Water Dept Manager Date: 2-12-15

Name of Wastewater Service Provider _____

Applicable Utility Service Code(s) _____

OR, the use of either 1) _____ a private wastewater treatment system, or 2) _____ septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments/Conditions _____

Signature of City or County Wastewater Official: _____

Title: _____ Date _____

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Telephone Company Official _____

Title: _____ Date _____

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

Development Services-Planning • 630 E. Hopkins • San Marcos, Texas 78666 • 512-393-8230 • FAX 855-759-2843

Replat of Lot 3 Sac N Pac Centerpoint Subdivision

WATER AND WASTEWATER UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Water Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Water Utility Official: _____

Title: _____ Date: _____

Name of Wastewater Service Provider City of San Marcos

Applicable Utility Service Code(s) A

OR, the use of either 1) _____ a private wastewater treatment system, or 2) _____ septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments/Conditions Additional service tap(s) required

Signature of City or County Wastewater Official: [Signature]

Title: Wastewater Collections Mgr Date 2-17-15

TELEPHONE UTILITY SERVICE ACKNOWLEDGEMENT:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations:

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Telephone Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Telephone Company Official _____

Title: _____ Date _____

SUBMITTAL REQUIREMENTS FOR ALL PLATS:

- Complete application
- Required fees \$ _____ (see next page for Fee Schedule)
- All legislative requirements complete
- Proof of record ownership (recorded deed corresponds to ownership indicated on tax certificate)
- Current tax certificate (must show prior year taxes paid by January 31st of current year)
- Names and addresses of property lien-holders
- One digital copy of submittal materials including CAD file
- Five 18"x24" hard copies of plat document*

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

Signature of Applicant: Ed Theriot

Printed Name: Ed Theriot

Date: 2/19/15

*Plats in the ETJ may require additional hard copies.

ADDITIONAL REQUIREMENTS:

Subdivision Concept Plats:

- Watershed Protection Plan (Phase 1)
- Residential compatibility site plan (where applicable)
- Cluster development plan (where applicable)

Preliminary Subdivision Plats or Preliminary Development Plats

- Approved Watershed Protection Plan Phase I (can be submitted concurrently)
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Final Subdivision or Final Development Plats:

- Preliminary Plat (where applicable)
- Approved Watershed Protection Plan Phase II and approved Public Improvement Construction Plan by the Director of Engineering (can be submitted concurrently).
- Subdivision Improvement Agreement and surety if public facility construction was deferred.
- Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential) .
Traffic Impact Analysis Worksheet (if commercial development or 100+ unit residential)

Minor Subdivision Plats:

Minor subdivisions must meet the following qualifications:

- Proposed subdivision results in 4 or fewer lots
- All lots front onto an existing public street and construction or extension of a street or alley is not required or is considered a minor extension by Director of Engineering.
- Extension of municipal facilities is not required or the installation of utilities is considered a minor extension by the Director of Engineering.
- Approved WPP Phase II is required if land is located within the Edwards Aquifer Recharge Zone, within a designated stream or river corridor, or if the land contains floodplain, floodway or a waterway as defined by the LDC.

Amending Plats and Replats:

- Detailed description of the purposes and circumstances that warrant change of the recorded plat identifying all lots, easements or improvements affected by the proposed change.

Fee Schedule

For Plats Located Inside/Outside of the City Limits	
Subdivision Minor Plat / Amending Plat	\$400 plus \$100 per acre (max \$1000) + \$10.00 Technology Fee
Concept Plan	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Preliminary Plat	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Final Plat	\$1000 plus \$100 acre (max \$2500) + \$10.00 Technology Fee
Replat, not administrative	\$750 plus \$50 acre (max \$2000) + \$10.00 Technology Fee
Vacation of Previously Recorded Plat	\$150 + \$10.00 Technology Fee
Subdivision Variance Request	\$600 + \$10.00 Technology Fee
Cluster Development Plan	\$25 per acre (\$100 min / \$1500 max) + \$10.00 Technology Fee

STAFF USE ONLY:

Submittal Date: _____ **5 Business Days from Submittal:** _____

Completeness Review By: _____ **Date:** _____

Contact Date for Supplemental Info: _____

Supplemental Info Received (required within 5 days of contact): _____

Application Returned to Applicant: _____

Application Accepted for Review: _____ **Fee:** _____

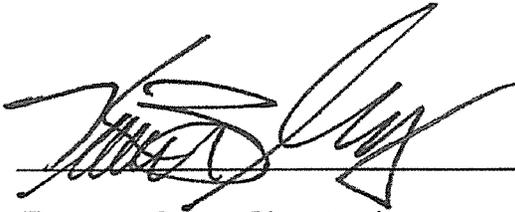
Comments Due to Applicant _____

Date for Plat Resubmittals _____

Date of Planning and Zoning Commission Meeting: _____

To Whom It May Concern:

I, KEVIN BAUMLEY, authorize Ed Theriot and Thomas Rhodes of ETR Development Consulting, LLC, to serve as my agents and to submit development applications related to development on my property, located in San Marcos, Texas.

A handwritten signature in black ink, appearing to read 'Kevin Baumley', written over a horizontal line.

(Property Owner Signature)

8/29/2014

Date



Legislation Text

File #: LDC-15-01, **Version:** 1

AGENDA CAPTION:

LDC-15-01 Hold a public hearing and consider revisions to Subpart C of the City's Code of Ordinances (SMARTCODE) updating Articles 1 and 5 to revise allowable heights within SmartCode Districts.

Meeting date: May 12, 2015

Department: Planning and Development Services

Funds Required:

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL: Community Wellness/ Strengthen the Middle Class

BACKGROUND:

On March 30, 2015, City Council held a workshop to discuss the Height Warrant process within the Downtown SmartCode District. Staff received direction to review the SmartCode Height Warrant process and bring back language that would reduce the total allowable height that an applicant could request to a maximum of 7 stories. In addition, Staff is recommending that two other height related issues be addressed. First, a clerical issue in which table 1.2 provides an erroneous "not applicable" for building height in T3. Secondly, Staff recommends that building height in the T4-Downtown District be reduced to 3 stories from 5, to match the T4-New Development District height requirements.



MEMO

TO: PLANNING AND ZONING COMMISSION
FROM: WILL PARRISH, PLANNING TECHNICIAN
DATE: APRIL 27, 2015
RE: AMENDMENT TO SMARTCODE HEIGHT ALLOWANCES WITHIN THE SMARTCODE DISTRICTS

Background

The question of appropriate height was a topic of discussion during the drafting of the SmartCode, and the current Code is the result of a compromise to allow five stories by right with the possibility of additional height through a public process. The height provision was reexamined during the creation of the Architectural Standards in the year following the adoption of the SmartCode. The base standards were not changed, but the Design Guidelines were adopted to assist in the review of requests for warrants. Then in 2014, after several cases which involved applicants requesting and receiving Warrants which allowed them to construct buildings 9 stories or taller, the process was amended to require City Council approval in order to receive a Warrant for height greater than 5 stories.

After a staff presentation at the March 30, 2015, City Council workshop, Council directed staff to initiate a code amendment that will require any requests for height beyond five stories to be limited to 7 stories. In addition, staff was also directed to research and bring forward recommendations on a density bonus program for Downtown. The code revisions limiting height Warrant requests to 7 stories are attached. Staff will continue to work on the density bonus program, which will be placed on a future agenda.

Additionally, staff has identified a conflict in the Code that allows T4 Downtown districts to build by right to 5 stories in height, which is the same height that T5 districts are allowed to build by right. In order to improve compatibility, staff recommends that the T4 Downtown districts have the same height restrictions as T4 New Development districts, which is 3 stories by right.

Staff also recommends that a clerical error in Table 1.2 be corrected where it states that a principal building height in T3 is "not applicable", as elsewhere in the code it is limited to 2 stories.

Current Code

A Warrant is a ruling that permits a practice that is not consistent with a specific provision of the Code but is justified by the provisions of Section 1.3 Intent. Most Warrants are approved by the Planning and Zoning Commission (P&Z). A warrant subject to P&Z review shall require a public hearing and personal notice of the public hearing be sent to property owners within 200 feet of the subject property. Personal notice shall be sent by regular mail before the tenth day before the hearing date. If approved by P&Z, the applicant proceeds to site and building permit applications. Warrants for height greater than 5 stories are approved by City Council. Currently, the Code authorizes Warrants for height over five stories with no height limit, and the Design Guidelines provide additional guidance for reviewing additional height.

Proposed Revisions

- **1.5 Warrants and Variances** - *This section outlines the warrant process. The following language is proposed:*

The Planning and Zoning Commission (P&Z) shall have the authority to approve or disapprove a request for a Warrant pursuant to regulations established with the exception of requests for additional height. The City Council shall hold a public hearing and finally decide all Warrant requests for height between 5 and 7 stories after review and a recommendation has been made by the P&Z. A warrant subject to P&Z review shall require a public hearing and personal notice of the public hearing be sent to property owners within

200 feet of the subject property. Personal notice shall be sent by regular mail before the tenth day before the hearing date.

- **Table 5.2 Building Configuration** - *This table illustrates the height requirements for each transect. Change graphic T4 graphic to represent 3 stories rather than 5. Revise reference to Section 1.5 to reflect updated language.*
- **Table 5.9 Form Based Code Graphics: Downtown – T4 (K)** – *Revise principal building height to 3 stories. Revise reference language.*
- **Other Minor Revisions for Consistency**

Table 1.2(k) – Change Principal Building Height in the T3 district from “not applicable” to “2 stories”.

Change Principal Building Height in T4 district from “5 Stories” to “3 stories”.

Revise reference language to be consistent with Section 1.5

Table 1.3(k) – Revise reference language to be consistent with Section 1.5

Table 5.10 – Revise reference language to be consistent with Section 1.5

Table 5.13 – Revise reference language to be consistent with Section 1.5

SAN MARCOS TX

SMARTCODE



T1



T2



T3



T4



T5

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ARTICLE 1. GENERAL TO ALL PLANS

1.1. AUTHORITY

- 1.1.1. The adoption of this Code is authorized under Chapters 211 and 212 of the Texas Local Government Code.
- 1.1.2. This Code was adopted as one of the instruments of implementation of the public purposes and objectives of the City's Comprehensive Plan. This Code is declared to be in accord with the City's Downtown Master Plan and Comprehensive Plan.
- 1.1.3. This Code was adopted to promote the health, safety and general welfare of the City and its citizens, including protection of the environment, conservation of land, energy and natural resources, reduction in vehicular traffic congestion, more efficient use of public funds, health benefits of a pedestrian environment, historic preservation, education and recreation, reduction in sprawl development, and improvement of the built environment.
- 1.1.4. Amendments to this Code shall be in accordance with the procedures for amendments to the City's Land Development Code ("LDC").

1.2. APPLICABILITY

- 1.2.1. As applied to the interpretation of this Code, the word "shall" is mandatory, the word "should" is recommended; and the word "may" is permissive.
- 1.2.2. Except as otherwise indicated in this Code the provisions of this Code, when in conflict, shall take precedence over and supersede those of the LDC and other City codes, ordinances, regulations and standards. The provisions of the LDC and such other City codes, ordinances, regulations, and standards shall otherwise continue to be applicable to issues not covered by this Code.
- 1.2.3. The following City codes, ordinances, regulations, and standards shall continue to apply to development of land in the City: those mandated by state or federal law; environmental health and safety ordinances and regulations, including the Edwards Aquifer Authority regulations, water quality regulations, building codes under chapter 14 and fire codes under chapter 38 of the City Code; the requirements of any Historic Overlay District under Chapter 4 of the LDC; ordinances and regulations governing the sale or consumption of alcoholic beverages and ordinances and regulations governing the location and operation of adult-oriented business.
- 1.2.4. The existing City of San Marcos, Code of Ordinances shall continue to be applicable to issues not covered by this Code.
- 1.2.5. Capitalized terms used throughout this Code may be defined in Article 8 Definitions of Terms. Article 8 contains regulatory language that is integral to this Code. Those terms not defined in Article 8 shall be accorded their commonly accepted meanings. In the event of conflicts between the definitions in this Code and those of the LDC or other ordinances of the City, those of this Code shall take precedence.
- 1.2.6. The metrics of the Tables are an integral part of this Code. However, the diagrams and illustrations that accompany them should be considered guidelines, with the exception of those on Tables 5.8 through 5.13 Form-Based Code Graphics, which are also legally binding.
- 1.2.7. Where in conflict, numerical metrics shall take precedence over graphic metrics.

1.3. INTENT

- 1.3.1. The intent and purpose of this Code is to enable, encourage and qualify the implementation of the following policies:
- 1.3.2. **THE REGION**
 - a. That the region should retain its natural infrastructure and visual character

derived from topography, woodlands, farmlands, riparian corridors and the river.

- b. That growth strategies should encourage Infill and redevelopment in parity with New Communities.
- c. That development contiguous to urban areas should be integrated with the existing urban pattern.
- d. That development non-contiguous to urban areas should be organized in the pattern of Clustered Land Development ("CLD") or Traditional Neighborhood Design ("TND").
- e. That Affordable Housing should be distributed throughout the region to match job opportunities and to avoid concentrations of poverty.
- f. That transportation Corridors should be planned and reserved in coordination with land use.
- g. That green corridors should be used to define and connect the urbanized areas.
- h. That the region should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.

1.3.3. THE COMMUNITY

- a. That neighborhoods and Regional Centers should be compact, pedestrian-oriented and Mixed Use.
- b. That neighborhoods and Regional Centers should be the preferred pattern of development and that Districts specializing in a single use should be the exception.
- c. That ordinary activities of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.
- d. That interconnected networks of Thoroughfares should be designed to disperse traffic and reduce the length of automobile trips.
- e. That within neighborhoods, a range of housing types and price levels should be provided to accommodate diverse ages and incomes.
- f. That appropriate building Densities and land uses should be provided within walking distance of transit stops.
- g. That Civic, Institutional, and Commercial activities should be embedded downtown, not isolated in remote single-use complexes.
- h. That schools should be sized and located to enable children to walk or bicycle to them.
- i. That a range of Open Space including Parks, Squares, and playgrounds should be distributed within neighborhoods and downtown.

1.3.4. THE BLOCK AND THE BUILDING

- a. That buildings and landscaping should contribute to the physical definition of Thoroughfares as Civic places.
- b. That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.
- c. That architecture and landscape design should grow from local climate, topography, history, and building practice.
- d. That buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
- e. That Civic Buildings and public gathering places should be provided as locations that reinforce community identity and support self-government.
- f. That Civic Buildings should be distinctive and appropriate to a role more im-

- portant than the other buildings that constitute the fabric of the city.
- g. That the preservation and renewal of historic buildings should be facilitated, to affirm the continuity and evolution of society.
 - h. That the harmonious and orderly evolution of urban areas should be secured through form-based codes.
- 1.3.5. **THE TRANSECT**
- a. That Communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.
 - b. That the Transect Zone descriptions on Table 1.1 shall constitute the Intent of this Code with regard to the general character of each of these environments.
- 1.4. PROCESS**
- 1.4.1. Any land to be developed under this code must be zoned as a SmartCode District ("SC"). In addition to the prerequisites of this Code, the processes and procedures under Chapter 1 Articles 3 and 5 of the LDC applicable to zoning map amendments shall apply to a petition or request seeking a zoning classification of SC or a change from one transect to another within the Downtown area. However, the requirement to post notification signs on land under Section 1.3.2.1(c) and 1.5.1.4(a) of the LDC or other section of the LDC shall not apply to land regulated by this code or to land subject to a petition for a zoning classification to which this code applies.
- 1.4.2. Within any area zoned as a SmartCode District subject to an adopted Regulating Plan this Code becomes the exclusive and mandatory regulation. Property owners within the plan area may submit Building Scale Plans under Article 5 in accordance with the provisions of this Code. Building Scale Plans requiring no Warrants or Variances shall be approved administratively by the Development Review Committee (DRC).
- 1.4.3. Within the Growth Divisions as shown on the Regional Scale Plan ("Regional Plan"), the provisions of Article 3 and this Code in general shall be available By Right, upon request by the owner.
- 1.4.4. The City of San Marcos hereby creates a DRC comprised of a member from each regulatory department having jurisdiction over the permitting of a project to process administratively applications and plans for proposed projects.
- 1.4.5. The geographic locations of the Divisions and the standards for the Transect Zones shall be determined as set forth in Article 2, Article 3, and Article 5 through a process of public consultation with approval by City Council. Once these determinations have been incorporated into this Code and its associated plans, then projects that require no Variances or Warrants, shall be processed administratively without further recourse to public consultation.
- 1.4.6. An owner may appeal a decision of the DRC to the Planning and Zoning Commission. A written appeal must be filed with the Development Services Department within ten working days from the date of notification of the final decision on the development application. An owner may appeal a decision of the Planning Commission to City Council. The petition must be filed within ten days after the date the decision is filed with the Development Services Department.
- 1.4.7. Should a violation of an approved Regulating Plan occur during construction, or should any construction, site work, or development be commenced without an approved Regulating Plan or Building Scale Plan, the Director of Development Services has the right to require the owner to stop, remove,

and/or mitigate the violation, or to secure a Variance to address the violation.

- 1.4.8. Parkland Dedication shall not be required within the Downtown area. For New Community Plans meeting the Civic Space requirements will fulfill the Parkland Dedication requirements.

1.5. WARRANTS AND VARIANCES

- 1.5.1. There shall be two types of deviation from the requirements of this Code: Warrants and Variances.

- 1.5.2. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of this Code but is justified by the provisions of Section 1.3 Intent. The Planning and Zoning Commission (P&Z) shall have the authority to approve or disapprove a request for a Warrant pursuant to regulations established, with the exception of requests for additional height. The City Council shall hold a public hearing and finally decide all Warrant requests as a negotiated agreement for height ~~beyond the five story maximum~~ after review and a recommendation has been made by the P&Z. A Warrant subject to the review of the P&Z shall require a public hearing and personal notice of the public hearing be sent to property owners within 200 feet of the subject property. Personal notice shall be sent by regular mail before the tenth day before the hearing date.

Between 5 and 7 stories

- 1.5.3. A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted only in accordance with the State of Texas Statutes, Chapter 211 of the Local Government Code, as amended.

- 1.5.4. The request for a Warrant or Variance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

- 1.5.5. The following standards shall not be available for Warrants:

- a. The maximum dimensions for traffic lanes.
- b. The required provision of Rear Alleys.
- c. The Base Residential Densities.

1.6. INCENTIVES

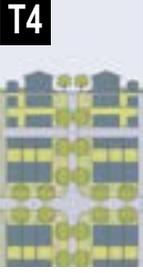
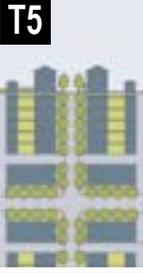
- 1.6.1. Applications that are not subject to mandatory provisions of the Code shall be eligible to utilize the following incentives by right:

- a. Applications under this code shall receive priority review status by the DRC, Planning and Zoning Commission, Zoning Board of Adjustment and the City Council ahead of applications that were eligible to use this code but elected not to do so
- b. Applications under this code shall be processed with priority over those under the LDC, including those with prior filling dates.
- c. The City shall waive the traffic impact analysis for all projects filled under this code.
- d. Reserved for additional Incentives.

San Marcos, Texas

TABLE 1.1. TRANSECT ZONE DESCRIPTIONS.

This table provides descriptions of the general character of each T-zone. It is part of Intent Section 1.3.

 <p>T1</p>	<p>T-1 NATURAL T-1 Natural Zone consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.</p>	<p>General Character: Natural landscape with some agricultural use Building Placement: Not applicable Frontage Types: Not applicable Typical Building Height: Not applicable Type of Civic Space: Parks, Greenways</p>
 <p>T2</p>	<p>T-2 RURAL T-2 Rural Zone consists of sparsely settled lands in open or cultivated states. These include woodland, agricultural land, grassland, and hill country. Typical buildings are farmhouses, agricultural buildings, cabins, and villas.</p>	<p>General Character: Primarily agricultural with woodlands & wetland and scattered buildings Building Placement: Variable Setbacks Frontage Types: Not applicable Typical Building Height: 1- to 2-Story Type of Civic Space: Parks, Greenways</p>
 <p>T3</p>	<p>T-3 SUB-URBAN T-3 Sub-Urban Zone consists of low density walkable residential areas, adjacent to higher zones that have some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and Thoroughfares irregular to accommodate natural conditions, but designed for slow movement.</p>	<p>General Character: Lawns, and landscaped yards surrounding detached single-family houses; pedestrians occasionally Building Placement: Large and variable front and side yard Setbacks Frontage Types: Porches, fences, naturalistic tree planting Typical Building Height: 1- to 2-Story with some 3-Story Type of Civic Space: Parks, Greenways</p>
 <p>T4</p>	<p>T-4 GENERAL URBAN T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.</p>	<p>General Character: Mix of Houses, Townhouses & small Apartment buildings, with scattered Commercial activity; balance between landscape and buildings; presence of pedestrians Building Placement: Shallow to medium front and side yard Setbacks Frontage Types: Porches, fences, Dooryards Typical Building Height: 2- to 3-Story with a few taller Mixed Use buildings Type of Civic Space: Squares, Greens</p>
 <p>T5</p>	<p>T-5 URBAN CENTER T-5 Urban Center Zone consists of higher density mixed use building that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, regularly spaced street tree planting and buildings set close to the sidewalks.</p>	<p>General Character: Shops mixed with Townhouses, larger Apartment houses, Offices, workplace, and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity Building Placement: Shallow Setbacks or none; buildings oriented to street defining a street wall Frontage Types: Stoops, Shopfronts, Galleries Typical Building Height: 2- to 5-Story with some variation Type of Civic Space: Parks, Plazas and Squares, median landscaping</p>

ARTICLE 1. GENERAL TO ALL PLANS

San Marcos, Texas

TABLE 1.2. SUMMARY TABLE - DOWNTOWN



T3 SUB-URBAN ZONE **T4** GENERAL URBAN ZONE **T5** URBAN CENTER ZONE

a. ALLOCATION OF ZONES - not applicable

b. BASE RESIDENTIAL DENSITY (see Section 5.9)

By Right	18 DUA	by design	by design
----------	--------	-----------	-----------

c. BLOCK SIZE - not applicable

d. THOROUGHFARES - not applicable

e. CIVIC SPACES - not applicable

f. LOT OCCUPATION

Lot Width	60 ft. min 180 ft. max	18 ft. min 120 ft. max	18 ft. min 196 ft. max
Lot Coverage	40% max	60% max	100% max

g. SETBACKS - PRINCIPAL BUILDING (see Table 5.8 - 5.10)

(g.1) Front Setback (Principal)	24 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.2) Front Setback (Secondary)	12 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.3) Side Setback	12 ft. min	0 ft. min	0 ft. min 24 ft. max
(g.4) Rear Setback	12 ft. min	3 ft. min *	3 ft. min *
Frontage Buildout	40% min	70% min	80% min

* or 15 ft from centerline of alley

h. SETBACKS - OUTBUILDING (see Table 5.8- 5.10)

(h.1) Front Setback	20 ft. min + bldg setback	20 ft. min + bldg setback	40 ft. max from rear prop
(h.2) Side Setback	3 ft. or 6 ft. at corner	0 ft. min or 5 ft. at corner	0 ft. min
(h.3) Rear Setback	3 ft. min	3 ft. min	3 ft. max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted	permitted	by Warrant
Sidyard	not permitted	permitted	permitted
Rearyard	not permitted	permitted	permitted
Courtyard	not permitted	not permitted	permitted

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted	permitted	not permitted
Porch & Fence	permitted	permitted	not permitted
Terrace or Dooryard	not permitted	not permitted	permitted
Forecourt	not permitted	not permitted	permitted
Sloop	not permitted	permitted	permitted
Shopfront	not permitted	permitted	permitted
Gallery	not permitted	permitted	permitted

k. BUILDING CONFIGURATION (see Table 5.2)

Principal Building Height	not applicable	6 stories*	5 stories max, 2 min*
Outbuilding Height	2 stories max	2 stories max	2 stories max

* Buildings located in the downtown historic district shall not exceed a building height of 3 stories/ 1 story or 6+ stories permitted by Warrant for buildings located outside the downtown historic district.

l. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	restricted use	limited use	open use
Lodging	restricted use	limited use	open use
Office	restricted use	limited use	open use
Retail	restricted use	limited use	open use

DISPOSITION

CONFIGURATION

FUNCTION

2 stories

3 stories

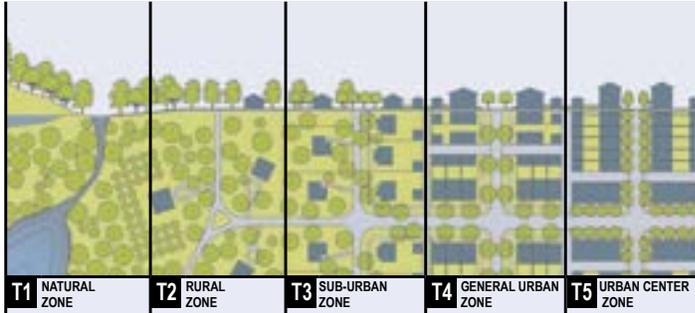
Up to 7 stories

ARTICLE 5

ARTICLE 1. GENERAL TO ALL PLANS

San Marcos, Texas

TABLE 1.3. SUMMARY TABLE - NEW DEVELOPMENT



	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE
a. ALLOCATION OF ZONES per Community Unit, applicable to Article 3 only.					
CLD requires	50% min		20 - 40%	10-30%	not permitted
TND requires	no minimum	no minimum	10 - 30%	30 - 60%	10 - 30%
b. BASE RESIDENTIAL DENSITY (see Section 3.8)					
By Right	not applicable	1 unit / 20 ac avg.	10 DUA	by Design	by Design
Other Functions	by Variance	by Variance	20% max	10 - 30%	30 - 50%
c. BLOCK SIZE					
Block Perimeter	no maximum	no maximum	2400 ft. max	2000 ft. max	2000 ft. max *
d. THOROUGHFARES (see Table 3.3)					
					* 2500 with parking structures
HW	permitted	permitted	permitted	not permitted	not permitted
BV	not permitted	not permitted	permitted	permitted	permitted
AV	not permitted	not permitted	permitted	permitted	permitted
CS	not permitted	not permitted	not permitted	not permitted	permitted
DR	not permitted	not permitted	permitted	permitted	permitted
ST	not permitted	not permitted	permitted	permitted	permitted
RD	permitted	permitted	permitted	not permitted	not permitted
Rear Lane	not permitted	not permitted	permitted	permitted	not permitted
Rear Alley	not permitted	not permitted	not permitted	permitted	required
Path	permitted	permitted	permitted	not permitted *	not permitted
Passage	not permitted	not permitted	not permitted	permitted	permitted
Bicycle Trail	permitted	permitted	permitted	not permitted *	not permitted
Bicycle Lane	permitted	permitted	permitted	not permitted	not permitted
Bicycle Route	permitted	permitted	permitted	permitted	permitted
e. CIVIC SPACES (see Table 3.4)					
					* permitted with Open Space
Park	permitted	permitted	permitted	by Warrant	by Warrant
Green	not permitted	not permitted	permitted	permitted	permitted
Square	not permitted	not permitted	not permitted	permitted	permitted
Plaza	not permitted	not permitted	not permitted	not permitted	permitted
Playground	permitted	permitted	permitted	permitted	permitted
Community Garden	permitted	permitted	permitted	permitted	permitted
f. LOT OCCUPATION					
Lot Width	not applicable	by Warrant	60 ft. min 120 ft. max	18 ft. min 120 ft. max	18 ft. min 196 ft. max
Lot Coverage	not applicable	by Warrant	60% max	80% max	100% max
g. SETBACKS - PRINCIPAL BUILDING (see Tables 5.11 - 5.13)					
(g.1) Front Setback (Principal)	not applicable	48 ft. min	24 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.2) Front Setback (Secondary)	not applicable	48 ft. min	12 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.3) Side Setback	not applicable	96 ft. min	12 ft. min	0 ft. min or 6 ft. min. total	0 ft. min 24 ft. max
(g.4) Rear Setback	not applicable	96 ft. min	12 ft. min	3 ft. min *	3 ft. min *
Frontage Buildout	not applicable	not applicable	40% min	60% min	80% min
h. SETBACKS - OUTBUILDING (see Tables 5.11 - 5.13)					
					* or 15 ft. from centerline of Lane or Alley
(h.1) Front Setback	not applicable	20 ft. min + bldg setback	20 ft. min + bldg setback	20 ft. min + bldg setback	40 ft. max from rear prop
(h.2) Side Setback	not applicable	3 ft. or 6 ft.	3 ft. or 6 ft.	0 ft. min or 5 ft.	0 ft. min
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. max	3 ft. max
i. BUILDING DISPOSITION (see Table 5.1)					
Edgeyard	not applicable	permitted	permitted	permitted	by Warrant
Sidyard	not applicable	not permitted	not permitted	permitted	permitted
Rearyard	not applicable	not permitted	not permitted	permitted	permitted
Courtyard	not applicable	not permitted	not permitted	not permitted	permitted
j. PRIVATE FRONTAGES (see Table 5.3)					
Common Yard	not applicable	permitted	permitted	permitted	not permitted
Porch & Fence	not applicable	permitted	permitted	permitted	not permitted
Terrace or Dooryard	not applicable	not permitted	not permitted	permitted	permitted
Forecourt	not applicable	not permitted	not permitted	permitted	permitted
Stoop	not applicable	not permitted	not permitted	permitted	permitted
Shopfront & Awning	not applicable	not permitted	not permitted	permitted	permitted
Gallery	not applicable	not permitted	not permitted	permitted	permitted
k. BUILDING CONFIGURATION (see Table 5.2)					
Principal Building	not applicable	2 Stories max	2 Stories max	3 Stories max	5 Stories max*, 2 min
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	2 Stories max
l. BUILDING FUNCTION (see Table 5.4 & Table 5.7)					
					* 1 or 6+ stories by Warrant
Residential	not applicable	restricted use	restricted use	limited use	open use
Lodging	not applicable	restricted use	restricted use	limited use	open use
Office	not applicable	restricted use	restricted use	limited use	open use
Retail	not applicable	restricted use	restricted use	limited use	open use

DISPOSITION

CONFIGURATION

FUNCTION

Up to 7 Stories by Warrant

ARTICLE 5. LOT AND BUILDING REGULATIONS

5.1. INSTRUCTIONS

5.1.1. LOT AND BUILDING REGULATIONS

5.1.2. INSTRUCTIONS

5.1.3. Lots and buildings located within a Regulating Plan governed by this Code, and previously approved by City Council, shall be subject to the requirements of this Article.

5.1.4. Such plans require administrative approval by the DRC.

5.1.5. Building and site plans submitted under this Article shall show the following, in compliance with the standards described in this Article:

a. For preliminary site and building approval:

- i. Building Disposition
- ii. Building Configuration
- iii. Building Function
- iv. Number of dwelling units
- v. Base Residential Density
- vi. Building square footage
- vii. Parking Location Standards
- viii. Lot Lines

b. For final approval, in addition to the above:

- i. Landscape Standards
- ii. Signage Standards
- iii. Special Requirements, if any

5.1.6. Special Districts that do not have provisions within this Code shall be governed by the standards of the LDC pre-existing zoning.

PRE-EXISTING CONDITIONS

5.1.7. Existing buildings and appurtenances that do not conform to the provisions of this Code may continue in use as they are until a Substantial Modification is requested, at which time the provisions of this section shall apply.

5.1.8. The modification of existing buildings is permitted By Right if such changes result in greater conformance with the specifications of this Code.

5.1.9. Where buildings exist on adjacent Lots, the DRC may require that a proposed building match one or the other of the adjacent Setbacks and heights rather than the provisions of this Code.

5.1.10. The restoration or rehabilitation of an existing building shall not require the provision of (a) parking in addition to that existing nor (b) on-site stormwater retention/detention in addition to that existing. Existing parking requirements that exceed those for this Code may be reduced as provided by Table 5.5 and Table 5.6.

ARTICLE 5. LOT AND BUILDING REGULATIONS

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5.1.11. Any addition to or modification of a Building of Value that has been designated by the Historic Preservation Commission shall be subject to approval by the Historic Preservation Commission.

5.2. SPECIAL REQUIREMENTS

5.2.1. To the extent that a Regulating Plan for a New Community Plan designates any of the following Special Requirements, standards shall be applied as follows:

- a. Buildings along the A-Grid shall be held to the highest standard of this Code in support of pedestrian activity. Buildings along the B-Grid may be more readily considered for Warrants allowing automobile-oriented standards.
- b. A Mandatory or Recommended Retail Frontage designation requires or advises that a building provide a Shopfront at Sidewalk level along the entire length of its Private Frontage. The Shopfront shall be no less than 70% glazed in clear glass and should be shaded by an awning overlapping the Sidewalk as generally illustrated in Table 5.3. Awnings, if present, shall be a minimum of 3 feet deep. The first floor should be confined to Retail use through the depth of the second Layer. (Table 8.1d.)
- c. A Mandatory or Recommended Gallery Frontage designation requires or advises that a building provide a permanent cover over the Sidewalk, either cantilevered or supported by columns (as generally illustrated in Table 5.3). A Gallery Frontage may be combined with a Retail Frontage.
- d. A Mandatory or Recommended porch front requires or advises that a porch be included in the Private Frontage.
- e. A Build-to Line requires the placement of the building Façade along a line.
- f. A Coordinated Frontage designation requires that the Public Frontage (Tables 3.2 and 3.3) and Private Frontage (Table 5.3) be coordinated as a single, coherent landscape and paving design.
- g. A Mandatory or Recommended Terminated Vista designation requires or advises that the building be provided with architectural articulation of a type and character that responds visually to its axial location, as approved by the DRC.
- h. A Cross Block Passage designation requires that a minimum 8-foot-wide pedestrian access be reserved between buildings.

5.3. CIVIC ZONES (CZ)

5.3.1. GENERAL

- a. Civic Zones are designated on Community Plans as Civic Space (CS) or Civic Building (CB).
- b. For Parking Location standards, see Section 5.10.

5.3.2. CIVIC SPACES (CS)

- a. Civic Spaces shall be generally designed as described in Table 3.4.

5.3.3. CIVIC BUILDINGS (CB)

- a. Civic Buildings shall not be subject to the requirements of this Article.

The particulars of their design shall be determined by Warrant.

5.4. SPECIFIC TO T1 NATURAL ZONE

- 5.4.1. Buildings in the T1 Natural Zone are permitted only by approval of the DRC. Permission to build in T1 and the standards for Article 5 shall be determined concurrently as Warrants, in public hearing of City Council.

5.5. BUILDING DISPOSITION

5.5.1. SPECIFIC TO ZONE T2

- a. Building Disposition shall be determined by Warrant.

5.5.2. SPECIFIC TO ZONES T3, T4, T5

- a. Newly platted Lots shall be dimensioned according to Table 1.3f and Tables 5.8 - 5.13.
- b. Building Disposition types shall be as shown in Table 5.1 and Tables 1.2i and 1.3i.
- c. Buildings shall be disposed in relation to the boundaries of their Lots according to Tables 1.2g and 1.3g, Tables 1.2h and 1.3h, and Tables 5.8 - 5.13.
- d. One Principal Building at the Frontage, and one Outbuilding to the rear of the Principal Building, may be built on each Lot as shown in Table 6.1c.
- e. Lot coverage by building shall not exceed that recorded in Table 1.2f and 1.3f, and Tables 5.8 - 5.13.
- f. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Tables 1.2g and 1.3g, and Tables 5.8 - 5.13.
- g. Setbacks for Principal Buildings shall be as shown in Tables 1.2g and 1.3g and Tables 5.8 - 5.13. In the case of an Infill Lot, see Section 5.2.3.
- h. Rear Setbacks for Outbuildings shall be a minimum of 15 feet measured from the centerline of the Rear Alley or Rear Lane easement. In the absence of Rear Alley or Rear Lane, the rear Setback shall be as shown in Table 1.2h and 1.3h, and Tables 5.8 - 5.13.
- i. To accommodate slopes over ten percent, relief from front Setback requirements is available by DRC.
- j. Within T5 onsite site stormwater retention/detention is not required

5.6. BUILDING CONFIGURATION

5.6.1. GENERAL TO ZONES T3, T4, T5

- a. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 5.3, and Tables 1.2j and 1.3j.
- b. Buildings on corner Lots shall have two Private Frontages as shown in Table 8.1. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
- c. All non Shopfront Facades shall be glazed with clear glass no less than 30% of the first Story.
- d. Shopfront Frontages shall be glazed with clear glass no less than 70%

ARTICLE 5. LOT AND BUILDING REGULATIONS

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- and may be shaded by an awning overlapping the Sidewalk as generally illustrated in Table 5.3. Awnings, if present, shall be a minimum of 3 feet deep.
- e. Building heights shall conform to Table 5.2, and Tables 1.2k and 1.3k.
 - f. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial Function, which shall be a minimum of 11 feet with a maximum of 25 feet. A single floor level exceeding 14 feet, or 25 feet at ground level, shall be counted as two (2) stories. Mezzanines extending beyond 33% of the floor area shall be counted as an additional Story.
 - g. In a Parking Structure or garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
 - h. Height limits do not apply to Attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads. Attics shall not exceed 14 feet in height.
- 5.6.2. **SPECIFIC TO ZONES T2, T3,T4,T5**
- a. The habitable area of an Accessory Unit within a Principal Building or an Outbuilding shall not exceed 500 square feet, excluding the parking area.
- 5.6.3. **SPECIFIC TO ZONE T3**
- a. No portion of the Private Frontage may Encroach the Sidewalk.
 - b. Open porches may Encroach the first Layer 50% of its depth. (Table 8.1d)
 - c. Balconies and bay windows may Encroach the first Layer 25% of its depth except that balconies on porch roofs may Encroach as does the porch.
- 5.6.4. **SPECIFIC TO ZONE T4**
- a. Balconies, open porches and bay windows may Encroach the first Layer 50% of its depth. (Table 8.1d)
- 5.6.5. **SPECIFIC TO ZONE T5**
- a. Awnings and Galleries may Encroach the Sidewalk to within 2 feet of the Curb but must clear the Sidewalk vertically by at least 8 feet.
 - b. Stoops, Lightwells, balconies, bay windows, and terraces may Encroach the first Layer 100% of its depth. (Table 8.1d)
 - c. Loading docks and service areas shall be permitted on Frontages only by Warrant.
 - d. When parking is not screened by a building along any part of a Frontage Line, a Streetscreen shall be built co-planar with the Facade.
 - e. Streetscreens should be between 3.5 and 8 feet in height. The Streetscreen may be replaced by a hedge or fence by Warrant. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.
 - f. A first level Residential or Lodging Function shall be raised a minimum of 2 feet from average Sidewalk grade.

5.7. BUILDING FUNCTION

5.7.1. GENERAL TO ZONES T2, T3, T4, T5

- a. Buildings in each Transect Zone shall conform to the Functions on Table 5.4, Table 5.7, and Tables 1.2I and 1.3I. Functions that do not conform shall require approval by Warrant or Variance as specified on Table 5.7.

5.7.2. SPECIFIC TO ZONES T2, T3,

- a. Accessory Functions of Restricted Lodging or Restricted Office shall be permitted within an Accessory Building. See Table 5.4.

5.7.3. SPECIFIC TO ZONES T4, T5

- a. Accessory Functions of Limited Lodging or Limited Office shall be permitted within an Accessory Building. See Table 5.4.

5.7.4. SPECIFIC TO ZONE T5

- a. First Story Commercial Functions shall be permitted.
- b. Manufacturing Functions within the first Story may be permitted by Warrant.

5.8. PARKING AND DENSITY CALCULATIONS

5.8.1. SPECIFIC TO ZONES T2, T3

- a. Buildable Density on a Lot shall be determined by the actual parking provided within the Lot as applied to the Functions permitted in Table 5.4 and Table 5.5.

5.8.2. SPECIFIC TO ZONES T4, T5

- a. Buildable Density on a Lot shall be determined by the sum of the actual parking calculated as that provided (1) within the Lot (2) along the parking lane corresponding to the Lot Frontage, and (3) by purchase or lease from a Parking Reserve within the Pedestrian Shed, if available.
- b. The actual parking may be adjusted upward by using the demand calculations as determined by Table 5.6, Parking Occupancy Rates. The applicant shall submit a parking demand summary sheet showing the process for calculating the reduction as outlined in this section.
 - i. The minimum number of parking spaces that are to be provided and maintained for each use shall be determined based on Table 5.5. Parking is not required within the Central Business Area with the exception of new multi-family development.
 - ii. The gross minimum number of parking spaces shall be multiplied by the "occupancy rate" as found in Table 5.6, for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively.
 - iii. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period shall be added to produce the aggregate gross minimum numbers of parking spaces for each time period.
 - iv. The greatest of the aggregate gross minimum numbers of parking spaces for each period shall be determined.
 - v. The Parking Occupancy Rates reduction is available for any Func-

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tions within any pair of adjacent Blocks.

- c. Based on the Effective Parking available, the Density of the projected Function may be determined according to Table 5.5.
- d. Within 1/2 mile radius area of a Transit Oriented Development (TOD) the Effective Parking may be further adjusted upward by 30%.
- e. The total Density within each Transect Zone shall not exceed that specified by an approved Regulating Plan based on Article 3 or Article 4.
- f. Accessory Units do not count toward Density calculations.
- g. Liner Buildings less than 30 feet deep and no more than two Stories shall be exempt from parking requirements.

5.8.3. **SPECIFIC TO ZONE T5**

- a. Buildable Density within the CBA is not determined by the actual parking provided. Properties within the CBA shall have no parking requirements with the exception of new multi-family development.

5.9. **PARKING LOCATION STANDARDS**

5.9.1. **GENERAL TO ZONES T2, T3, T4, T5**

- a. Parking shall be accessed by Rear Alleys or Rear Lanes, when such are available on the Regulating Plan.
- b. Open parking areas shall be masked from the Frontage by a Building or Streetscreen.

5.9.2. For buildings on B-Grids, open parking areas may be allowed unmasked on the Frontage by approval of the DRC, except for corner lots at intersections with the A-Grid.

5.9.3. **SPECIFIC TO ZONES T2, T3**

- a. Open parking areas shall be located at the second and third Lot Layers, except that Driveways, drop-offs and unpaved parking areas may be located at the first Lot Layer. (Table 8.1d)
- b. Garages shall be located at the third Layer except that side- or rear-entry types may be allowed in the first or second Layer by Warrant.

5.9.4. **SPECIFIC TO ZONES T3, T4**

- a. Driveways at Frontages shall be no wider than 12 feet in the first Layer.

5.9.5. **SPECIFIC TO ZONE T4**

- a. All parking areas and garages shall be located at the second or third Layer. (Table 8.1d)
- b. A minimum of one bicycle rack place shall be provided within Public or Private Frontage for every ten vehicular parking spaces

5.9.6. **SPECIFIC TO ZONE T5**

- a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer. (Table 8.1d)
- b. Vehicular entrances to parking lots, garages, and Parking Structures shall be no wider than 24 feet at the Frontage.
- c. Pedestrian exits from all parking lots, garages, and Parking Structures should be directly to a Frontage Line (i.e., not directly into a building) except underground levels that may be exited by pedestrians directly into a building.
- d. Parking Structures on the A-Grid shall have Liner Buildings lining the first and

second Stories.

- e. A minimum of one bicycle rack place shall be provided within the Public or Private Frontage for every ten vehicular parking spaces.

5.10. LANDSCAPE STANDARDS

5.10.1. GENERAL TO ZONES T2, T3, T4, T5

- a. Impermeable surface shall be confined to the ratio of Lot coverage specified in Table 1.3 and Table 1.2
- b. Tree Fee-in-Lieu: When the replacement of trees on-site, as required by LDC Chapter 5 Article 5, is not feasible within Downtown San Marcos, the DRC may allow an applicant to pay a fee-in-lieu for all or part of the required replacement. Payment per caliper inch of required replacement fees shall be paid into the Downtown Tree Fund.
- c. Amount

5.10.2. SPECIFIC TO ZONES T2, T3, T4,

- a. The first Layer may not be paved, with the exception of Driveways as specified in Section 5.10.4 and Section 5.10.6. (Table 8.1d)

5.10.3. SPECIFIC TO ZONE T3

- a. A minimum of two trees shall be planted within the first Layer for each 30 feet of Frontage Line or portion thereof. (Table 8.1d)
- b. Trees may be of single or multiple species as shown on Table 3.5.
- c. Trees shall be naturalistically clustered.

5.10.4. SPECIFIC TO ZONE T4

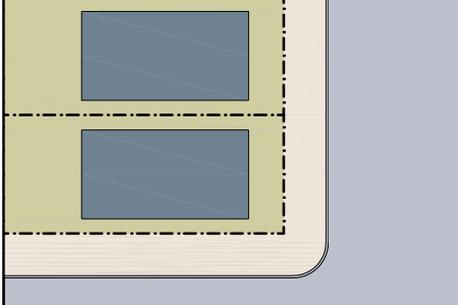
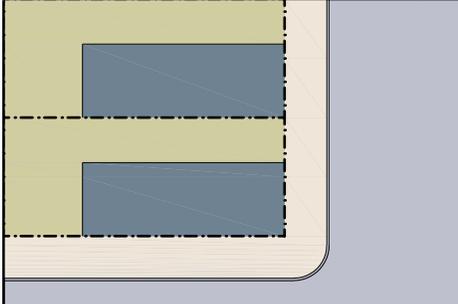
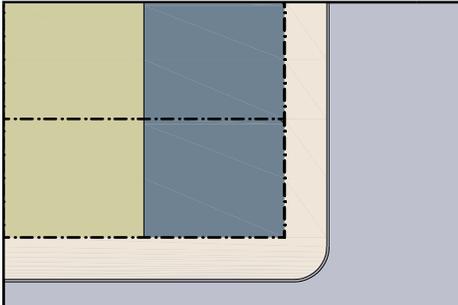
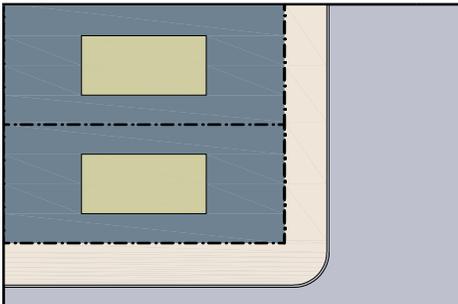
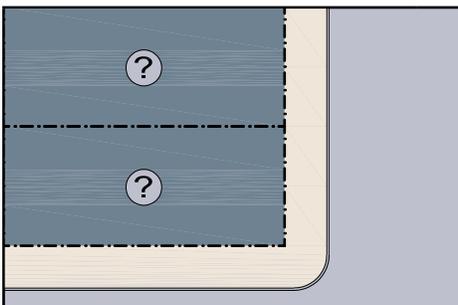
- a. A minimum of one tree shall be planted within the first Layer for each 30 feet of Frontage Line or portion thereof. (Table 8.1d)
- b. Trees shall be a single type to match the type of Street Trees on the Public Frontage, or as shown on Table 3.5.

5.10.5. SPECIFIC TO ZONE T5

- a. Trees shall not be required in the first Layer.
- b. The first Layer may be paved to match the pavement of the Public Frontage.

TABLE 5.1. BUILDING DISPOSITION

This table approximates the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Transect Zone.

<p>a. Edgeyard: Specific Types - single family House, Cottage, villa, Estate House, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding.</p>	 <p>T2 T3 T4</p>
<p>b. Sideyard: Specific Types - Charleston single house, double house, zero lot line house, twin. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House. Energy costs, and sometimes noise, are reduced by sharing a party wall in this Disposition.</p>	 <p>T4 T5</p>
<p>c. Rearyard: Specific Types - Townhouse, Rowhouse, Live-Work unit, loft building, Apartment House, Mixed Use Block, Flex Building, perimeter Block. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.</p>	 <p>T4 T5</p>
<p>d. Courtyard: Specific Types - patio House. A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.</p>	 <p>T5</p>
<p>e. Specialized: A building that is not subject to categorization. Buildings dedicated to manufacturing and transportation are often distorted by the trajectories of machinery. Civic buildings, which may express the aspirations of institutions, may be included.</p>	 <p>SD</p>

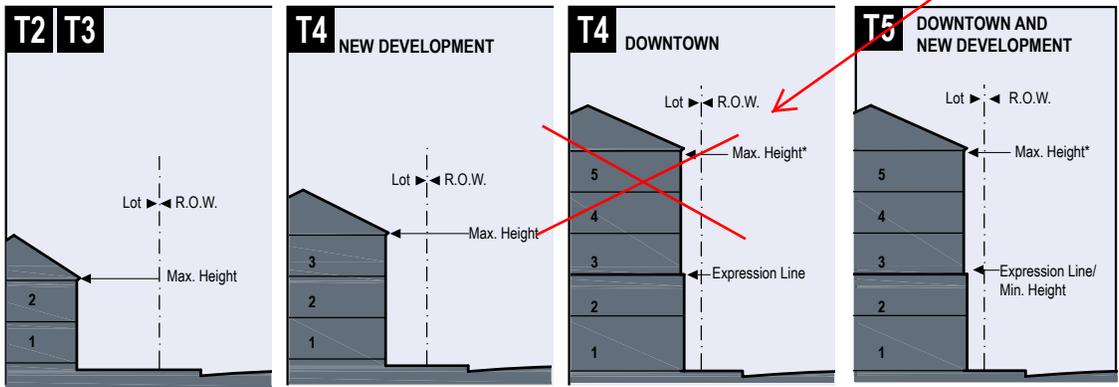
ARTICLE 5. LOT AND BUILDING REGULATIONS

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TABLE 5.2. BUILDING CONFIGURATION

This table shows the Configurations for different building heights for each Transect Zone. Expression Lines shall occur on higher buildings as shown. Maximum height as specified in Tables 1.2k and 1.3k.

Show T4 as 3 stories



up to 7

*Buildings located in the downtown historic district shall not exceed a building height of 3 stories. One-story and ~~six or more~~ stories permitted by warrant. See Section 1.5 for warrant process. Buildings in Downtown with a height greater than two stories are required to meet the Downtown Design Standards in Article 6.

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TABLE 5.3. PRIVATE FRONTAGE

The Private Frontage is the area between the building Facade and the Lot line.

	SECTION	PLAN
	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE
<p>a. Common Yard: a planted Frontage wherein the Facade is set back substantially from the Frontage Line. The front yard created remains unfenced and may be visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.</p>		
<p>b. Porch & Fence: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence may be used at the Frontage Line to maintain street spatial definition. Porches shall be no less than 8 feet deep.</p>		
<p>c. Terrace or Lightwell: a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.</p>		
<p>d. Forecourt: a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.</p>		
<p>e. Stoop: a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.</p>		
<p>f. Shopfront: a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and may have an awning that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage.</p>		
<p>g. Gallery: a Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.</p>		

ARTICLE 5. LOT AND BUILDING REGULATIONS

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TABLE 5.4. BUILDING FUNCTION

This table categorizes Building Functions within Transect Zones. Parking requirements on Table 5.5 are correlated to functional intensity. For Specific Function and Use permitted By Right or by Warrant, see Table 5.7.

	T2 T3	T4	T5
a. RESIDENTIAL	Restricted Residential: The number of dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building, with 2.0 parking places for the principal building and 1.0 spaces for the accessory building. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 500 sf, excluding the parking area. Occupancy restrictions per LDC section 4.3.4.5 shall apply	Limited Residential: The number of dwellings on each Lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 5.6).	Open Residential number of dwellings on each Lot is limited by the requirement of 1.0 parking place for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 5.6).
b. LODGING	Restricted Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed fourteen days.	Limited Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed fourteen days.	Open Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function.
c. OFFICE	Restricted Office: The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	Limited Office: The building area available for office use on each Lot is limited to the first Story of the principal building and/or to the Accessory Building, and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	Open Office: The building area available for office use on each Lot is limited by the requirement of 2.0 assigned parking places per 1000 square feet of net office space.
d. RETAIL	Restricted Retail: The building area available for Retail use is restricted to one Block corner location at the first Story for each 300 dwelling units and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 20.	Limited Retail: The building area available for Retail use is limited to the first Story of buildings at corner locations, not more than one per Block, and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 40.	Open Retail: The building area available for Retail use is limited by the requirement of 3.0 assigned parking places per 1000 square feet of net Retail space. Retail spaces under 1500 square feet are exempt from parking requirements. Bars must comply with the CUP process outlined in the LDC.
e. CIVIC	See Tables 5.5- 5.7	See Tables 5.5 -5.7	See Tables 5.5- 5.7
f. OTHER	See Tables 5.5- 5.7	See Tables 5.5- 5.7	See Tables 5.5- 5.7

Properties within the CBA overlay district are exempt from Parking Requirements with the exception of new multi-family development.

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TABLE 5.5. PARKING CALCULATIONS

The gross minimum number of parking spaces listed below shall be multiplied by the "occupancy rate" as found in Table 5.6, for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period shall be added to produce the aggregate gross minimum numbers of parking spaces for each time period. Properties within the Central Business Area are exempt from parking requirements with the exception of new multi-family development.* New multi-family development within the Downtown SmartCode District shall adhere to the parking requirements of the Land Development Code.

REQUIRED PARKING (See Table 5.4)			
	T2 T3	T4	T5
RESIDENTIAL	2.0 / dwelling	1.0 / dwelling*	1.0 / dwelling*
LODGING	1.0 / bedroom	1.0 / bedroom	1.0 / bedroom
OFFICE	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2.0 / 1000 sq. ft.
RETAIL	4.0 / 1000 sq. ft.	4.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.
CIVIC	1.0 / 5 seats assembly use 1.0 / 1000 s.f. of exhibition or recreation area	1.0 / 5 seats assembly use 1.0 / 1000 s.f. of exhibition or recreation area	1.0 / 5 seats assembly use 1.0 / 1000 s.f. of exhibition or recreation area
GENERAL		Parking requirement may be reduced according to Table 5.6 Parking Occupancy Rate. 1 Bicycle Rack Space / 20 vehicular spaces required. Parking may be provided off-site within a distance of 1000 ft.	Parking requirement may be reduced according to Table 5.6 Parking Occupancy Rate. 1 Bicycle Rack Space / 10 vehicular spaces required. Parking ratio may be reduced within 1/2 mile radius of a TOD and within 1/4 mile radius of a Transit Corridor by thirty percent (30%). Parking may be provided by ownership or lease offsite within 1000 ft.

TABLE 5.6. PARKING OCCUPANCY RATES

Development Services shall provide a spreadsheet to perform the parking calculations based on the percentages below.

USES	M - F	M - F	M - F	SAT & SUN	SAT & SUN	SAT & SUN
	8 AM - 6 PM	6 PM - 12 AM	12 AM - 8 AM	8 AM - 6 PM	6 PM - 12 AM	6 PM - 12 AM
RESIDENTIAL	60%	100%	100%	80%	100%	100%
OFFICE	100%	20%	5%	5%	5%	5%
RETAIL	90%	80%	5%	100%	70%	5%
HOTEL	70%	100%	100%	70%	100%	100%
RESTAURANT	70%	100%	100%	70%	100%	100%
MOVIE THEATER	40%	80%	10%	80%	100%	10%
ENTERTAINMENT	40%	100%	10%	80%	100%	50%
CONFERENCE	100%	100%	5%	100%	100%	5%
CIVIC (NON-CHURCH)	100%	20%	5%	10%	10%	5%
CIVIC (CHURCH)	20%	20%	5%	100%	50%	5%

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

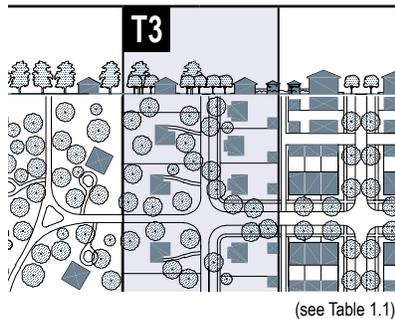
TABLE 5.7. SPECIFIC FUNCTION & USE

This table expands the categories of Table 5.4 to delegate specific Functions and uses within Transect Zones.

a. RESIDENTIAL	T1	T2	T3	T4	T5	SD
Mixed Use Block					▪	
Flex Building				▪	▪	
Apartment Building				▪	▪	
Live/Work Unit			▪	▪	▪	□
Rowhouse				▪	▪	
Duplex			▪	▪	▪	
Courtyard House				▪	▪	
Sideyard House			▪	▪	▪	
Cottage			▪	▪		
House	▪	▪	▪	▪		
Villa	▪					
Accessory Unit	▪	▪	▪	▪	▪	
b. LODGING						
Hotel (no room limit)					▪	□
Inn (up to 12 rooms)		□		▪	▪	
Bed & Breakfast (up to 5 rooms)		□	□	▪	▪	
S.R.O. hostel			□	□	□	□
School Dormitory				▪	▪	▪
c. OFFICE						
Office Building				▪	▪	□
Live-Work Unit			▪	▪	▪	□
d. RETAIL						
Open-Market Building		▪	▪	▪	▪	▪
Retail Building				▪	▪	□
Display Gallery				▪	▪	□
Restaurant				▪	▪	
Kiosk				▪	▪	□
Push Cart					□	□
*Liquor Selling Establishment						
*Adult Entertainment						
e. CIVIC						
Bus Shelter			▪	▪	▪	▪
Convention Center						▪
Conference Center					□	▪
Exhibition Center						▪
Fountain or Public Art	▪	▪	▪	▪	▪	▪
Library				▪	▪	▪
Live Theater					▪	▪
Movie Theater					▪	▪
Museum					□	▪
Outdoor Auditorium	□	▪			▪	▪
Parking Structure					▪	▪
Passenger Terminal					□	▪
Playground	▪	▪	▪	▪	▪	▪
Sports Stadium						▪
Surface Parking Lot				□	□	▪
Religious Assembly	▪	▪	▪	▪	▪	▪
f. OTHER: AGRICULTURE	T1	T2	T3	T4	T5	SD
Grain Storage	▪	▪				□
Livestock Pen	□	□				□
Greenhouse	▪	▪	□			□
Stable	▪	▪	□			□
Kenel	▪	▪			□	□
f. OTHER: AUTOMOTIVE						
Gasoline		□			□	▪
Automobile Service					□	▪
Truck Maintenance						▪
Drive -Through Facility					□	▪
Rest Stop	▪	▪				□
Roadside Stand	▪	▪				□
Shopping Center						□
Shopping Mall						□
f. OTHER: CIVIL SUPPORT						
Fire Station			▪	▪	▪	▪
Police Station				▪	▪	▪
Cemetery		▪	□	□		▪
Funeral Home				▪	▪	▪
Hospital					□	▪
Medical Clinic				□	▪	▪
f. OTHER: EDUCATION						
College					□	▪
High School				□	□	▪
Trade School					□	▪
Elementary School			□	▪	▪	▪
Childcare Center		▪	▪	▪	▪	□
f. OTHER: INDUSTRIAL						
Heavy Industrial Facility						▪
Light Industrial Facility						▪
Truck Depot						▪
Laboratory Facility						▪
Water Supply Facility						▪
Sewer and Waste Facility						▪
Electric Substation	□	□	□	□	□	▪
Wireless Transmitter	□	□			□	▪
Cremation Facility						▪
Warehouse						▪
Produce Storage						▪
Mini-Storage						▪

▪ BY RIGHT
 □ BY WARRANT
 * Refer to the LDC for standards

TABLE 5.8. FORM-BASED CODE GRAPHICS: DOWNTOWN - T3



I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	restricted use
Lodging	restricted use
Office	restricted use
Retail	restricted use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.2k)

Principal Building	2
Outbuilding	2 stories max

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	60 ft. min 180 ft. max
Lot Coverage	40% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sideyard	not permitted
Rearyard	not permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.2g)

(g.1) Front Setback Principal	24 ft. min
(g.2) Front Setback Secondary	12 ft. min.
(g.3) Side Setback	12 ft. min.
(g.4) Rear Setback	12 ft. min.*
Frontage Buildout	40% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.2h)

(h.1) Front Setback	20 ft. min. + bldg setback
(h.2) Side Setback	3 ft. or 6 ft at corner
(h.3) Rear Setback	3 ft. min. *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	not permitted
Forecourt	not permitted
Scoop	not permitted
Shopfront & Awning	not permitted
Gallery	not permitted

Refer to Summary Table 1.2

PARKING PROVISIONS

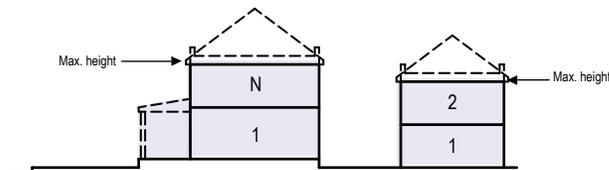
See Tables 5.5 & 5.6

*or 15 ft. from center line of rear lane or alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

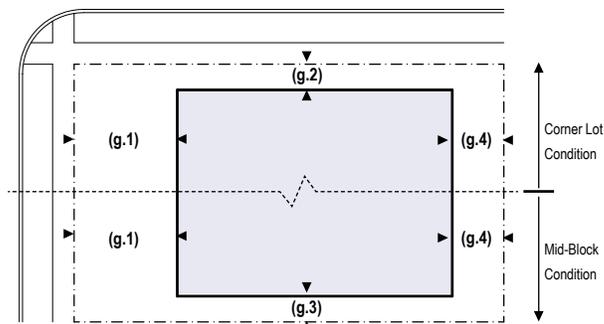
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



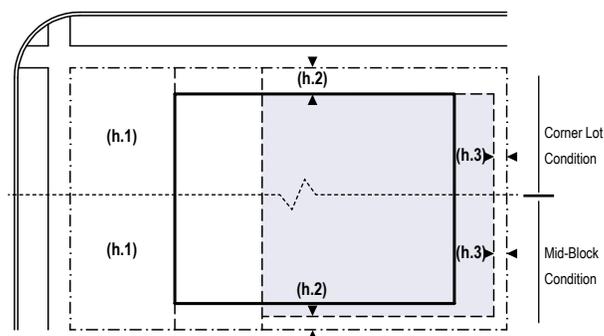
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d). Side- or rear-entry garages may be allowed in the first or second Layer by Warrant.
3. Trash and recycling containers shall be stored within the third Layer.

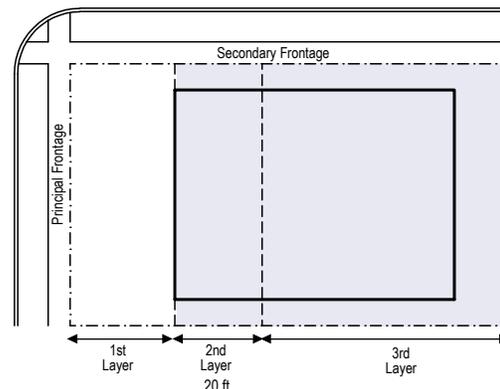
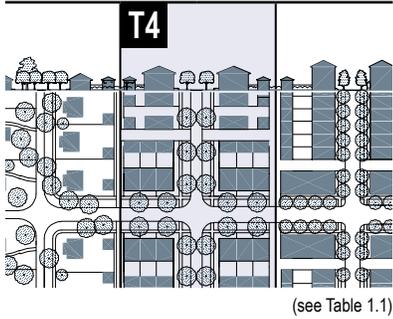
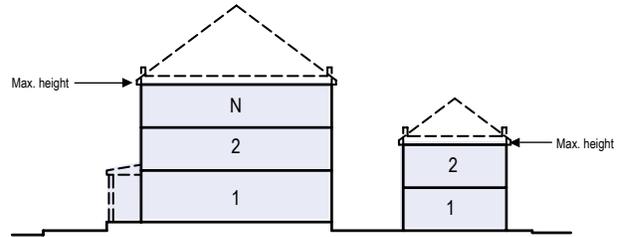


TABLE 5.9. FORM-BASED CODE GRAPHICS: DOWNTOWN - T4



BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	limited use
Lodging	limited use
Office	limited use
Retail	limited use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.2k)

Principal Building	5 stories max**
Outbuilding	2 stories max

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	18 ft min 120 ft max
Lot Coverage	60% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sidyard	permitted
Rearyard	permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.2g)

(g.1) Front Setback Principal	6 ft. min. 18 ft. max.
(g.2) Front Setback Secondary	6 ft. min. 18 ft. max
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	70% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.2h)

(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 5 ft at corner
(h.3) Rear Setback	3 ft. min *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	not permitted
Forecourt	not permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.2

PARKING PROVISIONS

See Tables 5.5 & 5.6

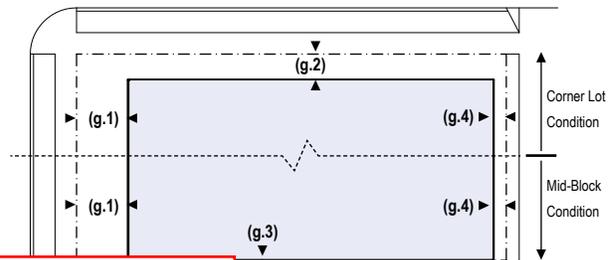
*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

**6+ stories may be permitted by warrant

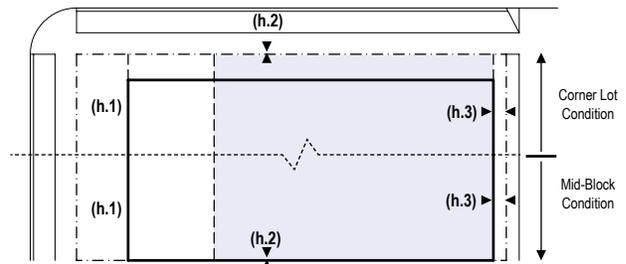
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



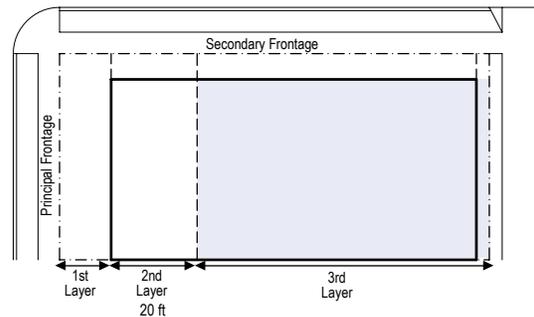
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

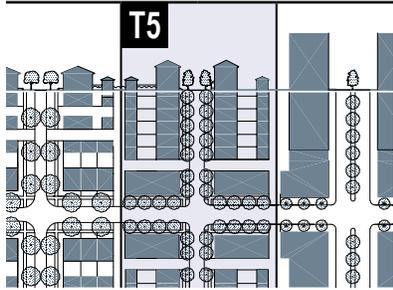
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d).
3. Trash and recycling containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.10. FORM-BASED CODE GRAPHICS: DOWNTOWN - T5



(see Table 1.1)

I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	open use
Lodging	open use
Office	open use
Retail	open use

k. BUILDING CONFIGURATION (see Tables 5.2 & 1.2k)

Principal Building	5 stories max, 2 min**
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	18 ft min 196 ft max
Lot Coverage	100% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	by Warrant
Sidyard	permitted
Rearyard	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.2g)

(g.1) Front Setback Principal	0 ft. min. 12 ft. max.
(g.2) Front Setback Secondary	0 ft. min. 12 ft. max.
(g.3) Side Setback	0 ft. min. 24 ft. max.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	80% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.2h)

(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min.
(h.3) Rear Setback	3 ft. max.*

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	not permitted
Porch & Fence	not permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.2

PARKING PROVISIONS

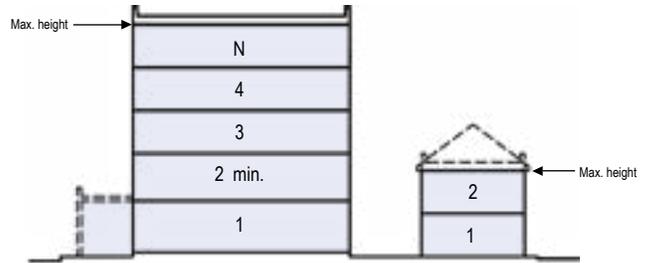
See Tables 5.5 & 5.6

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum.
 ** Buildings within the downtown historic district are limited to a maximum building height of 3 stories. 1-story and 6+ stories permitted by warrant for buildings located outside the downtown historic district.

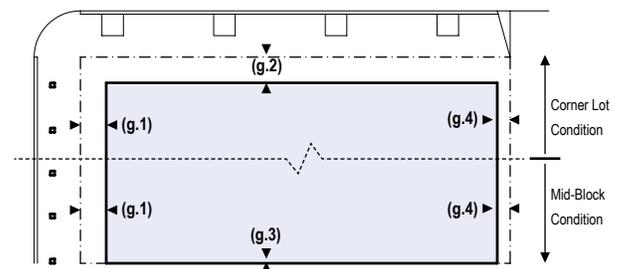
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.
4. Expression Lines shall be as shown on Table 5.2.



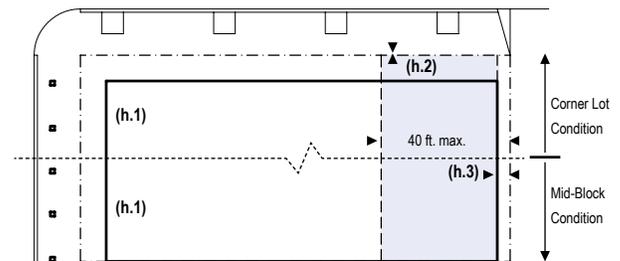
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



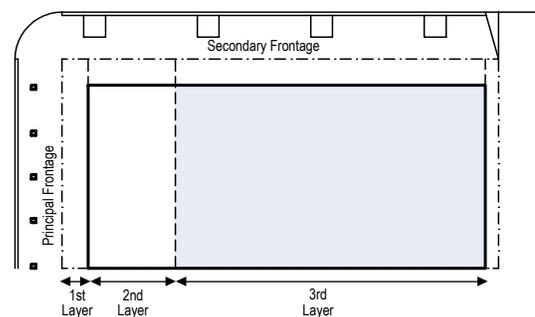
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



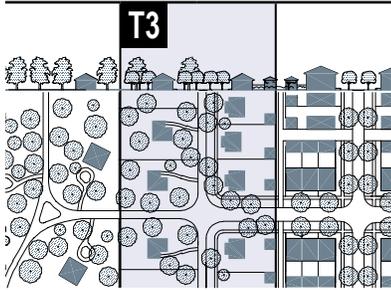
PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1).
3. Trash containers shall be stored within the third Layer.



up to 7 stories

TABLE 5.11. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T3



(see Table 1.1)

I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	restricted use
Lodging	restricted use
Office	restricted use
Retail	restricted use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.3k)

Principal Building	2 stories max.
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 1.3f)

Lot Width	60 ft. min 120 ft. max
Lot Coverage	60% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sidyard	not permitted
Rearyard	not permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.3g)

(g.1) Front Setback Principal	24 ft. min
(g.2) Front Setback Secondary	12 ft. min.
(g.3) Side Setback	12 ft. min.
(g.4) Rear Setback	12 ft. min.
Frontage Buildout	40% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.3h)

(h.1) Front Setback	20 ft. min. + bldg setback
(h.2) Side Setback	3 ft. or 6 ft at corner
(h.3) Rear Setback	3 ft. min. *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	not permitted
Forecourt	not permitted
Stoop	not permitted
Shopfront & Awning	not permitted
Gallery	not permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

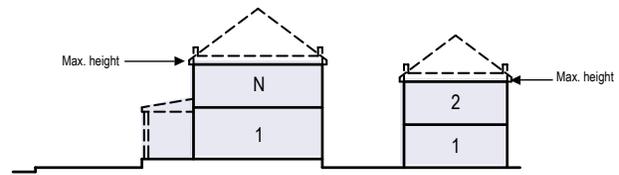
See Tables 5.5 & 5.6

*or 15 ft. from center line of rear lane or alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

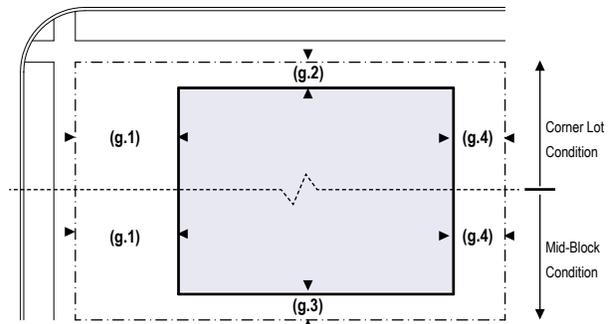
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 feet with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



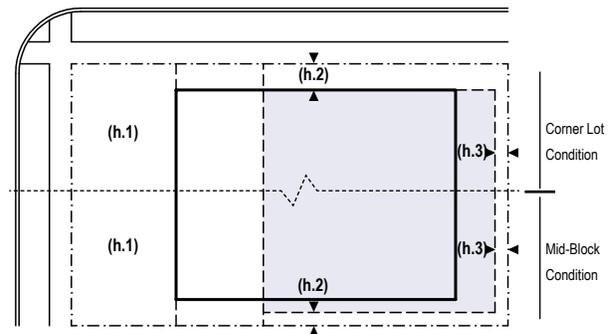
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



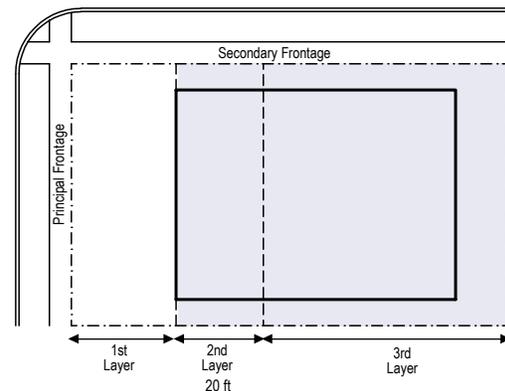
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

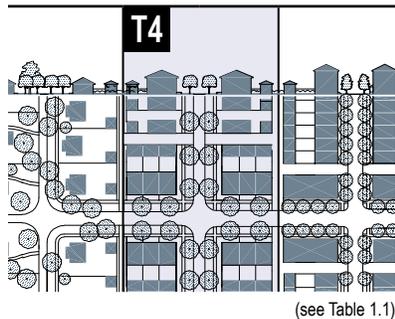
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d). Side- or rear-entry garages may be allowed in the first or second Layer by Warrant.
3. Trash and recycling containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

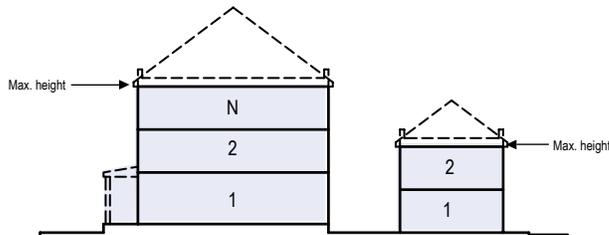
San Marcos, Texas

TABLE 5.12. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T4



BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	limited use
Lodging	limited use
Office	limited use
Retail	limited use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.3k)

Principal Building	3 stories max.
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	18 ft min 120 ft max
Lot Coverage	80% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.3g)

(g.1) Front Setback Principal	6 ft. min. 18 ft. max.
(g.2) Front Setback Secondary	6 ft. min. 18 ft. max.
(g.3) Side Setback	0 ft. min. or 6 ft. min. total
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	60% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.3h)

(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 5 ft at corner
(h.3) Rear Setback	3 ft. min *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

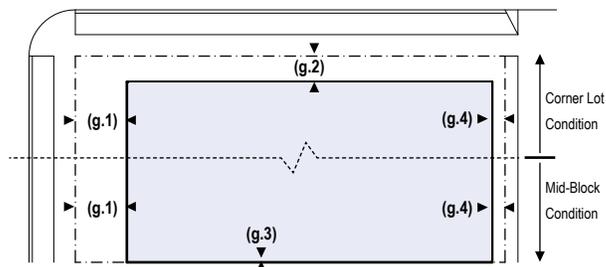
See Tables 5.5 & 5.6

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

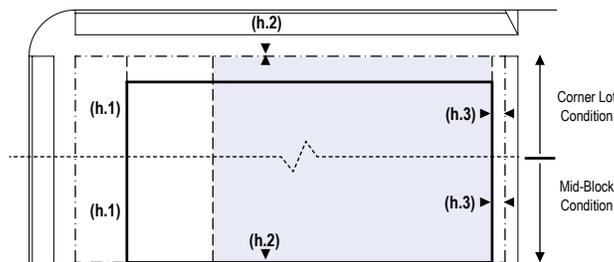
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d).
3. Trash containers shall be stored within the third Layer.

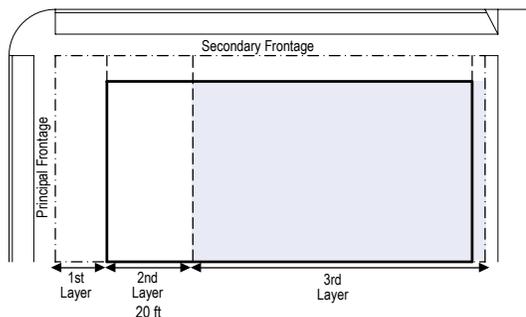
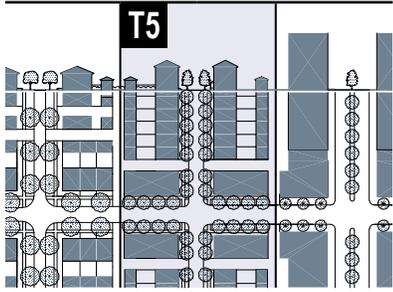


TABLE 5.13. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T5



(see Table 1.1)

I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	open use
Lodging	open use
Office	open use
Retail	open use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.3k)

Principal Building	5 stories max, 2 min**
Outbuilding	2 stories max

f. LOT OCCUPATION (see Table 1.3f)

Lot Width	18 ft min 196 ft max
Lot Coverage	100% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	by Warrant
Sidyard	permitted
Rearyard	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.3g)

(g.1) Front Setback Principal	0 ft. min. 12 ft. max.
(g.2) Front Setback Secondary	0 ft. min. 12 ft. max.
(g.3) Side Setback	0 ft. min. 24 ft. max.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	80% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.3h)

(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min.
(h.3) Rear Setback	3 ft. max.*

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	not permitted
Porch & Fence	not permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

See Tables 5.5 & 5.6

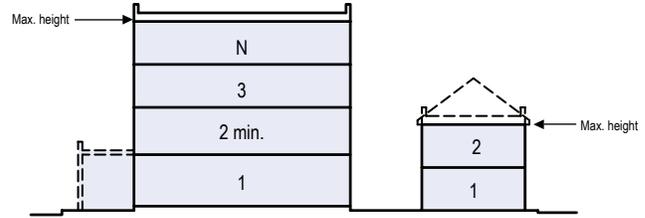
*or 15 ft. from center line of alley

**N stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

**One-story or 6+ stories permitted by warrant.

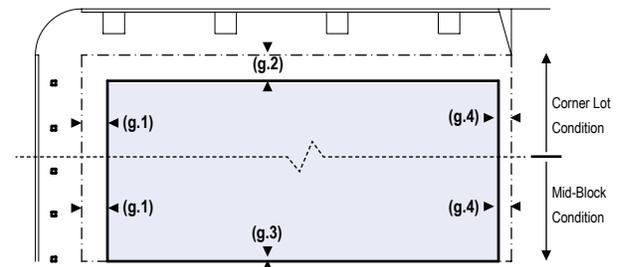
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.
4. Expression Lines shall be as shown on Table 5.2.



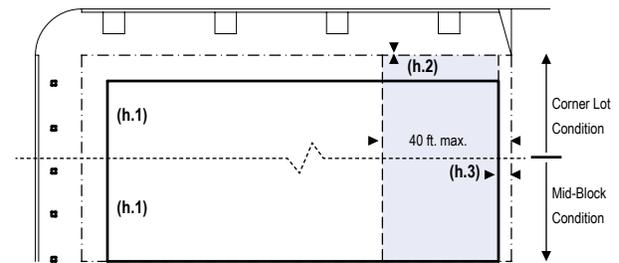
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



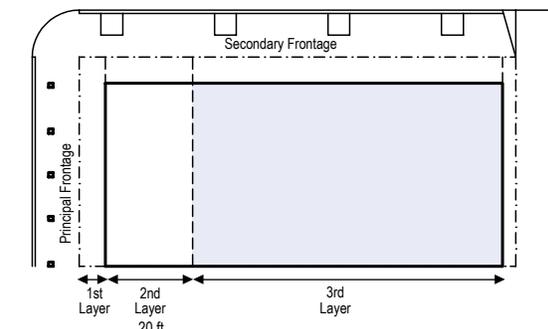
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1).
3. Trash containers shall be stored within the third Layer.



Introduction

The regulations in the SmartCode establish the basic requirements for building mass and scale throughout the downtown (see Design Context Map on page 5 for downtown boundary). These design guidelines supplement the SmartCode standards in the following ways:

- As advisory information for those who wish to better understand the intent of the design standards in the downtown SmartCode.
- As part of design review for the “administrative approval” process when alternatives are applied for.
- As part of design review for the “by warrant” process when alternatives are applied for.

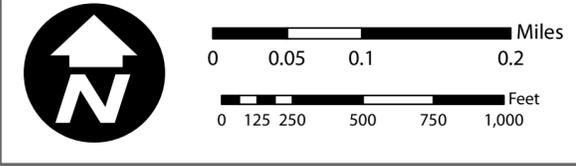
About the Design Guidelines

The guidelines within this document focus on allowing for flexibility in design while also protecting the character of downtown and enhancing its pedestrian-friendly atmosphere. The guidelines and the review process through which they are administered seek to maintain downtown as a cohesive, livable place. Maintaining an attractive pedestrian-oriented environment is a fundamental concept. In addition, the guidelines serve as educational and planning tools for property owners and their design professionals who seek to make improvements downtown.

The design guidelines also provide a basis for making consistent decisions about the appropriateness of improvement projects requesting alternative strategies through the City’s design review process. This includes both Administrative Review by the Development Review Committee as well as Planning and Zoning Commission and City Council review through the Warrant process. The Design Standards in the SmartCode and the City’s adopted Building Codes have been codified to meet the intent of the Design Guidelines. Projects that meet those standards and are not requesting exceptions shall be judged to have met the Downtown Design Guidelines.

City of San Marcos - Smart Code Transects

Map Date:
June 7, 2011



Railroad
 River
 City Limits

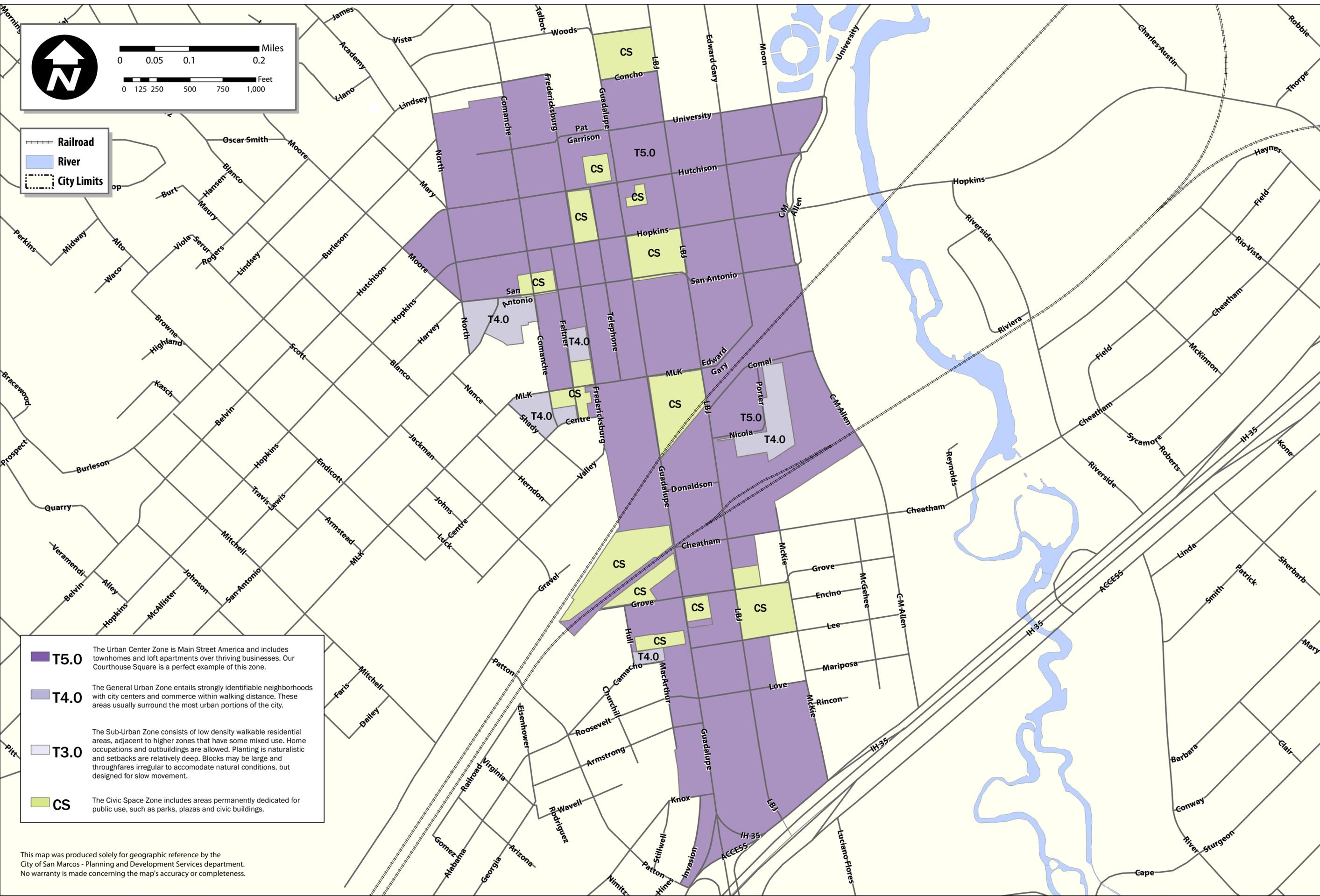
T5.0 The Urban Center Zone is Main Street America and includes townhomes and loft apartments over thriving businesses. Our Courthouse Square is a perfect example of this zone.

T4.0 The General Urban Zone entails strongly identifiable neighborhoods with city centers and commerce within walking distance. These areas usually surround the most urban portions of the city.

T3.0 The Sub-Urban Zone consists of low density walkable residential areas, adjacent to higher zones that have some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and throughfares irregular to accommodate natural conditions, but designed for slow movement.

CS The Civic Space Zone includes areas permanently dedicated for public use, such as parks, plazas and civic buildings.

This map was produced solely for geographic reference by the City of San Marcos - Planning and Development Services department. No warranty is made concerning the map's accuracy or completeness.



SAN MARCOS TX

SMARTCODE



T1



T2



T3



T4



T5

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San Marcos, Texas

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ARTICLE 1. GENERAL TO ALL PLANS

1.1. AUTHORITY

- 1.1.1. The adoption of this Code is authorized under Chapters 211 and 212 of the Texas Local Government Code.
- 1.1.2. This Code was adopted as one of the instruments of implementation of the public purposes and objectives of the City's Comprehensive Plan. This Code is declared to be in accord with the City's Downtown Master Plan and Comprehensive Plan.
- 1.1.3. This Code was adopted to promote the health, safety and general welfare of the City and its citizens, including protection of the environment, conservation of land, energy and natural resources, reduction in vehicular traffic congestion, more efficient use of public funds, health benefits of a pedestrian environment, historic preservation, education and recreation, reduction in sprawl development, and improvement of the built environment.
- 1.1.4. Amendments to this Code shall be in accordance with the procedures for amendments to the City's Land Development Code ("LDC").

1.2. APPLICABILITY

- 1.2.1. As applied to the interpretation of this Code, the word "shall" is mandatory, the word "should" is recommended; and the word "may" is permissive.
- 1.2.2. Except as otherwise indicated in this Code the provisions of this Code, when in conflict, shall take precedence over and supersede those of the LDC and other City codes, ordinances, regulations and standards. The provisions of the LDC and such other City codes, ordinances, regulations, and standards shall otherwise continue to be applicable to issues not covered by this Code.
- 1.2.3. The following City codes, ordinances, regulations, and standards shall continue to apply to development of land in the City: those mandated by state or federal law; environmental health and safety ordinances and regulations, including the Edwards Aquifer Authority regulations, water quality regulations, building codes under chapter 14 and fire codes under chapter 38 of the City Code; the requirements of any Historic Overlay District under Chapter 4 of the LDC; ordinances and regulations governing the sale or consumption of alcoholic beverages and ordinances and regulations governing the location and operation of adult-oriented business.
- 1.2.4. The existing City of San Marcos, Code of Ordinances shall continue to be applicable to issues not covered by this Code.
- 1.2.5. Capitalized terms used throughout this Code may be defined in Article 8 Definitions of Terms. Article 8 contains regulatory language that is integral to this Code. Those terms not defined in Article 8 shall be accorded their commonly accepted meanings. In the event of conflicts between the definitions in this Code and those of the LDC or other ordinances of the City, those of this Code shall take precedence.
- 1.2.6. The metrics of the Tables are an integral part of this Code. However, the diagrams and illustrations that accompany them should be considered guidelines, with the exception of those on Tables 5.8 through 5.13 Form-Based Code Graphics, which are also legally binding.
- 1.2.7. Where in conflict, numerical metrics shall take precedence over graphic metrics.

1.3. INTENT

- 1.3.1. The intent and purpose of this Code is to enable, encourage and qualify the implementation of the following policies:

1.3.2. THE REGION

- a. That the region should retain its natural infrastructure and visual character

- derived from topography, woodlands, farmlands, riparian corridors and the river.
- b. That growth strategies should encourage Infill and redevelopment in parity with New Communities.
 - c. That development contiguous to urban areas should be integrated with the existing urban pattern.
 - d. That development non-contiguous to urban areas should be organized in the pattern of Clustered Land Development ("CLD") or Traditional Neighborhood Design ("TND").
 - e. That Affordable Housing should be distributed throughout the region to match job opportunities and to avoid concentrations of poverty.
 - f. That transportation Corridors should be planned and reserved in coordination with land use.
 - g. That green corridors should be used to define and connect the urbanized areas.
 - h. That the region should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.

1.3.3. THE COMMUNITY

- a. That neighborhoods and Regional Centers should be compact, pedestrian-oriented and Mixed Use.
- b. That neighborhoods and Regional Centers should be the preferred pattern of development and that Districts specializing in a single use should be the exception.
- c. That ordinary activities of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.
- d. That interconnected networks of Thoroughfares should be designed to disperse traffic and reduce the length of automobile trips.
- e. That within neighborhoods, a range of housing types and price levels should be provided to accommodate diverse ages and incomes.
- f. That appropriate building Densities and land uses should be provided within walking distance of transit stops.
- g. That Civic, Institutional, and Commercial activities should be embedded downtown, not isolated in remote single-use complexes.
- h. That schools should be sized and located to enable children to walk or bicycle to them.
- i. That a range of Open Space including Parks, Squares, and playgrounds should be distributed within neighborhoods and downtown.

1.3.4. THE BLOCK AND THE BUILDING

- a. That buildings and landscaping should contribute to the physical definition of Thoroughfares as Civic places.
- b. That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.
- c. That architecture and landscape design should grow from local climate, topography, history, and building practice.
- d. That buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
- e. That Civic Buildings and public gathering places should be provided as locations that reinforce community identity and support self-government.
- f. That Civic Buildings should be distinctive and appropriate to a role more im-

- portant than the other buildings that constitute the fabric of the city.
- g. That the preservation and renewal of historic buildings should be facilitated, to affirm the continuity and evolution of society.
 - h. That the harmonious and orderly evolution of urban areas should be secured through form-based codes.
- 1.3.5. **THE TRANSECT**
- a. That Communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.
 - b. That the Transect Zone descriptions on Table 1.1 shall constitute the Intent of this Code with regard to the general character of each of these environments.
- 1.4. **PROCESS**
- 1.4.1. Any land to be developed under this code must be zoned as a SmartCode District ("SC"). In addition to the prerequisites of this Code, the processes and procedures under Chapter 1 Articles 3 and 5 of the LDC applicable to zoning map amendments shall apply to a petition or request seeking a zoning classification of SC or a change from one transect to another within the Downtown area. However, the requirement to post notification signs on land under Section 1.3.2.1(c) and 1.5.1.4(a) of the LDC or other section of the LDC shall not apply to land regulated by this code or to land subject to a petition for a zoning classification to which this code applies.
- 1.4.2. Within any area zoned as a SmartCode District subject to an adopted Regulating Plan this Code becomes the exclusive and mandatory regulation. Property owners within the plan area may submit Building Scale Plans under Article 5 in accordance with the provisions of this Code. Building Scale Plans requiring no Warrants or Variances shall be approved administratively by the Development Review Committee (DRC).
- 1.4.3. Within the Growth Divisions as shown on the Regional Scale Plan ("Regional Plan"), the provisions of Article 3 and this Code in general shall be available By Right, upon request by the owner.
- 1.4.4. The City of San Marcos hereby creates a DRC comprised of a member from each regulatory department having jurisdiction over the permitting of a project to process administratively applications and plans for proposed projects.
- 1.4.5. The geographic locations of the Divisions and the standards for the Transect Zones shall be determined as set forth in Article 2, Article 3, and Article 5 through a process of public consultation with approval by City Council. Once these determinations have been incorporated into this Code and its associated plans, then projects that require no Variances or Warrants, shall be processed administratively without further recourse to public consultation.
- 1.4.6. An owner may appeal a decision of the DRC to the Planning and Zoning Commission. A written appeal must be filed with the Development Services Department within ten working days from the date of notification of the final decision on the development application. An owner may appeal a decision of the Planning Commission to City Council. The petition must be filed within ten days after the date the decision is filed with the Development Services Department.
- 1.4.7. Should a violation of an approved Regulating Plan occur during construction, or should any construction, site work, or development be commenced without an approved Regulating Plan or Building Scale Plan, the Director of Development Services has the right to require the owner to stop, remove,

and/or mitigate the violation, or to secure a Variance to address the violation.

- 1.4.8. Parkland Dedication shall not be required within the Downtown area. For New Community Plans meeting the Civic Space requirements will fulfill the Parkland Dedication requirements.

1.5. WARRANTS AND VARIANCES

- 1.5.1. There shall be two types of deviation from the requirements of this Code: Warrants and Variances.

- 1.5.2. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of this Code but is justified by the provisions of Section 1.3 Intent. The Planning and Zoning Commission (P&Z) shall have the authority to approve or disapprove a request for a Warrant pursuant to regulations established, with the exception of requests for additional height. The City Council shall hold a public hearing and finally decide all Warrant requests as a negotiated agreement for height between 5 and 7 stories after review and a recommendation has been made by the P&Z. A Warrant subject to the review of the P&Z shall require a public hearing and personal notice of the public hearing be sent to property owners within 200 feet of the subject property. Personal notice shall be sent by regular mail before the tenth day before the hearing date.

- 1.5.3. A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted only in accordance with the State of Texas Statutes, Chapter 211 of the Local Government Code, as amended.

- 1.5.4. The request for a Warrant or Variance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

- 1.5.5. The following standards shall not be available for Warrants:

- a. The maximum dimensions for traffic lanes.
- b. The required provision of Rear Alleys.
- c. The Base Residential Densities.

1.6. INCENTIVES

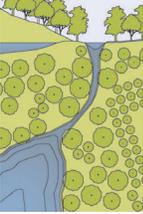
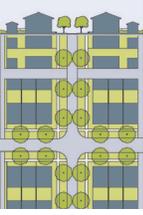
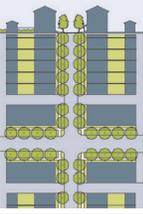
- 1.6.1. Applications that are not subject to mandatory provisions of the Code shall be eligible to utilize the following incentives by right:

- a. Applications under this code shall receive priority review status by the DRC, Planning and Zoning Commission, Zoning Board of Adjustment and the City Council ahead of applications that were eligible to use this code but elected not to do so
- b. Applications under this code shall be processed with priority over those under the LDC, including those with prior filling dates.
- c. The City shall waive the traffic impact analysis for all projects filled under this code.
- d. Reserved for additional Incentives.

San Marcos, Texas

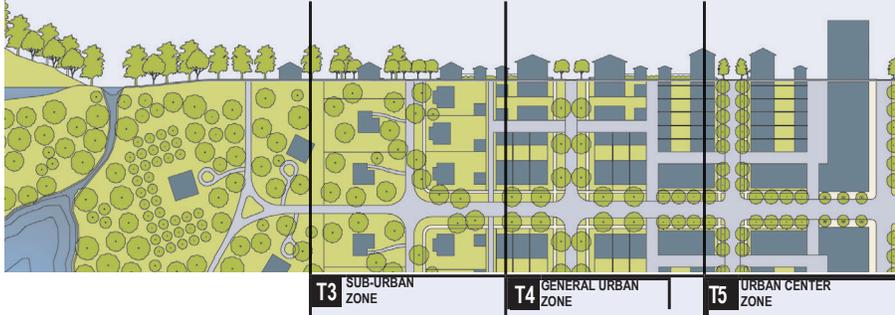
TABLE 1.1. TRANSECT ZONE DESCRIPTIONS.

This table provides descriptions of the general character of each T-zone. It is part of Intent Section 1.3.

	<p>T-1 NATURAL T-1 Natural Zone consists of lands approximating or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation.</p>	<p>General Character: Natural landscape with some agricultural use Building Placement: Not applicable Frontage Types: Not applicable Typical Building Height: Not applicable Type of Civic Space: Parks, Greenways</p>
	<p>T-2 RURAL T-2 Rural Zone consists of sparsely settled lands in open or cultivated states. These include woodland, agricultural land, grassland, and hill country. Typical buildings are farmhouses, agricultural buildings, cabins, and villas.</p>	<p>General Character: Primarily agricultural with woodlands & wetland and scattered buildings Building Placement: Variable Setbacks Frontage Types: Not applicable Typical Building Height: 1- to 2-Story Type of Civic Space: Parks, Greenways</p>
	<p>T-3 SUB-URBAN T-3 Sub-Urban Zone consists of low density walkable residential areas, adjacent to higher zones that have some mixed use. Home occupations and outbuildings are allowed. Planting is naturalistic and setbacks are relatively deep. Blocks may be large and Thoroughfares irregular to accommodate natural conditions, but designed for slow movement.</p>	<p>General Character: Lawns, and landscaped yards surrounding detached single-family houses; pedestrians occasionally Building Placement: Large and variable front and side yard Setbacks Frontage Types: Porches, fences, naturalistic tree planting Typical Building Height: 1- to 2-Story with some 3-Story Type of Civic Space: Parks, Greenways</p>
	<p>T-4 GENERAL URBAN T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.</p>	<p>General Character: Mix of Houses, Townhouses & small Apartment buildings, with scattered Commercial activity; balance between landscape and buildings; presence of pedestrians Building Placement: Shallow to medium front and side yard Setbacks Frontage Types: Porches, fences, Dooryards Typical Building Height: 2- to 3-Story with a few taller Mixed Use buildings Type of Civic Space: Squares, Greens</p>
	<p>T-5 URBAN CENTER T-5 Urban Center Zone consists of higher density mixed use building that accommodate retail, offices, rowhouses and apartments. It has a tight network of streets, with wide sidewalks, regularly spaced street tree planting and buildings set close to the sidewalks.</p>	<p>General Character: Shops mixed with Townhouses, larger Apartment houses, Offices, workplace, and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity Building Placement: Shallow Setbacks or none; buildings oriented to street defining a street wall Frontage Types: Stoops, Shopfronts, Galleries Typical Building Height: 2- to 5-Story with some variation Type of Civic Space: Parks, Plazas and Squares, median landscaping</p>

ARTICLE 1. GENERAL TO ALL PLANS

TABLE 1.2. SUMMARY TABLE - DOWNTOWN



T3 SUB-URBAN ZONE **T4** GENERAL URBAN ZONE **T5** URBAN CENTER ZONE

a. ALLOCATION OF ZONES - not applicable

b. BASE RESIDENTIAL DENSITY (see Section 5.9)

By Right	18 DUA	by design	by design
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c. BLOCK SIZE - not applicable

d. THOROUGHFARES - not applicable

e. CIVIC SPACES - not applicable

f. LOT OCCUPATION

Lot Width	60 ft. min 180 ft. max	18 ft. min 120 ft. max	18 ft. min 196 ft. max
Lot Coverage	40% max	60% max	100% max

DISPOSITION

g. SETBACKS - PRINCIPAL BUILDING (see Table 5.8 - 5.10)

(g.1) Front Setback (Principal)	24 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.2) Front Setback (Secondary)	12 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.3) Side Setback	12 ft. min	0 ft. min	0 ft. min 24 ft. max
(g.4) Rear Setback	12 ft. min	3 ft. min *	3 ft. min *
Frontage Buildout	40% min	70% min	80% min

* or 15 ft from centerline of alley

h. SETBACKS - OUTBUILDING (see Table 5.8- 5.10)

(h.1) Front Setback	20 ft. min + bldg setback	20 ft. min + bldg setback	40 ft. max from rear prop
(h.2) Side Setback	3 ft. or 6 ft. at corner	0 ft. min or 5 ft. at corner	0 ft. min
(h.3) Rear Setback	3 ft. min	3 ft. min	3 ft. max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted	permitted	by Warrant
Sideyard	not permitted	permitted	permitted
Rearyard	not permitted	permitted	permitted
Courtyard	not permitted	not permitted	permitted

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted	permitted	not permitted
Porch & Fence	permitted	permitted	not permitted
Terrace or Dooryard	not permitted	not permitted	permitted
Forecourt	not permitted	not permitted	permitted
Sloop	not permitted	permitted	permitted
Shopfront	not permitted	permitted	permitted
Gallery	not permitted	permitted	permitted

CONFIGURATION

k. BUILDING CONFIGURATION (see Table 5.2)

Principal Building Height	2 stories max	3 stories	5 stories max, 2 min*
Outbuilding Height	2 stories max	2 stories max	2 stories max

* Buildings located in the downtown historic district shall not exceed a building height of 3 stories; 1 story or up to 7 stories permitted by Warrant for buildings located outside the downtown historic district.

l. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

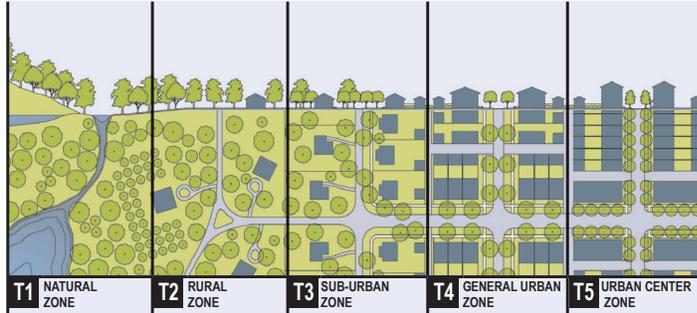
Residential	restricted use	limited use	open use
Lodging	restricted use	limited use	open use
Office	restricted use	limited use	open use
Retail	restricted use	limited use	open use

FUNCTION

ARTICLE 5

San Marcos, Texas

TABLE 1.3. SUMMARY TABLE - NEW DEVELOPMENT



	T1 NATURAL ZONE	T2 RURAL ZONE	T3 SUB-URBAN ZONE	T4 GENERAL URBAN ZONE	T5 URBAN CENTER ZONE
a. ALLOCATION OF ZONES per Community Unit, applicable to Article 3 only.					
CLD requires	50% min		20 - 40%	10-30%	not permitted
TND requires	no minimum	no minimum	10 - 30%	30 - 60%	10 - 30%
b. BASE RESIDENTIAL DENSITY (see Section 3.8)					
By Right	not applicable	1 unit / 20 ac avg.	10 DUA	by Design	by Design
Other Functions	by Variance	by Variance	20% max	10 - 30%	30 - 50%
c. BLOCK SIZE					
Block Perimeter	no maximum	no maximum	2400 ft. max	2000 ft. max	2000 ft. max *
d. THOROUGHFARES (see Table 3.3)					
					* 2500 with parking structures
HW	permitted	permitted	permitted	not permitted	not permitted
BV	not permitted	not permitted	permitted	permitted	permitted
AV	not permitted	not permitted	permitted	permitted	permitted
CS	not permitted	not permitted	not permitted	not permitted	permitted
DR	not permitted	not permitted	permitted	permitted	permitted
ST	not permitted	not permitted	permitted	permitted	permitted
RD	permitted	permitted	permitted	not permitted	not permitted
Rear Lane	not permitted	not permitted	permitted	permitted	not permitted
Rear Alley	not permitted	not permitted	not permitted	permitted	required
Path	permitted	permitted	permitted	not permitted *	not permitted
Passage	not permitted	not permitted	not permitted	permitted	permitted
Bicycle Trail	permitted	permitted	permitted	not permitted *	not permitted
Bicycle Lane	permitted	permitted	permitted	not permitted	not permitted
Bicycle Route	permitted	permitted	permitted	permitted	permitted
e. CIVIC SPACES (see Table 3.4)					
					* permitted with Open Space
Park	permitted	permitted	permitted	by Warrant	by Warrant
Green	not permitted	not permitted	permitted	permitted	permitted
Square	not permitted	not permitted	not permitted	permitted	permitted
Plaza	not permitted	not permitted	not permitted	not permitted	permitted
Playground	permitted	permitted	permitted	permitted	permitted
Community Garden	permitted	permitted	permitted	permitted	permitted
f. LOT OCCUPATION					
Lot Width	not applicable	by Warrant	60 ft. min 120 ft. max	18 ft. min 120 ft. max	18 ft. min 196 ft. max
Lot Coverage	not applicable	by Warrant	60% max	80% max	100% max
g. SETBACKS - PRINCIPAL BUILDING (see Tables 5.11 - 5.13)					
(g.1) Front Setback (Principal)	not applicable	48 ft. min	24 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.2) Front Setback (Secondary)	not applicable	48 ft. min	12 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g.3) Side Setback	not applicable	96 ft. min	12 ft. min	0 ft. min or 6 ft. min, total	0 ft. min 24 ft. max
(g.4) Rear Setback	not applicable	96 ft. min	12 ft. min	3 ft. min *	3 ft. min *
Frontage Buildout	not applicable	not applicable	40% min	60% min	80% min
h. SETBACKS - OUTBUILDING (see Tables 5.11 - 5.13)					
					* or 15 ft. from centerline of Lane or Alley
(h.1) Front Setback	not applicable	20 ft. min + bldg setback	20 ft. min + bldg setback	20 ft. min + bldg setback	40 ft. max from rear prop
(h.2) Side Setback	not applicable	3 ft. or 6 ft.	3 ft. or 6 ft.	0 ft. min or 5 ft.	0 ft. min
(h.3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. max	3 ft. max
i. BUILDING DISPOSITION (see Table 5.1)					
Edgeyard	not applicable	permitted	permitted	permitted	by Warrant
Sidyard	not applicable	not permitted	not permitted	permitted	permitted
Rearyard	not applicable	not permitted	not permitted	permitted	permitted
Courtyard	not applicable	not permitted	not permitted	not permitted	permitted
j. PRIVATE FRONTAGES (see Table 5.3)					
Common Yard	not applicable	permitted	permitted	permitted	not permitted
Porch & Fence	not applicable	permitted	permitted	permitted	not permitted
Terrace or Dooryard	not applicable	not permitted	not permitted	permitted	permitted
Forecourt	not applicable	not permitted	not permitted	permitted	permitted
Stoop	not applicable	not permitted	not permitted	permitted	permitted
Shopfront & Awning	not applicable	not permitted	not permitted	permitted	permitted
Gallery	not applicable	not permitted	not permitted	permitted	permitted
k. BUILDING CONFIGURATION (see Table 5.2)					
Principal Building	not applicable	2 Stories max	2 Stories max	3 Stories max	5 Stories max*, 2 min
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	2 Stories max
l. BUILDING FUNCTION (see Table 5.4 & Table 5.7)					
					*1 or up to 7 stories by Warrant
Residential	not applicable	restricted use	restricted use	limited use	open use
Lodging	not applicable	restricted use	restricted use	limited use	open use
Office	not applicable	restricted use	restricted use	limited use	open use
Retail	not applicable	restricted use	restricted use	limited use	open use

DISPOSITION

CONFIGURATION

FUNCTION

ARTICLE 5
ARTICLE 2, 3, 4

ARTICLE 5. LOT AND BUILDING REGULATIONS

5.1. INSTRUCTIONS

5.1.1. LOT AND BUILDING REGULATIONS

5.1.2. INSTRUCTIONS

5.1.3. Lots and buildings located within a Regulating Plan governed by this Code, and previously approved by City Council, shall be subject to the requirements of this Article.

5.1.4. Such plans require administrative approval by the DRC.

5.1.5. Building and site plans submitted under this Article shall show the following, in compliance with the standards described in this Article:

a. For preliminary site and building approval:

- i. Building Disposition
- ii. Building Configuration
- iii. Building Function
- iv. Number of dwelling units
- v. Base Residential Density
- vi. Building square footage
- vii. Parking Location Standards
- viii. Lot Lines

b. For final approval, in addition to the above:

- i. Landscape Standards
- ii. Signage Standards
- iii. Special Requirements, if any

5.1.6. Special Districts that do not have provisions within this Code shall be governed by the standards of the LDC pre-existing zoning.

PRE-EXISTING CONDITIONS

5.1.7. Existing buildings and appurtenances that do not conform to the provisions of this Code may continue in use as they are until a Substantial Modification is requested, at which time the provisions of this section shall apply.

5.1.8. The modification of existing buildings is permitted By Right if such changes result in greater conformance with the specifications of this Code.

5.1.9. Where buildings exist on adjacent Lots, the DRC may require that a proposed building match one or the other of the adjacent Setbacks and heights rather than the provisions of this Code.

5.1.10. The restoration or rehabilitation of an existing building shall not require the provision of (a) parking in addition to that existing nor (b) on-site stormwater retention/detention in addition to that existing. Existing parking requirements that exceed those for this Code may be reduced as provided by Table 5.5 and Table 5.6.

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

- 5.1.11. Any addition to or modification of a Building of Value that has been designated by the Historic Preservation Commission shall be subject to approval by the Historic Preservation Commission.

5.2. SPECIAL REQUIREMENTS

- 5.2.1. To the extent that a Regulating Plan for a New Community Plan designates any of the following Special Requirements, standards shall be applied as follows:

- a. Buildings along the A-Grid shall be held to the highest standard of this Code in support of pedestrian activity. Buildings along the B-Grid may be more readily considered for Warrants allowing automobile-oriented standards.
- b. A Mandatory or Recommended Retail Frontage designation requires or advises that a building provide a Shopfront at Sidewalk level along the entire length of its Private Frontage. The Shopfront shall be no less than 70% glazed in clear glass and should be shaded by an awning overlapping the Sidewalk as generally illustrated in Table 5.3. Awnings, if present, shall be a minimum of 3 feet deep. The first floor should be confined to Retail use through the depth of the second Layer. (Table 8.1d.)
- c. A Mandatory or Recommended Gallery Frontage designation requires or advises that a building provide a permanent cover over the Sidewalk, either cantilevered or supported by columns (as generally illustrated in Table 5.3). A Gallery Frontage may be combined with a Retail Frontage.
- d. A Mandatory or Recommended porch front requires or advises that a porch be included in the Private Frontage.
- e. A Build-to Line requires the placement of the building Façade along a line.
- f. A Coordinated Frontage designation requires that the Public Frontage (Tables 3.2 and 3.3) and Private Frontage (Table 5.3) be coordinated as a single, coherent landscape and paving design.
- g. A Mandatory or Recommended Terminated Vista designation requires or advises that the building be provided with architectural articulation of a type and character that responds visually to its axial location, as approved by the DRC.
- h. A Cross Block Passage designation requires that a minimum 8-foot-wide pedestrian access be reserved between buildings.

5.3. CIVIC ZONES (CZ)

5.3.1. GENERAL

- a. Civic Zones are designated on Community Plans as Civic Space (CS) or Civic Building (CB).
- b. For Parking Location standards, see Section 5.10.

5.3.2. CIVIC SPACES (CS)

- a. Civic Spaces shall be generally designed as described in Table 3.4.

5.3.3. CIVIC BUILDINGS (CB)

- a. Civic Buildings shall not be subject to the requirements of this Article. The particulars of their design shall be determined by Warrant.

5.4. SPECIFIC TO T1 NATURAL ZONE

- 5.4.1. Buildings in the T1 Natural Zone are permitted only by approval of the DRC. Permission to build in T1 and the standards for Article 5 shall be determined concurrently as Warrants, in public hearing of City Council.

5.5. BUILDING DISPOSITION

5.5.1. SPECIFIC TO ZONE T2

- a. Building Disposition shall be determined by Warrant.

5.5.2. SPECIFIC TO ZONES T3, T4, T5

- a. Newly platted Lots shall be dimensioned according to Table 1.3f and Tables 5.8 - 5.13.
- b. Building Disposition types shall be as shown in Table 5.1 and Tables 1.2i and 1.3i.
- c. Buildings shall be disposed in relation to the boundaries of their Lots according to Tables 1.2g and 1.3g, Tables 1.2h and 1.3h, and Tables 5.8 - 5.13.
- d. One Principal Building at the Frontage, and one Outbuilding to the rear of the Principal Building, may be built on each Lot as shown in Table 6.1c.
- e. Lot coverage by building shall not exceed that recorded in Table 1.2f and 1.3f, and Tables 5.8 - 5.13.
- f. Facades shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line, and along a minimum percentage of the Frontage width at the Setback, as specified as Frontage Buildout on Tables 1.2g and 1.3g, and Tables 5.8 - 5.13.
- g. Setbacks for Principal Buildings shall be as shown in Tables 1.2g and 1.3g and Tables 5.8 - 5.13. In the case of an Infill Lot, see Section 5.2.3.
- h. Rear Setbacks for Outbuildings shall be a minimum of 15 feet measured from the centerline of the Rear Alley or Rear Lane easement. In the absence of Rear Alley or Rear Lane, the rear Setback shall be as shown in Table 1.2h and 1.3h, and Tables 5.8 - 5.13.
- i. To accommodate slopes over ten percent, relief from front Setback requirements is available by DRC.
- j. Within T5 onsite site stormwater retention/detention is not required

5.6. BUILDING CONFIGURATION

5.6.1. GENERAL TO ZONES T3, T4, T5

- a. The Private Frontage of buildings shall conform to and be allocated in accordance with Table 5.3, and Tables 1.2j and 1.3j.
- b. Buildings on corner Lots shall have two Private Frontages as shown in Table 8.1. Prescriptions for the second and third Layers pertain only to the Principal Frontage. Prescriptions for the first Layer pertain to both Frontages.
- c. All non Shopfront Facades shall be glazed with clear glass no less than 30% of the first Story.
- d. Shopfront Frontages shall be glazed with clear glass no less than 70% and may be shaded by an awning overlapping the Sidewalk as gener-

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

- ally illustrated in Table 5.3. Awnings, if present, shall be a minimum of 3 feet deep.
- e. Building heights shall conform to Table 5.2, and Tables 1.2k and 1.3k.
 - f. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial Function, which shall be a minimum of 11 feet with a maximum of 25 feet. A single floor level exceeding 14 feet, or 25 feet at ground level, shall be counted as two (2) stories. Mezzanines extending beyond 33% of the floor area shall be counted as an additional Story.
 - g. In a Parking Structure or garage, each above-ground level counts as a single Story regardless of its relationship to habitable Stories.
 - h. Height limits do not apply to Attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads. Attics shall not exceed 14 feet in height.
- 5.6.2. **SPECIFIC TO ZONES T2, T3,T4,T5**
- a. The habitable area of an Accessory Unit within a Principal Building or an Outbuilding shall not exceed 500 square feet, excluding the parking area.
- 5.6.3. **SPECIFIC TO ZONE T3**
- a. No portion of the Private Frontage may Encroach the Sidewalk.
 - b. Open porches may Encroach the first Layer 50% of its depth. (Table 8.1d)
 - c. Balconies and bay windows may Encroach the first Layer 25% of its depth except that balconies on porch roofs may Encroach as does the porch.
- 5.6.4. **SPECIFIC TO ZONE T4**
- a. Balconies, open porches and bay windows may Encroach the first Layer 50% of its depth. (Table 8.1d)
- 5.6.5. **SPECIFIC TO ZONE T5**
- a. Awnings and Galleries may Encroach the Sidewalk to within 2 feet of the Curb but must clear the Sidewalk vertically by at least 8 feet.
 - b. Stoops, Lightwells, balconies, bay windows, and terraces may Encroach the first Layer 100% of its depth. (Table 8.1d)
 - c. Loading docks and service areas shall be permitted on Frontages only by Warrant.
 - d. When parking is not screened by a building along any part of a Frontage Line, a Streetscreen shall be built co-planar with the Facade.
 - e. Streetscreens should be between 3.5 and 8 feet in height. The Streetscreen may be replaced by a hedge or fence by Warrant. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.
 - f. A first level Residential or Lodging Function shall be raised a minimum of 2 feet from average Sidewalk grade.
- 5.7. **BUILDING FUNCTION**
- 5.7.1. **GENERAL TO ZONES T2, T3,T4,T5**
- a. Buildings in each Transect Zone shall conform to the Functions on Table

5.4, Table 5.7, and Tables 1.2I and 1.3I. Functions that do not conform shall require approval by Warrant or Variance as specified on Table 5.7.

5.7.2. SPECIFIC TO ZONES T2, T3,

- a. Accessory Functions of Restricted Lodging or Restricted Office shall be permitted within an Accessory Building. See Table 5.4.

5.7.3. SPECIFIC TO ZONES T4, T5

- a. Accessory Functions of Limited Lodging or Limited Office shall be permitted within an Accessory Building. See Table 5.4.

5.7.4. SPECIFIC TO ZONE T5

- a. First Story Commercial Functions shall be permitted.
- b. Manufacturing Functions within the first Story may be permitted by Warrant.

5.8. PARKING AND DENSITY CALCULATIONS

5.8.1. SPECIFIC TO ZONES T2, T3

- a. Buildable Density on a Lot shall be determined by the actual parking provided within the Lot as applied to the Functions permitted in Table 5.4 and Table 5.5.

5.8.2. SPECIFIC TO ZONES T4, T5

- a. Buildable Density on a Lot shall be determined by the sum of the actual parking calculated as that provided (1) within the Lot (2) along the parking lane corresponding to the Lot Frontage, and (3) by purchase or lease from a Parking Reserve within the Pedestrian Shed, if available.
- b. The actual parking may be adjusted upward by using the demand calculations as determined by Table 5.6, Parking Occupancy Rates. The applicant shall submit a parking demand summary sheet showing the process for calculating the reduction as outlined in this section.
 - i. The minimum number of parking spaces that are to be provided and maintained for each use shall be determined based on Table 5.5. Parking is not required within the Central Business Area with the exception of new multi-family development.
 - ii. The gross minimum number of parking spaces shall be multiplied by the "occupancy rate" as found in Table 5.6, for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively.
 - iii. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period shall be added to produce the aggregate gross minimum numbers of parking spaces for each time period.
 - iv. The greatest of the aggregative gross minimum numbers of parking spaces for each period shall be determined.
 - v. The Parking Occupancy Rates reduction is available for any Functions within any pair of adjacent Blocks.
- c. Based on the Effective Parking available, the Density of the projected Function may be determined according to Table 5.5.

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

- d. Within 1/2 mile radius area of a Transit Oriented Development (TOD) the Effective Parking may be further adjusted upward by 30%.
- e. The total Density within each Transect Zone shall not exceed that specified by an approved Regulating Plan based on Article 3 or Article 4.
- f. Accessory Units do not count toward Density calculations.
- g. Liner Buildings less than 30 feet deep and no more than two Stories shall be exempt from parking requirements.

5.8.3. SPECIFIC TO ZONE T5

- a. Buildable Density within the CBA is not determined by the actual parking provided. Properties within the CBA shall have no parking requirements with the exception of new multi-family development.

5.9. PARKING LOCATION STANDARDS

5.9.1. GENERAL TO ZONES T2, T3, T4, T5

- a. Parking shall be accessed by Rear Alleys or Rear Lanes, when such are available on the Regulating Plan.
- b. Open parking areas shall be masked from the Frontage by a Building or Streetscreen.

5.9.2. For buildings on B-Grids, open parking areas may be allowed unmasked on the Frontage by approval of the DRC, except for corner lots at intersections with the A-Grid.

5.9.3. SPECIFIC TO ZONES T2, T3

- a. Open parking areas shall be located at the second and third Lot Layers, except that Driveways, drop-offs and unpaved parking areas may be located at the first Lot Layer. (Table 8.1d)
- b. Garages shall be located at the third Layer except that side- or rear-entry types may be allowed in the first or second Layer by Warrant.

5.9.4. SPECIFIC TO ZONES T3, T4

- a. Driveways at Frontages shall be no wider than 12 feet in the first Layer.

5.9.5. SPECIFIC TO ZONE T4

- a. All parking areas and garages shall be located at the second or third Layer. (Table 8.1d)
- b. A minimum of one bicycle rack place shall be provided within Public or Private Frontage for every ten vehicular parking spaces

5.9.6. SPECIFIC TO ZONE T5

- a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer. (Table 8.1d)
- b. Vehicular entrances to parking lots, garages, and Parking Structures shall be no wider than 24 feet at the Frontage.
- c. Pedestrian exits from all parking lots, garages, and Parking Structures should be directly to a Frontage Line (i.e., not directly into a building) except underground levels that may be exited by pedestrians directly into a building.
- d. Parking Structures on the A-Grid shall have Liner Buildings lining the first and second Stories.
- e. A minimum of one bicycle rack place shall be provided within the Public or Private Frontage for every ten vehicular parking spaces.

5.10. LANDSCAPE STANDARDS

5.10.1. GENERAL TO ZONES T2, T3, T4, T5

- a. Impermeable surface shall be confined to the ratio of Lot coverage specified in Table 1.3 and Table 1.2
- b. Tree Fee-in-Lieu: When the replacement of trees on-site, as required by LDC Chapter 5 Article 5, is not feasible within Downtown San Marcos, the DRC may allow an applicant to pay a fee-in-lieu for all or part of the required replacement. Payment per caliper inch of required replacement fees shall be paid into the Downtown Tree Fund.
- c. Amount

5.10.2. SPECIFIC TO ZONES T2, T3, T4,

- a. The first Layer may not be paved, with the exception of Driveways as specified in Section 5.10.4 and Section 5.10.6. (Table 8.1d)

5.10.3. SPECIFIC TO ZONE T3

- a. A minimum of two trees shall be planted within the first Layer for each 30 feet of Frontage Line or portion thereof. (Table 8.1d)
- b. Trees may be of single or multiple species as shown on Table 3.5.
- c. Trees shall be naturalistically clustered.

5.10.4. SPECIFIC TO ZONE T4

- a. A minimum of one tree shall be planted within the first Layer for each 30 feet of Frontage Line or portion thereof. (Table 8.1d)
- b. Trees shall be a single type to match the type of Street Trees on the Public Frontage, or as shown on Table 3.5.

5.10.5. SPECIFIC TO ZONE T5

- a. Trees shall not be required in the first Layer.
- b. The first Layer may be paved to match the pavement of the Public Frontage.

TABLE 5.1. BUILDING DISPOSITION

This table approximates the location of the structure relative to the boundaries of each individual Lot, establishing suitable basic building types for each Transect Zone.

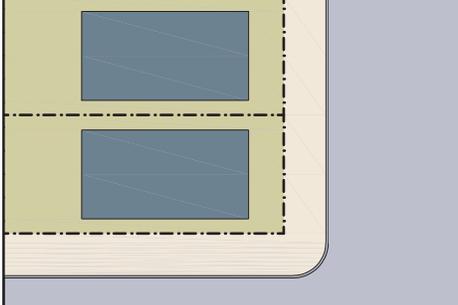
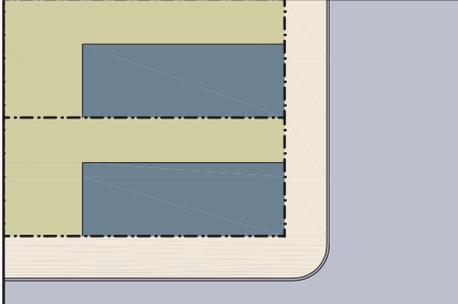
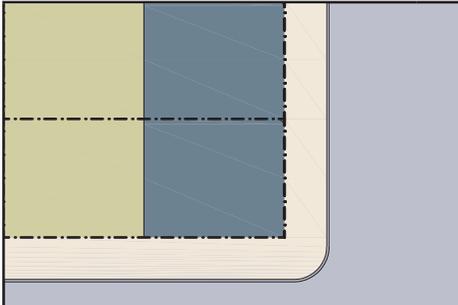
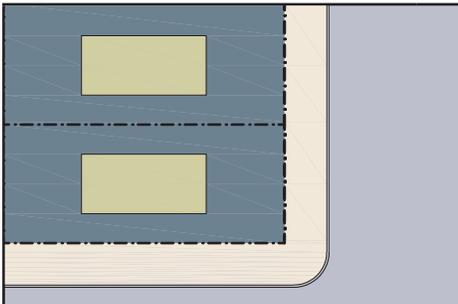
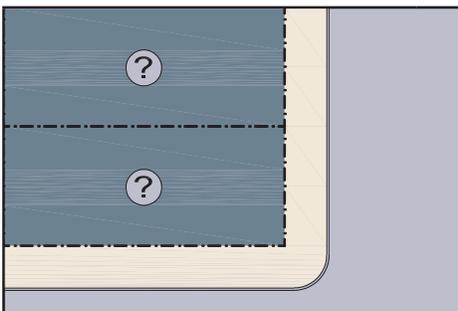
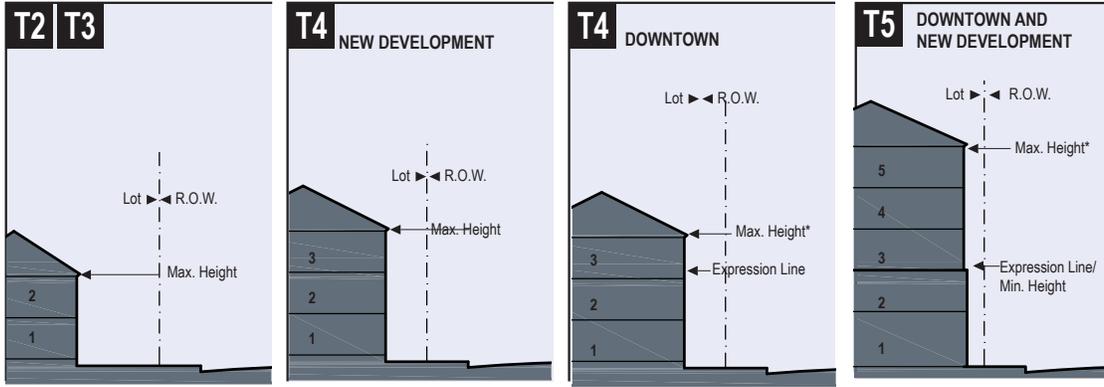
<p>a. Edgeyard: Specific Types - single family House, Cottage, villa, Estate House, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding.</p>	 <p>T2 T3 T4</p>
<p>b. Sideyard: Specific Types - Charleston single house, double house, zero lot line house, twin. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House. Energy costs, and sometimes noise, are reduced by sharing a party wall in this Disposition.</p>	 <p>T4 T5</p>
<p>c. Rearyard: Specific Types - Townhouse, Rowhouse, Live-Work unit, loft building, Apartment House, Mixed Use Block, Flex Building, perimeter Block. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.</p>	 <p>T4 T5</p>
<p>d. Courtyard: Specific Types - patio House. A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.</p>	 <p>T5</p>
<p>e. Specialized: A building that is not subject to categorization. Buildings dedicated to manufacturing and transportation are often distorted by the trajectories of machinery. Civic buildings, which may express the aspirations of institutions, may be included.</p>	 <p>SD</p>

TABLE 5.2. BUILDING CONFIGURATION

This table shows the Configurations for different building heights for each Transect Zone. Expression Lines shall occur on higher buildings as shown. Maximum height specified in Tables 1.2k and 1.3k.



*Buildings located in the downtown historic district shall not exceed a building height of 3 stories. One-story or up to 7 stories permitted by Warrant. See Section 1.5 for Warrant process. Buildings in downtown with a height greater than two stories are required to meet the Downtown Design Standards in Article 6.

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.3. PRIVATE FRONTAGE

The Private Frontage is the area between the building Facade and the Lot line.

	SECTION	PLAN
	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE
<p>a. Common Yard: a planted Frontage wherein the Facade is set back substantially from the Frontage Line. The front yard created remains unfenced and may be visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.</p>		
<p>b. Porch & Fence: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence may be used at the Frontage Line to maintain street spatial definition. Porches shall be no less than 8 feet deep.</p>		
<p>c. Terrace or Lightwell: a Frontage wherein the Facade is set back from the Frontage line by an elevated terrace or a sunken Lightwell. This type buffers Residential use from urban Sidewalks and removes the private yard from public Encroachment. Terraces are suitable for conversion to outdoor cafes. Syn: Dooryard.</p>		
<p>d. Forecourt: a Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.</p>		
<p>e. Stoop: a Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use.</p>		
<p>f. Shopfront: a Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and may have an awning that may overlap the Sidewalk to within 2 feet of the Curb. Syn: Retail Frontage.</p>		
<p>g. Gallery: a Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the Sidewalk. This type is conventional for Retail use. The Gallery shall be no less than 10 feet wide and should overlap the Sidewalk to within 2 feet of the Curb.</p>		

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.4. BUILDING FUNCTION

This table categorizes Building Functions within Transect Zones. Parking requirements on Table 5.5 are correlated to functional intensity. For Specific Function and Use permitted By Right or by Warrant, see Table 5.7.

	T2 T3	T4	T5
a. RESIDENTIAL	Restricted Residential: The number of dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building, with 2.0 parking places for the principal building and 1.0 spaces for the accessory building. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 500 sf, excluding the parking area. Occupancy restrictions per LDC section 4.3.4.5 shall apply	Limited Residential: The number of dwellings on each Lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 5.6).	Open Residential number of dwellings on each Lot is limited by the requirement of 1.0 parking place for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 5.6).
b. LODGING	Restricted Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed fourteen days.	Limited Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed fourteen days.	Open Lodging: The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function.
c. OFFICE	Restricted Office: The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	Limited Office: The building area available for office use on each Lot is limited to the first Story of the principal building and/or to the Accessory Building, and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	Open Office: The building area available for office use on each Lot is limited by the requirement of 2.0 assigned parking places per 1000 square feet of net office space.
d. RETAIL	Restricted Retail: The building area available for Retail use is restricted to one Block corner location at the first Story for each 300 dwelling units and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 20.	Limited Retail: The building area available for Retail use is limited to the first Story of buildings at corner locations, not more than one per Block, and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 40.	Open Retail: The building area available for Retail use is limited by the requirement of 3.0 assigned parking places per 1000 square feet of net Retail space. Retail spaces under 1500 square feet are exempt from parking requirements. Bars must comply with the CUP process outlined in the LDC.
e. CIVIC	See Tables 5.5- 5.7	See Tables 5.5 -5.7	See Tables 5.5- 5.7
f. OTHER	See Tables 5.5- 5.7	See Tables 5.5- 5.7	See Tables 5.5- 5.7

Properties within the CBA overlay district are exempt from Parking Requirements with the exception of new multi-family development.

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.5. PARKING CALCULATIONS

The gross minimum number of parking spaces listed below shall be multiplied by the "occupancy rate" as found in Table 5.6, for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period shall be added to produce the aggregate gross minimum numbers of parking spaces for each time period. Properties within the Central Business Area are exempt from parking requirements with the exception of new multi-family development.* New multi-family development within the Downtown SmartCode District shall adhere to the parking requirements of the Land Development Code.

REQUIRED PARKING (See Table 5.4)				
	T2	T3	T4	T5
RESIDENTIAL	2.0 / dwelling		1.0 / dwelling*	1.0 / dwelling*
LODGING	1.0 / bedroom		1.0 / bedroom	1.0 / bedroom
OFFICE	3.0 / 1000 sq. ft.		3.0 / 1000 sq. ft.	2.0 / 1000 sq. ft.
RETAIL	4.0 / 1000 sq. ft.		4.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.
CIVIC	1.0 / 5 seats assembly use 1.0 / 1000 s.f. of exhibition or recreation area		1.0 / 5 seats assembly use 1.0 / 1000 s.f. of exhibition or recreation area	1.0 / 5 seats assembly use 1.0 / 1000 s.f. of exhibition or recreation area
GENERAL			Parking requirement may be reduced according to Table 5.6 Parking Occupancy Rate. 1 Bicycle Rack Space / 20 vehicular spaces required. Parking may be provided off-site within a distance of 1000 ft.	Parking requirement may be reduced according to Table 5.6 Parking Occupancy Rate. 1 Bicycle Rack Space / 10 vehicular spaces required. Parking ratio may be reduced within 1/2 mile radius of a TOD and within 1/4 mile radius of a Transit Corridor by thirty percent (30%). Parking may be provided by ownership or lease offsite within 1000 ft.

TABLE 5.6. PARKING OCCUPANCY RATES

Development Services shall provide a spreadsheet to perform the parking calculations based on the percentages below.

USES	M - F	M - F	M - F	SAT & SUN	SAT & SUN	SAT & SUN
	8 AM - 6 PM	6 PM - 12 AM	12 AM - 8 AM	8 AM - 6 PM	6 PM - 12 AM	6 PM - 12 AM
RESIDENTIAL	60%	100%	100%	80%	100%	100%
OFFICE	100%	20%	5%	5%	5%	5%
RETAIL	90%	80%	5%	100%	70%	5%
HOTEL	70%	100%	100%	70%	100%	100%
RESTAURANT	70%	100%	100%	70%	100%	100%
MOVIE THEATER	40%	80%	10%	80%	100%	10%
ENTERTAINMENT	40%	100%	10%	80%	100%	50%
CONFERENCE	100%	100%	5%	100%	100%	5%
CIVIC (NON-CHURCH)	100%	20%	5%	10%	10%	5%
CIVIC (CHURCH)	20%	20%	5%	100%	50%	5%

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.7. SPECIFIC FUNCTION & USE

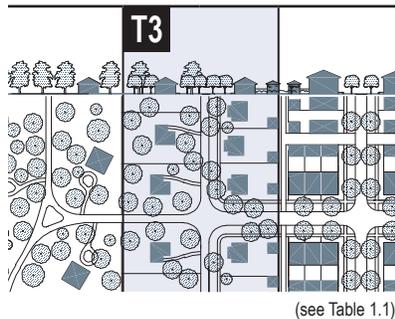
This table expands the categories of Table 5.4 to delegate specific Functions and uses within Transect Zones.

	T1	T2	T3	T4	T5	SD
a. RESIDENTIAL						
Mixed Use Block					▪	
Flex Building				▪	▪	
Apartment Building				▪	▪	
Live/Work Unit			▪	▪	▪	□
Rowhouse				▪	▪	
Duplex			▪	▪	▪	
Courtyard House				▪	▪	
Sideyard House			▪	▪	▪	
Cottage			▪	▪		
House	▪	▪	▪	▪		
Villa	▪					
Accessory Unit	▪	▪	▪	▪	▪	
b. LODGING						
Hotel (no room limit)					▪	□
Inn (up to 12 rooms)		□		▪	▪	
Bed & Breakfast (up to 5 rooms)		□	□	▪	▪	
S.R.O. hostel			□	□	□	□
School Dormitory				▪	▪	▪
c. OFFICE						
Office Building				▪	▪	□
Live-Work Unit			▪	▪	▪	□
d. RETAIL						
Open-Market Building		▪	▪	▪	▪	▪
Retail Building				▪	▪	□
Display Gallery				▪	▪	□
Restaurant				▪	▪	
Kiosk				▪	▪	□
Push Cart					□	□
*Liquor Selling Establishment						
*Adult Entertainment						
e. CIVIC						
Bus Shelter			▪	▪	▪	▪
Convention Center						▪
Conference Center					□	▪
Exhibition Center						▪
Fountain or Public Art	▪	▪	▪	▪	▪	▪
Library				▪	▪	▪
Live Theater					▪	▪
Movie Theater					▪	▪
Museum					□	▪
Outdoor Auditorium	□	▪			▪	▪
Parking Structure					▪	▪
Passenger Terminal					□	▪
Playground	▪	▪	▪	▪	▪	▪
Sports Stadium						▪
Surface Parking Lot				□	□	▪
Religious Assembly	▪	▪	▪	▪	▪	▪

	T1	T2	T3	T4	T5	SD
f. OTHER: AGRICULTURE						
Grain Storage	▪	▪				□
Livestock Pen	□	□				□
Greenhouse	▪	▪	□			□
Stable	▪	▪	□			□
Kenel	▪	▪			□	□
f. OTHER: AUTOMOTIVE						
Gasoline		□			□	▪
Automobile Service					□	▪
Truck Maintenance						▪
Drive -Through Facility					□	▪
Rest Stop	▪	▪				□
Roadside Stand	▪	▪				□
Shopping Center						□
Shopping Mall						□
f. OTHER: CIVIL SUPPORT						
Fire Station			▪	▪	▪	▪
Police Station				▪	▪	▪
Cemetery		▪	□	□		▪
Funeral Home				▪	▪	▪
Hospital					□	▪
Medical Clinic				□	▪	▪
f. OTHER: EDUCATION						
College					□	▪
High School				□	□	▪
Trade School					□	▪
Elementary School			□	▪	▪	▪
Childcare Center		▪	▪	▪	▪	□
f. OTHER: INDUSTRIAL						
Heavy Industrial Facility						▪
Light Industrial Facility						▪
Truck Depot						▪
Laboratory Facility						▪
Water Supply Facility						▪
Sewer and Waste Facility						▪
Electric Substation	□	□	□	□	□	▪
Wireless Transmitter	□	□			□	▪
Cremation Facility						▪
Warehouse						▪
Produce Storage						▪
Mini-Storage						▪

▪ BY RIGHT
 □ BY WARRANT
 * Refer to the LDC for standards

TABLE 5.8. FORM-BASED CODE GRAPHICS: DOWNTOWN - T3



I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	restricted use
Lodging	restricted use
Office	restricted use
Retail	restricted use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.2k)

Principal Building	2
Outbuilding	2 stories max

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	60 ft. min 180 ft. max
Lot Coverage	40% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sideyard	not permitted
Rearyard	not permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.2g)

(g.1) Front Setback Principal	24 ft. min
(g.2) Front Setback Secondary	12 ft. min.
(g.3) Side Setback	12 ft. min.
(g.4) Rear Setback	12 ft. min.*
Frontage Buildout	40% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.2h)

(h.1) Front Setback	20 ft. min. + bldg setback
(h.2) Side Setback	3 ft. or 6 ft at corner
(h.3) Rear Setback	3 ft. min. *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	not permitted
Forecourt	not permitted
Scoop	not permitted
Shopfront & Awning	not permitted
Gallery	not permitted

Refer to Summary Table 1.2

PARKING PROVISIONS

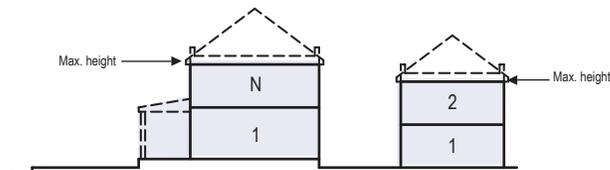
See Tables 5.5 & 5.6

*or 15 ft. from center line of rear lane or alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

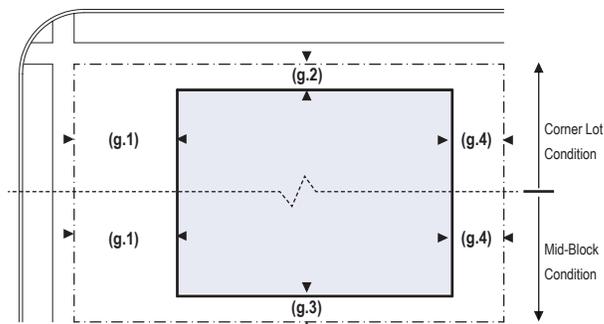
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



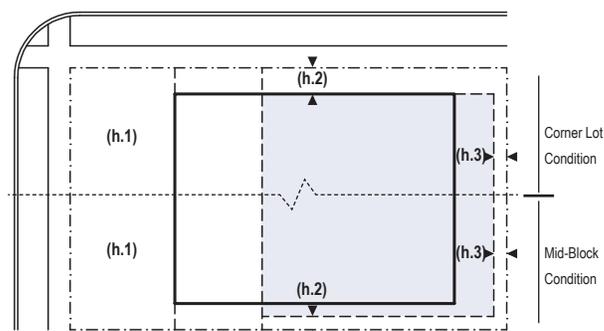
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d). Side- or rear-entry garages may be allowed in the first or second Layer by Warrant.
3. Trash and recycling containers shall be stored within the third Layer.

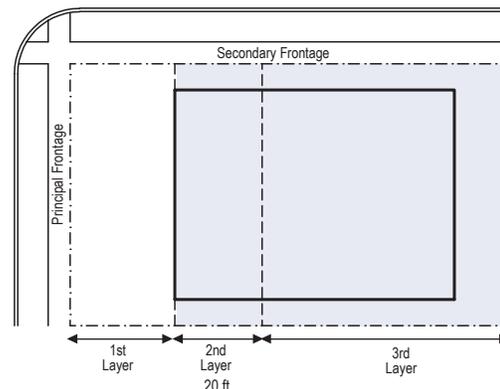
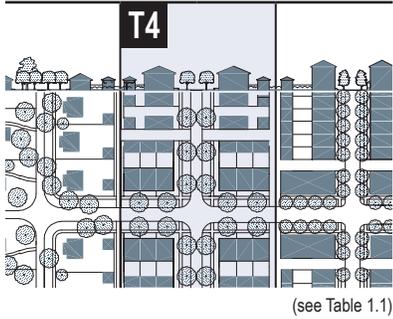
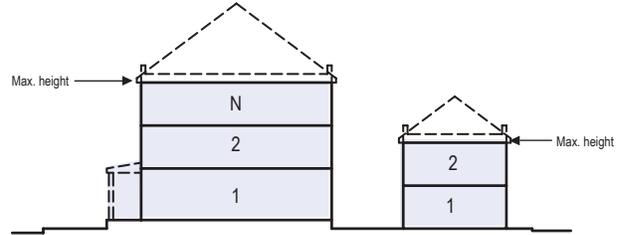


TABLE 5.9. FORM-BASED CODE GRAPHICS: DOWNTOWN - T4



BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	limited use
Lodging	limited use
Office	limited use
Retail	limited use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.2k)

Principal Building	3 stories max
Outbuilding	2 stories max

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	18 ft min 120 ft max
Lot Coverage	60% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sidyard	permitted
Rearyard	permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.2g)

(g.1) Front Setback Principal	6 ft. min. 18 ft. max.
(g.2) Front Setback Secondary	6 ft. min. 18 ft. max.
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	70% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.2h)

(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 5 ft at corner
(h.3) Rear Setback	3 ft. min *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	not permitted
Forecourt	not permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.2

PARKING PROVISIONS

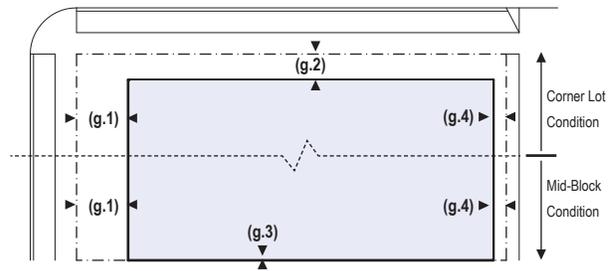
See Tables 5.5 & 5.6

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

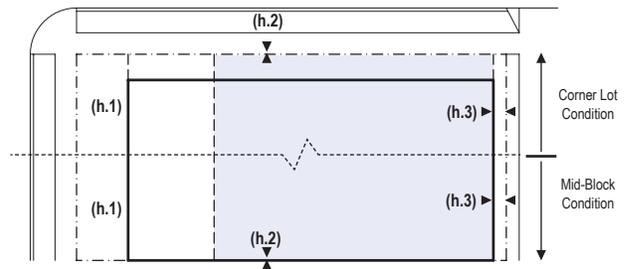
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



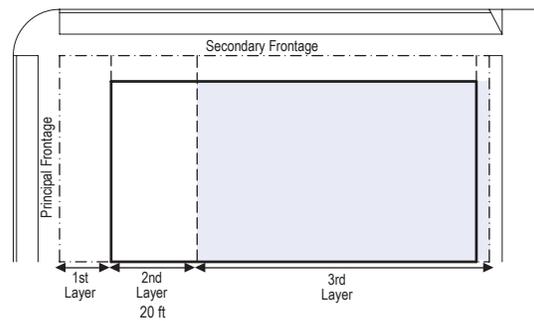
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

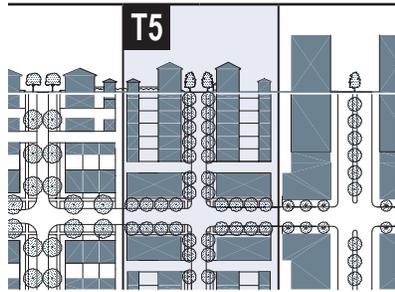
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d).
3. Trash and recycling containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.10. FORM-BASED CODE GRAPHICS: DOWNTOWN - T5



(see Table 1.1)

I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	open use
Lodging	open use
Office	open use
Retail	open use

k. BUILDING CONFIGURATION (see Tables 5.2 & 1.2k)

Principal Building	5 stories max, 2 min**
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	18 ft min 196 ft max
Lot Coverage	100% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	by Warrant
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.2g)

(g.1) Front Setback Principal	0 ft. min. 12 ft. max.
(g.2) Front Setback Secondary	0 ft. min. 12 ft. max.
(g.3) Side Setback	0 ft. min. 24 ft. max.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	80% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.2h)

(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min.
(h.3) Rear Setback	3 ft. max.*

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	not permitted
Porch & Fence	not permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.2

PARKING PROVISIONS

See Tables 5.5 & 5.6

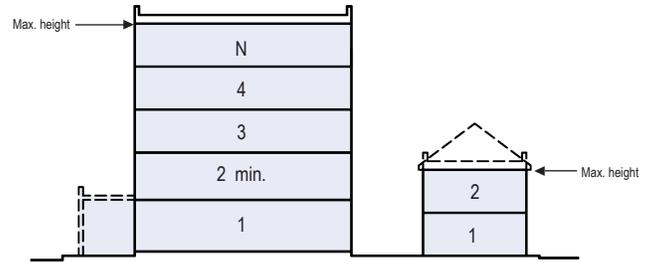
*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum.

** Buildings within the downtown historic district are limited to a maximum building height of 3 stories. 1-story or up to 7 stories permitted by Warrant for buildings located outside the downtown historic district.

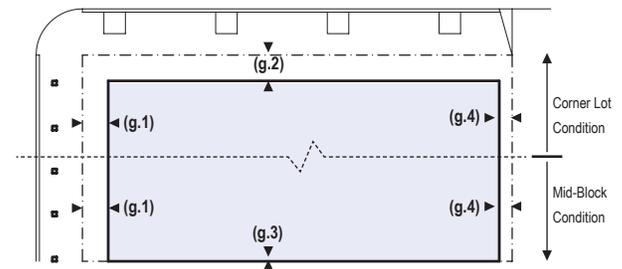
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.
4. Expression Lines shall be as shown on Table 5.2.



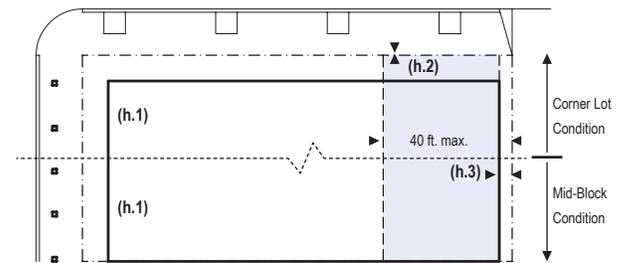
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1).
3. Trash containers shall be stored within the third Layer.

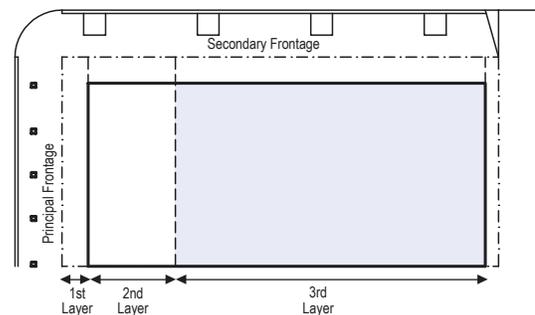
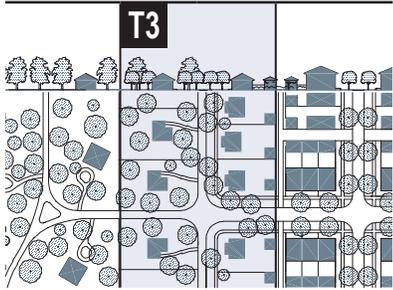


TABLE 5.11. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T3



(see Table 1.1)

I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	restricted use
Lodging	restricted use
Office	restricted use
Retail	restricted use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.3k)

Principal Building	2 stories max.
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 1.3f)

Lot Width	60 ft. min 120 ft. max
Lot Coverage	60% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sideyard	not permitted
Rearyard	not permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.3g)

(g.1) Front Setback Principal	24 ft. min
(g.2) Front Setback Secondary	12 ft. min.
(g.3) Side Setback	12 ft. min.
(g.4) Rear Setback	12 ft. min.
Frontage Buildout	40% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.3h)

(h.1) Front Setback	20 ft. min. + bldg setback
(h.2) Side Setback	3 ft. or 6 ft at corner
(h.3) Rear Setback	3 ft. min. *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	not permitted
Forecourt	not permitted
Stoop	not permitted
Shopfront & Awning	not permitted
Gallery	not permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

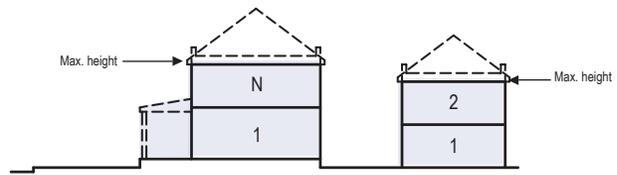
See Tables 5.5 & 5.6

*or 15 ft. from center line of rear lane or alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

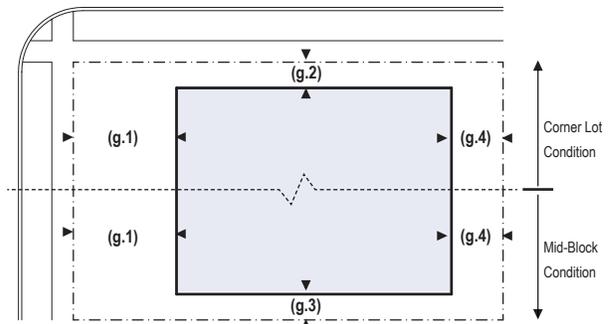
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 feet with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



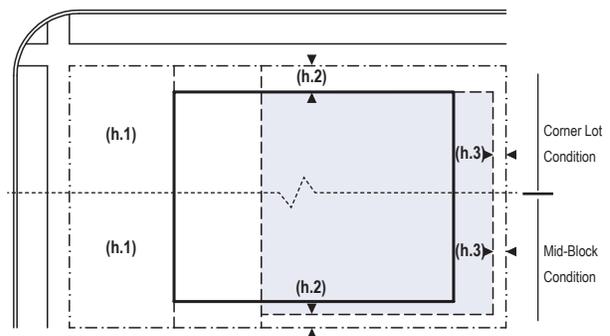
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



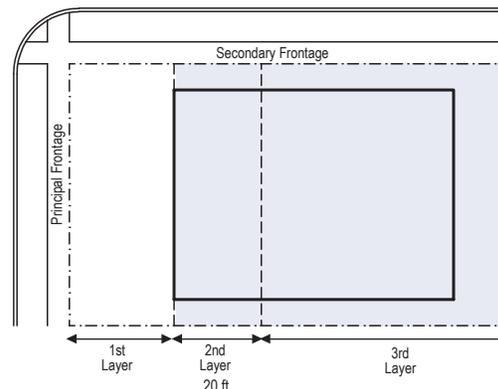
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

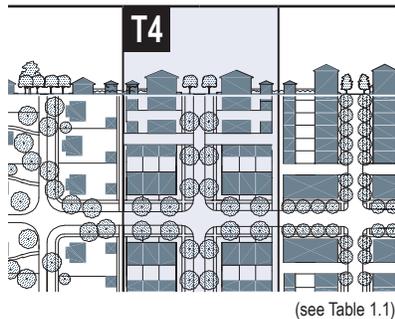
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d). Side- or rear-entry garages may be allowed in the first or second Layer by Warrant.
3. Trash and recycling containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.12. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T4



I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	limited use
Lodging	limited use
Office	limited use
Retail	limited use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.3k)

Principal Building	3 stories max.
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 1.2f)

Lot Width	18 ft min 120 ft max
Lot Coverage	80% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sideyard	permitted
Rearyard	permitted
Courtyard	not permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.3g)

(g.1) Front Setback Principal	6 ft. min. 18 ft. max.
(g.2) Front Setback Secondary	6 ft. min. 18 ft. max.
(g.3) Side Setback	0 ft. min. or 6 ft. min. total
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	60% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.3h)

(h.1) Front Setback	20 ft. min. + bldg. setback
(h.2) Side Setback	0 ft. min. or 5 ft at corner
(h.3) Rear Setback	3 ft. min *

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	permitted
Porch & Fence	permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

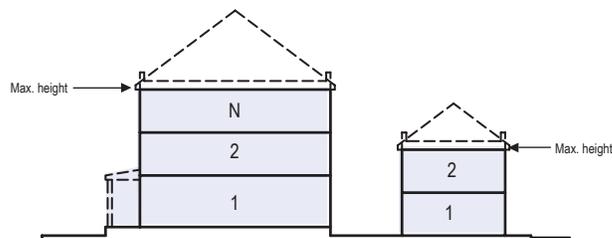
See Tables 5.5 & 5.6

*or 15 ft. from center line of alley

"N" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums

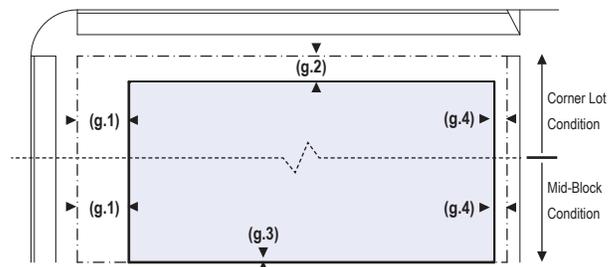
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



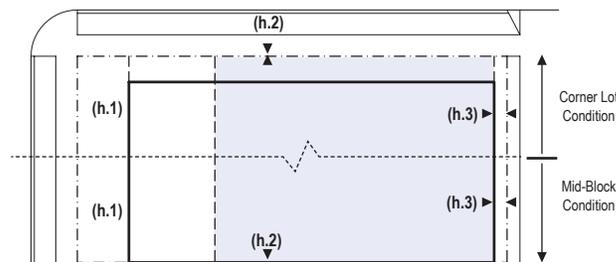
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1d).
3. Trash containers shall be stored within the third Layer.

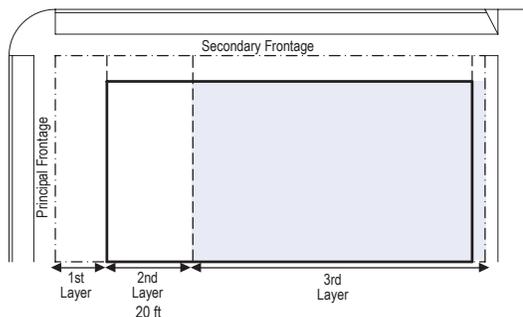
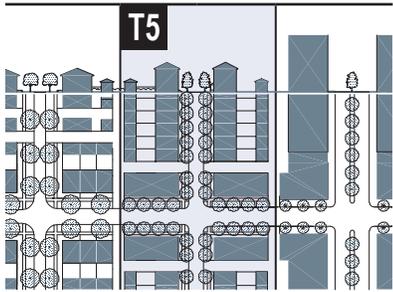


TABLE 5.13. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T5



(see Table 1.1)

I. BUILDING FUNCTION (see Table 5.4 & Table 5.7)

Residential	open use
Lodging	open use
Office	open use
Retail	open use

k. BUILDING CONFIGURATION (see Table 5.2 & 1.3k)

Principal Building	5 stories max, 2 min**
Outbuilding	2 stories max

f. LOT OCCUPATION (see Table 1.3f)

Lot Width	18 ft min 196 ft max
Lot Coverage	100% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	by Warrant
Sidyard	permitted
Rearyard	permitted
Courtyard	permitted

g. SETBACKS - PRINCIPAL BUILDING (see Table 1.3g)

(g.1) Front Setback Principal	0 ft. min. 12 ft. max.
(g.2) Front Setback Secondary	0 ft. min. 12 ft. max.
(g.3) Side Setback	0 ft. min. 24 ft. max.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	80% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.3h)

(h.1) Front Setback	40 ft. max. from rear prop.
(h.2) Side Setback	0 ft. min.
(h.3) Rear Setback	3 ft. max.*

j. PRIVATE FRONTAGES (see Table 5.3)

Common Yard	not permitted
Porch & Fence	not permitted
Terrace or L.C.	permitted
Forecourt	permitted
Stoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

See Tables 5.5 & 5.6

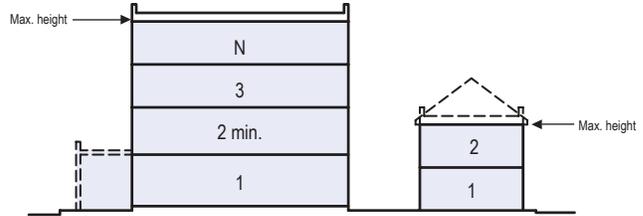
*or 15 ft. from center line of alley

**N stands for any Stories above those shown, up to the maximum. Refer to metrics for exact minimums and maximums.

**One-story or up to 7 stories permitted by Warrant.

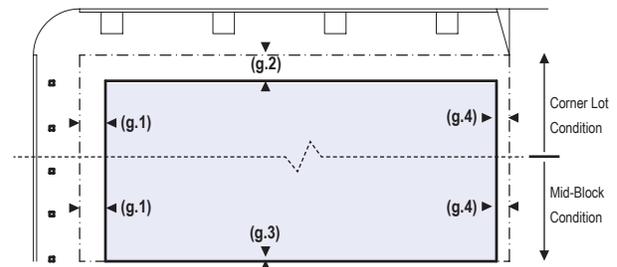
BUILDING CONFIGURATION

1. Building height shall be measured in number of Stories, excluding Attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 25 ft.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.
4. Expression Lines shall be as shown on Table 5.2.



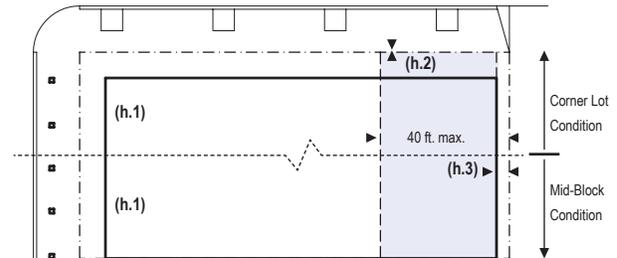
SETBACKS - PRINCIPAL BLDG

1. The Facades and Elevations of Principal Buildings shall be distanced from the Lot lines as shown.
2. Facades shall be built along the Principal Frontage to the minimum specified width in the table.



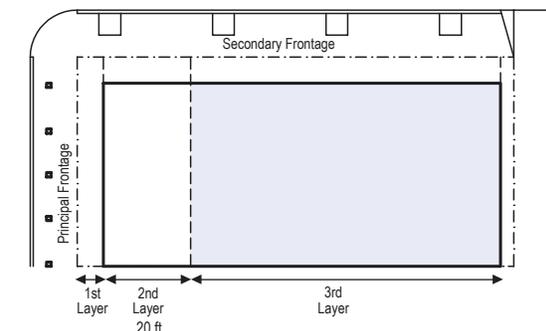
SETBACKS - OUTBUILDING

1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



PARKING PLACEMENT

1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 8.1).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 8.1).
3. Trash containers shall be stored within the third Layer.





City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Legislation Text

File #: ID#15-256, **Version:** 1

AGENDA CAPTION:

Public hearing, staff presentation and discussion on the FY 2016-25 Capital Improvements Program.

Meeting date: May 12, 2015

Department: Engineering / CIP

Funds Required:

Account Number:

Funds Available:

Account Name:

CITY COUNCIL GOAL:

BACKGROUND:

February 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16 HOLIDAY	17	18	19	20	21
22	23	24	25	26	27	28

2015 CIP Calendar

■ P&Z Meeting ● Council Meeting

February 20th - CIP/Eng Dept Review Complete
 Feb 26th - 1st CIP Group Review Meeting

March 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

March 12th - 2nd Group Meeting & Finalize 3 yr CIP
 * March 13th - Projects to City Manager
 March 24th - P&Z Discussion Item—3 YR Presented

April 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

April 10th - Complete 10 Yr CIP
 April 12th - Published Notice for 4/28 P&Z Public Hearing
 April 14th - P&Z Discussion Item—3 Yr
 April 28th - P&Z Dissucion Item - 10 YR Presented

May 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25 HOLIDAY	26	27	28	29	30

May 12th - P&Z Discussion Item - 10 Yr
 May 26th - P&Z Recommendation on 3yr and 10yr

June 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2nd - Present to City Council



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Legislation Text

File #: ID#15-254, **Version:** 1

AGENDA CAPTION:

Development Services Report:

- a. Code SMTX update

Meeting date: May 12, 2015

Department: Planning and Development Services

Funds Required: n/a

Account Number: n/a

Funds Available: n/a

Account Name: n/a

CITY COUNCIL GOAL:

BACKGROUND: