



Code SMTX Think Tank Meeting

Wednesday, September 2, 2015

6:00 pm

San Marcos Activity Center, 501 E. Hopkins

AGENDA

1. **Call to Order**
2. **Roll Call**
3. **30 Minute Citizen Comment Period.** The Think Tank welcomes citizen comments. Anyone wishing to speak must sign in with the secretary before the meeting and observe a three-minute time limit.
4. **Approval of Minutes from July 22, 2015**
5. **Announcements and discussion regarding the transition of certain Think Tank members' roles and the replacement of the vice-chair position.**
6. **Discussion of Draft Review Process Summary**
7. **Issue Exploration – Zoning in Areas of Stability and Existing Neighborhoods**
 - a. **Zoning Translation Table**
 - b. **Character Based Districts in Areas of Stability and Existing Neighborhoods**
 - c. **Planned Development Districts**
 - d. **Accessory Dwelling Unit**
 - e. **Conventional Districts Retired And Enhanced through CodeSMTX**
8. **Next Steps**
 - a. **Future Agenda Items**
 - b. **September 30 Joint P&Z and City Council Workshop**
9. **Questions from the Press and Public.**
10. **Adjourn.**

Discussion Topics Refined – From 7/22/15 Think Tank Meeting

1. How will regulating plans in Employment Centers be established and will the *Preferred Scenario Amendment* (PSA) process be expedited for employment projects
2. Will *Planned Development Districts* (PDDs) be allowed in the new code? Is there enough flexibility in the new code that PDD's will not be needed as an option?
3. How are existing conventional zoning districts changing through the new Code?
 - a. Changes to Development Standards
 - b. Changes to uses
4. What is the process for future rezoning requests in neighborhoods specifically in
 - a. Transition areas
 - b. Corridors
 - c. And commercial nodes
5. Where, when, and how are Accessory Dwelling units allowed? What are the size and location standards associated?
6. Is the proposed process for regulating plans realistic and feasible for implementation where there is fragmented ownership? How can property owners amend the regulating plans if needed?
7. Will Special Districts be carried over from the existing code and will new districts be permitted? What is the difference between a Special District and PDD?
8. Are there coding tools that can be used to encourage schools to embed within the neighborhood?
9. Does the new code provide enough diversity of housing types?
10. What is the process for rebuilding a non-conforming structure?
11. What are the minimum acreage requirements for Character Based Zoning (CBZ)?
12. How can existing and proposed "Light Industrial" (LI) uses be accommodated in Character Districts?
13. When and how does the City consider and apply public financing districts?
14. How does the code deal with transitions between zoning intensity?
15. Are the proposed parking ratios appropriate? Should there be maximums in some cases? When should reductions be given?
16. Is there enough flexibility in landscaping standards? Do they encourage drought tolerance?
17. Are there flooding related issues to be discussed in the code?
18. Can we require the City to follow the code?
19. How can we increase collaboration and coordination with Texas State?

1 Patrick Rose provided a letter of resignation to Staff and the Think Tank members. Patrick stated
2 that his resignation from the Think Tank would become effective at the end of the meeting.
3 Patrick requested that Staff forward the letter to City Council and to Mayor Guerrero.

4 **Distribution and discussion of Think Tank Code Issue Exploration Process**

6 Abby Gillfillan provided an overview of the Code process and associated dates leading up the
7 Code adoption.

9
10 Kristy Stark presented and reviewed the *Think Tank Handbook* that was presented to the Think
11 Tank at the start of the Code SMTX process. Kristy further discussed the roles of Think Tank
12 members.

13
14 The Think Tank discussed the Code Issue Exploration Process, managing expectations within the
15 code, and discussed the Think Tank roles. The Think Tank explored methods for addressing
16 individual comments and framing the semantics of the draft code.

17
18 John David suggested continuing through the next couple of meetings with the current process in
19 order to test the Code Issue Exploration Process.

20
21 The Think Tank suggested naming the draft code “Initial Working Draft”.

22 **Next Steps**

23 **a. Future Agenda Items**

24
25 Abby presented the September 2, 2015 meeting topic: explore issues on the proposed
26 changes to conventional zoning districts and the process for re-zoning and re-
27 development within existing neighborhood areas. Abby explained that the topics during
28 the meeting discussion are derived from the following Discussion Topics:

- 29 2. Will PDD’s be allowed in the new code?
- 30 3. How are the existing conventional zoning districts changing
- 31 4. What is the process for future rezoning in neighborhoods?
- 32 11. What are the minimum acreage requirements for Character Based Zoning?

33 **b. Zoning for Character Workshops**

34
35 Abby presented a post card to the Think Tank that is being used to inform the public of
36 the upcoming Zoning for Character Workshops on August 19th and 20th.

37 **Questions from the press and public**

38
39 There were no questions from the press or public.

40 **Adjourn**

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1 **Flex Time: Open office hours / time available for Think Tank to discuss items individually**
2 **with Staff**

3
4 **THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 7:24**
5 **P.M.**

6
7 _____
8 John David Carson, Chair

9
10 _____
11 Shawn DuPont

12
13 _____
14 Chris Wood

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16 _____
17 David Singleton

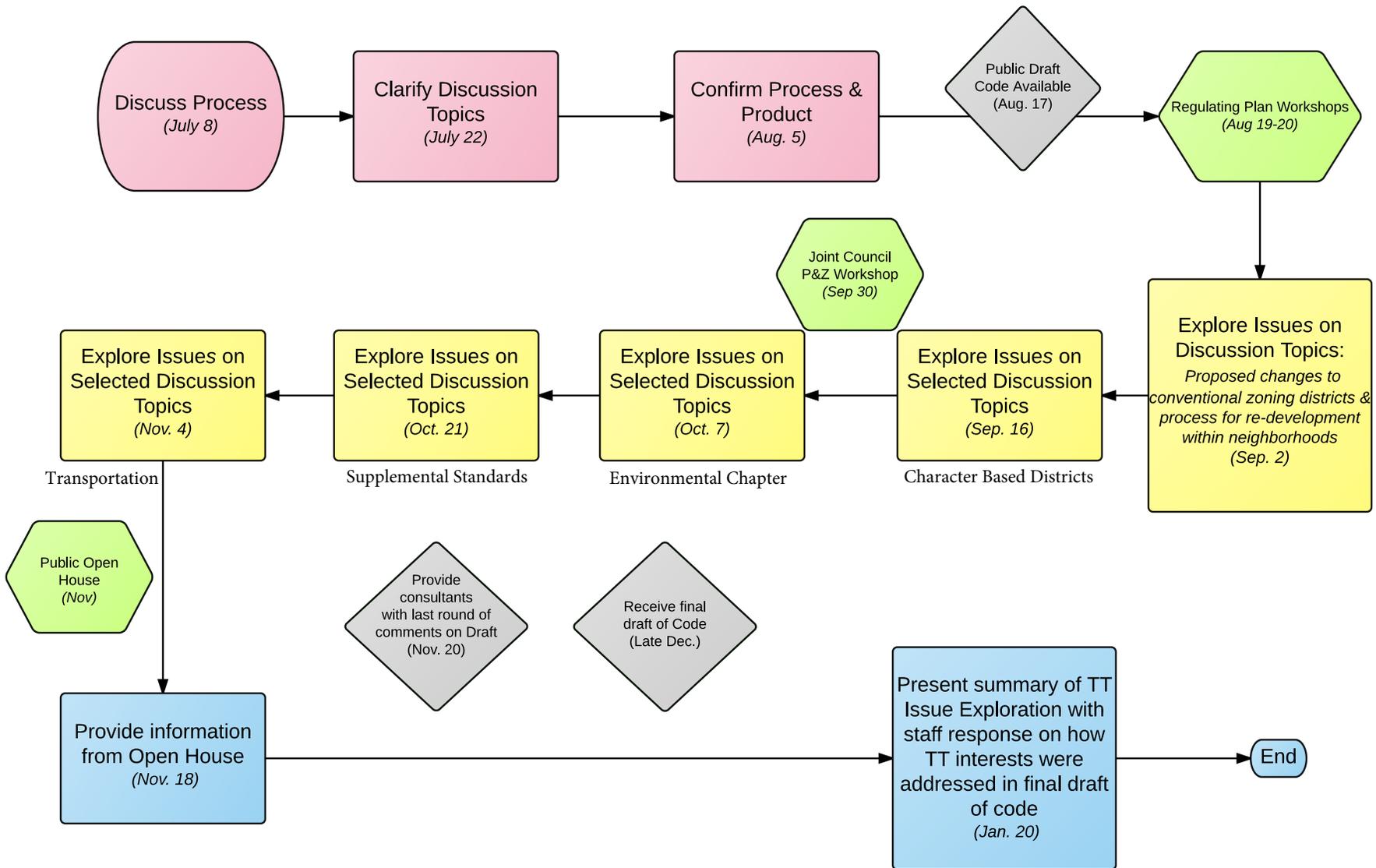
18
19 _____
20 Tom Wassenich

21
22 **ATTEST:**

23
24 _____
25 Andrea Villalobos, Planning Technician

CodeSMTX Think Tank Code Issue Exploration Process Flow

Draft 8-5-15



TT COMMENT REVIEW PROCESS

OVERVIEW OF THE THINK TANK REVIEW PROCESS FOR CODESMTX

Think Tank consideration of CodeSMTX consists of review of the document on two levels.

Level One – Think Tank as a Committee

The framework and process for the Think Tank consideration and review of CodeSMTX as a committee will 1) reflect an equal level of participation and input from all members of the committee, 2) provide feedback on the codes ability to implement community values and interests, and 3) be reflected as part of the consensus report from the Think Tank to City Council.

Level Two – Think Tank Members as Technical Experts

The framework and process for the Think Tank consideration and review of CodeSMTX as individual technical experts will 1) provide input to staff on shared themes and concerns to be brought for group consideration, 2) be considered for inclusion in the final draft 3) be responded to by the code team and 4) be summarized and reflected in an addendum to the final report as Individual TT member comments.

LEVEL ONE CONSIDERATION BREAKDOWN

The following framework and process have been identified to facilitate a productive and high level discussion of the proposed CodeSMTX strategy.

- Five Issue Exploration Meetings** have been scheduled to address the major components of CodeSMTX
 - September 2: Conventional Districts
 - September 16: Character Based Districts
 - October 7: Environmental Chapter
 - October 21: Supplemental Standards
 - November 4: Transportation
- One Week** prior to the Issue Exploration Meeting Staff will:
 - 1) Provide a response to all related comments in the TT comment spreadsheet
 - 2) Provide a memo with an overview of the topic to be discussed
- Two Days** before the Meeting TT Members will submit one key question or Concern for staff response. Questions/ Concerns and responses will be provided to the entire group before the meeting
- At the Meeting** TT will Review and discuss the current code approach, proposed code approach and related Comprehensive Plan Goals and provide feedback on two main questions
 - 1) Does the proposed CodeSMTX strategy meet the Comprehensive Plan goals, the interests of the stakeholder groups and our overall community vision?
 - 2) If not, what are those interests that have not been met?
- After the Meeting** Staff will record the TT feedback received from the discussion and respond

LEVEL TWO CONSIDERATION BREAKDOWN

Think Tank members have been appointed due to their technical expertise, unique perspective and knowledge of San Marcos. Comments and recommendations from TT members as technical experts will be considered and utilized during the drafting of CodeSMTX document. Following is a framework for Staffs consideration of Individual TT comments.

- Comments that are recommended by the code team and integrated into the document
- Comments that need further discussion as a group
- Comments that need further clarification or explanation
- Comments that are not recommended by staff

It is important to note that the documents and comments received will be changing throughout the review as new information is received and code strategies are amended. Staff will analyze all comments received as new drafts of the code are produced. This is an iterative process.

ZONING IN AREAS OF STABILITY AND EXISTING NEIGHBORHOODS

1. ZONING TRANSLATION TABLE

The Zoning Translation Table has been updated to include new options for development city-wide that are in line with Vision San Marcos Comprehensive Plan. The zoning translation table updates include:

- The addition of an Intensity Classification system that permits property owners to request a wider variety of zoning districts within the same or lower intensity classification without the need for a preferred scenario amendment
- The addition of Corridors to the Preferred Scenario Map and the Zoning Translation Table provide additional options for development along Transportation Master Plan identified Corridors

2. CHARACTER BASED DISTRICTS IN AREAS OF STABILITY AND EXISTING NEIGHBORHOODS

Character based zoning has been provided in CodeSMTX as a type of form based code that provides more flexibility in uses by focusing on building scale, building design, and street design. CodeSMTX has included the option of character based zoning for new developments in Areas of Stability and Redevelopment in Existing Neighborhoods.

- Properties greater than or equal to twenty acres in Areas of Stability have the option to request a Character Based Planning Area zoning district as a method to build a complete community. Zoning as a Character Based Planning Area allows the owner to submit a Regulating Plan to assign certain percentages of Character Based Districts that is approved administratively
- Properties located in an Existing Neighborhood Area that are greater than or equal to 5 acres or greater than or equal to a ½ block have the option to request up to a Character District -4 zoning district

3. PLANNED DEVELOPMENT DISTRICTS

Planned Development Districts are an overlay district with the purpose of providing an option for larger properties to develop as an integral unit for single or mixed uses that may include uses and standards that vary from the provision of other zoning districts.

- CodeSMTX is proposing to replace the option of a Planned Development Districts with options for Character Based Districts and Character Based Planning Areas. Character Based Planning provides the flexibility to accommodate a changing market and larger tracts of land while preserving development standards

4. ACCESSORY DWELLING UNITS

CodeSMTX is expanding the options for Accessory Dwelling Units in San Marcos and providing for the following standards

- Accessory Dwelling Unit are a permitted use in FD, AR, SF-R, SF11, SF-6 and conditional in SF4.5, DR, and TH. They are a maximum of 625 Sq Ft and must provide 1 additional off-street parking space in the 3rd layer of the lot. Accessory Dwelling Units must adhere to Occupancy Restrictions and participate in the rental registration program

5. CONVENTIONAL DISTRICTS RETIRED AND ENHANCED THROUGH THIS CODE

CodeSMTX is selecting 3 Conventional Zoning districts where standards will be enhanced to provide a product that is more compatible in existing neighborhoods and 3 Conventional Zoning districts to be retired.

- The DR, TH, and NC zoning districts were selected for enhanced compatibility standards including the location of parking and garages as well as enhanced frontage types
- The MF-12, MF-18, and MF-24 zoning districts are being replaced with character based zoning options.
- The permitted and conditional uses in proposed districts are remaining the same in all districts.

ZONING IN AREAS OF STABILITY AND EXISTING NEIGHBORHOODS

SEPTEMBER 2, 2015; ISSUE EXPLORATION

ZONING TRANSLATION TABLE

The Zoning Translation Table is a key implementation tool for Vision San Marcos Comprehensive Plan. The purpose of the Table is to translate the guiding principles for growth and development established through the Preferred Scenario Map into Zoning.

Vision San Marcos Comprehensive Plan:

“The preferred scenario map does not explicitly address zoning. Land in the preferred scenario is divided into two broad categories. The first category includes intensity zones where change is anticipated by the plan. The second category includes areas of relative stability where changes in use are not recommended by the plan.” ... “Zoning is conservative in nature and has a bias towards maintaining the status quo. Growing cities, though, are not static; new residents move in, new businesses are established and new technologies change the way people live. The purpose of planning is to anticipate and shape this change in a way that provides opportunities for new development and redevelopment while preserving the community’s cultural and environmental heritage.”

Current Land Development Code Provisions

See LDC Section 4.1.5.2

The existing zoning translation table was implemented after the adoption of the Comprehensive Plan as an implementation tool. The table provides a direct translation from the preferred scenario to allowable zoning districts.

Initial Proposed CodeSMTX Strategy

Create a zoning tool that implements the guiding principles of the Comprehensive Plan and provides opportunities for positive growth and change

See CodeSMTX Section 5.1.1.5

Zoning Translation Table Amendments include:

- An Intensity Classification System that allows for more flexibility in zoning requests
- The addition of Corridors and their allowable zoning districts
- A general policy statement that “Zoning requests may be made in the same or lower Intensity Classification”
- The addition of Character Based Districts that enable change in Intensity Areas
- The addition of more zoning options for Employment Centers

Does the Proposed CodeSMTX Strategy meet the Comprehensive Plan goals, the interests of the stakeholder groups and our overall community vision?

TT Discussion/ Response

If Not, what are those interests that have not been met?

Final Proposed CodeSMTX Strategy

New Zoning Options

Two different options for Character Based Zoning Districts have been provided in CodeSMTX and tailored for incorporation into Existing Neighborhood Areas and Areas of Stability.

Vision San Marcos Comprehensive Plan:

“Being located in an area of stability does not mean that these areas should not or will not change. It means that any changes, whether new developments, zoning requests, or public improvements, should be carefully planned and implemented so that the character of the area remains.”

Neighborhoods and Housing Goal 3

- Revise zoning code to allow for more diverse housing types and mixed-use development
- Update infill housing program
- Develop an affordable housing program

Current Land Development Code Provisions

Existing Neighborhood Areas (Infill):

The Existing Land Development Code does not currently have a zoning tool that provides for diversified housing types within Existing Neighborhood Areas. The mechanism that is used for this type of a development is a Planned Development District (PDD)

See Smartcode Section 3.3.1

Areas of Stability (New Development):

Smartcode zoning is available in areas of stability as an option for providing diverse and complete neighborhoods for properties greater than 40 acres.

Proposed CodeSMTX Strategy

Existing Neighborhood Areas (Infill):

Development or redevelopment on parcels that are greater than either ½ of a block or 5 acres within existing neighborhood have the option of requesting a re-zoning to Character District 4 (CD-4). Character District 4 provides the flexibility needed for a larger development parcel while retaining compatibility with existing neighborhood scale. CD-4 includes:

- Primarily residential incorporating single family, duplex, rowhouses, small multifamily, live/work, and small commercial. Buildings are 2 to 3 stories

Areas of Stability (New Development):

Development on parcels greater than 20 acres has the option to request a Character Based Planning Area (CBPA) Zoning District in order to ensure that development

- The CBPA zoning consists of a complete community with a range of development types and streets. CBPA zoning allows the owner to submit a Regulating Plan to assign certain percentages of CD-3, CD-4, and CD-5.

TT Discussion/ Response

Does the Proposed CodeSMTX Strategy meet the Comprehensive Plan goals, the interests of the stakeholder groups and our overall community vision?

If Not, what are those interests that have not been met?

Final Proposed CodeSMTX Strategy

Planned Development Districts

Planned Development Districts are an overlay district with the purpose of providing an option for larger properties to develop as an integral unit for single or mixed uses that may include uses and standards that vary from the provision of other zoning districts.

Vision San Marcos Comprehensive Plan:

Land Use Goal1: Direct growth, compatible with surrounding uses

Other CodeSMTX Re-write Goals:

Streamlining Development Process: PDD's frequently consist of drafting and negotiating an entirely new document that can take between 9 months and 2 years for approval.

Current Land Development Code Provisions

See Section 4.2.6.1 LDC

The current Land Development Code utilizes PDDs as a tool to achieve mixed use or larger scale development that doesn't fit within the existing San Marcos zoning categories. Currently PDD's

- Have the following minimum district size
 - Single Family/ Duplex/ Mixed Uses: 2 acres
 - Multi-family and Non-Residential: 1 acre
- Are required to achieve diversified housing and mixed use developments
- Are required to achieve a dense Multi-Family development
- May vary from any use or development standard within the LDC

Proposed CodeSMTX Strategy

CodeSMTX is replacing PDD's as an overlay district with the allowance for a CD-4 in Existing Neighborhood Areas.

CodeSMTX endeavors to draft zoning districts and standards that provide a balanced degree of flexibility and predictability so that long negotiated entitlement processes can be minimized. Character Based Planning provides the flexibility to accommodate a changing market and larger tracts of land while preserving development standards. The establishment of CD-4 within Existing Neighborhood Areas is proposed to :

- Have the following minimum district size:
 - Greater than 5 acres
 - Greater than 1/2 block
- Require a regulating plan to be included with the zoning change request.
- Follow all standards for a CD-4 district

TT Discussion/ Response

Does the Proposed CodeSMTX Strategy meet the Comprehensive Plan goals, the interests of the stakeholder groups and our overall community vision?

If Not, what are those interests that have not been met?

Final Proposed CodeSMTX Strategy

Accessory Dwelling Units

Vision San Marcos Comprehensive Plan:

Neighborhoods and Housing Goal 3

- Revise zoning code to allow for more diverse housing types and mixed-use development
- Update infill housing program
- Develop an affordable housing program

Neighborhoods and Housing Goal 2: Housing opportunities for students of Texas State University in Appropriate Areas

- Revise development codes in Intensity Zones to allow and streamline the process for appropriate uses and densities
- Develop a plan to reduce congestion and parking issues caused near campus and in dense housing areas including options that integrate with existing university systems

Current Land Development Code Provisions

See Section 4.3.2.1 and 4.3.1.2

The Existing Land Development Code permits Accessory Dwelling Units under the following conditions:

- Accessory Dwelling Units are permitted in FD, AR, SF-R and Conditional in SF-11 and SF 6
- Accessory Dwelling Units are limited to 50% of the total floor area of the primary structure
- No additional parking space is required
- Accessory Dwelling Units must be located behind the Primary Structure

Proposed CodeSMTX Strategy

The Proposed Code Strategy permits Accessory Dwelling Units under the following conditions:

- Accessory Dwelling Units are permitted in FD, AR, SF-R, SF-6 and Conditional in SF 4.5, DR, and TH.
- Accessory Dwelling Units are limited to 625 Square Feet
- Require one additional parking space in the 3rd lot layer
- Accessory Dwelling Units must be located in the 3rd lot layer

TT Discussion/ Response

Does the Proposed CodeSMTX Strategy meet the Comprehensive Plan goals, the interests of the stakeholder groups and our overall community vision?

If Not, what are those interests that have not been met?

Final Proposed CodeSMTX Strategy

Conventional District Changes

Vision San Marcos Comprehensive Plan:

Land Use Goal 2: High-Density Mixed-Use development and infrastructure in the Activity Nodes and Intensity Zones, including the downtown area supporting walkability and integrated transit corridors

Neighborhoods and Housing Goal 4: Well maintained, stable neighborhoods protected from blight or the encroachment on incompatible land uses

Transportation Goal 1

- Determine appropriate modes of transportation in and around new developments, subdivisions, site plans, the University and high density residential areas

Current Land Development Code Provisions

Currently all conventional zoning districts are primarily use based and suburban auto-oriented including Medium and High Density residential districts

Proposed CodeSMTX Strategy

CodeSMTX is proposing to modify those zoning districts that require more parking, are higher density, and are typically located in transitional areas. Changes to Conventional districts include

- Updated standards in DR, TH, and NC districts that include the following:
 - Parking in the 2nd layer for NC and 3rd layer for DR, and TH districts
 - Limitation of Driveway size and location
 - Frontage Type specifications
 - Modifications to setbacks and landscaping standards to accommodate parking location
- The retirement of the MF-12, MF-18, and MF-24 districts. New High Density Multi-Family development is required to locate in Character District-5 within Intensity Zones.

TT Discussion/ Response

Does the Proposed CodeSMTX Strategy meet the Comprehensive Plan goals, the interests of the stakeholder groups and our overall community vision?

If Not, what are those interests that have not been met?

Final Proposed CodeSMTX Strategy

Existing Land Development Code Zoning Translation Table

Section 4.1.5.2

Zoning Translation Table

The following table shall be utilized in conjunction with the Preferred Scenario Map and Land Use Intensity Matrix of the Comprehensive Plan to determine if a Preferred Scenario Map Amendment is required. A proposed zoning change to a category with a check mark under a specific Intensity Zone may proceed with a zoning change request.

Intensity Zones/Development Pairs										
Zoning Abbreviation	LS-PC	LS-RI	LS-ND	M-PC	M-RI	M-ND	H-PC	H-ND	EC	OA*
FD	✓	✓	✓							✓
AR	✓		✓							✓
SF-R	✓	✓	✓							
SF-11	✓	✓	✓							
SF-6	✓	✓	✓	✓	✓	✓				
SF-4.5		✓	✓	✓	✓	✓	✓	✓	✓	
D		✓	✓	✓	✓	✓				
DR		✓	✓	✓	✓	✓	✓	✓	✓	
TH		✓	✓	✓	✓	✓	✓	✓	✓	
PH-ZL		✓	✓	✓	✓	✓	✓	✓	✓	
MF-12		✓	✓	✓	✓	✓	✓	✓	✓	
MF-18				✓	✓	✓	✓	✓	✓	
MF-24				✓	✓	✓	✓	✓	✓	
MR	✓	✓	✓							
MH		✓	✓	✓	✓	✓				
MU		✓	✓	✓	✓	✓	✓	✓	✓	
VMU				✓	✓	✓	✓	✓	✓	
P	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
OP				✓	✓	✓	✓	✓	✓	
NC		✓	✓	✓	✓	✓	✓	✓		
CC				✓	✓	✓	✓	✓		
GC				✓	✓	✓	✓	✓	✓	
HC				✓	✓	✓	✓	✓	✓	
CBA						✓	✓	✓		
SC			✓	✓	✓	✓	✓	✓	✓	
LI								✓	✓	
HI									✓	
PDD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

*OC is generally intended where shown on the Preferred Scenario Map

LS – Low Intensity and Areas of Stability	PC – Neighborhood Area Protection/Conservation	EC – Employment Center
M – Medium Intensity	RI – Redevelopment/Infill	OA – Open Space/Agricultural
H – High Intensity	ND – New Development	

(Ord. No. 2013-35, § 1 (Exh. A), 8-6-13)

CodeSMTX Proposed Translation Table

Intensity Classification	District	Zoning Description	Open Space/ Agr	Stability Areas	Existing Neighborhood Area	Corridors	Intensity Zones	Employment Center				
1	FD	Future Development	✓	✓								
	AR	Agricultural Ranch										
	SF-R	Rural Residential										
		SF - 11	Single Family		✓	✓						
		SF - 6	Single Family									
		MH	Manufactured Home									
		MR	Manufactured Home and Residential									
		CD - 1	Character District - 1 Nature									
		CD - 2	Character District - 2 Rural									
CD - 3		Character District - 3 Suburban										
2	SF 4.5	Small Lot Single Family		✓	✓							
	D	Duplex										
	DR	Duplex Restricted										
	TH	Town House										
	MU	Mixed Use										
	PH-ZL	Patio Home, Zero Lot Line										
	CD - 4	Character District - 4 General Urban							✓*	✓	✓	✓
	CD - 4C	Character District - 4 Corridor								✓	✓	
CD - 4D	Character District - 4 Genreal Urban Downtown											
3	P	Public Institutional				✓						
	OP	Office Professional										
	CC	Community Commercial										
	MU	Mixed Use										
	NC	Neighborhood Commercial										
4	LI	Light Industrial						✓				
	GC	General Commercial										
	HC	Heavy Commercial										
	HI	Heavy Industrial										
	EDO	Employment District - Office										
	EDI	Employment District - Industrial & Manufacturing							✓		✓	
	EDC	Employment District - Regional Retail										
5	MF - 12	Multi - Family (12 Units / Acre)										
	MF - 18	Multi - Family (18 Units / Acre)										
	MF - 24	Multi - Family (24 Units / Acre)										
	CD - 5C	Character District - 5 Corridor							✓			
	CD - 5 Highway	Character District - 5 Highway Corridor							✓			
	CD - 5 D	Character District - 5 Downtown										
	CD - 5	Character District - 5 General Urban									✓	✓
	CBPA	Character Based Planning Area								✓**		✓

Rules for Interpretation

Requests may be made within the same or lower Intensity Classification

*Requires > 5 acres or > 1/2 block

**Requires ≥ 20 acres