



REGULAR MEETING OF THE SAN MARCOS PLANNING AND ZONING COMMISSION

Tuesday, April 24, 2012, 6:00 p.m.
City Council Chambers
630 E. Hopkins Street

*Bill Taylor, Chair
Curtis Seebeck, Vice-Chair
Randy Bryan, Commissioner
Chris Wood, Commissioner
Travis Kelsey, Commissioner
Kenneth Ehlers, Commissioner
Carter Morris, Commissioner
Bucky Couch, Commissioner
Corey Carothers, Commissioner*

AGENDA ADDENDUM

1. **Call to Order.**
2. **Roll Call.**
3. **Chairperson's Opening Remarks.**
4. ***NOTE:*** *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session.*
5. **30 Minute Citizen Comment Period.**

Consent Agenda:

6. **Consider the approval of the minutes from the Regular Meeting on March 27th and April 10th, 2012.**
7. **PC-12-06(02) (Hunters Crossing Lot 2)** Consider a request by PSCE, Inc. on behalf of Surecap-Village TX Partners I, L.P. for approval of a Preliminary Plat for approximately 0.89 acres, more or less, out of the J. M. Veramendi Survey No. 1, Abstract 17, City of San Marcos, Hays County located at 115 Wonder World Drive.

Public Hearings:

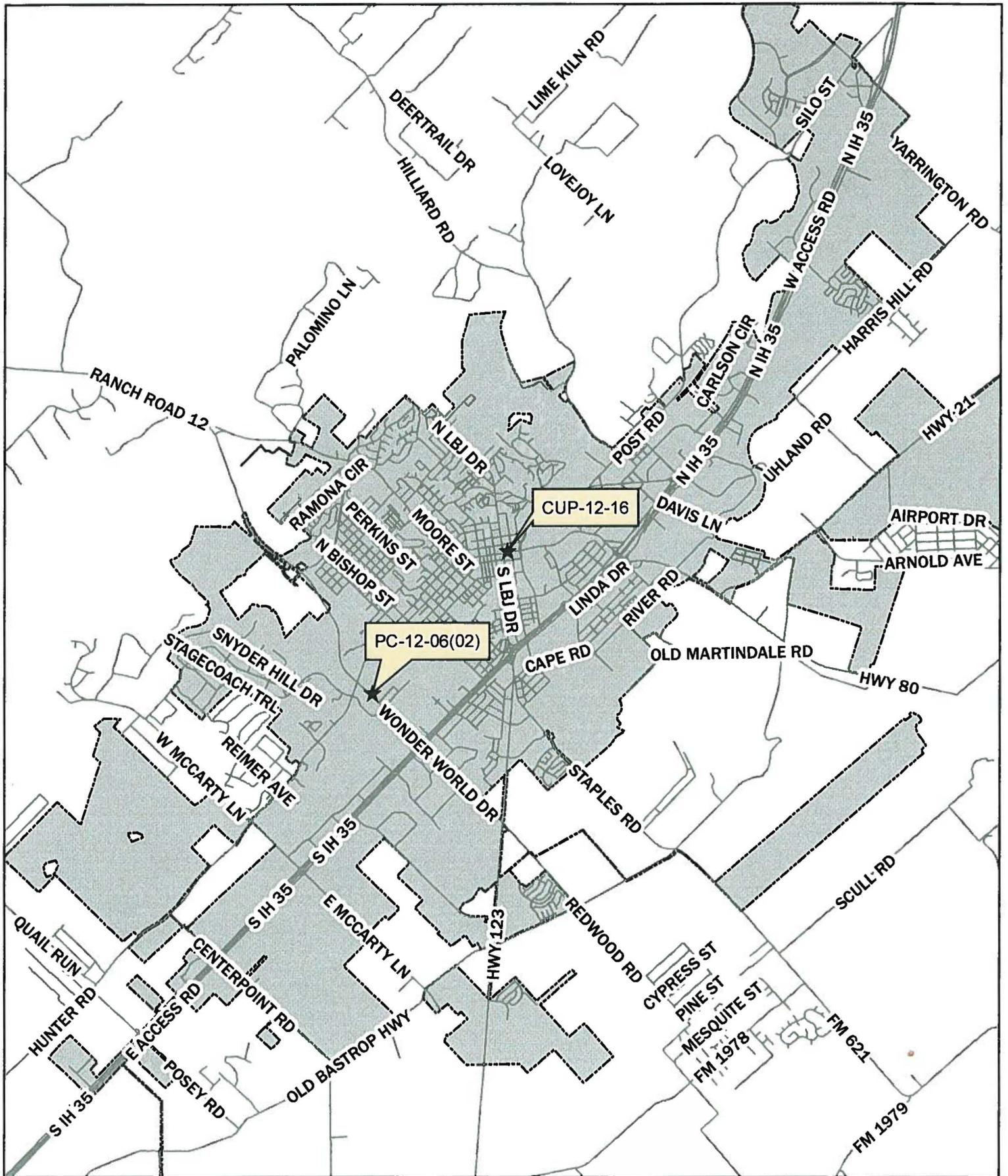
8. **CUP-12-16 (Chimy's San Marcos)** Hold a public hearing and consider a request by Baccus Enterprises on behalf of Chimy's San Marcos for renewal of an existing Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 217 E. Hopkins Street.
9. **LDC-12-01 (Multifamily Design standards)** Hold a public hearing and consider an amendment to the City's Land Development Code by adding Chapter 4, Article 4, Division 3: Multifamily Residential Design Standards to provide for additional building and site design control.

10. **LDC-12-04 (Tree and habitat preservation)** Hold a public hearing and consider an amendment to the City's Land Development Code modifying Chapter 5, Article 5, to clarify tree and habitat preservation.
11. **LDC-12-07 (Clarify notice procedures)** Hold a public hearing and consider an amendment to the City's Land Development Code to clarify Section 1.3.2.1 for required notices by application type.
12. **LDC-12-11 (SmartCode Revisions)** Discuss an amendment to the City's SmartCode, Articles 1, 3 and 5 to clarify process and language.
13. **Capital Improvement Project Plan** Hold a public hearing and consider recommendations for Capital Improvement Project nominations for 2012-2022.

Non-Consent Agenda:

14. **Presentation from staff and discussion regarding San Marcos SmartCode rezoning process and processes for regulating plans and warrants.**
15. **Discussion regarding amending the Conditional Use Permit process.**
16. **Development Services Report**
 - a. Update on Comprehensive Master Plan
17. **“Question and Answer Session with Press and Public.** *This is an opportunity for the Press and Public to ask questions related to items on this agenda.”*
18. Adjourn.

Notice of Assistance at the Public Meetings: The San Marcos City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in that area. Sign interpretative for meetings must be made 48 hours in advance of the meeting. Call the City Clerk's Office at 512-393-8090.



**Planning and Zoning
Commission Meeting
April 24, 2012
Location Map**

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**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
March 27, 2012**

1. Present

Commissioners:

Bill Taylor, Chair
Curtis Seebeck, Vice Chair
Randy Bryan
Chris Wood
Travis Kelsey
Carter Morris
Kenneth Ehlers
Corey Carothers

City Staff:

John Foreman, Planning Manager
Roxanne Nemcik, Assistant City Attorney
Tory Carpenter, Recording Secretary
Christine Barton-Holmes, Chief Planner
John Stanley, Planner

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Taylor at 6:00 p.m. on Tuesday March 27, 2012 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, TX 78666.

3. Chairperson's Opening Remarks.

4. NOTE: *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

5. 30 Minute Citizen Comment Period

Steve Ramsey, 3206 Yellow Pine Terrace, Austin, TX attended the meeting for consent agenda item 7. He told the Commission that they would be considering a single family subdivision preliminary plat at this meeting. This plat will maintain SF-6 zoning, and low density residential land use. There are no zoning requests on the agenda for this meeting. He also told the Commission that he has an approved watershed Protection Plan Phase One permit. He mentioned that staff is recommending approval of this item with the condition that construction not start until the final plat is recorded. He assures the commission that this condition will be met.

Consent Agenda:

Commissioner Morris recused himself from the Consent Agenda.

6. Consider the approval of the minutes from the Regular Meeting on March 13, 2012.

7. PC-12-03(02) (Sessom Court) Consider a request by Ramsey Engineering on behalf of Darren Casey Interest, Inc for a Preliminary Plat for 46 lots on approximately 14.228 acres, located at Loquat Street and Sessom Drive.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood the Commission voted on consent to approve minutes of the Regular Meeting on March 13, 2012 and PC-12-03(02) with the condition that no construction of public improvements shall occur until after the Final Plat is recorded. Commissioner Bryan abstained. The motion carried.

Public Hearing

8. LDC-12-13 (Revision to Land Development Code) Hold a public hearing and consider a request for an amendment to the City's Land Development Code to prohibit changing the boundaries of a zoning map amendment request after filing said request.

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

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Morris the Commission voted on consent to approve LDC-12-13. The motion carried unanimously.

9. CUP-12-11 (The Railyard) Hold a public hearing and consider a request by Matt Hageman on behalf of Railyard Bar & Grill L.L.P. for renewal of an existing Conditional Use Permit to allow the continued sale of mixed beverages for on premise consumption at 116 S. Edward Gary Street.

Chair Taylor opened the public hearing. Matt Hageman, the applicant, told the Commission that The Railyard has been open for about 6 months. Mr. Hageman has not received any complaints in regards to live music, and he has not violated any of the initial conditions. He stated that he has a problem with staff recommending a condition ending live music after 10:00pm. Mr. Hageman asks that the Commission not include the condition. There were no additional citizen comments and the public hearing was closed.

AMENDED MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Morris, the Commission voted all in favor to approve the amended motion to include the condition that the doors shall stay closed while music is playing. The motion carried unanimously.

AMENDED MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Morris, the Commission voted all in favor to approve the amended motion to include the condition that amplified music shall be contained to the indoor stage. The motion carried unanimously.

MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Wood the Commission approved on consent to approve CUP-12-11 with the condition that the CUP be valid for one year, provided standards are met, subject to the point system; that doors shall stay closed while amplified music is playing; and that amplified music shall be contained to the indoor stage. The motion carried unanimously.

10. CUP-12-12 (Tantra Coffeehouse) Hold a public hearing and consider a request by Nathan Todd on behalf of Tantra Coffeehouse for renewal of an existing Conditional Use Permit to allow the continued sale of beer and wine for on premise consumption at 217 W. Hopkins Street.

Chair Taylor opened the public hearing. Kyle Mylius, 1022 W MLK stated that the CUP was expired because he was unable to get a signature from the landlord. He pointed out other concerns in a letter he provided to the Commission. Mr. Mylius explained that he inherited Tantra and thought that it had a lifetime CUP. He said he was available to answer any questions. There were no additional citizen comments and the public hearing was closed.

AMENDED MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted all in favor to approve the amended motion to remove the condition that the sale and consumption of beer and wine will be allowed after 10 A.M. Monday – Saturday and 12 P.M. Sunday. The motion carried unanimously.

MOTION: Upon a motion made by Commissioner Morris and a second by Commissioner Seebeck the Commission approved on consent to approve CUP-12-12 with the condition that the CUP be valid for six months, provided standards are met, subject to the point system; and that proof of maintenance of overflow parking agreement with Benchmark Insurance Group shall be submitted.

11. CUP-12-13 (Cedar's Mediterranean Café & Hookah Bar) Hold a public hearing and consider a request by Petra Business, Inc. on behalf of Cedar's Mediterranean Cafe for renewal of an existing Conditional Use Permit allowing continued use of a smoking lounge at 220 N. Edward Gary Street.

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

MOTION: Upon a motion made by Commissioner Ehlers and a second by Commissioner Kelsey the Commission approved on consent to approve CUP-12-13 with the conditions that the permit shall be valid for six months, provided standards are met, subject to the point system; signage requirements of the Clean Air Ordinance are met; and a clearly visible sign shall be posted at the entrance stating that "Smoking is permitted throughout the area." The motion carried unanimously.

12. LUA-11-25 (River Road – Capes Camp) Hold a public hearing and consider a request by Thornton Family Investments for a land use amendment from Commercial to Medium Density Residential for a 4.2 acre, more or less, tract out of the J.M. Veramendi Survey No. 2, Abstract 17, located along River Road and IH 35.

Chair Taylor opened the public hearing. Loraine Burleson, 1109 Barbara Drive, stated that she is the CONA representative for the area. She told the Commission that she doesn't want a zoning change and requests the Commission to table or postpone this case.

Saul Gonzales, 816 Stagecoach Trail, wanted the Commission to table this case so the neighborhood can get a chance to meet with developer. He mentioned that this would be a perfect location for a PDD.

Steve Drenner, 401 Congress Suite 100 Austin, TX spoke on behalf of Thorton Family Investments. He asked Commission to change this area to commercial. It would work with the lift station and is suitable to provide access to a multifamily project that would be on the remainder of the tract. It is constant with the FLU map.

Juanita Vargas, 622 Conway Drive, asked the Commission to table this case. She is concerned with property values, and traffic.

Angie Ramirez, 612 Barbara Drive, just found out about this case on Monday night. She stated that no one in the neighborhood knows about this case.

Jennifer Roberts 600 Conway Drive, told the Commission that other apartments in the area make the area very noisy. She also expressed her concerns about existing traffic problems in the area, and requested that the Commission table this case until there can be more discussion. There were no additional citizen comments and the public hearing was closed.

There was a 10 minute recess.

Steve Drenner gave a presentation on behalf of the applicant.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood the Commission approved on consent to postpone LUA-11-25 until the next regularly scheduled meeting of the Planning and Zoning. The motion carried unanimously.

13. ZC-11-39 (River Road – Capes Camp) Hold a public hearing and consider a request by Thornton Family Investments for a zoning change from Future Development (FD) to Multi-family (MF-12) for a 23.16 acre, more or less, tract out of the J.M. Veramendi Survey No. 2, Abstract 17, located along River Road and IH 35.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood the Commission approved on consent to postpone ZC-11-39 until the next regularly scheduled meeting of the Planning and Zoning. The motion carried unanimously.

Non-Consent Agenda:

14. Discussion and possible direction to staff regarding the appropriate procedure to receive agenda item requests from the Commission.

Commissioners discussed procedures that would allow them to request agenda items. The Commission requested that requests for agenda items be carried out the same way as City Council.

15. Suggestions for future agenda items.

Commission members and staff may discuss and report on items related to the Commission's general duties and responsibilities. The Commission may not take any vote or other action on any item other than to obtain a consensus regarding items that will be placed on future agendas for formal action.

16. Development Services Report

- a. Update regarding Joint Workshop
- b. Update regarding the Comprehensive Plan
- c. Update on 2012 Home Improvement Incentive
- d. Update on Homeowner Permitting
- e. Update regarding various sections of the Land Development Code as follows: Modifying the General Notice Requirements under Section 1.3.2.1; Modifying Overlay Districts by adding Section 4.2.4.2 Hopkins Street Overlay; Modifying the Land Use Matrix under Section 4.3.1.2; Modifying Supplemental Standards by adding Division 3: Multifamily Residential Design Standards; Modifying Tree and Habitat Protection under Chapter 5, Article 5; Modifying Parks and Open Space under Chapter 7, Article 6; and Modifying SmartCode Article 1 and Article 5.

17. "Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.*"

18. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 7:48 p.m. on Tuesday, March 27, 2012.

Bill Taylor, Chair

Curtis Seebeck, Vice Chair

Corey Carothers, Commissioner

Chris Wood, Commissioner

Kenneth Ehlers, Commissioner

Travis Kelsey, Commissioner

Randy Bryan, Commissioner

Carter Morris, Commissioner

ATTEST:

Francis Serna, Recording Secretary

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
April 10, 2012**

1. Present

Commissioners:

Bill Taylor, Chair
Curtis Seebeck, Vice Chair
Randy Bryan
Travis Kelsey
Carter Morris
Chris Wood
Corey Carothers
Bucky Couch

City Staff:

Matthew Lewis, Development Services Director
Roxanne Nemcik, Assistant City Attorney
Francis Serna, Recording Secretary
John Foreman, Planning Manager
Abigail Gillfillan, Permit Manager
Alison Brake, Planner
John Stanley, Planner

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Taylor at 6:00 p.m. on Tuesday April 10, 2012 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Chairperson's Opening Remarks.

Chair Taylor welcomed audience and viewers. He announced that that no action will be taken on items 17 and 18 and that the items will be postponed. Chair Taylor advised everyone that if they wished to speak on the items they should speak during the Citizen Comment Period.

4. NOTE: *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

5. 30 Minute Citizen Comment Period

There were no citizen comments.

6. Interim Zoning Strategies Update

Collette Jamison, Assistant City Manager announced and invited the Commission to the Community Open House on April 18th from 10 am-7 pm at the Activity Center Room 2 and 3 to address concerns regarding Interim Zoning Strategies, LDC & Architectural Design Standard Amendments and Park Rules. Input from the April 18th Open House will be brought to the Commission at the April 24th P&Z meeting. A City Council workshop will be held on April 26th.

Consent Agenda:

7. PC-12-05(03) (Blanco Vista Phase 3, Section 1) Consider a request by CSF Civil Group on behalf of Brookfield Residential for approval of a Final Plat for approximately 5.832 acres, more or less, out of the Blanco Vista subdivision, for 40 lots, located at Trail Ridge Pass at Blanco Vista Boulevard.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Morris the Commission approved on consent PC-12-05(03). The motion carried unanimously.

Public Hearing

8. 2012-10628 (Qualified Watershed Protection Plan Phase 1, C&G Development) Hold a public hearing and consider a request by Stephen Ramsey, PE, on behalf of C&G Development, Inc., for a Qualified Watershed Protection Plan Phase 1 for the future development of approximately 99 acres at and southwest of the intersection of Craddock Avenue and Wonder World Drive.

Chair Taylor opened the public hearing.

Steve Ramsey, Ramsey Engineering, 3206 Yellow Pine Terrace, Civil Engineer for the owners pointed out that Kathy Woodlee, City Engineer did a great job. Mr. Ramsey briefly mentioned the proposed 85% removal increase is justifiable based on criteria manual, LID methods, and sedimentation detention pond. He added that they are exceeding code requirements. Mr. Ramsey mentioned that the owner is proposing to dedicate 36 acres of land for connectivity. He added that he was available to answer questions.

Diane Wassenich, 11 Tanglewood commented to the Commission that they make sure that they understand when a sedimentation pond is built they run into the danger of ponds collapsing. She pointed out that she previously sent a photo to Matt of a pond that collapsed because of the solution of water penetrating the recharge feature and washing out some sort of cavity. The pollution was funneled into the aquifer. She reminded that Commission that the city does not have enforcement or monitoring of BMP's. Ms. Wassenich added that a monitoring system needs to be set up.

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

MOTION: Upon a motion made by Commissioner Carter and a second by Commissioner Wood the Commission voted seven (7) and one (1) against to approve 2012-10628. The motion carried. Chair Taylor voted no.

9. CUP-12-14 (Green Parrot) Hold a public hearing and consider a request by Rolling Hills Food and Beverage Inc. on behalf of Green Parrot for a renewal of an existing Unrestricted Conditional Use Permit to allow the continued sale of mixed beverages for on-premise consumption at 124 N. LBJ Drive.

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

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Seebeck Commission voted on consent to approve CUP-12-14 with the condition that the permit shall be valid for the life of the TABC license, provided standards are met, subject to the point system. The motion carried unanimously.

10. CUP-12-15 (Wok & Roll Restaurant) Hold a public hearing and consider a request by Mei Wan Lai on behalf of Wok & Roll Restaurant for renewal of an existing Conditional Use Permit to allow the continued sale of beer and wine for on-premise consumption at 812 S. Guadalupe Street.

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

MOTION: Upon a motion made by Commissioner Wood and a second by Commissioner Seebeck the Commission voted on consent to approve CUP-12-15 with the condition that the permit be valid for six months, provided standards are met subject to the point system. The motion carried unanimously.

Non Consent Agenda:

11. LDC-12-01 (Multifamily Design Standards) Discuss an amendment to the City's Land Development Code by adding Division 3: Multifamily Residential Design Standards to provide for additional building and site design control.

Concerns were raised by Commissioner Wood and Vice Chair Seebeck regarding façades, materials, building entries, windows, screening of mechanical equipment, and the section on sustainable design criteria.

12. LDC-12-03 (Use Matrix) Discuss an amendment to the City's Land Development Code modifying the Land Use Matrix under Section 4.3.1.2 to further distinguish between Commercial districts and to provide for the Hopkins Street Overlay.

John Foreman, Planning Manager pointed out that the uses of loft apartments and multi-family units were not allowed under the proposed Hopkins Street Overlay district. No other concerns were raised by Commissioners.

13. LDC-12-04 (Tree and habitat preservation) Discuss an amendment to the City's Land Development Code modifying Chapter 5, Article 5, to clarify tree and habitat preservation.

Commissioners Wood, Seebeck and Morris raised concerns regarding the discretion of the Director in certain sections, wanting to see City Details and Specifications in the ordinance and not a separate manual, no monitoring requirement, and the removal of language under Application.

14. LDC-12-07 (Clarify notice procedures) Discuss an amendment to the City's Land Development Code to clarify Section 1.3.2.1 for required notices by application type.

15. LDC-12-10 (Hopkins Street Overlay) Discuss an amendment to the City's Land Development Code to establish an Overlay District, in Section 4.2.4.2 on Hopkins Street from Moore Street to Bishop Street, providing for additional uses, signage standards and provisions for existing uses.

Chair Taylor thanked the neighborhood group that came out in support of the Hopkins Street Overlay.

16. LDC-12-11 (SmartCode Revisions) Discuss an amendment to the City's SmartCode, Articles 1, 3 and 5 to clarify process and language.

17. LUA-11-25 (River Road – Capes Camp) Discuss and postpone a request by Thornton Family Investments for a land use amendment from Commercial to Medium Density Residential for a 4.2 acre, more or less, tract out of the J.M. Veramendi Survey No. 2, Abstract 17, located along River Road and IH 35.

18. ZC-11-39 (River Road – Capes Camp) Discuss and postpone a request by Thornton Family Investments for a zoning change from Future Development (FD) and Community Commercial (CC) to Multi-family (MF-12) for a 23.16 acre, more or less, tract out of the J.M. Veramendi Survey No. 2, Abstract 17, located along River Road and IH 35.

Chair Taylor advised that no action would be taken on items LUA-11-25 and ZC-11-39 because the application was removed.

19. Capital Improvement Project Plan Presentation on recommendations for Capital Improvement Projects for 2012-2022.

Jennifer Shell gave a presentation of the Capital Improvements Projects for 2012-2022. The Commission did not have any questions and were advised to contact staff if they had any concerns.

20. Development Services Report

Matthew Lewis invited the Commission to the LDC Revisions and Architectural Standards Open House on Wed., April 18th at the Activity Center Room 1 from 10:00 a.m. – 7:00 p.m.

21. “Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.”*

There were no questions from the Press and Public.

22. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 8:25 p.m. on Tuesday, April 10, 2012.

Bill Taylor, Chair

Curtis Seebeck, Commissioner

Corey Carothers, Commissioner

Bucky Couch, Commissioner

Carter Morris, Commissioner

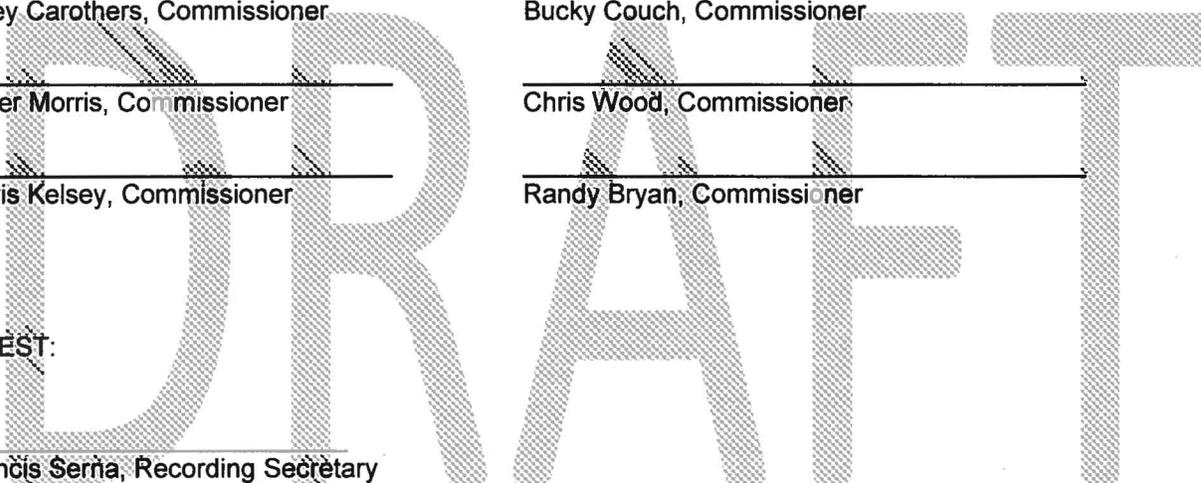
Chris Wood, Commissioner

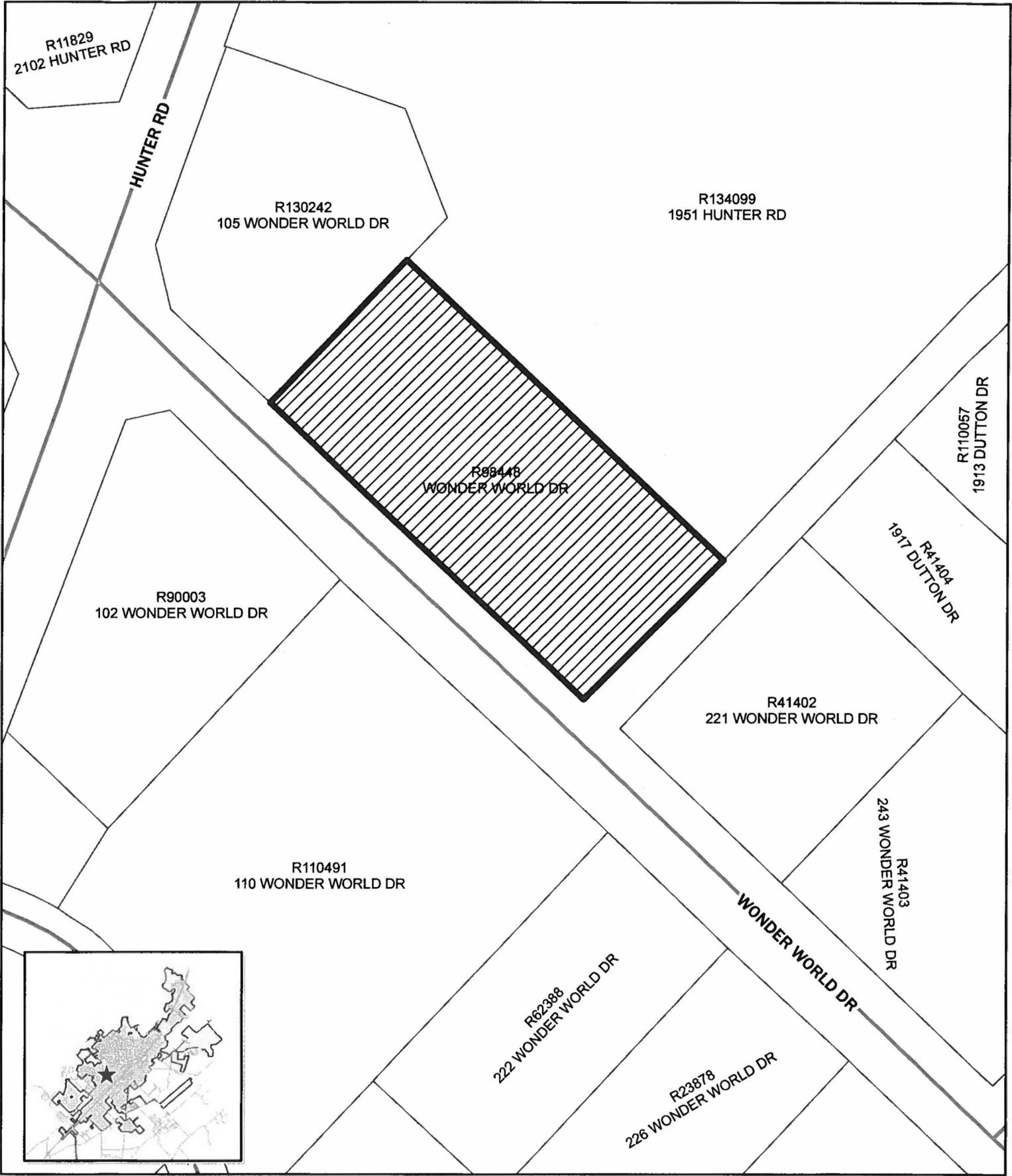
Travis Kelsey, Commissioner

Randy Bryan, Commissioner

ATTEST:

Francis Serna, Recording Secretary

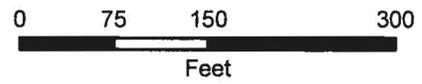




PC-12-06(02)
Map Date: 04/19/12
Hunters Crossing Lot 2

•  Site Location •

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PC-12-06(02) Preliminary Plat Hunters Crossing Lot 2



Applicant Information:

Applicant: PSCE, Inc.
12710 Research Blvd., Ste 390
Austin, TX 78759

Property Owner: Surecap-Village TX Partners I, L.P.
940 Emmett Ave., Suite 200
Belmont, CA 94002

Notification: Notification not required

Type & Name of Subdivision: Hunters Crossing Subdivision

Subject Property:
Summary:

This is the preliminary plat for the Wonder World Retail Center Subdivision and includes approximately 0.891 acres out of 17.76 found in the Hunter's Crossing Subdivision Concept Plan. This subdivision will create a 0.891 acre tract and provide for a remainder tract of 1.979 acres.

Traffic / Transportation: The property reflected within this Preliminary Plat fronts on Wonder World Drive.

Utility Capacity: The City of San Marcos will provide water and wastewater service to the site.

Parks proposal: No parkland dedication is required since the plat is for a non-residential use.

Zoning: The property is zoned GC (General Commercial)

Surrounding Zoning and Land use:

	Current Zoning	Existing Land Use
N of Property	MF-18	Apartment
W of Property	GC	CVS Pharmacy
S of Property	PDD	McCoy's Building Supply
E of Property	GC	Frost Bank

Planning Department Analysis:

The purpose of a Preliminary Plat is to establish lot design for a subdivision, establish utility layouts, and street and intersection design. The Preliminary Plat stage ensures that the final plat design, if final platting is accomplished in phases, is consistent with the overall plan for the area. Preliminary Plats are not recorded and are not the legal document used for sale of lots, but rather are used to allow for comprehensive review of the proposed development.

This plat is part of the Hunters Crossing Subdivision Concept Plan. PSCE wishes to plat 0.891 acres for a gas station while leaving 1.979 acres as a remainder tract. A 20' Public Utility Easement will be located along the southern boundary (Wonder World Dr.) to provide for extension of city utilities needed for the site. A Public improvement Construction Plan has been submitted in order to bring water and wastewater to the site. This plan is currently being reviewed by the Engineering Department and will be completed prior to approval of a final plat. A .27 acre joint use access easement as well as a Utility Easement (located within same boundaries) bisect the plat.

The subject property is zoned General Commercial (GC) and is surrounded by Multi-family and Commercial uses. The site is not located within floodplain or floodway.

The following criteria shall be used to determine whether the application for a Preliminary Subdivision Plat shall be approved, approved with conditions, or denied where no Subdivision Concept Plat has been approved for the land subject to the proposed plat:

- (1) The plat is consistent with all zoning requirements for the property, and any approved development agreement;
- (2) The plat conforms to the approved Watershed Protection Plan (Phase 1);
- (3) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities conform to the master facilities plans for the facilities, including without limitation the water facilities, wastewater facilities, transportation, drainage and other master facilities plans;
- (4) The proposed provision and configuration of roads, water, wastewater, drainage and park facilities, and easements and rights-of-way are adequate to serve the subdivision and meet applicable standards of Chapters 6 and 7 of this Land Development Code; and
- (5) The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code Ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.

Staff has reviewed the request and determined that all of the above criteria have been met and is recommending approval of the preliminary plat.

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 Subdivision Preliminary Plat. 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, or to statutorily deny (an action that keeps the applicant "in process") the plat.

Prepared By:

John Stanley

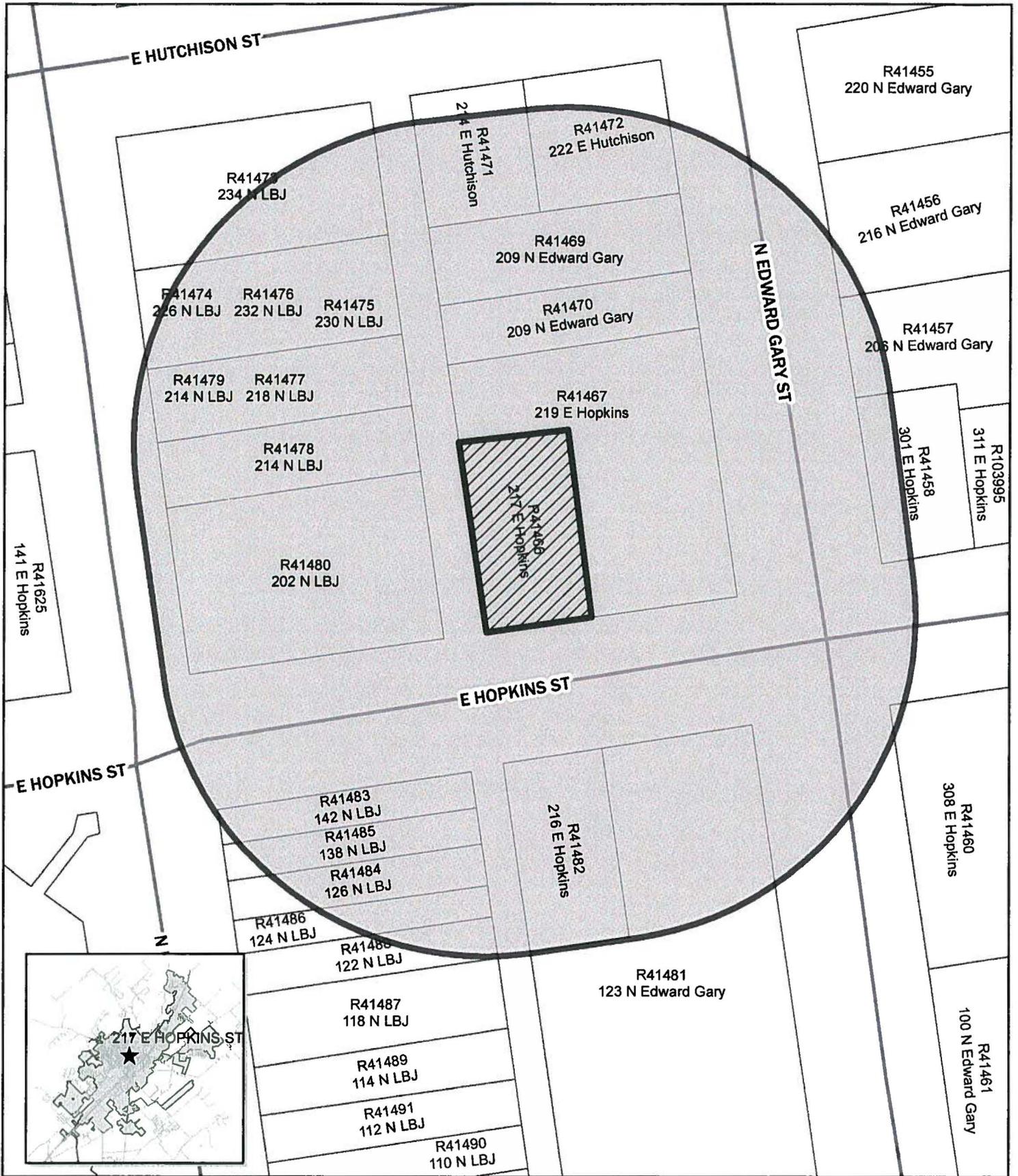
Planner

April 17, 2012

Name

Title

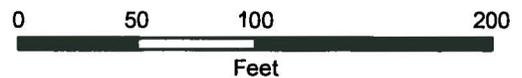
Date



CUP-12-16
Chimy's
217 E Hopkins St
Map Date: 04/12/12

-  Notification Buffer (200 feet)
-  Site Location

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



CUP-12-16

Conditional Use Permit

Chimy's San Marcos

217 E. Hopkins Street



Applicant Information:

Applicant: Baccus Enterprises (Chimy's San Marcos)

Mailing Address: 217 E. Hopkins Street
San Marcos, TX 78666

Property Owner: Tamara Piper
906 Tate Trail
San Marcos, TX 78666

Applicant Request: Renewal of a Conditional Use Permit (CUP) to allow the on-premise consumption of mixed beverages.

Public Hearing Notice: Public hearing notification was mailed on April 13, 2012.

Response: None as of April 17, 2012

Subject Property:

Expiration Date: July 12, 2012

Location: 217 E. Hopkins Street

Legal Description: Original Town of San Marcos, Block 7, Lot PT of 1-2

Frontage On: Hopkins

Neighborhood: Downtown

Existing Zoning: "T-5" – Urban Center

Sector: Sector 8

Utilities: Adequate

Existing Use of Property: Restaurant

Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of property	T-5	Commercial
S of property	T-5	Commercial
E of property	T-5	Commercial
W of property	T-5	Commercial

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.

A business applying for on-premise consumption of alcohol must not be within 300 feet of a church, school, hospital, or a residence located in a low density residential zoning district. This location **does** meet the distance requirements. This location is outside the Central Business Area (CBA) and is not subject to the additional requirements in the CBA.

CUPs issued for on-premise consumption of alcohol make the business subject to the code standards and the penalty point system for violations (Section 4.3.4.2).

Case Summary

Chimy's is a restaurant located at 217 E. Hopkins Street. Currently, the applicant has an active TABC permit to allow the on-premise consumption of mixed beverages. The Commission originally approved a CUP in 2010 for one year to allow the on-premise consumption of mixed beverages that covered the interior of the restaurant. In July 2011, the applicant requested the CUP be extended to cover the patio at the rear of the restaurant. The Commission approved that CUP for one year to allow the on-premise consumption of mixed beverages. The applicant is now requesting to renew this Conditional Use Permit. The current CUP will expire on July 12, 2012.

The gross floor area is 3,600 square feet, which includes the outdoor patio, and the parking meets the requirements of the Land Development Code. The hours of operations are Monday through Saturday from 11 a.m. to midnight and no live entertainment is proposed. The applicant is not proposing any other improvements to the structure at this time.

Comments from Other Departments:

Police, Health, Building, Engineering, and Code Enforcement have not reported major concerns regarding the subject property.

Planning Department Analysis:

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.

Considering that staff, other departments, and the public have not stated concerns regarding the request and that the applicant submitted the renewal application three months prior to the expiration of their current CUP, staff provides this request to the Commission for your consideration and recommends approval of the Conditional Use Permit with the following conditions:

The permit shall be valid for three (3) years, provided standards are met, subject to the point system.

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. In evaluating the impact of the proposed conditional use on surrounding properties, the Commission should consider the extent to which the use:

- is consistent with the policies of the Master 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:

Alison Brake

Planner

4/17/2012

Name

Title

Date



MEMO

To: Planning and Zoning Commission
From: John Stanley, Planner
Date: April 19, 2012
Re: LDC Revisions- Round 5 Compiled Commissioner Comments

Round 5 of LDC revisions were presented to the Commission at the March 27, 2012 meeting. At that meeting feedback was received from the Commissioners on the individual revisions. In addition, an Open House was held on April 18 to receive public feedback on each LDC revision. The comments received from the public will be compiled and presented at the meeting on the 24th.

Each proposed revision is listed below along with the feedback received from individual Commissioners on each item. Staff believes that this is the most efficient way to represent Commissioners' comments. The Commission has the ability to incorporate comments into motions.

Options for the Commission for each:

- Recommend to approve the revisions.
- Recommend to approve the revision with conditions from below or other.
- Recommend to postpone and suggest further edits to the revision.
- Recommend to deny the revision.

LDC-12-01 Multifamily Design Standards:

Commissioner Couch:

- Requested process to find additional costs tax payers will have to pay.

Commissioner Seebeck:

- Section 4.4.3.3:
 - (b)-Dri-Vit is a brand name that needs to be clarified
 - (d)-the word "framing" needs to be switched to "trim"
 - (e)-needs to include clearance from air conditioner
- Section 4.4.3.4:
 - (d)-Define what "low VOC" means
 - (e)-Define what is meant by a room

- (f)-the word lintels needs to be removed

Commissioner Wood:

- Section 4.4.3.3:
 - (c)-Clarify what is meant by building entries
- Section 4.4.3.4:
 - (a)-Do we really want to quote manuals from other cities?

Commissioner Morris:

- Review handicap accessible parking spots

Commissioner Bryan:

- Section 4.4.3.4:
 - (b)-“greatest extent possible” is too open for discretion
 - (c)-Remove “(within a 500 mile radius)”

LDC-12-03 Use Matrix:

Commissioner Kelsey:

- Asked to make fraternity houses conditional in the Hopkins Street Overlay (Staff removed fraternity houses completely, they were added in error).

LDC-12-04 Tree and Habitat Preservation:

The city's existing standard details are included for your review.

Commissioner Morris:

- Asked to add requirement for developer to take care of trees planted to replace removed trees

Commissioner Seebeck:

- Said too much subjectivity is left up to the discretion of the Director-makes director way too powerful in tree preservation
- Juniperus Virginiana is not the Common Cedar (Juniperus Ashei is)
- 5.5.2.2 (d) (2): City should not be exempt from tree mitigation standards
- Needs to see copy of city details and standard specifications
- Process for revising the city details and standard specifications should not be allowed to be changed by staff without running it by the commission

Commissioner Wood:

- Provisions should apply to ALL trees
- Asked to include city details and standards specifications in this document
- Asked to remove excluded tree section and only list trees the city wants to be saved

Commissioner Carothers:

- Asked to include part that says person cannot cut all limbs off of a tree

LDC-12-07 Clarify Notice Procedures:

- No comments

LDC-12-11 SmartCode Revisions:

- No comments

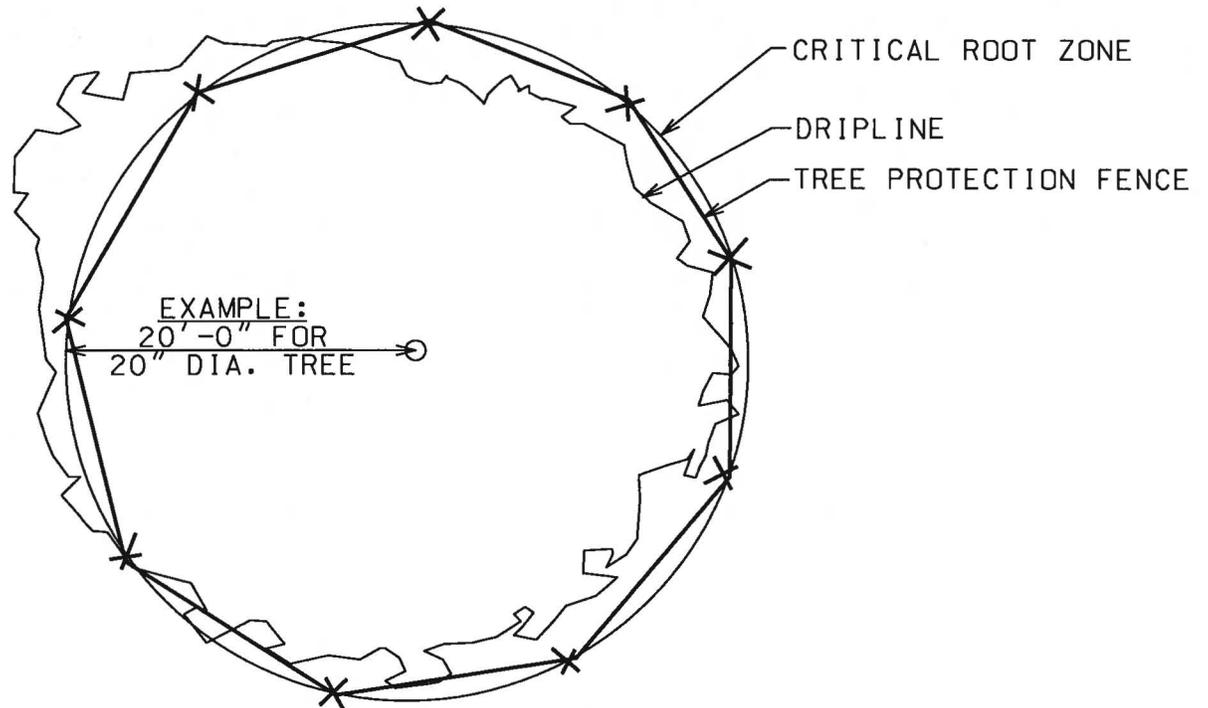
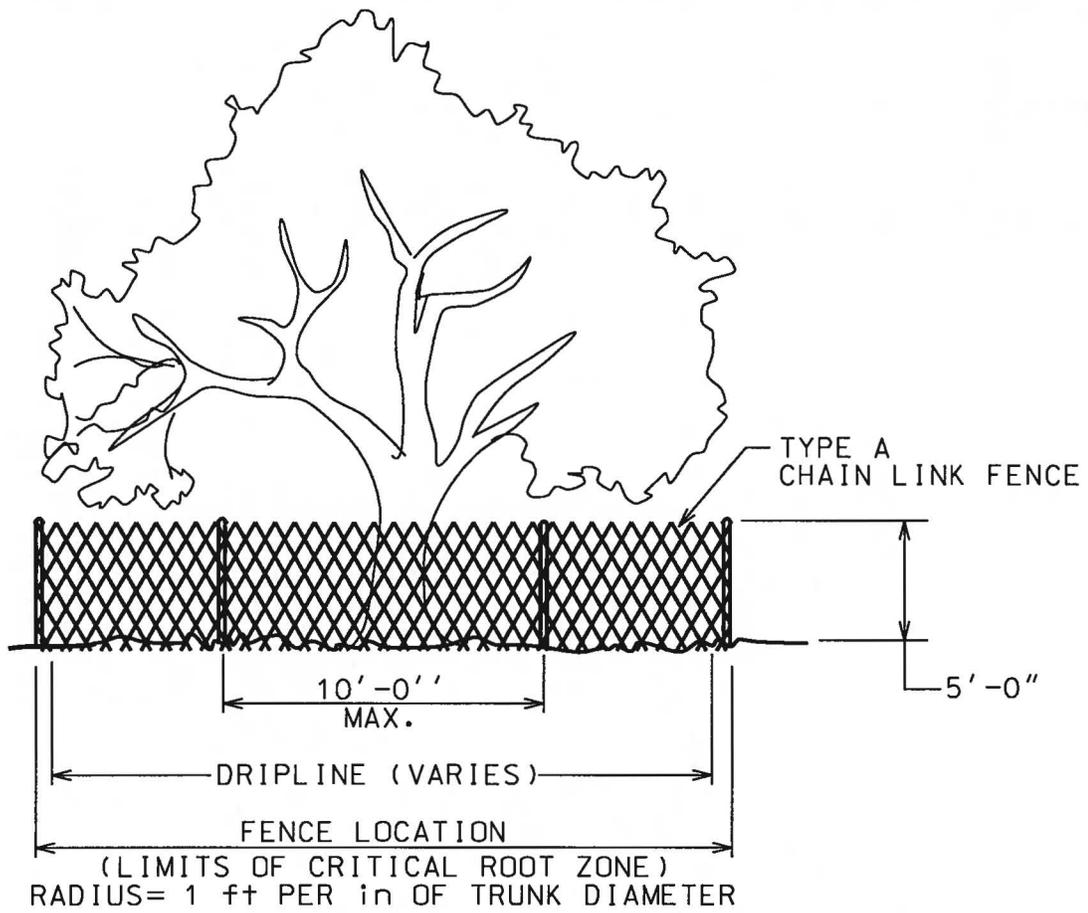
Hopkins St. Overlay

Based on input received at the April 18 Open House, this item has been posted for discussion only to allow staff more time to work with the block captains and the public. This will come back to the commission at a future meeting.

LDC-12-10 Hopkins Street Overlay:

Commissioner Couch:

- Asked for clarification of the meaning "one property deep on each side of Hopkins Street."



TREE PROTECTION FENCE

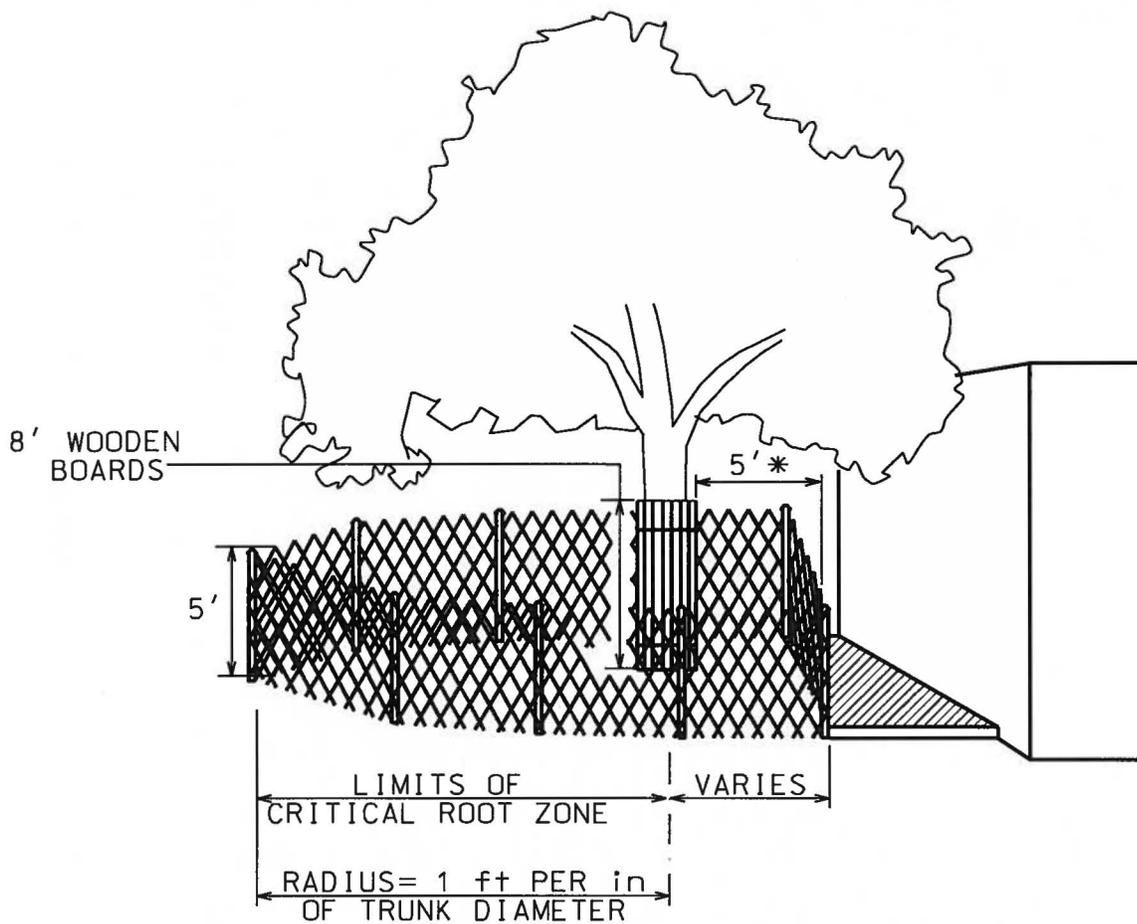
TYPE A - CHAIN LINK

The City of San Marcos
Engineering and Capital Improvements

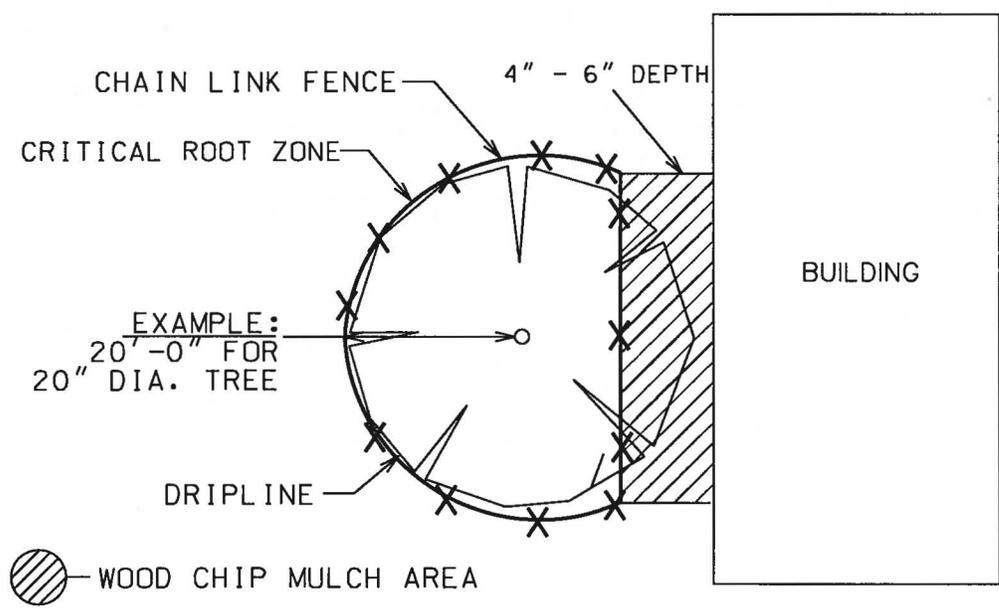
STANDARD DETAIL
N.T.S.

DRAWING: T/DETAILS/TREE PROTECTION TYPE A

DATE: NOVEMBER 9, 2011



*AS NEEDED TO PROVIDE MINIMUM NECESSARY WORK SPACE. IF LESS THAN 5', THEN ADD BOARDS STRAPPED TO TRUNK.



TREE PROTECTION FENCE

TYPE B - CHAIN LINK BY BUILDING

The City of San Marcos
 Engineering and Capital Improvements

STANDARD DETAIL
 N.T.S.



MEMO

To: Planning and Zoning Commission
From: Planning Staff
Date: March 30, 2012
Re: LDC Revisions- Round 5 – LDC-12-01

At the City Council's suggestion, and in response to concern from citizens, an ordinance has been drafted that would provide site and building design standards for all multifamily developments. The intent of these standards is to ensure a high level of site and building design that also incorporates elements of sustainability. These standards will provide for a more attractive and healthier environment for San Marcos residents.

LDC-12-01 - An amendment to the City's Land Development Code by adding Division 3: Multifamily Residential Design Standards to provide for additional building and site design control

- These standards will provide requirements similar to those requested in recent PDDs, for all multifamily residential developments.
- Standards include:
 - Four-sided architecture
 - Use of durable materials
 - Emphasis on entryways
 - Windows on all four sides
 - The use of Low Impact Design and native landscaping
 - Parking located to the side and rear of buildings
- The intent is to assure existing neighborhoods of high-quality design for new multifamily developments; to indicate raised expectations for development throughout the City; and to provide a healthy environment for residents within developments.

Next Steps

Staff is proposing the following schedule for adoption:

- April 10th
 - P&Z discussion

- April 18th
 - All-day public workshop
- April 24th
 - Planning & Zoning Commission Action
- May 1st
 - City Council Public Hearing
- May 15th
 - City Council Reconsideration

ARTICLE 4: SUPPLEMENTAL STANDARDS

DIVISION 3: MULTIFAMILY RESIDENTIAL DESIGN STANDARDS

Section 4.4.3.1 Purpose and Applicability

These standards and criteria contained within this section are applicable to any new townhouse or multifamily development, or any townhouse or multifamily development that is undergoing significant renovation. This Division is intended to supplement the requirements of residential zoning districts and to protect the character and value of residential properties.

Section 4.4.3.2 Definitions

- (a) Significant renovations include renovations that increase the assessed value of the site by 50 percent or more, or that add habitable structures.
- (b) Low Impact Development refers to stormwater treatment and retention techniques that slow water flow, remove or reduce total suspended solids (TSS) and harmful particulate matter, and minimize impact on adjacent sites and waterways by using constructed natural wetlands, swales, and other measures.

VOC - Volatile Organic Compounds. Elements that are present in paints, sealants, carpets, furniture, and other fixtures, and that are known to cause negative health impacts.

Section 4.4.3.3 Material, Site and Design Criteria

- (a) Facades – Facades must be articulated by using color, wall planes, arrangement, or change in material to emphasize the façade elements. Exterior wall planes may be varied in height, depth or direction. Design elements and detailing, including the presence of windows and window treatments (for walls that face the public right-of-way), trim detailing, and exterior wall material, must be continued completely around the structure. Doors and windows must be detailed to add visual interest to the façade.
- (b) Materials – The following materials are required for multifamily residential design: brick; cedar; stone, stucco, and fiber cement. The use of EIFS or Dri-Vit is permitted for no more than 20 percent of the façade, for trim only. The use of more than one material on individual buildings is encouraged, however, heavier materials such as brick or stone should always be placed on the bottom of the structure, with lighter materials such as wood or stucco above.
- (c) Building entries- Building entries next to a public street, private drive or parking area must be pedestrian scaled in relation to building size. Doors, windows, entranceways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale. Doors shall be fully articulated with the use of such elements as pilasters, columns, fanlights and transoms. Primary entries must be fully visible and easily accessible.
- (d) Windows and transparency – All exterior walls and elevations on all floors of multiple household buildings must contain windows except when necessary to assure privacy for adjacent property owners. Window should be located to maximize the possibility of occupant surveillance of entryways and common areas. Windows shall be fully articulated with at least one of the following: sills, lintels, framing, and/or shades, etc.
- (e) Mechanical equipment screening- Rooftop mechanical equipment must be hidden or screened with architecturally integral elements at least as high the equipment to be screened. Ground mounted

mechanical equipment must be hidden or screened with architecturally integral wing walls and/or landscaping. Mechanical equipment must be located where their acoustics will not be disruptive to residents. Solar panels are exempt from mechanical equipment screening standards.

- (f) Fencing – Fencing around multifamily developments, if used, shall be at least 50 percent transparent. The location of fencing shall be subject to Section 6.1.3.3.
- (g) Common Areas – Common areas, including passive and/or active recreation areas, shall be provided. Examples include children’s’ play areas, gazebos, ball courts, and water features. High-traffic pedestrian areas shall be fully lit, and shall include animal waste stations. Areas such as playgrounds and tot lots shall be located in areas that are both secure and free of visual obstructions preventing visibility fro adjacent areas and buildings.
 - a. Connectivity to adjacent amenities, retail and office centers, parks, educational centers, and other destinations shall be provided.
 - b. Pedestrian walkways shall be clearly delineated when crossing a parking lot, street, or drive.
- (h) Parking – Parking areas shall be located to the side and rear of the property rather than along street frontages.
 - a. Carports shall compliment the primary buildings in terms of materials and trim. Solar carport roofs are encouraged.
 - b. Secure bicycle parking shall be provided, with one space per ten dwelling units.
- (i) Dumpster and Recycling Bin Location – All multifamily developments shall provide both Dumpsters and recycling bins. Both shall be located internal to the development and screened in accordance with Section 6.1.2.4(a)(2)

Section 4.4.3.4 Sustainable Design Criteria

- (a) Low Impact Development– Multifamily projects must implement Low Impact Development water quality controls, using the San Marcos Low Impact Development Design Manual and the City of Austin Environmental Criteria Manual.
- (b) Landscaping – landscaping should incorporate xeriscaping and native plantings. All landscaping should minimize necessary irrigation to the greatest extent possible. If irrigation is necessary, every attempt shall be made to use rainwater or other, non-potable water such as air-conditioning condensate.
- (c) Materials – materials should be sourced locally (within a 500-mile radius) wherever possible.
- (d) Finishes - all finishes and sealants used internally and externally shall be low-VOC. This shall include paints, glazes, floor seals, and built-in components such as countertops.
- (e) Windows- All windows except those listed as Exempt, below, shall be fully operable to provide for ventilation. All rooms shall have at least one window.
 - a. Windows shall be low-e glass
 - b. Exempt windows include those used for bathrooms, dormer windows if there are other windows and the room is occupiable, and windows in garage doors.
- (f) Shading – all windows, with the exception of those facing north, shall be provided with some form of shading. Acceptable forms of shading include solar screens, awnings, eaves measuring at least 12” deep, and lintels.



MEMO

To: Planning and Zoning Commission
From: Abigail Gillfillan, Permit Center Manager
Date: March 30, 2012
Re: LDC Revisions- Round 5 – LDC-12-04 – Tree Preservation

At the Planning Commission's direction and in response to citizen and developer suggestion, the tree preservation and landscaping amendments that were originally brought forward in May of 2010 are coming back for the commission's review. These amendments were the result of significant input from both the development community and local arborists.

LDC-12-04 - An amendment to the City's Land Development Code to amend Chapter 5 Article 5; Tree preservation and Chapter 6 Article 1 Landscaping in the Land Development Code in order to improve the organization of the code, establish adjusted tree preservation standards, provide for a fee-in-lieu for mitigation and clarify the tree protection standards of the ordinance

- This amendment includes definitions for the following terms: Caliper, Critical Root Zone, Excluded Trees, Protected Tree, Preserved Tree, Regulated Tree, and Specimen Tree
- This amendment consolidates the tree mitigation standards to one table included here:

<u>Tree Classification</u>	<u>Callper Ratio</u>
<u>Excluded Trees</u>	N/A
<u>Trees less than 9" in caliper</u>	N/A
<u>Protected Trees</u>	1:1
<u>Specimen Trees</u>	2:1

- Establishment of a Fee in Lieu for tree mitigation that can not fit on-site. The fee will be credited to a Tree Fund and enable the re-establishment of the tree canopy in affected areas.
- This amendment clarifies and enhances the incentives for keeping existing trees on site.
- In addition a reorganization and clarification of the standards in the landscape ordinance have been included.

Next Steps

Staff is proposing the following schedule for adoption:

- April 10th

- P&Z discussion
- April 18th
 - All-day public workshop
- April 24th
 - Planning & Zoning Commission Action
- May 1st
 - City Council Public Hearing
- May 15th
 - City Council Reconsideration

ARTICLE 5: TREE AND HABITAT PROTECTION

DIVISION 1: GENERAL

Section 5.5.1.1 Purpose and applicability

Purpose The purpose of this Article is to conserve, protect and enhance existing trees and natural landscape that are healthy and contribute to a safe and livable community. It is recognized that the preservation of existing trees contributes to the overall quality of life and environment of the City. Trees play a vital role in water and air quality. They protect the health of aquifers and river corridors set forth in Article 3 of this chapter, function in storm water management as well as erosion and dust control, abatement of noise, provision of wildlife habitat and enhancement of property values.

The existing natural landscape character, especially native oaks, elms, madrone, and pecan trees, shall be preserved to the maximum extent reasonable and feasible. For example, in an area of the street yard containing a stand of trees, the developer, and the builder shall use best good faith efforts to preserve such trees. Indiscriminate clearing or stripping of natural vegetation on a lot is prohibited. Any part of a site not used for buildings, parking, driveways, walkways, utilities, on-site septic facilities(OSSF) and approved storage areas shall be retained in a natural state, or reclaimed to its natural state, to the greatest extent feasible, or attractively landscaped in a manner that adds aesthetic value to the development.

Application. The provisions of this Section apply to all ~~new nonresidential and residential development~~removed trees within the City and not within the ETJ. The responsible official shall be the Director of Development Services.

(Ord. No. 2006-45, § 43, 9-19-06)

DIVISION 2: TREE PRESERVATION AND PROTECTION

Section 5.5.2.1 General Tree Preservation Definitions

Caliper – means the American Association of Nurserymen standard for trunk measurement of nursery stock, as measured six inches above the ground for trees up to and including four inches caliper size, and as measured at 12 inches above the ground for larger sizes. If the tree has been severed at less than 12 inches above the soil line, then the caliper shall be measured across the stump. The caliper of a multi-trunk tree shall be measured by the following equation: The caliper of the largest tree trunk, plus 1/2 the caliper of all other tree trunks. For example, a tree that has three trunks with calipers of 7", 6", and 4" would have a caliper of 12", or $7" + (1/2 \times 6") + (1/2 \times 4")$.

Critical Root Zone – Area of undisturbed natural soil around a tree measured from the edge of the drip line to the trunk of the tree.

Excluded Trees – Celtis Occidentalis (Hackberry), Juniperus Virginiana, Juniperus Ashei (Common Cedar), Chinaberry, mesquite, and Ligustrum

Protected Tree – Any tree with a caliper from nine to twenty-three inches, except for Excluded Trees.

Preserved Tree – A tree that is to remain on the site after construction and for which no mitigation is required because preservation criteria in this Article are met.

Regulated Tree – A Significant Stand of Trees, a Specimen Tree, or a Protected Tree

Specimen Tree – Any tree with a caliper of twenty-four inches or greater, except for Excluded Trees.

Section 5.5.2.2 Tree Protection and Mitigation Standards

(a) Removal of any regulated trees without City approval is expressly prohibited. The removal must be specifically requested by the applicant and approved in writing prior to any action being taken to remove the tree or to damage or disturb the tree in any way. If the request is not approved by the responsible official, the applicant may appeal the decision to the Planning and Zoning Commission.

(b) An aerial photograph indicating the tree canopy shall be submitted with an application for a Watershed Protection Plan, Phase 1, together with a designation of the location of regulated trees in the area proposed for development.

(c) The location of all regulated trees to be preserved or removed within the area proposed for development shall be designated on a Site Preparation Permit, a Watershed Protection Plan, Phase 2, or a building permit application (when exempt from Site Preparation Permit). Such trees shall be tagged and numbered, and numbers shall be graphically depicted on the applicable plan submitted. The tags and related numbers shall remain on the trees until the Certificate of Occupancy is issued.

(d) Trees Mitigation Standards

(1) Mitigation for all removed regulated trees shall occur at the following caliper ratios:

<u>Tree Classification</u>	<u>Caliper Ratio</u>
<u>Excluded Trees</u>	<u>N/A</u>
<u>Trees less than 9" in caliper</u>	<u>N/A</u>
<u>Protected Trees</u>	<u>1:1</u>
<u>Specimen Trees</u>	<u>2:1</u>

(2) Exemptions: Excluded Trees and Protected Trees located within an area designated for the construction or installation of public facilities such as streets or utilities are exempt from mitigation.

(3) Mitigation shall be required for trees remaining on site that do not meet the preservation standards of this section. The Director may waive this

requirement in certain situations where the applicant adequately demonstrates the tree's ultimate safe survival by providing documentation such as a letter from a certified arborist outlining alternative preservation standards.

(e) Fee in Lieu When mitigation for regulated tree removal by replanting trees is not feasible, e.g., planting capacity has been reached on site, the Director may allow an applicant to pay a fee in lieu for all or part of the required mitigation. It is the responsibility of the applicant to demonstrate that replanting is not feasible by providing documentation such as a letter to that effect from a certified arborist. Payment per caliper inch of regulated trees removed shall be paid into the Tree Fund or account for use by the City for the planting, pruning, irrigation and other activities associated with trees in a City Park or on other City-owned property. The payment into the Tree Fund is nonrefundable. The Technical Manual lists the tree classifications with their applicable fees per caliper inch removed.

~~(a)~~(f) Protection of Trees during Construction.

(1) No more than 25% of the critical root zone of any preserved tree shall be disturbed. All protected trees next to an excavation site or to a construction site for any building, structure, or street work, shall be guarded ~~with a good~~ substantial fence, frame, or box not less than four feet high and surrounding the trunk of the tree. ~~In addition, at least three inches of mulch or compost shall be spread beneath the drip line of the tree in accordance with city details and standard specifications.~~

(2) ~~The barriers~~ Protection shall be approved by the ~~Planning~~ Director and shall be in place before any site clearance or other site-disturbing act commences.

(3) All building material, dirt, excavation or fill materials, chemicals, construction vehicles or equipment, debris, and other materials shall be kept outside the barrier.

(4) ~~Barriers~~ Protection shall remain in place until the final building and landscape site inspections are satisfactorily completed for the issuance of the Certificate of Occupancy.

~~(b)~~(g) Action Around ~~Protected~~ Preserved Trees. No person shall excavate any ditches, tunnels, or trenches, place any paving material, or place any drive within the protective zone of any ~~protected~~ Preserved tree without first obtaining a written permit from the ~~Planning~~ Director.

~~(e)~~(h) Damage to ~~Protected~~ Preserved Trees. Unless specifically authorized by the ~~Planning~~ Director, no person shall intentionally damage, cut, carve, transplant, or remove any preserved tree or public tree or shrub; attach any rope, wire, nails, advertising posters, or other contrivance to any preserved tree or public tree or shrub; allow any gaseous, liquid or solid substance which is harmful to such plants to come in contact with them or with the soil; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any ~~protected~~ preserved tree or public tree or shrub.

~~(d)~~(i) Duty of Persons for Trees on Property.

(1) It shall be the duty of any person or persons owning or occupying real property bordering on any street upon which property there may be trees, to prune such trees in such manner that they will not obstruct or shade the street lights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct the view from any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be ten feet over sidewalks and 14 feet over all streets, except truck thoroughfares which shall require a clearance of 16 feet.

(2) It shall be the duty of any person or persons owning, occupying or controlling real property upon which tree trimming or removal occurs to advise all landscape contractors, tree services, arborists and others who remove or trim trees of the need for proper disinfection of all cutting tools and the required painting of all tree cuts on oak trees with a proper sealant immediately after cutting or pruning to prevent the spread of oak wilt and to ensure such sealing of cuts.

(f) *Diseased or Dying Trees.* In cases where a protected or specimen tree is diseased or dying, the Director may request the owner or representative to provide a letter, signed by a certified arborist, stating that the tree is dying, diseased, or a threat to the health, safety, or welfare of the public and may allow removal of such tree without mitigation.

(Ord. No. 2005-59, § 1, 8-16-05)

~~DIVISION 2: TREE PRESERVATION AND PROTECTION~~

~~Section 5.5.2.1 General Tree Preservation Requirements for New Nonresidential and Residential Development~~

~~(a) — *Application.* The provisions of this Section apply to all new nonresidential and residential development within the City and not within the ETJ. The responsible official shall be the Planning Director.~~

~~(b) — *Preservation of Existing Landscape.* The existing natural landscape character, especially native oaks, elms, madrone, and pecan trees, shall be preserved to the maximum extent reasonable and feasible. For example, in an area of the street yard containing a stand of trees, the developer, and the builder shall use best good faith efforts to preserve such trees. *Celtis Occidentalis* (Hackberry), *Juniperus Virginiana*, *Juniperus Ashei* (Common Cedar), Chinaberry, mesquite and *Ligustrum* with a caliper of less than 12 inches are excluded from this provision. Indiscriminate clearing or stripping of natural vegetation on a lot is prohibited. Any part of a site not used for buildings, parking, driveways, walkways, utilities and approved storage areas shall be retained in a natural state, or reclaimed to its natural state, to the greatest extent feasible, or attractively landscaped in a manner that adds aesthetic value to the development.~~

~~(c) — *Protected and Specimen Trees.*~~

~~(1) — For the purposes of this Article, the caliper of a single trunk tree shall be measured in accordance with the definition of "caliper" in Chapter 8 of this Code. The caliper of a multi-trunk tree shall be measured by the following equation: The caliper of the largest tree trunk, plus 1/2 the caliper of all other tree trunks. For example, a tree that has three trunks with calipers of 7", 6", and 4" would have a~~

caliper of 12", or 7" + (1/2 x 6") + (1/2 x 4").

- ~~(2) The removal of any tree with a caliper of nine inches or larger must be specifically requested by the applicant and approved in writing by the designated responsible official prior to any action being taken to remove the tree or to damage or disturb the tree in any way.~~
- ~~(3) The removal of specimen trees, which for the purposes of these requirements are trees with 24-inch caliper or greater, must be specifically requested by the applicant and approved in writing by the designated responsible official prior to any action being taken to remove the tree or to damage or disturb the tree in any way. If the request is not approved by the designated responsible official, the applicant may appeal the decision to the Planning and Zoning Commission. Any specimen tree that is removed shall be replaced caliper for caliper (a ratio of one-to-one), even if the tree removed is within the building footprint area.~~
- ~~(4) The location of all trees over nine inches in caliper to be preserved or removed within the area proposed for development shall be designated on an application for a Site Preparation Permit or a Watershed Protection Plan, Phase 2 (see Chapter 1, Article 7). An aerial photograph indicating the tree canopy shall be submitted with an application for a Watershed Protection Plan, Phase 1, together with a designation of the location of specimen trees in the area proposed for development. Removal of any such trees without City approval is expressly prohibited. Such trees shall be tagged and numbered, and numbers shall be graphically depicted on the applicable plan submitted. The tags and related numbers shall remain on the trees until the Certificate of Occupancy is issued.~~

Section 5.5.2.2 Tree Protection Standards – Residential and Nonresidential Development

- ~~(a) *Application.* The provisions of this Section apply to all new residential and nonresidential development within the City.~~
- ~~(b) *Protection of Trees During Construction.*
 - ~~(1) All protected trees next to an excavation site or to a construction site for any building, structure, or street work, shall be guarded with a good substantial fence, frame, or box not less than four feet high and surrounding the trunk of the tree. In addition, at least three inches of mulch or compost shall be spread beneath the drip line of the tree.~~
 - ~~(2) The barriers shall be approved by the Planning Director and shall be in place before any site clearance or other site disturbing act commences.~~
 - ~~(3) All building material, dirt, excavation or fill materials, chemicals, construction vehicles or equipment, debris, and other materials shall be kept outside the barrier.~~
 - ~~(4) Barriers shall remain in place until the final building and landscape site inspections are satisfactorily completed for the issuance of the Certificate of Occupancy.~~~~
- ~~(c) *Action Around Protected Trees.* No person shall excavate any ditches, tunnels, or trenches, place any paving material, or place any drive within the protective zone of any~~

protected tree without first obtaining a written permit from the Planning Director.

~~(d) — *Damage to Protected Trees.* Unless specifically authorized by the Planning Director, no person shall intentionally damage, cut, carve, transplant, or remove any public tree or shrub; attach any rope, wire, nails, advertising posters, or other contrivance to any public tree or shrub; allow any gaseous, liquid or solid substance which is harmful to such plants to come in contact with them or with the soil; or set fire or permit any fire to burn when such fire or the heat thereof will injure any portion of any protected tree or shrub.~~

~~(e) — *Duty of Persons for Trees on Property.*~~

~~(1) — It shall be the duty of any person or persons owning or occupying real property bordering on any street upon which property there may be trees, to prune such trees in such manner that they will not obstruct or shade the street lights, obstruct the passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct the view from any street or alley intersection. The minimum clearance of any overhanging portion thereof shall be ten feet over sidewalks and 14 feet over all streets, except truck thoroughfares which shall require a clearance of 16 feet.~~

~~(2) — It shall be the duty of any person or persons owning, occupying or controlling real property upon which tree trimming or removal occurs to advise all landscape contractors, tree services, arborists and others who remove or trim trees of the need for proper disinfection of all cutting tools and the required painting of all tree cuts on oak trees with a proper sealant immediately after cutting or pruning to prevent the spread of oak wilt and to ensure such sealing of cuts.~~

~~(f) — *Removing Tree(s) from Development Site(s).* The removal of an existing tree(s) from a development site must be in accordance with this and all other applicable ordinances of the City. Prior to the removal of any protected or specimen tree, as defined within this section, the property owner must first submit a letter to the Planning Director that describes in detail which tree(s) will be removed (as shown on a Site Preparation Permit or Watershed Protection Plan, Phase 2, as applicable), how the removal will be performed (and machinery and equipment needed), and the date and time when the anticipated removal will occur. If a specimen or protected tree proposed for removal is not within a building footprint or within 10 feet of a building footprint, within the area over the septic system, within an area necessary for reasonable site access, or within an area designated for the construction or installation of public facilities such as streets or utilities, the letter must also include a notarized statement by the owner that the tree(s) to be removed is (are) either not a protected or specimen tree(s), as defined within this section, or that its (their) removal will be in complete conformance with the provisions of this section, and the letter must be accompanied by a recommendation for removal from a certified arborist or registered landscape architect. The letter must be submitted at least one week in advance of the removal operation.~~

~~(g) — *Trees Within the Building Footprint or Within Site Access Areas.*~~

~~(1) — Trees over nine inches in caliper but less than 24 inches in caliper that are located within a building footprint or within 10 feet of a building footprint, within the area over the septic system, or within areas necessary for reasonable site access (but not including parking areas), such as a driveway, shall not be required to be preserved or replaced.~~

~~(2) — Trees over nine inches in caliper but less than 24 inches in caliper that are located within areas designated for the construction or installation of public~~

~~facilities such as streets or utilities, shall not be required to be preserved or replaced.~~

- ~~(3) Trees over nine inches in caliper but less than 24 inches in caliper that are not located within a building footprint or within 10 feet of a building footprint, within the area over the septic system, within areas necessary for reasonable site access, or within areas designated for the construction or installation of public facilities such as streets or utilities, that the property owner requests and receives approval to remove may be removed, but shall be replaced on-site at a ratio of two and one-half trees per tree removed and shall be credited toward the number of trees required for site development. Replacement trees shall have a minimum caliper of two inches.~~
- ~~(4) Any specimen tree (24 inch caliper or greater) that is located within the building footprint, or areas necessary for site access (but not including parking areas), such as a driveway, shall not be required to be preserved. However, the tree that is removed shall be replaced caliper for caliper (a ratio of one to one). Trees removed shall be approved in accordance with Section 5.5.2.1.~~

~~(Ord. No. 2005-59, § 1, 8-16-05)~~

Section 5.5.2.3 Credits - Nonresidential and Multifamily Development

~~(a) Application. The provisions of this Section apply to all new nonresidential and multifamily development within the City.~~

~~(a) Incentives to Retain Existing Trees. As an incentive to retain existing trees in the street yard, exclusive of the trees contained in the buffer required under Section 5.2.7.1, the following shall apply:~~

- ~~(1) In order to encourage the preservation of trees that are already established and growing, the additional credit as outlined below shall be given to healthy existing trees of a species listed on the Preferred Plant List in the Technical Manual.~~
- ~~(2) Existing regulated trees shall receive existing may be used as credit against the landscaping requirements mitigation requirement according to the following schedule: Credit will be given on a caliper per caliper basis but shall not exceed 50% of the required mitigation.~~
 - ~~a. Greater than 12 inch caliper: credit for two required trees.~~
 - ~~b. Greater than four inch but less than 12 inch caliper: credit for one and one-half trees.~~
- ~~(3) Any existing tree in the street yard which is at least six inches in caliper and at least 15 feet tall, shall be considered as two and one-half trees for the purposes of satisfying the requirements of Chapter 6, Article 1. Existing trees (except for Excluded Trees) may be counted toward the landscaping requirements in accordance with 6.1.1.4 (b) (4).~~
- ~~(4) Any existing specimen regulated tree (24 inch caliper or greater) shall be considered as a caliper-for-caliper match for the purposes of satisfying the requirements of Chapter 6, Article 1. 6.1.1.4 (b) (1). For example, a 24 inch caliper~~

tree can be counted for up to 12 trees that each have a two-inch caliper.

~~(c) Exclusions. Celtis Occidentalis (hackberry), Juniperus Virginiana, Juniperus Ashei (Common Cedar), Chinaberry, Mesquite, and Ligustrum are excluded from this provision.~~

ARTICLE 1: LANDSCAPING, SCREENING, FENCING, AND COMPATIBILITY

DIVISION 1: LANDSCAPING

Section 6.1.1.1 Purpose

- (a) *Orderly, Safe and Healthful Development.* For the purpose of providing for the orderly, safe and healthful development of land located within the City limits and promoting the health, safety and general welfare of the community, it is necessary to establish requirements for the installation and maintenance of landscaping elements and other site improvements in off-street parking areas and other developed properties.
- (b) *Enhance Qualities.* The regulations contained in this Article are necessary to enhance the community's ecological, environmental and aesthetic qualities.
- (c) *Mitigation of Adverse Effects.* Paved surfaces, automobiles, buildings and other improvements all produce great increases in air temperatures, a problem especially noticeable in this southern region, whereas plants have the opposite effect through transpiration and the creation of shade. Likewise, impervious surfaces created by development generate greater water runoff causing problems from erosion and flooding.
- (d) *Natural Environment and Ecological Balance.* Preserving and improving the natural environment and maintaining a working ecological balance are significant concerns to the community. The fact that landscape elements can contribute to the processes of air purification, oxygen regeneration, water absorption, and noise, glare and heat abatement as well as the preservation of the community's aesthetic qualities indicates that the use of landscape elements benefits the health, welfare and general well being of the community and, therefore, it is proper that the use of the landscape elements be required.
- (e) *Oxygen, Heat, Glare, Water Runoff.* Landscape installation is required within off-street paved surface areas to regenerate oxygen and to reduce heat, glare, water runoff and other conditions connected with the construction of structures or paved areas within the parcel.

Section 6.1.1.2 Enforcement

- (a) *Responsible Official and Responsibilities.* The ~~Planning Director~~Director of Development Services shall be the responsible official for this Article. The Director is charged with administering this Article and securing compliance with this Article. In furtherance of this responsibility, the Director shall:
 - (1) Make inspections as needed to effectuate the purposes and intent of this Article, and initiate appropriate action to bring about compliance with this Article if the inspections disclose any instance of noncompliance.
 - (2) Investigate any complaints of alleged violations of this Article, and maintain a record in the ~~planning~~Development Services ~~Department~~ office of the disposition of the complaints.

- (3) Issue notices of violation, and order, as set out in this Section, the correction of all violations of this Article found to exist on any premises.
 - (4) State in the notice of violation a time limit for compliance with this Article as set out in subsection (c) of this Section.
 - (5) Refuse to issue an occupancy certificate where the requirements of this Article have not been met. A temporary occupancy certificate may be issued where provisions have been made for landscaping installation at the most advantageous time for planting, not to exceed six months from the date of issuance.
 - (6) Request the assistance of the City Attorney in taking appropriate legal action upon the failure of the responsible party to comply with the notice of violation at the time specified therein.
- (b) *Authorization.* The Director is authorized and directed to lawfully enter all premises at reasonable times to perform inspections to determine compliance with the provisions of this Article.
- (c) *Action after Determination of Violation.* When the Director determines that a violation of this Article exists, the responsible official shall take action as follows:
- (1) Give written notice of the violation to the management, agent or owner shown on the most recent tax roll of the City.
 - (2) The notice shall include:
 - a. A description of the location of the property involved, either by address or by legal description;
 - b. A statement indicating the nature of the violation and the reason why the notice of violation is being issued;
 - c. The section of this Article upon which the notice of violation is based;
 - d. A description of the actions that are required to correct the violation;
 - e. A time limit for correction of the violation, which will not be less than ten days nor more than 90 days from the date of the written notice;
 - f. The name of the person to whom the notice of violation is directed;
 - g. A statement that failure to comply with the requirements of the notice will result in the City taking enforcement procedures in order to secure compliance; and
 - h. A description of the procedures available for review of the action of the Director as set out in this Article.
- (d) *Notice.*
- (1) Notices of violation shall be personally delivered, or sent by certified mail, return

receipt requested, and (if possible) by posting a copy of the notice in a conspicuous place on the premises.

- (2) The Director shall maintain a record of the manner of service of the notice.
- (3) If the order is not complied with within the time specified in the order, the Director shall use all available means of enforcement in order to secure compliance.
- (4) When any notice has been issued and the notice becomes an order within the terms of this Article, the responsible official shall cause to be placed in a conspicuous place on the premises a notice which shall read substantially as follows:

These premises are in violation of the requirements of the City of San Marcos landscaping and buffering requirements (Chapter 6 of the San Marcos Land Development Code). This notice is to remain as placed here until the requirements of the ordinance have been complied with. It is unlawful to remove this notice until the requirements have been complied with.

Section 6.1.1.3 Applicability to New and Existing Developed Areas

(a) *New Development or New Structures.*

- (1) The requirements and standards for the installation and maintenance of landscape elements and site improvements as set forth in this Article shall apply to all developed area within the City limits; provided, however, that the requirements and standards shall not apply to the central business area zoning district of the City as described in Chapter 4, unless new off-street parking is added, in which case the parking area shall conform to these regulations. All other new development and construction of new structures shall comply with this Article.
- (2) If other articles of this Chapter would otherwise permit land coverage by building development that would conflict with this Article, this Article shall supersede and prevail over the other requirements.
- (3) If a principal use and some or all of the parking area, required or otherwise, serving the principal use are located on separate parcels, the landscape installation required in this Article shall prevail as to all the property with the result that an equivalent percentage of the area of all parcels utilized by a principal use shall be landscaped in compliance with this Article.

(b) *Existing Development Areas; Nonconformance.*

- (1) All property with existing development on the effective date of the ordinance from which this Article derives which is not in compliance with this Article shall be considered nonconforming and allowed to continue until the time a building permit is granted to reconstruct or enlarge a structure on the property to an extent exceeding 50% of the current replacement cost of the structure. At that time, this Article shall apply to the previous existing parcel areas as well as any new paved areas, and the areas shall be brought into compliance. A plan showing existing and new development and the proposed landscaping shall be submitted in accordance with Section 6.1.1.6. ~~In order to encourage early~~

~~landscaping in existing paved areas and the preservation of trees that are already established and growing in these areas, an additional credit of 50 square feet shall be given to the preservation of each existing tree that is at least nine inches in caliper. This is in addition to the credit normally given for the preservation of an existing tree as provided in Chapter 5, Article 5.~~

- (2) No structure existing on the effective date of this Code from which this Article derives shall be required to be altered or moved in order to comply with this Article except for reconstruction.

Comment [JF1]: Includes Multi-family

Section 6.1.1.4. Required Landscape Area Standards for Non-Residential Development (Excluding Single-Family and Duplex)

- (a) *Meaning of "Landscape Area".* ~~Landscape area shall mean~~ The area (greater than one foot in width) within the boundary of a lot or parcel that is comprised of pervious surface integrated with living plant material, including but not limited to trees, shrubs, flowers, grass, or other living ground cover or native vegetation. For the purposes of meeting the requirements of this Article, undeveloped portions of the site cannot be considered landscaped area.
- (b) *Meaning of "Developed Area".* The area within the boundary of a lot or parcel where there is to be development, as defined in Chapter 8. This typically corresponds to the limits of construction.
- (c) *Establishment of Minimum Percentages.* A minimum percentage of the total ~~lot developed~~ area of property ~~the lot on which development, construction or reconstruction occurs after the effective date of the ordinance from which this Article derives~~ shall be devoted to landscape in accordance with the following schedule; ~~provided, however, that this requirement shall not apply to the development, construction or reconstruction of single-family detached residential structures;~~

Table 6.1.1.4

Required Landscape Area Schedule

LAND USE	PERCENT LANDSCAPED AREA REQUIRED
Single-Family Detached	See Section 6.1.1.4(d) below
Townhouses	20
Duplexes, Triplexes	20
Apartments	20
Office and Professional Uses	15
Mixed Use	20
Retail and Commercial	10
Industrial or Manufacturing	10

Comment [JF2]: Updated diagram (50' of a tree)

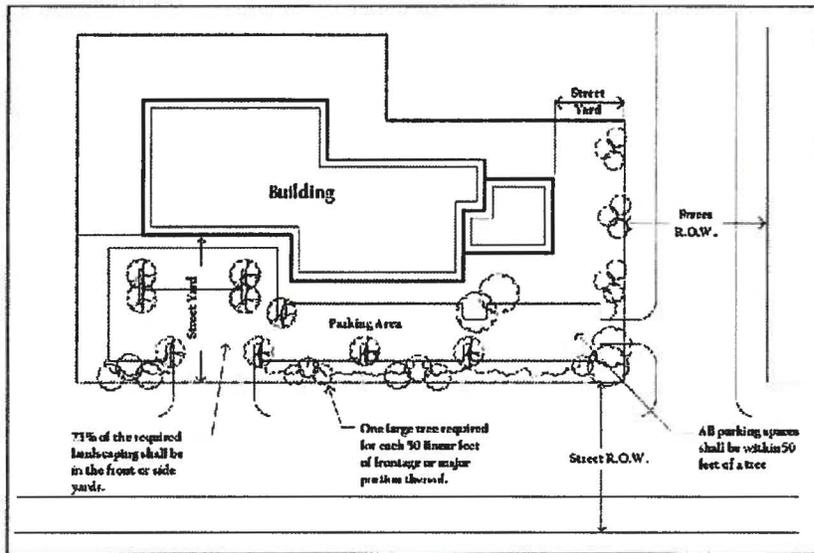


Figure 6-1: Landscaping Requirements

- (1) Plantings shall consist of a minimum of one tree and three five-gallon shrubs for every 1,000 square feet of the required minimum landscaping area to be planted or retained internal to the project, 90 per cent of which shall be chosen from the Preferred Plant List.
- (2) Street trees shall be planted at the average rate of one tree for every 50 feet, or major fraction thereof, of street frontage. Where poor soil conditions or other factors require additional flexibility in planting, the Planning Director may approve alternative spacing of trees, but not reduction in the number of required trees. Trees planted within a street median adjacent to the street frontage may be counted for up to one-half of the required trees. Existing street trees that meet these standards may be credited as street trees. Street trees must be planted within ten feet of the property line or public utility easement (when applicable) or in the right-of-way between the street and the sidewalk if this area is at least four feet in width. Appropriate street trees from the Preferred Plant List shall be used for plantings between the sidewalk and the street. In no case shall less than two large trees per lot be planted or preserved.
- (3) On large tracts of land, exceptions to this Article may be granted by the Planning Director to require a lesser amount of landscaping if the aesthetic, buffering and

environmental intent of this Article is met, and it is located along rights-of-way or in strategic environmentally sensitive areas. In addition, exceptions may be granted if the geologic assessment performed during the Watershed Protection Plan Phase II process demonstrates that the soil or surface of the lot is unsuitable for the planting of trees.

- (4) Existing trees and plant cover, if properly situated, can be counted toward compliance with the requirements of this section. These trees and plants must be indicated on the submitted landscape plan, with size and species noted, and clearly marked as "Existing Plant Material to be Retained".

(ed) *Landscaping On-Site and Related Location.* The landscaped area required by Table 6.1.1.4 shall be placed upon that portion of a tract or lot that is being developed. Seventy-five per cent of the area required by Table 6.1.1.4 shall be installed in between the front or side property lines and the building being constructed. Clustering the remaining required landscaping along property lines abutting a lower intensity land use is encouraged. Undeveloped portions of a tract or lot shall not be considered landscaped.

(ed) Landscaping Within Parking Areas

- (1) All outdoor parking areas having spaces for more than 20 vehicles shall have landscaping within the perimeter of the parking areas equal in area to not less than five per cent of the total paved area.
- (2) No parking space shall be located more than 50 feet from a portion of the required landscaping tree.
- (3) Each landscape island within a parking lot shall contain a minimum square footage equivalent to one parking space of pervious area, shall contain at least one tree, shall be at least ten feet wide, and shall allow at least four feet between any trees within the island and the edge of the island.
- (4) One tree of at least two-inch caliper in size shall be provided within the perimeter of the parking area for each 250 square feet of landscaping required.
- (5) Landscaped terminal islands (end islands) shall be located at the end of all parking aisles in a configuration to allow for appropriate turning radii of intersecting aisles shown in the Transportation Criteria Manual to protect parked vehicles, provide for visibility, confine moving traffic to aisles and driveways, and provide space for landscaping. Required or provided landscaping shall not obstruct the view of any vehicle backing areas or turning areas in a way that creates a hazard.

Section 6.1.1.6. Minimum Landscaping for Single-Family and Duplex Lots Only

~~(d) Minimum Landscaping for Single-Family and Duplex Lots Only.~~ All required plant materials shall be from the City's Preferred Plant List in the Technical Manual.

(a) A solid ground cover or lawn is required on all lots

(b) A minimum of two large shade trees measuring two inches in caliper and six feet in

height at the time of planting are required on all lots

~~(1) (1) — Street trees shall be planted at the average rate of one tree for every 50 feet, or major fraction thereof, of street frontage. Up to one of the required street trees may be credited toward the two required trees per lot. Where poor soil conditions or other factors require additional flexibility in planting, the Planning Director may approve alternative spacing of trees, but not reduction in the number of required trees. Trees planted within a street median adjacent to the street frontage may be counted for up to one-half of the required trees. Existing street trees that meet these standards may be credited as street trees. Street trees must be planted within ten feet of the property line or public utility easement (when applicable) or in the right-of-way between the street and the sidewalk if this area is at least four feet in width. Appropriate street trees from the Preferred Plant List shall be used for plantings between the sidewalk and the street. In no case shall less than two large trees per lot be planted or preserved.~~

~~Two large shade trees that are a minimum of two inches in caliper and six feet in height at the time of planting;~~

~~(c) (2) — Additional landscaping for single-family or duplex units shall be required and shall all consist of at least two out of the following three options:~~

~~a.(1) Two small ornamental trees, equal to at least six feet in height at the time of planting;~~

~~b.(2) Four large evergreen shrubs, equal in size to at least a five-gallon container size shrub; and~~

~~c.(3) Eight small shrubs, equal in size to at least a three-gallon container size shrub~~

~~(e) — Landscaping Within Parking Areas.~~

~~(1) — All outdoor parking areas having spaces for more than 20 vehicles shall have landscaping within the perimeter of the parking areas equal in area to not less than five per cent of the total paved area.~~

~~(2) — No parking space shall be located more than 60 feet from a portion of the required landscaping.~~

~~(3) — Each landscape island within a parking lot shall contain a minimum square footage equivalent to one parking space of pervious area, shall be at least ten feet wide, and shall allow at least four feet between any trees within the island and the edge of the island.~~

~~(4) — One tree of at least two-inch caliper in size shall be provided within the perimeter of the parking area for each 250 square feet of landscaping required.~~

~~(5) — Landscaped terminal islands (end islands) shall be located at the end of all parking aisles in a configuration to allow for turning radii of intersecting aisles shown in the Transportation Criteria Manual to protect parked vehicles, provide for visibility, confine moving traffic to aisles and driveways, and provide space for~~

~~landscaping. Required or provided landscaping shall not obstruct the view of any vehicle backing areas or turning areas in a way that creates a hazard.~~

~~(f) *Tree Credits.* Tree credits shall be given pursuant to Section 5.5.2.3 of this Code.~~

(Ord. No. 2006-45, § 44, 9-19-06)

Section 6.1.1.57. General Requirements

- (a) *Installation.* All landscape materials shall be installed according to ~~American Association of Nurserymen (AAN)~~American Nursery and Landscape Association standards.
- (b) *Maintenance.* The owner of the building, or the manager or agent of the owner, shall be responsible for the maintenance of all landscape areas. The areas shall be maintained so as to present a healthy, neat and orderly appearance at all times and shall be kept free of refuse and debris. All planted areas shall be provided with a readily available water supply and watered sufficiently to ensure continuous healthy growth and development. Maintenance shall include the replacement of all dead plant material needed to meet the requirements of this Article. Should a tree die or be removed for which credit has been obtained pursuant to this Land Development Code, trees sufficient to equal the area credited shall be required. A smaller tree that will have a mature crown similar to the tree removed may be substituted if the planting area or pervious cover provided for the larger tree is retained; such substitution shall require the approval of the Planning Director.
- (c) *Planting Criteria.*
 - (1) *Trees.* Trees planted for credit under Section 6.1.1.4 shall be a minimum of two inches in caliper, measured six inches above ground level, and six feet in height when measured immediately after planting. Trees shall have an average mature crown greater than 15 feet. Trees having an average mature crown less than 15 feet may be substituted by grouping the trees so as to create at maturity the equivalent of a 15-foot crown if the drip line area is maintained.
 - (2) *Shrubs, vines and ground cover.* Shrubs, vines and ground cover planted pursuant to this Article should be good, healthy nursery stock. Shrubs must be, at a minimum, a one-gallon container size at the time of planting.
 - (3) *Grass.* Grass areas are encouraged to be planted in species normally grown as permanent lawns in the City, including Zoysia, Bermuda or other drought-tolerant grass.
 - a. Grass areas may be sodded, plugged, sprigged or seeded, except that solid sod shall be used in swales, other areas subject to erosion, or as required in a Watershed Protection Plan.
 - b. In new residential developments, developers and homebuilders are encouraged to offer low-water use landscape alternatives, such as Zoysia or buffalo grass.
 - ~~(4) *Synthetic lawns or plants.* Synthetic or artificial lawns or plants shall not be used in lieu of plant requirements in this Section.~~
 - ~~(45) *Soils.* New landscaped areas should be prepared so as to achieve a soil depth of at least six inches. The six-inch soil depth should consist of 75% soil blended~~

with 25% compost.

(56) *Architectural planters.* The use of architectural planters may be permitted in fulfillment of landscape requirements.

(67) *Turf areas.* Except in residential developments, turf areas should be limited to a maximum of 50% of the total required landscaped area.

(78) *Xeriscape materials.* Developers and homebuilders are encouraged to use xeriscape plant materials on model homes to promote use of water-wise landscaping.

(89) *Other.*

- a. Any approved decorative aggregate or pervious brick pavers shall qualify for landscaping credit if contained in planting areas, but no credit shall be given for concrete or other impervious surfaces.
- b. Pursuant to TAC 202.007, property/home owners associations shall not restrict or prohibit turf or landscaping materials that promote water conservation.

(94) *Landscape irrigation.*

- a. All required landscaping areas shall be 100% irrigated by one of, or a combination of, the following methods:
 1. An automatic underground irrigation system;
 2. A drip irrigation system;
 3. A hose attachment within 100 feet of all plant material, provided, however, that a hose attachment within 200 feet of all plant material in non-street yards shall be sufficient.
- b. All irrigation systems shall be designed and sealed in accordance with the Texas Licensed Irrigators Act and shall be professionally installed.
- c. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

(d) *Construction Phase.*

- (1) No more than 25% of the ~~Critical Root Zone~~~~drip line zone~~ of trees to be preserved shall be paved with concrete, asphalt, or other impervious material.
- (2) Soil and other materials shall not be temporarily or permanently stored in locations which would cause suffocation of root systems of trees to be preserved.
- (3) The permanent vegetation shall be installed on the construction site as soon as utilities are in place and final grades are achieved. Final grading and removal of vegetation shall not occur more than 30 days prior to scheduled paving.

(e) *Removal of Diseased or Dangerous Trees and Vegetation.*

- (1) Upon direction from the Director of Public Works Services a property owner may be required to treat or remove trees suffering from transmittable diseases or pests or allow the City to do so, charging the actual cost thereof to the property owner.

- (2) The Director of Public Works Services may require the removal of a tree or part of a tree or any other vegetation that is within or overhanging a public right-of-way or easement if the tree or vegetation:
- a. Is diseased or infested and in danger of falling;
 - b. Is creating a traffic hazard or sight distance hazard for traffic on a public street; or
 - c. Is interfering with safe and proper maintenance of the right-of-way or easement.

(Ord. No. 2006-45, § 45, 9-19-06)

Section 6.1.1.6. Plan Approval

- (a) *Landscape Plan(s) Required.* Appropriate plans showing proposed landscape development, including figures to show compliance with this Article, shall be submitted to the ~~Planning and Development Services~~ Department. A landscape plan drawn to scale shall include dimensions and distances and clearly delineate any existing and proposed landscape development. The landscape plan shall also include detailed drawings of the entire off-street parking area, the location of proposed buildings, the name and location of proposed plant materials and the location of water sources.
- (b) *Submittal.* This plan shall be submitted by the owner of the property or the manager or agent of the owner.
- (c) *Approval.* This plan must be approved prior to the issuance of a building permit.
- (d) *Submittal with Other Required Drawings.* A landscape plan(s) may be submitted in conjunction with other required drawings such as a site development plan or other requirements as stated in Chapter 1.

Section 6.1.1.7. Variances or Appeals

Requests for variances or relief of these requirements shall be in accordance with Chapter 1, Article 10.

Section 6.1.1.8. Requests for Extension of Time

The ~~Planning~~ Director shall be authorized to grant up to two extensions of up to six months each for the purpose of installing landscaping plants, trees, or other living material. The extensions, if approved, shall be based on the criteria that the required landscaping would more appropriately be installed at a later time due to weather conditions, an off-season time of year for planting, or other extenuating circumstance that will allow the newly installed landscaping the best chance of living.



MEMO

To: Planning and Zoning Commission
From: Alison Brake, Planner
Date: April 3, 2012
Re: LDC Revisions- Round 5 – LDC-12-07

As written currently, the general notice requirements lack clarity. Staff believes that listing the specific application types for the required notices will be more customer-friendly, both internally for staff and externally for citizens.

LDC-12-07 - An amendment to the City's Land Development Code to clarify Section 1.3.2.1 for required notices by application type.

- Each notice type now lists the different application types required to send that type of notice.

Next Steps

Staff is proposing the following schedule for adoption:

- April 10th
 - P&Z discussion
- April 18th
 - All-day public workshop
- April 24th
 - Planning & Zoning Commission Action
- May 1st
 - City Council Public Hearing
- May 15th
 - City Council Reconsideration

Subpart B - LAND DEVELOPMENT CODE
Chapter 1 - DEVELOPMENT PROCEDURES
ARTICLE 3: - UNIVERSAL PROCEDURES
DIVISION 2: - NOTICE REQUIREMENTS

(2) The notification signs shall be left in place until final action is taken on the request for approval or development application, unless the case is formally withdrawn by the applicant prior to a final decision. It shall be the responsibility of the applicant to periodically check sign locations to verify that signs remain in place and have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.

~~(3i) The types of application requests for which posted notice is required before consideration include, but are not limited to:~~

~~a. a Petition for zoning map amendments;~~

~~b. a Petition for land use map amendments;~~

~~c. a Petition for Planned Development District; and~~

~~d. A request for a special exception by the Zoning Board of Adjustment; and~~

~~e. any other request, application, petition or appeal under any section of this Land Development Code for which posted notice is required.~~

(d) *Notification Following Decision.* Within ten working days of the date of a responsible official, board, commission or City Council determination on a development application, written notification of the action shall be mailed to the applicant, stating the action taken and including all conditions imposed and times established for satisfaction of the conditions, if any. If the final decision-maker denies the application, a written statement setting forth the basis for the decision to deny the application also shall be included. Record of this notification shall be filed with the secretary of the board or commission or City Council on the date of notification.

(e) *Notification of Appeal or Revocation.* Whenever appeal is taken from a final decision on a development application following a public hearing, or whenever the City is to consider revocation of a development permit which was obtained following a public hearing, personal notice of the appeal or revocation proceeding shall be provided in the manner prescribed by subsection (b). If no public hearing was held prior to approval of the development application, personal notice of revocation shall be given only to the holder of the permit.

(f) *Special Notice.* Whenever this Code requires or the City Council prescribes that notice of a public hearing be given that differs from the requirements of this Section, the responsible official shall cause such notice to be given in the manner otherwise required or prescribed.

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MEMO

To: Planning and Zoning Commission
From: Planning Staff
Date: March 30, 2012
Re: LDC Revisions- Round 5 – LDC-12-11 – SmartCode Revisions

The SmartCode was adopted last May. At the time, staff indicated that an initial round of revisions would be needed within a year or less, to remove any discrepancies missed during edits and to clarify any processes or other elements discovered during implementation. Shortly after the adoption of the code, local business owners indicated interest in opening food truck courts, primarily within the SmartCode District. The food trucks were permitted under the Director's interpretation of a kiosk, but further clarification and standards were desired. The revisions presented to the Commission include an additional section addressing food trucks and carts, as well as several clarifications on process and wording.

LDC-12-11 - amendments to the City's SmartCode, Articles 1, 3 and 5 to clarify process and language.

- Article 1 revisions include:
 - Clarify the process for rezoning within transects
 - Update matrices for T5 Transects to match Article 5
- Article 3 revisions include:
 - Changing name to "New Community Plans" from "Community Plans"
 - Addition of Table 3a, Vehicular Lane Dimensions, and Table 3b, Vehicular Lane/Parking Assemblies
- Article 5 revisions include:
 - A provision allowing one-story buildings in the T5 Transect by warrant
 - A provision allowing for mobile vendors and food carts, with standards
 - Parking clarification for the Central Business Area
 - Clarification for parking requirements by Transect and Use

Next Steps

Staff is proposing the following schedule for adoption:

- April 10th
 - P&Z discussion

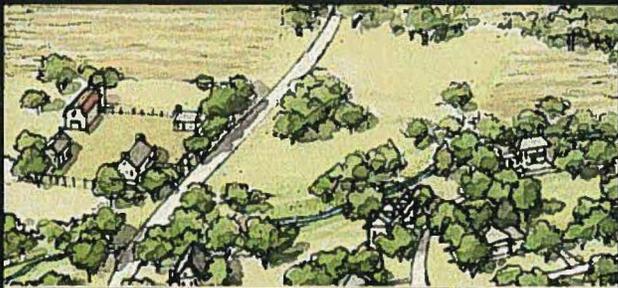
- **April 18th**
 - All-day public workshop
- **April 24th**
 - Planning & Zoning Commission Action
- **May 1st**
 - City Council Public Hearing
- **May 15th**
 - City Council Reconsideration

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

San Marcos, Texas

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. When any ordinance requires a conditional use permit for or prohibits a use or activity in the Central Business Area or CBA district, such ordinances shall continue to apply to the land area within such district even if land within such area is rezoned under this Code without regard to the SmartCode zoning designations assigned.
- 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 6 Definitions of Terms. Article 6 contains regulatory language that is integral to this Code. Those terms not defined in Article 6 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

ARTICLE 1. GENERAL TO ALL PLANS

San Marcos, Texas

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 important 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

ARTICLE 1. GENERAL TO ALL PLANS

San Marcos, Texas

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.

1.5. 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. 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

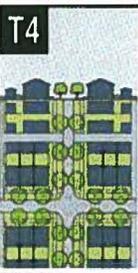
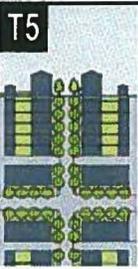
- 1.6.1. Applications that are not subject to mandatory provisions of the Code shall be eligible to utilize the following incentives by right:
- a. Applications under this code shall receive priority review status by the DRC, Planning and Zoning Commission, Zoning Board of Adjustment and the City Council 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.

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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

San Marcos, Texas

TABLE 1.2. SUMMARY TABLE - DOWNTOWN



a. ALLOCATION OF ZONES - not applicable

b. BASE RESIDENTIAL DENSITY (see Section 5.9)

By Right	16 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	8 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 cantonline 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
Rideyard	not permitted	permitted	permitted
Rearyard	not permitted	permitted	permitted
Courtyard	not permitted	not permitted	permitted

j. PRIVATE FRONTAGER (see Table 5.3)

Common Yard	permitted	permitted	not permitted
Porch & Fence	permitted	permitted	not permitted
Terrace or Deckyard	not permitted	not permitted	permitted
Fencecourt	not permitted	not permitted	permitted
Screen	not permitted	permitted	permitted
Shoofront	not permitted	permitted	permitted
Gallery	not permitted	permitted	permitted

k. BUILDING CONFIGURATION (see Table 5.2)

Principal Building Height	not applicable	5 stories*	5 stories*
Outbuilding Height	2 Stories max	2 Stories max	2 stories max

* 5 stories max building height in the center of the block and in the center of the street. A maximum building height of 6 stories is allowed in the center of the block and in the center of the street.

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

ARTICLE 5

DISPOSITION

CONFIGURATION

FUNCTION

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 - 60%
c. BLOCK SIZE					
Block Perimeter	no maximum	no maximum	2400 ft. max	2000 ft. max	2000 ft. max *
d. THOROUGHFARES (see Table 3.3)					
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
BT	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)					
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 - 5.15)					
(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 - 5.15)					
(h.1) Front Setback	not applicable	20 ft. min +bidg setback	20 ft. min +bidg setback	20 ft. min +bidg 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)					
Edgeward	not applicable	permitted	permitted	permitted	by Warrant
Sideward	not applicable	not permitted	not permitted	permitted	permitted
Rearward	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
Porecourt	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	6 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)					
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 3. COMMUNITY PLANS

3.1. INSTRUCTIONS

- 3.1.1. Once the City Council approves a SmartCode District, the parcel shall become a Community Plan Area and shall be marked as such on the Zoning Map of City of San Marcos. Within the Community Plan Area, this Code shall be the exclusive and mandatory zoning regulation, and its provisions shall be applied in their entirety.
- 3.1.2. New Community Regulating Plans submitted in accordance with the provisions of this Code, for the appropriate Division of a Regional Plan and requiring no Variances, shall be approved administratively by the DRC.
- 3.1.3. Regulating Plans shall consist of one or more maps showing the following for each Community Unit in the plan area, in compliance with the standards described in this Article:
 - a. Transect Zones
 - b. Civic Zones
 - c. Thoroughfare network
 - d. Special Districts, if any
 - e. Special Requirements, if any
 - f. numbers of Warrants or Variances, if any.

3.2. SEQUENCE OF COMMUNITY DESIGN

- 3.2.1. The site shall be structured using one or several Pedestrian Sheds applicable to its Community Unit type as required in Section 3.3. The Pedestrian Shed(s) should be located according to existing conditions, such as traffic intersections, adjacent developments, transit stations, and natural features. The site or any Community Unit within it may be smaller or larger than its Pedestrian Shed. The Pedestrian Shed is a planning guide, not a regulatory unit.
- 3.2.2. The Pedestrian Sheds may be adjusted to include land falling between or outside them. Community Unit boundaries are determined by the boundaries of these adjusted Pedestrian Sheds and/or partial Pedestrian Sheds.
- 3.2.3. Areas of Transect Zones (Section 3.4) shall be allocated within the boundaries of each Community Unit as appropriate to its type. See Section 3.3 and Table 1.3a.
- 3.2.4. Civic Zones shall be assigned according to Section 3.5.
- 3.2.5. Special Districts, if any, shall be assigned according to Section 3.6.
- 3.2.6. The Thoroughfare network shall be laid out according to Section 3.7.
- 3.2.7. Density shall be calculated according to Section 3.8.
- 3.2.8. Remnants of the site outside the Community Units shall be assigned to Transect Zones, Civic Space or Special District by the DRC.

3.3. COMMUNITY UNIT TYPES

- 3.3.1. **CLUSTERED LAND DEVELOPMENT (CLD)**
 - a. A Clustered Land Development (CLD) shall be permitted within the G-1 Restricted Growth Division.
 - b. A CLD shall be structured by one Standard Pedestrian Shed and shall consist of no fewer than 40 contiguous acres and no more than 80

contiguous acres.

- c. A CLD shall include Transect Zones as allocated on Table 3.1 and Table 1.3a. A minimum of 50% of the Community Unit shall be permanently allocated to a T1 Natural Zone and/or T2 Rural Zone.

3.3.2. TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND)

- a. A Traditional Neighborhood Development (TND) shall be permitted within the G-3 Intended Growth Division.
- b. A TND shall be structured by one Standard or Linear Pedestrian Shed and shall be no fewer than 40 acres and no more than 160 acres.
- c. A TND shall include Transect Zones as allocated on Table 3.1 and Table 1.3a.
- d. Larger sites shall be designed and developed as multiple Communities, each subject to the individual Transect Zone requirements for its type as allocated on Table 3.1 and Table 1.3a. The simultaneous planning of adjacent parcels is encouraged.

3.3.3. TRANSIT ORIENTED DEVELOPMENT (TOD)

- a. Any TND on an existing or projected rail or Bus Rapid Transit (BRT) network may be re-designated in whole or in part as TOD and permitted the higher Density represented by the Effective Parking allowance in Section 5.9.2d.
- b. The use of a TOD overlay requires approval by City Council.

3.4. TRANSECT ZONES

3.4.1. Transect Zones shall be assigned and mapped on each Regulating Plan according to the percentages allocated on Tables 3.1 and 1.3a. See Section 3.1.3.

3.4.2. A Transect Zone may include any of the elements indicated for its T-zone number throughout this Code, in accordance with Intent described in Table 1.1 and the metric standards summarized in Table 1.3.

3.5. CIVIC ZONES

3.5.1. GENERAL

- a. Civic Zones dedicated for public use shall be required for each Community Unit and designated on the New Community Plan as Civic Space (CS) and Civic Building (CB).
- b. A Civic Zone may be permitted if it does not occupy more than 20% of a Pedestrian Shed, otherwise it is subject to the creation of a Special District. See Section 3.6.
- c. Parking requirements for Civic Zones shall be determined by Tables 5.5 and 5.6. For Parking Location standards, see Section 5.10. Civic parking lots may remain unpaved if graded, compacted and landscaped.

3.5.2. CIVIC ZONES SPECIFIC TO T1 & T2 ZONES

- a. Civic Buildings within T1 Natural and T2 Rural Zones shall be permitted only by Warrant.

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- b. Those portions of the T1 Natural Zone that occur within a development parcel shall be part of the Civic Space allocation and should conform to the Civic Space types specified in Table 3.4a or 3.4b

3.5.3. CIVIC SPACE (CS) SPECIFIC TO T3 – T5 ZONES

- a. Each Pedestrian Shed shall assign at least 5% of its Urbanized area to Civic Space.
- b. Civic Spaces shall be designed as generally described in Table 3.4, approved by the DRC, and distributed throughout Transect Zones as described in Table 1.3e.
- c. Each Pedestrian Shed shall contain at least one Main Civic Space. The Main Civic Space shall be within 800 feet of the geographic center of each Pedestrian Shed, unless topographic conditions, pre-existing Thoroughfare alignments or other circumstances prevent such location. A Main Civic Space shall conform to one of the types specified in Table 3.4b, 3.4c, or 3.4d.
- d. Within 1,000 feet of every Lot in Residential use, a Civic Space designed and equipped as a playground shall be provided. A playground shall conform to Table 3.4e.
- e. Each Civic Space shall have a minimum of 50% of its perimeter enfronting a Thoroughfare, except for playgrounds.
- f. Civic Spaces smaller than one (1) acre shall not be proportioned narrower than 1:4.
- g. Parks may be permitted in Transect Zones T4 and T5 when approved by the DRC.

3.5.4. CIVIC BUILDINGS (CB) SPECIFIC TO T3 – T5 ZONES

- a. The owner shall covenant to construct a Meeting Hall or a Third Place in proximity to the Main Civic Space of each Pedestrian Shed. Its corresponding Public Frontage shall be equipped with a shelter and bench for a transit stop.
- b. Civic Building Lot shall be reserved for an elementary school for up to five years after the sale of the last lot. Its area shall be a minimum of three (3) acres. The school site may be within any Transect Zone. Any playing fields should be outside the Pedestrian Shed.
- c. One Civic Building Lot suitable for a childcare building shall be reserved within each Pedestrian Shed for up to five years after the sale of the last lot. The owner or a homeowners' association or other community council may organize, fund and construct an appropriate building as the need arises.
- d. Civic Building sites shall not occupy more than 20% of the area of each Pedestrian Shed.
- e. Civic Building sites should be located within or adjacent to a Civic Space, or at the axial termination of a significant Thoroughfare.
- f. Civic Buildings shall not be subject to the standards of Article 5. Their design shall require approval by the DRC.

3.6. SPECIAL DISTRICTS

- 3.6.1. Special District designations shall be assigned to areas that, by their intrinsic size, Function, or Configuration, cannot conform to the requirements of any Transect Zone or combination of zones.
- 3.6.2. Conditions of development for Special Districts shall be determined in a public hearing of City Council and recorded on Table 3.7.

3.7. THOROUGHFARE STANDARDS

3.7.1. GENERAL

- a. Thoroughfares are intended for use by vehicular and pedestrian traffic and to provide access to Lots and Open Spaces.
- b. Thoroughfares shall generally consist of vehicular lanes and Public Frontages.
- c. Thoroughfares shall be designed in context with the urban form and desired design speed of the Transect Zones through which they pass. The Public Frontages of Thoroughfares that pass from one Transect Zone to another shall be adjusted accordingly or, alternatively, the Transect Zone may follow the alignment of the Thoroughfare to the depth of one Lot, retaining a single Public Frontage throughout the Thoroughfare's trajectory.
- d. Within the most rural Zones (T1 and T2) pedestrian comfort shall be a secondary consideration of the Thoroughfare. Design conflict between vehicular and pedestrian generally shall be decided in favor of the vehicle. Within the more urban Transect Zones (T3 through T5) pedestrian comfort shall be a primary consideration of the Thoroughfare. Design conflict between vehicular and pedestrian movement generally shall be decided in favor of the pedestrian.
- e. The Thoroughfare network shall be designed to define Blocks not exceeding the size prescribed in Table 1.3c. The perimeter shall be measured as the sum of Lot Frontage Lines. Block perimeter at the edge of the development parcel shall be subject to approval by Warrant.
- f. All Thoroughfares shall terminate at other Thoroughfares, forming a network. Internal Thoroughfares shall connect wherever possible to those on adjacent sites. Cul-de-sacs shall be subject to approval by the DRC to accommodate specific site conditions only, and shall be connected by Paths and/or Bicycle Trails.
- g. Each Lot shall Enfront a vehicular Thoroughfare, except that 20% of the Lots within each Transect Zone may Enfront a Passage.
- h. Thoroughfares along a designated B-Grid may be exempted by the DRC from one or more of the specified Public Frontage or Private Frontage requirements. See Table 5.3.
- i. Paths and Bicycle Trails shall meet AASHTO standards.
- j. The standards for Thoroughfares within Special Districts shall be determined by Warrant.

3.7.2. VEHICULAR LANES

- a. Thoroughfares may include vehicular lanes in a variety of widths for parked and for moving vehicles, including bicycles. The standards for vehicular lanes shall be as shown in Table 3.3.
- b. A bicycle network consisting of Bicycle Trails, Bicycle Routes and Bicycle Lanes should be provided throughout as defined in Article 6 Definitions of Terms and allocated as specified in Table 1.3d. Bicycle Routes should be marked with Sharrows. The community bicycle network shall be connected to existing or proposed regional networks wherever possible.

3.7.3. PUBLIC FRONTAGES**a. GENERAL TO ALL ZONES T1, T2, T3, T4, T5**

- i. The Public Frontage contributes to the character of the Transect Zone, and includes types of Sidewalk, Curb, planter, bicycle facility, and street trees.
- ii. Public Frontages shall be designed as shown in Table 3.2 and Table 3.3 and allocated within Transect Zones as specified in Table 1.3d.
- iii. Within the Public Frontages, the prescribed types of Public Planting and Public Lighting shall be as shown in Table 3.2, Table 3.3, Table 3.5 and Table 3.6. The spacing may be adjusted by the DRC to accommodate specific site conditions.

b. SPECIFIC TO ZONES T1, T2, T3

- i. The Public Frontage shall include trees of various species, naturally clustered, as well as shrubs and other low vegetation.
- ii. The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization and maintenance.

c. SPECIFIC TO ZONES T4, T5

- i. The introduced landscape shall consist primarily of durable species tolerant of soil compaction.

d. SPECIFIC TO ZONE T4

- i. The Public Frontage shall include trees planted in a regularly-spaced Allee pattern of single or alternated species with shade canopies of a height that, at maturity, clears at least one Story.

e. SPECIFIC TO ZONE T5

- i. The Public Frontage shall include trees planted in a regularly-spaced Allee pattern of single species with shade canopies of a height that, at maturity, clears at least one Story. At Retail Frontages, the spacing of the trees may be irregular, to avoid visually obscuring the shopfronts.
- ii. Streets with a Right-of-Way width of 40 feet or less shall be exempt from the tree requirement.

3.8. DENSITY CALCULATIONS

- 3.8.1. All areas of the New Community Plan site that are not part of the O-1 Preserved Division shall be considered cumulatively the Net Site Area. The Net

Site Area shall be allocated to the various Transect Zones according to the parameters specified in Table 1.3a.

3.8.2. Density shall be expressed in terms of dwelling units per acre as specified for the area of each Transect Zone by Table 1.3b. For purposes of Density calculation, the Transect Zones include the Thoroughfares but not land assigned to Civic Zones. To ensure Mixed Use, the T5 Zone should be required to provide a minimum 15% Retail and 15% Office.

3.8.3. The housing and other Functions for each Transect Zone shall be subject to further adjustment at the building scale as limited by Table 5.5, Table 5.6 and Section 5.9.

3.9. SPECIAL REQUIREMENTS

3.9.1. A New Community Plan may designate any of the following Special Requirements:

- a. A differentiation of the Thoroughfares as A-Grid and B-Grid. 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. The Frontages assigned to the B-Grid shall not exceed 30% of the total length of Frontages within a Pedestrian Shed.
- b. Mandatory and/or Recommended Retail Frontage requiring or advising that a building provide a Shopfront at Sidewalk level along the entire length of its Private Frontage.
- c. Mandatory and/or Recommended Gallery Frontage, requiring or advising that a building provide a permanent cover over the Sidewalk, either cantilevered or supported by columns. The Gallery Frontage designation may be combined with a Retail Frontage designation.
- d. Mandatory and/or Recommended porch front, requiring or advising that a porch be included in the Private Frontage.
- e. Build-to Line, requiring the placement of the building Façade along the line.
- f. Coordinated Frontage, requiring 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. Mandatory and/or Recommended Terminated Vista locations, requiring or advising that the building be provided with architectural articulation of a type and character that responds visually to the location, as approved by the DRC.
- h. Cross Block Passages, requiring that a minimum 8-foot-wide pedestrian access be reserved between buildings.
- i. Buildings of Value, requiring that such buildings and structures may be altered or demolished only in accordance with the Land Development Code requirements for historic districts and landmarks.

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TABLE 3.1. COMMUNITY UNITS

This table illustrates basic Community Units permitted in each Growth Division, and the Transect Zones permitted within each Community Unit. Standard and Long Pedestrian Sheds are shown for scale. Community Unit area may fall anywhere within the acreage range specified in Section 3.3. Transect Zone allocations by area may fall anywhere within the percentage ranges below. For the use of Pedestrian Sheds in planning, see Section 3.2 and Table 6.1.

	01 PRESERVED OPEN SECTOR	02 RESERVED OPEN SECTOR	G1 RESTRICTED GROWTH SECTOR	G2 RESERVED	G3 INTENDED GROWTH SECTOR	G4 INFILL GROWTH SECTOR
D1C						
D2I						
D3R						

T1/T2
 T3
 T4
 T5

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TABLE 3A: Vehicular Lane Dimensions. This table assigns lane widths to Transect Zones. The Design ADT (Average Daily Traffic) is the determinant for each of these sections. The most typical assemblies are shown in Table 3B. Specific requirements for truck and transit bus routes and truck loading shall be decided by Warrant.

DESIGN SPEED	TRAVEL LANE WIDTH	T1	T2	T3	T4	T5	
Below 20 mph	8 feet	■	■	■	□		■ BY RIGHT
20-25 mph	9 feet	■	■	■	■	□	■ BY WARRANT
25-35 mph	10 feet	■	■	■	■	■	
25-35 mph	11 feet	■	■			■	
Above 35 mph	12 feet	■	■			■	

DESIGN SPEED	PARKING LANE WIDTH					
20-25 mph	(Angle) 18 feet					■
20-25 mph	(Parallel) 7 feet				■	
25-35 mph	(Parallel) 8 feet			■	■	■
Above 35 mph	(Parallel) 9 feet					■

DESIGN SPEED	EFFECTIVE TURNING RADIUS						(See Table
Below 20 mph	5-10 feet			■	■	■	
20-25 mph	10-15 feet	■	■	■	■	■	
25-35 mph	15-20 feet	■	■	■	■	■	
Above 35 mph	20-30 feet	■	■			□	

ARTICLE 3. NEW COMMUNITY PLANS

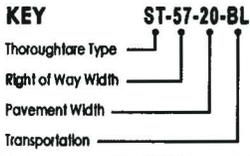
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TABLE 3B: Vehicular Lane/Parking Assemblies. The projected design speeds determine the dimensions of the vehicular lanes and Turning Radii assembled for Thoroughfares.

	ONE WAY MOVEMENT			TWO WAY MOVEMENT		
a. NO PARKING	T1 T2 T3	T1 T2 T3	T1 T2 T3	T1 T2	T1 T2	
Design ADT	300 VPD	600 VPD	2,500 VPD	22,000 VPD	38,000 VPD	
Pedestrian Crossing	3 Seconds	5 Seconds	5 Seconds	9 Seconds	13 Seconds	
Design Speed	20 - 30 MPH	Below 20 MPH	20-25 MPH		35 MPH and above	
b. YIELD PARKING	T3 T4		T3 T4			
Design ADT	1,000 VPD		1,000 VPD			
Pedestrian Crossing	5 Seconds		7 Seconds			
Design Speed						
c. PARKING ONE SIDE PARALLEL	T3 T4	T3 T4 T5	T4 T5	T4 T5	T5	
Design ADT	5,000 VPD	18,000 VPD	16,000 VPD	15,000 VPD	32,000 VPD	
Pedestrian Crossing	5 Seconds	8 Seconds	8 Seconds	11 Seconds	13 Seconds	
Design Speed	20-30 MPH		25-30 MPH	25-30 MPH		
d. PARKING BOTH SIDES PARALLEL	T4	T4 T5	T4 T5	T5	T5	
Design ADT	8,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	32,000 VPD	
Pedestrian Crossing	7 Seconds	10 Seconds	10 Seconds	13 Seconds	15 Seconds	
Design Speed	Below 20 MPH	25-30 MPH	25-30 MPH	25-30 MPH	35 MPH and above	
e. PARKING BOTH SIDES DIAGONAL	T5	T5	T5	T5	T5	
Design ADT	18,000 VPD	20,000 VPD	15,000 VPD	22,000 VPD	31,000 VPD	
Pedestrian Crossing	15 Seconds	17 Seconds	17 Seconds	20 Seconds	23 Seconds	
Design Speed	Below 20 MPH	20-25 MPH	20-25 MPH	25-30 MPH	25-30 MPH	
f. PARKING ACCESS			T3 T4	T5		
Design ADT						
Pedestrian Crossing			3 Seconds	6 Seconds		
Design Speed						

TABLE 3.3. THOROUGHFARE ASSEMBLIES

These Thoroughfares are assembled from the elements that appear in Tables 3.2 and incorporate the Public Frontages of Table 3.2. The key gives the Thoroughfare type followed by the right-of-way width, the pavement width, and in some instances by specialized transportation capability.

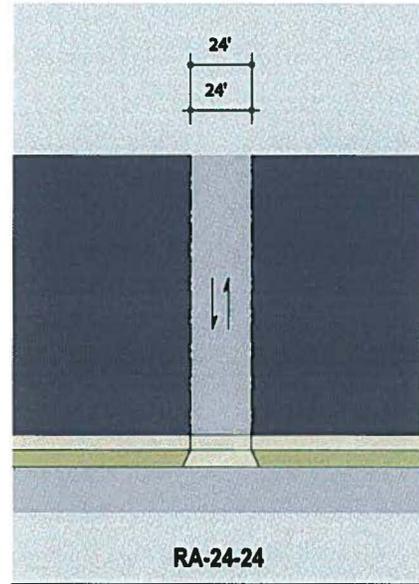
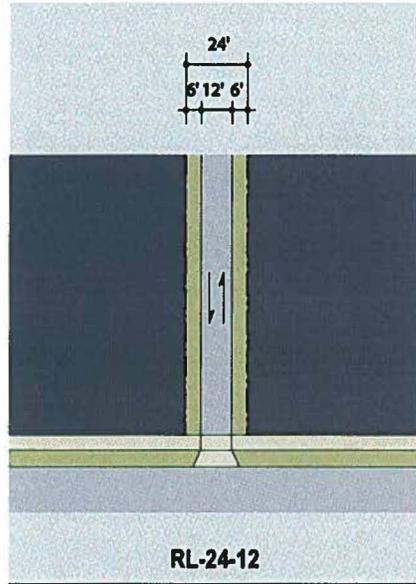


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow:	SH

Private Frontages

Arcade/ Gallery:	AG
Forecourt:	FC
Door yard, Light Court:	DVLC
Porch & Fence:	PF
Sloop:	ST
Shopfront Awning:	SFAW

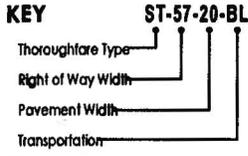


Thoroughfare Type	Rear Lane
Transact Zone Assignment	T3, T4
Right-of-Way Width	24 feet
Pavement Width	12 feet
Movement	Yield Movement
Operating Speed	10 MPH
Pedestrian Crossing Time	3.5 seconds
Traffic Lanes	n/a
Parking Lanes	None
Curb Radius	Taper
Public Frontage Type	None
Walkway Type	None
Planter Type	None
Curb Type	Inverted Crown
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	None

Thoroughfare Type	Rear Alley
Transact Zone Assignment	T5
Right-of-Way Width	24 feet
Pavement Width	24 feet
Movement	Slow Movement
Operating Speed	10 MPH
Pedestrian Crossing Time	7 seconds
Traffic Lanes	n/a
Parking Lanes	None
Curb Radius	Taper
Public Frontage Type	None
Walkway Type	None
Planter Type	None
Curb Type	Inverted Crown
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	None

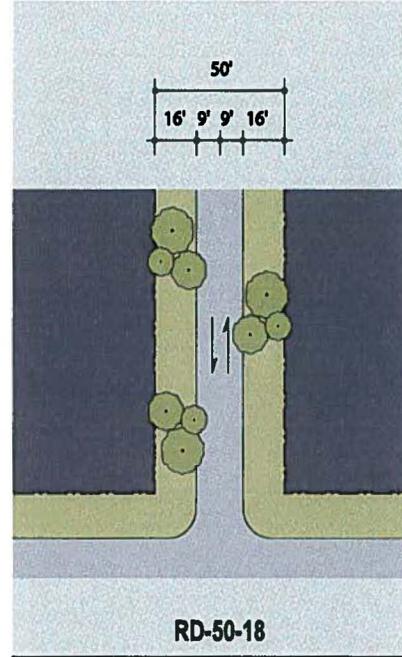
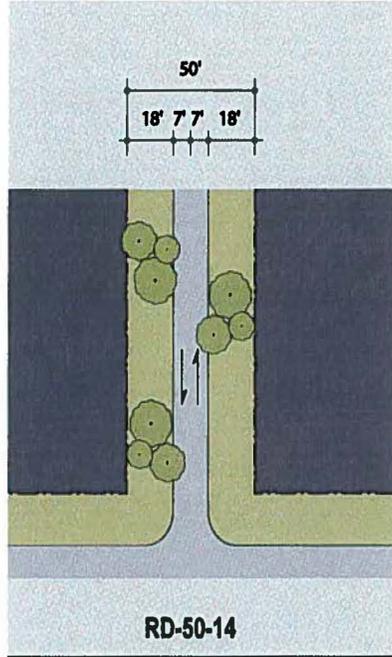
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THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transect Route:	TR
Sharrow	SH
Private Frontages	
Arcade/Gallery	AG
Forecourt	FC
Door yard, Light Court	DYALC
Porch & Fence	PF
Sloop	ST
Shopfront Awning	SF/AW

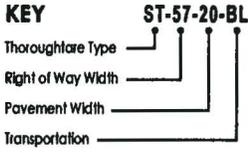


Thoroughfare Type	Road
Transect Zone Assignment	T1, T2, T3
Right-of-Way Width	50 feet
Pavement Width	14 feet
Movement	Yield Movement
Operating Speed	15 MPH
Pedestrian Crossing Time	4 seconds
Traffic Lanes	2 lanes
Parking Lanes	
Curb Radius	None
Public Frontage Type	25 feet
Walkway Type	Porch and Fence, Common Lawn
Planter Type	Path optional
Curb Type	Continuous swale
Landscape Type	Swale
Transportation Provision	Trees clustered at 30' o.c. Avg.

Thoroughfare Type	Road
Transect Zone Assignment	T1, T2, T3
Right-of-Way Width	50 feet
Pavement Width	18 feet
Movement	Slow Movement
Operating Speed	15 MPH
Pedestrian Crossing Time	5.1 seconds
Traffic Lanes	2 lanes
Parking Lanes	
Curb Radius	None
Public Frontage Type	25 feet
Walkway Type	Porch and Fence, Common Lawn
Planter Type	Path optional
Curb Type	Continuous swale
Landscape Type	Swale
Transportation Provision	Trees clustered at 30' o.c. Avg.

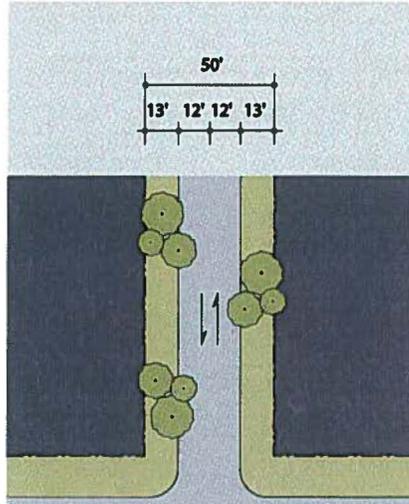
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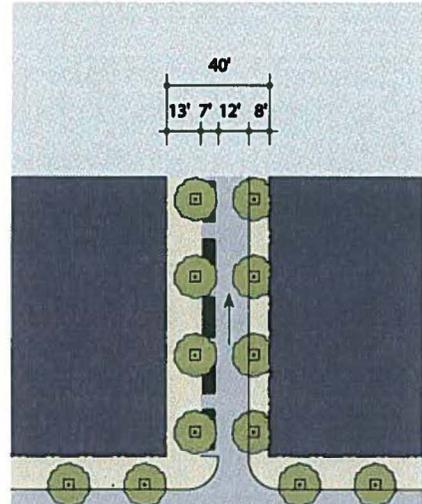
THOROUGHFARE TYPES

- Highway: HW
- Boulevard: BV
- Avenue: AV
- Commercial Street: CS
- Drive: DR
- Street: ST
- Road: RD
- Rear Alley: RA
- Rear Lane: RL
- Bicycle Trail: BT
- Bicycle Lane: BL
- Bicycle Route: BR
- Path: PT
- Transit Route: TR
- Sharrow: SH
- Private Frontages**
- Arcade/ Gallery: AG
- Forecourt: FC
- Door yard, Light Court: DY/LC
- Porch & Fence: PF
- Sloop: ST
- Shopfront Awning: SFI/AW



RD-50-24

Thoroughfare Type	Road
Transect Zone Assignment	T1, T2, T3
Right-of-Way Width	50 feet
Pavement Width	24 feet
Movement	Slow Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	6.8 seconds
Traffic Lanes	2 lanes
Parking Lanes	None
Curb Radius	25 feet
Public Frontage Type	Porch and Fence, Common Lawn
Walkway Type	Path optional
Planter Type	Continuous swale
Curb Type	Swale
Landscape Type	Trees clustered at 30' o.c. Avg.
Transportation Provision	BR, TR

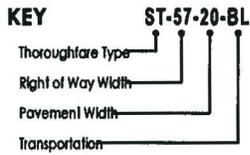


ST-40-19

Thoroughfare Type	Street
Transect Zone Assignment	T4, T5
Right-of-Way Width	40 feet
Pavement Width	19 feet
Movement	Slow Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	5.4 seconds
Traffic Lanes	1 lane
Parking Lanes	One Side @ 7 feet marked
Curb Radius	15 feet
Public Frontage Type	A/G, SFI/AW, ST, DY/LC
Walkway Type	13/8 foot Sidewalk
Planter Type	4x4" Tree well
Curb Type	Curb
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR

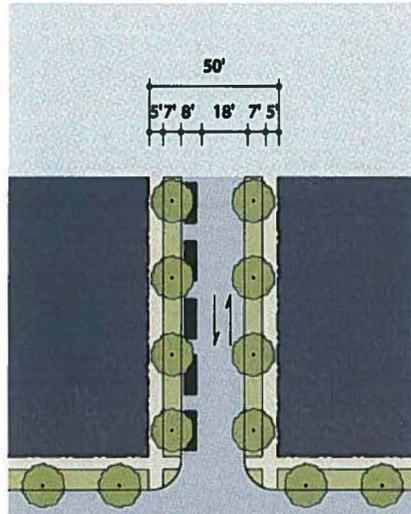
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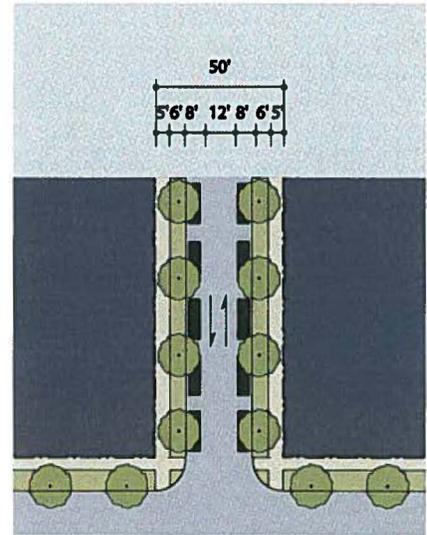


THOROUGHFARE TYPES

- | | |
|--------------------------|-------|
| Highway: | HW |
| Boulevard: | BV |
| Avenue: | AV |
| Commercial Street: | CS |
| Drive: | DR |
| Street: | ST |
| Road: | RD |
| Rear Alley: | RA |
| Rear Lane: | RL |
| Bicycle Trail: | BT |
| Bicycle Lane: | BL |
| Bicycle Route: | BR |
| Path: | PT |
| Transit Route: | TR |
| Sharrow | SH |
| Private Frontages | |
| Arcade/Gallery | AG |
| Forecourt | FC |
| Door yard, Light Court | DY/LC |
| Porch & Fence | PF |
| Sloop | ST |
| Shopfront Awning | SFAW |



ST-50-26



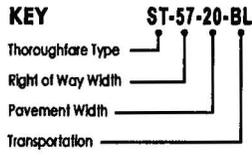
ST-50-28

Thoroughfare Type	Street
Transect Zone Assignment	T4, T5, T6
Right-of-Way Width	50 feet
Pavement Width	26 feet
Movement	Free Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	7.4 seconds
Traffic Lanes	2 lanes
Parking Lanes	One Side @ 8 feet marked
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC, PF
Walkway Type	5 foot Sidewalk
Planter Type	7 foot Continuous planter
Curb Type	Curb
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, SH

Thoroughfare Type	Street
Transect Zone Assignment	T4, T5, T6
Right-of-Way Width	50 feet
Pavement Width	28 feet
Movement	Yield Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	7.6 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both Sides @ 8 feet unmarked
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC, PF
Walkway Type	5 foot Sidewalk
Planter Type	6 foot Continuous planter
Curb Type	Curb
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, SH

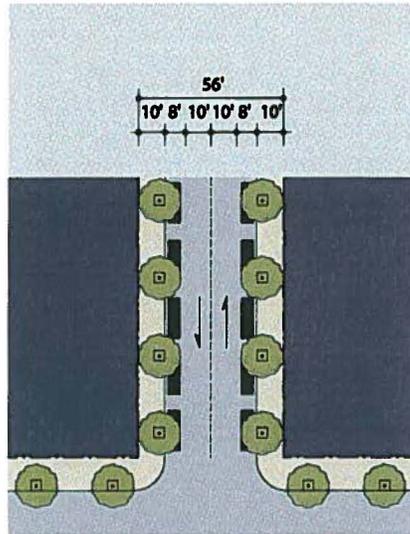
ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas

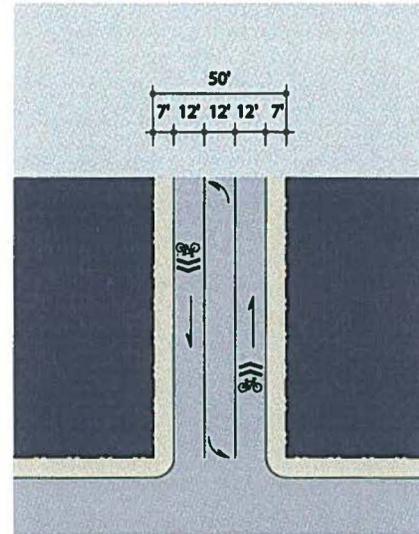


THOROUGHFARE TYPES

- Highway: HW
- Boulevard: BV
- Avenue: AV
- Commercial Street: CS
- Drive: DR
- Street: ST
- Road: RD
- Rear Alley: RA
- Rear Lane: RL
- Bicycle Trail: BT
- Bicycle Lane: BL
- Bicycle Route: BR
- Path: PT
- Transit Route: TR
- Sharrow: SH
- Private Frontages**
- Arcade/ Gallery: AG
- Forecourt: FC
- Door yard, Light Court: DY/LC
- Porch & Fence: PF
- Stoop: ST
- Shopfront Awning: SF/AW



ST-56-36 (8-10-10-8)



ST-50-36 (12-12-12)

Thoroughfare Type	
Transect Zone Assignment	
Right-of-Way Width	
Pavement Width	
Movement	
Operating Speed	
Pedestrian Crossing Time	
Traffic Lanes	
Parking Lanes	
Curb Radius	
Public Frontage Type	
Walkway Type	
Planter Type	
Curb Type	
Landscape Type	
Transportation Provision	

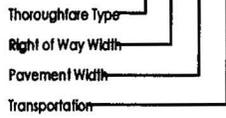
Street
T4, T5
56 feet
36 feet
Slow Movement
25 MPH
10 seconds
2 lanes
Both sides @ 8 feet marked
10 feet
Gallery, Shopfront, Stoop
10 feet Sidewalk
9' x 9' tree well
Curb
Trees at 30' o.c. Avg.
BR

Street
T3, T4
50 feet
36 feet
Slow Movement
30 MPH
10 seconds
2 lanes, 1 turn lane
None
10 feet
Shopfront, Stoop, Porch and Fence
7 feet Sidewalk
None
Curb
None
SH, TR

ARTICLE 3. NEW COMMUNITY PLANS

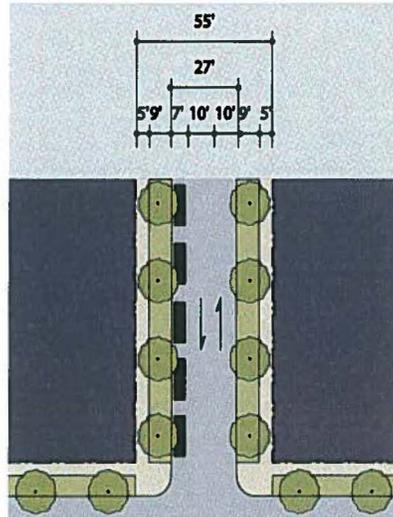
San Marcos, Texas

KEY ST-57-20-BL

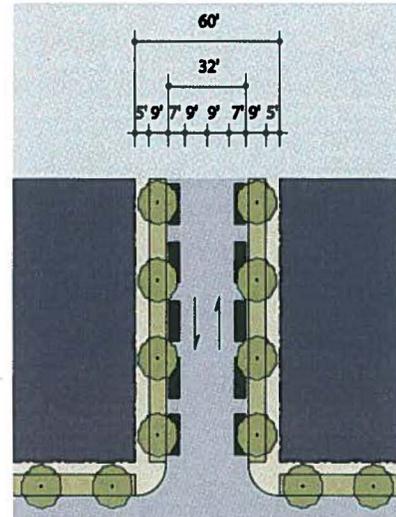


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow:	SH
Private Frontages	
Arcade/ Gallery:	AG
Forecourt:	FC
Door yard, Light Court:	DY/LC
Porch & Fence:	PF
Sloop:	ST
Shopfront Awning:	SF/AW



ST-55-27



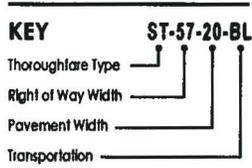
ST-60-32

Thoroughfare Type	Street
Transect Zone Assignment	T4, T5
Right-of-Way Width	55 feet
Pavement Width	27 feet
Movement	Slow Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	6.0 seconds
Traffic Lanes	2 lanes
Parking Lanes	One Sides @ 7 feet marked
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC
Walkway Type	5 foot Sidewalk
Planter Type	9 foot Continuous planter
Curb Type	Curb
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, SH, TR

Thoroughfare Type	Street
Transect Zone Assignment	T4
Right-of-Way Width	60 feet
Pavement Width	32 feet
Movement	Slow Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	9.7 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both Sides @ 7 feet marked
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC, PF
Walkway Type	5 foot Sidewalk
Planter Type	9 foot Continuous planter
Curb Type	Curb or Swale
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, SH

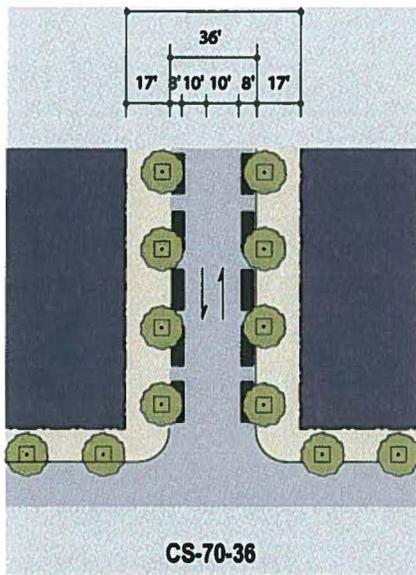
ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas

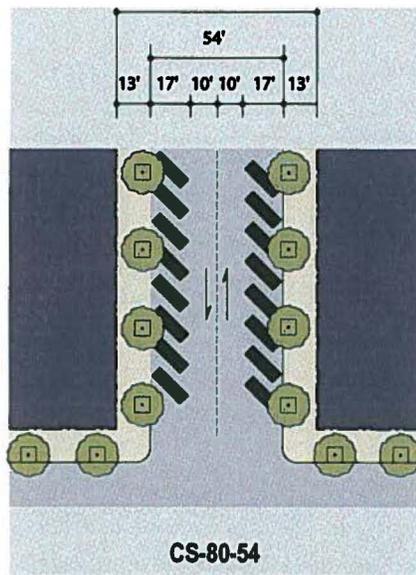


THOROUGHFARE TYPES

- Highway: HW
 - Boulevard: BV
 - Avenue: AV
 - Commercial Street: CS
 - Drive: DR
 - Street: ST
 - Road: RD
 - Rear Alley: RA
 - Rear Lane: RL
 - Bicycle Trail: BT
 - Bicycle Lane: BL
 - Bicycle Route: BR
 - Path: PT
 - Transit Route: TR
 - Sharrow: SH
- Private Frontages**
- Arcade/ Gallery: AVG
 - Forecourt: FC
 - Door yard, Light Court: DYLC
 - Porch & Fence: PF
 - Sloop: ST
 - Shopfront/awning: SFI/AW



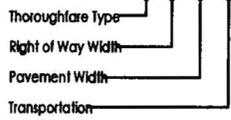
Commercial Street
T5
70 feet
36 feet
Slow Movement
25 MPH
10 seconds
2 lanes
Both Sides @ 8 feet marked
10 feet
Gallery/Arcade, Shopfront/Awning
17 foot Sidewalk
9'X9' tree well
Curb
Trees at 30' o.c. Avg.
BR, SH, TR



Commercial Street
T5
80 feet
54 feet
Slow Movement
25 MPH
5.7 seconds
2 lanes
Both Sides @ 17 feet marked reverse angle
5 feet
Gallery/Arcade, Shopfront/Awning
17 foot Sidewalk
7'X7' tree well
Curb
Trees at 30' o.c. Avg.
BR, SH, TR

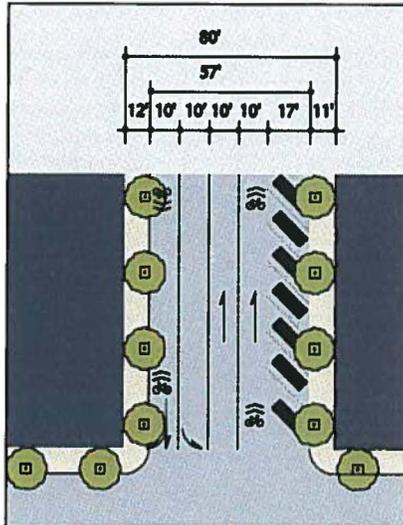
San Marcos, Texas

KEY ST-57-20-BL

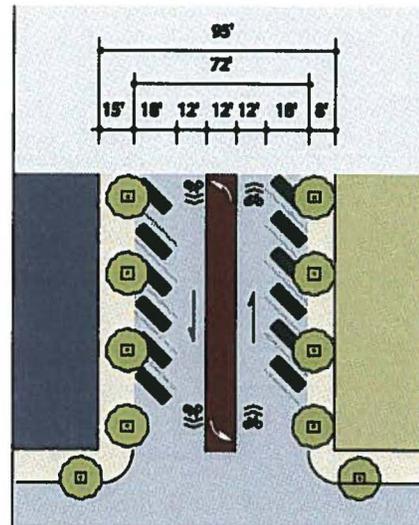


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow:	SH
Private Frontages	
Arcade/ Gallery:	AG
Forecourt:	FC
Door yard, Light Court:	DYALC
Porch & Fence:	PF
Sloop:	ST
Shopfront Awning:	SF/AW



CS-80-57



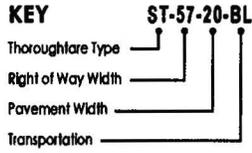
CS-95-72

Thoroughfare Type	Commercial Street
Transect Zone Assignment	T5
Right-of-Way Width	80 feet
Pavement Width	57 feet
Movement	Free Movement
Operating Speed	30 MPH
Pedestrian Crossing Time	19 seconds
Traffic Lanes	4 laned
Parking Lanes	17 feet marked reverse angle one side
Curb Radius	10 feet
Public Frontage Type	Gallery, Shopfront
Walkway Type	12 feet sidewalk, 11 feet sidewalk
Planter Type	7' x 7' tree well
Curb Type	Curb
Landscape Type	Opportunistic
Transportation Provision	BR, SH, TR

Thoroughfare Type	Commercial Street
Transect Zone Assignment	T5
Right-of-Way Width	95 feet
Pavement Width	72 feet
Movement	Slow Movement
Operating Speed	25 MPH
Pedestrian Crossing Time	20.5 seconds
Traffic Lanes	2 lanes, center transit / turn lane
Parking Lanes	18 feet marked reverse angle
Curb Radius	10 feet
Public Frontage Type	Gallery, Shopfront
Walkway Type	8 foot sidewalk, 15 foot sidewalk
Planter Type	7' x 7' tree well
Curb Type	Curb
Landscape Type	Opportunistic
Transportation Provision	SH, TR

ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas

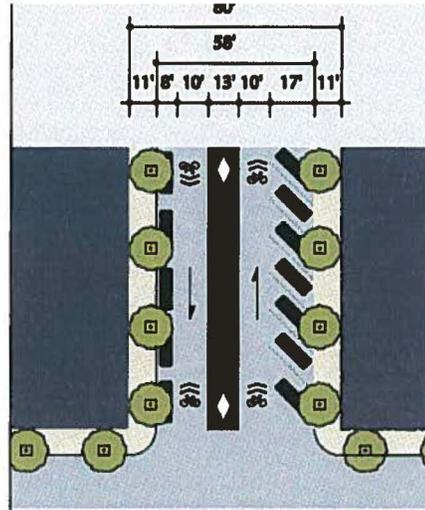


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow:	SH

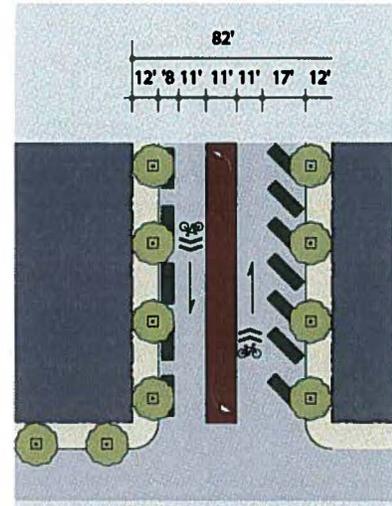
Private Frontages

Arcade/Gallery:	AG
Forecourt:	FC
Door yard, Light Court:	DYLC
Porch & Fence:	PF
Shop:	ST
Shopfront Awning:	SF/AW



CS-80-58

Commercial Street
T5
80 feet
58 feet
Slow Movement
25 MPH
19.3 seconds
2 lanes plus center transit lane
8 feet parallel marked, 17 feet marked reverse angle
10 feet
Gallery, Shopfront
11 feet sidewalk
7' x 7' tree well
Curb
Opportunistic
BR, SH, TR



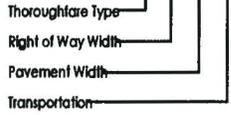
CS-82-58

Commercial Street
T5
82 feet
58 feet
Slow Movement
25 MPH
8.5 seconds
2 lanes, center transit / turn lane
1 side @ 8 feet marked, 1 side @ 17 feet marked reverse angle
10 feet
Gallery, Shopfront
12 feet Sidewalk
7' x 7' tree well
Curb
Opportunistic
SH, TR

ARTICLE 3. NEW COMMUNITY PLANS

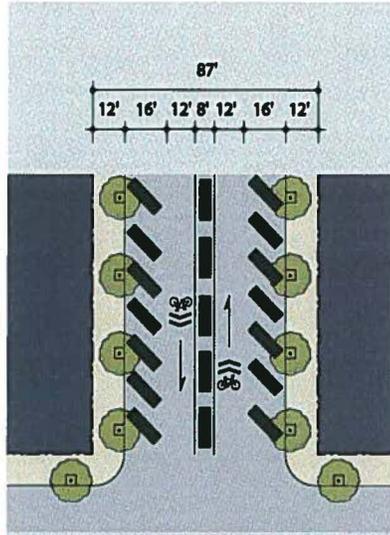
San Marcos, Texas

KEY ST-57-20-BL

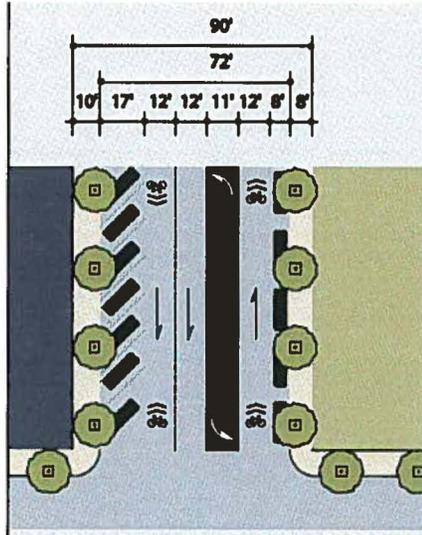


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow:	SH
Private Frontages	
Arcade/Gallery:	AG
Forecourt:	FC
Door yard, Light Court:	DYALC
Porch & Fence:	PF
Sloop:	ST
Shopfront Awning:	SF/AW



CS-87-63



CS-90-72

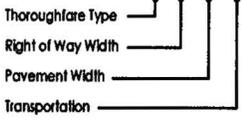
Thoroughfare Type	Commercial Street
Transect Zone Assignment	T5
Right-of-Way Width	87 feet
Pavement Width	63 feet
Movement	Slow Movement
Operating Speed	25 MPH
Pedestrian Crossing Time	9 seconds
Traffic Lanes	2 lanes
Parking Lanes	both sided @ 17 feet marked reverse angle, center @ 8 feet marked
Curb Radius	10 feet
Public Frontage Type	Gallery, Shopfront
Walkway Type	12 feet Sidewalks
Planter Type	7' x 7' tree well
Curb Type	Curb
Landscape Type	Opportunistic
Transportation Provision	SH, TR

Thoroughfare Type	Commercial Street
Transect Zone Assignment	T5
Right-of-Way Width	90 feet
Pavement Width	72 feet
Movement	Free Movement
Operating Speed	30 MPH
Pedestrian Crossing Time	24 seconds
Traffic Lanes	3 lanes plus center safety strip
Parking Lanes	17 feet marked reverse angle, 8 feet parallel
Curb Radius	10 feet
Public Frontage Type	Gallery, Shopfront
Walkway Type	10 foot Sidewalk, 8 foot sidewalk
Planter Type	7' x 7' tree well
Curb Type	Curb
Landscape Type	Opportunistic / 40 feet o.c.
Transportation Provision	BR, SH, TR

ARTICLE 3. NEW COMMUNITY PLANS

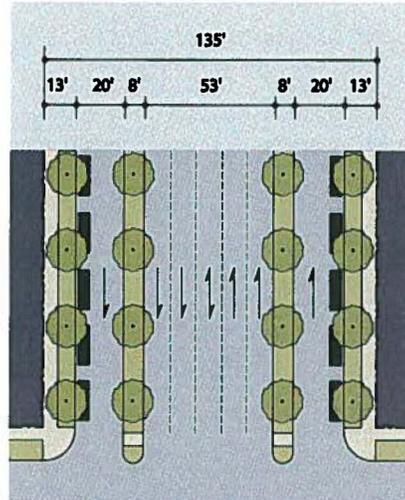
San Marcos, Texas

KEY ST-57-20-BL

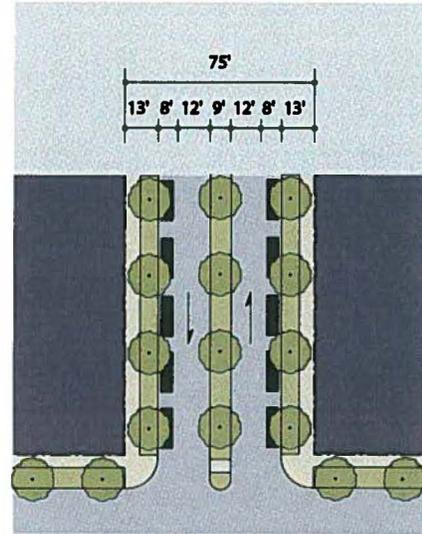


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow	SH
Public Frontages	
Arcade/ Gallery	AG
Forecourt	FC
Door yard, Light Court	DY/LC
Porch & Fence	PF
Sloop	ST
Shopfront Awning	SF/AW



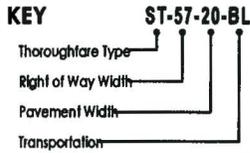
BV-135-53



AV-75-40

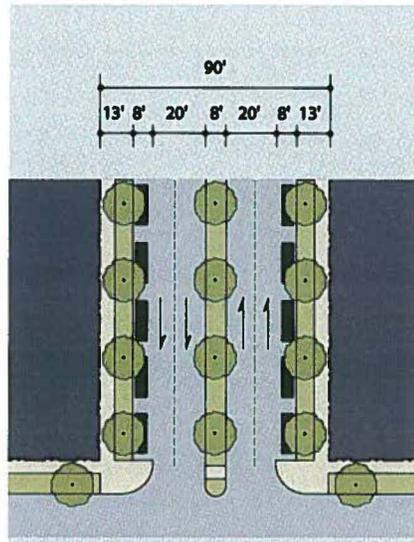
Thoroughfare Type	Boulevard
Transect Zone Assignment	T5, T6
Right-of-Way Width	135 feet
Pavement Width	20 feet - 53 feet - 20 feet
Movement	Free Movement (inner lanes)
Operating Speed	35 MPH
Pedestrian Crossing Time	5.7 seconds - 15.1 seconds - 5.7 seconds
Traffic Lanes	5 lanes, one turning & two one-way slip roads
Parking Lanes	8 feet
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC, PF
Walkway Type	6 foot Sidewalk
Planter Type	7 foot Continuous planter
Curb Type	Curb
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, BL, TR

Thoroughfare Type	Avenue
Transect Zone Assignment	T3, T4, T5
Right-of-Way Width	75 feet
Pavement Width	40 feet
Movement	Slow Movement
Operating Speed	25 MPH
Pedestrian Crossing Time	5.7 seconds - 5.7 seconds
Traffic Lanes	2 lanes
Parking Lanes	Both Side @ 8 feet marked
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC, PF
Walkway Type	6 foot Sidewalk
Planter Type	7 foot Continuous planter
Curb Type	Curb or Swale *
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, TR

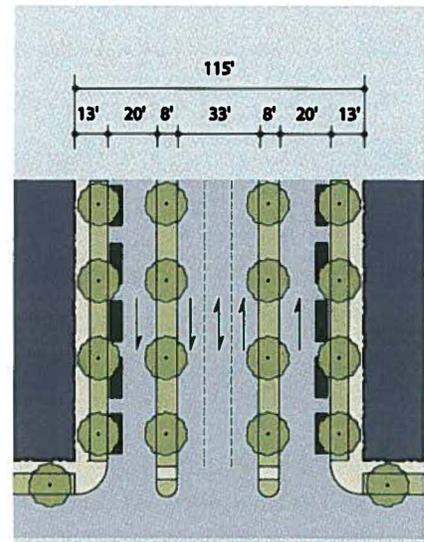


THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow:	SH
Private Frontages	
Arcade/Gallery:	AG
Forecourt:	FC
Door yard, Light Court:	DY/LC
Porch & Fence:	PF
Sloop:	ST
Shopfront Awning:	SF/AW



AV-90-56



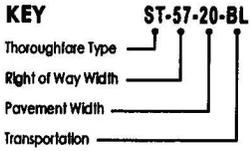
BV-115-33

Thoroughfare Type	Avenue
Transsect Zone Assignment	T3, T4, T5
Right-of-Way Width	90 feet
Pavement Width	56 feet
Movement	Slow Movement
Operating Speed	25 MPH
Pedestrian Crossing Time	5.7 seconds - 5.7 seconds at corners
Traffic Lanes	4 lanes
Parking Lanes	Both Sides @ 8 feet marked
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC, PF
Walkway Type	6 foot Sidewalk
Planter Type	7 foot Continuous planter
Curb Type	Curb or Swale *
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, TR

Thoroughfare Type	Boulevard
Transsect Zone Assignment	T5, T6
Right-of-Way Width	115 feet
Pavement Width	20 feet - 33 feet - 20 feet
Movement	Free Movement (Inner lanes)
Operating Speed	35 MPH
Pedestrian Crossing Time	5.7 seconds - 9.4 seconds - 5.7 seconds
Traffic Lanes	3 lanes, one turning lane & two one-way slip roads
Parking Lanes	8 feet
Curb Radius	10 feet
Public Frontage Type	ST, FC, DY/LC, PF
Walkway Type	6 foot Sidewalk
Planter Type	7 foot Continuous planter
Curb Type	Curb
Landscape Type	Trees at 30' o.c. Avg.
Transportation Provision	BR, TR

ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas



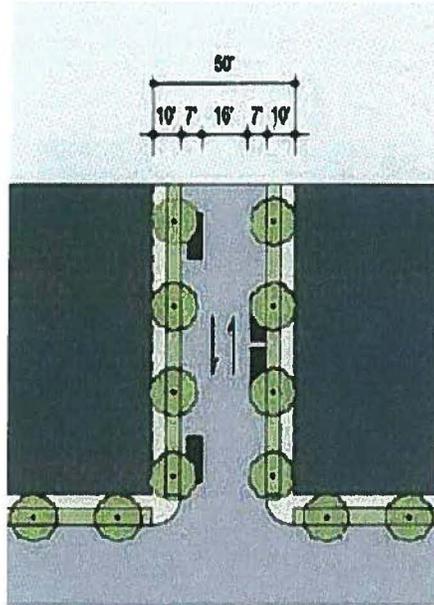
THOROUGHFARE TYPES

Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow:	SH

Private Frontages

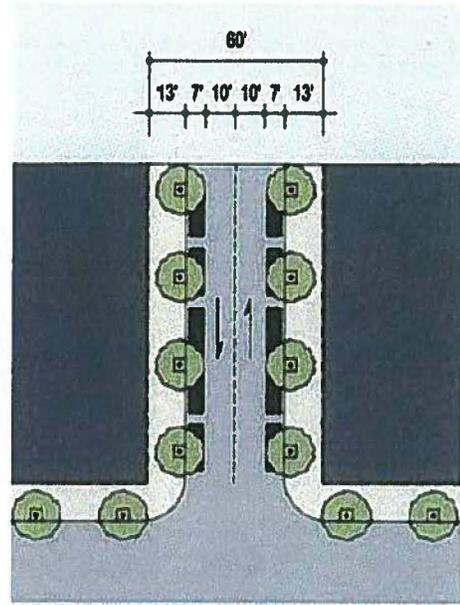
Arcaded Gallery:	AG
Forecourt:	FC
Door yard, Light Court:	DYLC
Porch & Fence:	PF
Sloop:	ST
Shopfront Awning:	SFIW

Thoroughfare Type	
Transect Zone Assignment	
Right-of-Way Width	
Pavement Width	
Movement	
Operating Speed	
Pedestrian Crossing Time	
Traffic Lanes	
Parking Lanes	
Curb Radius	
Public Frontage Type	
Walkway Type	
Planter Type	
Curb Type	
Landscape Type	
Transportation Provision	



ST-50-30

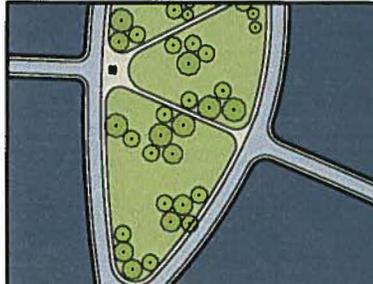
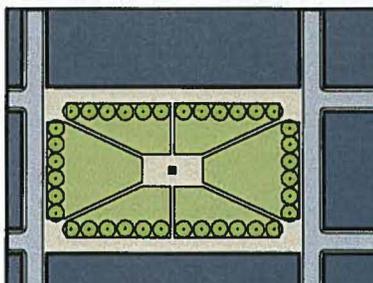
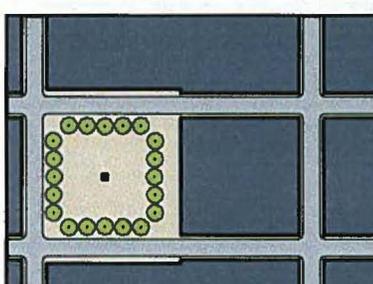
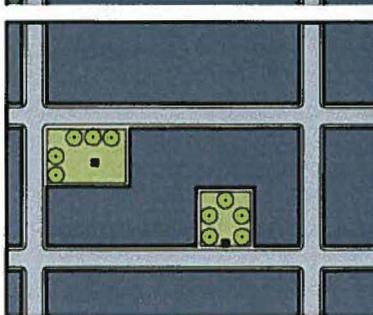
Street
T3, T4
50 feet
30 feet
Slow Movement
20 MPH
6.5 seconds
2 lanes
Both sides @ 7 feet unmarked
10 feet
5 foot Sidewalk
5 foot continuous Planter
Curb
Trees at 30' o.c. Avg



CS-60-34

Commercial Street
T5, T6
60 feet
34 feet
Slow Movement
20 MPH
9.7 seconds
2 lanes
Both sides @ 7 feet marked
10 feet
13 foot Sidewalk
4x4" tree wall
Curb
Trees at 30' o.c. Avg

TABLE 3.4. CIVIC SPACE

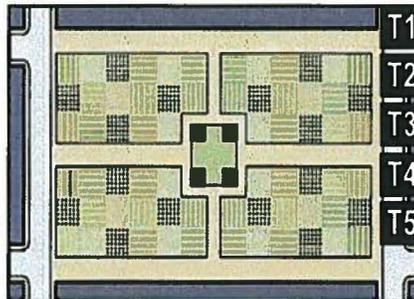
<p>a. Park: A natural preserve available for unstructured recreation. A park may be independent of surrounding building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors. The minimum size shall be 8 acres.</p>	 <p>T1 T2 T3</p>
<p>b. Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/2 acre and the maximum shall be 8 acres.</p>	 <p>T3 T4 T5</p>
<p>c. Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the Intersection of important Thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.</p>	 <p>T4 T5</p>
<p>d. Plaza: An Open Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the Intersection of important streets. The minimum size shall be 1/2 acre and the maximum shall be 2 acres.</p>	 <p>T5</p>
<p>e. Playground: An Open Space designed and equipped for the recreation of children. A Playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within parks and greens. There shall be no minimum or maximum size.</p>	 <p>T1 T2 T3 T4 T5</p>

ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas

CIVIC SPACE

f. **Community Garden:** A grouping of garden plots available for small-scale cultivation, generally to residents without private gardens. Community gardens should be fenced and accommodate individual storage sheds. Running water is required. Community Gardens shall be interspersed within Residential areas and may be placed within a Block or included within Parks and Greens. There shall be no minimum or maximum size.



ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas

TABLE 3.5. PUBLIC PLANTING

This table shows several common types of Tree shapes and their appropriateness for Thoroughfare type and Transect Zone.

	HW	RD	ST	ST	DR	DR	AV	AV	CS	BV	BV	Common Name	Botanical Name
	T1	T1	T3	T5	T3	T5	T3	T5	T5	T3	T5		
	T2	T2	T4		T4		T4			T4			
	T3	T3											
Columnar 												Texas Sabal Palm California Fan Palm	<i>Sabal Texana</i> <i>Washingtonia Filifera</i>
Oval 												White Ash Magnolia, Southern Oak, Bur Pecan Sycamore Common Persimmon Caddo maple	<i>Fraxinus Americana</i> <i>Magnolia Grandiflora</i> <i>Quercus Macrocarpa</i> <i>Carya Illinoensis</i> <i>Platanus Occidentalis</i> <i>Diospyros Virginiana</i> <i>Acer Saccharum</i>
Rounded 												Wright acacia Texas Ash Madrone, Texas Mexican Blue Oak Texas Red Oak American Smoke tree Texas Walnut	<i>Acacia Greggii</i> var. <i>Wrightii</i> <i>Fraxinus Texensis</i> <i>Arbutus Texana</i> <i>Quercus Oblongifolia</i> <i>Quercus Buckleyi</i> <i>Cotinus Obovatus</i> <i>Juglans Microcarpa</i>
Conical 												Arizona Cypress Remote Pinon Pine Sweetgum Callery Pear Algan Pine	<i>Cupressus Arizona</i> <i>Pinus Remota</i> <i>Liquidambar Styraciflua</i> <i>Pyrus Callaryana</i> <i>Pinus Eklariana</i>
Spreading 												Cedar Elm Hulsache Jerusalem-Thorn Honey Mesquite Live Oak Mexican Plum Durand Oak	<i>Ulmus Crassifolia</i> <i>Acacia Farnesiana</i> <i>Parkinsonia Aculeata</i> <i>Prosopis Gianulosa</i> <i>Quercus Virginiana</i> <i>Prunus Mexicana</i> <i>Quercus Sinuata</i>
Vase 												Desert-Willow American Elm Leadtree, Goldenball Mexican-Buckeye Texas Persimmon Trident Maple Western Soapberry	<i>Chilopsis Linearis</i> <i>Ulmus Americana</i> <i>Leucaena Retusa</i> <i>Ungnadia Speciosa</i> <i>Diospyros Texana</i> <i>Acer Rubrum</i> var. <i>Tidens</i> <i>Sapindus Drummondii</i>

ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas

TABLE 3.7. SPECIAL DISTRICT STANDARDS

The metrics for each column of this table (SD1, SD2, etc.) are to be filled in for each Special District as they are permitted. Special Districts that do not have provisions within this Code shall be governed by the standards of the pre-existing zoning

	SD1	SD2	SD3	SD4	SD5	SD6	SD7
a. ALLOCATION OF ZONES							
CLD	X						
TND	X						
TOD	X						
b. BASE RESIDENTIAL DENSITY							
By Right	X						
By TDR	X						
Other Functions	X						
c. BLOCK SIZE							
Block Perimeter	X						
d. THOROUGHFARES							
HW	X						
BV	X						
AV	X						
CS	X						
DR	X						
ST	X						
RD	X						
Rear Lane	X						
Rear Alley	X						
Path	X						
Passage	X						
Bicycle Trail	X						
Bicycle Lane	X						
Bicycle Route	X						
e. CIVIC SPACES							
Park	X						
Green	X						
Square	X						
Plaza	X						
Playground	X						
f. LOT OCCUPATION							
Lot Width	X						
Lot Coverage	X						
g. SETBACKS - PRINCIPAL BUILDING							
Front Setback	X						
Side Setback	X						
Rear Setback	X						
h. BUILDING DISPOSITION							
Edgeward	X						
Sideward	X						
Rearward	X						
i. PRIVATE FRONTAGES							
Common Yard	X						
Porch & Fence	X						
Terrace, Dooryard	X						
Forecourt	X						
Stoop	X						
Shopfront	X						
Gallery	X						
Arcade	X						
Parking Lot	X						
j. BUILDING CONFIGURATION							
Principal Building	X						
Outbuilding	X						
k. BUILDING FUNCTION							
Residential	X						
Lodging	X						
Office	X						
Retail	X						

DISPOSITION

CONFIGURATION

FUNCTION

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

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.

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 6.1d.)
- 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.

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

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 6.1. 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

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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 6.1d)
- 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 6.1d)

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 6.1d)
- 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

ARTICLE 5. LOT AND BUILDING REGULATIONS

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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.**
 - 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.
- d. Within 1/2 mile radius area of a Transit Oriented Development (TOD)

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

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.**

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 6.1d)
- 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 6.1d)
- 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 6.1d)
- 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.

ARTICLE 5. LOT AND BUILDING REGULATIONS

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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

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 6.1d)

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 6.1d)
- 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 6.1d)
- 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.

5.11. SIGNAGE STANDARDS

5.11.1. GENERAL TO ZONES T3, T4,T5

- a. There shall be no signage permitted additional to that specified in this section.
- b. The address number, no more than 6 inches measured vertically, shall be attached to the building in proximity to the Principal Entrance or at a mailbox.

5.11.2. SPECIFIC TO ZONES T2, T3

- a. Signage shall not be illuminated.

5.11.3. SPECIFIC TO ZONES T4, T5

- a. Signage shall be externally illuminated, except that signage within the Shopfront glazing may be neon or LED lit.

5.11.4. SPECIFIC TO ZONES T2, T3, T4,

- a. One blade sign for each business may be permanently installed perpendicular to the Facade within the first Layer. Such a sign shall not exceed a total of 4 square feet and shall clear 8 feet above the Sidewalk.

5.11.5. SPECIFIC TO ZONE T5

- a. Blade signs, not to exceed 6 square ft. for each separate business entrance, may be attached to and should be perpendicular to the Facade, and shall clear 8 feet above the Sidewalk.
- b. A single external permanent sign band may be applied to the Facade of each building, providing that such sign not exceed 3 feet in height by any length

5.12. KIOSKS; FOOD CARTS; SIDEWALK CAFÉ'S; OR STREET FURNITURE

5.12.1. General Standards

- a. The sale of goods and services other than Consumable Food Items may be approved by Warrant only if:
 - i. the goods, services or manner of sale thereof does not lead to or cause congestion or blocking of pedestrian traffic on the sidewalk;
 - ii. the transaction period to complete the sale or render the service is short;
 - iii. the goods, services or manner of sale thereof does not cause undue noise or offensive odors; and
 - iv. the goods can be easily carried by pedestrians.
- b. A six-foot Clear Pedestrian Zone shall be maintained. Pinch Points no more than two feet in length where the Clear Pedestrian Zone is no narrower than five feet may be permitted by the DRC if it is found that the use of the sidewalk is compatible the intent of this code as outlined in Article 1.
- c. No items may be placed on a sidewalk within 10 feet of the extension of any building entrance or doorway, to the curblin.
- d. All fencing, planters or other items placed within the First Layer must be non-permanent or moveable. The use of screws and flush mounted hardware is permitted and encouraged for items that are not removed at the end of the business day
- e. All areas within 25 feet of the permitted Kiosk, Food Cart, Sidewalk Café, or Street Furniture must be cleaned and maintained on a daily basis

5.12.2. Standards specific to Kiosks and Food Carts located on Private Property

- a. All parking must be located within the Second or Third Layer
- b. Kiosks and Food Carts visible from the Public Right of Way shall be oriented towards the Right of Way and a pedestrian path to the site should be provided.
- c. All accessory structures and restroom facilities shall be located in the Second or Third Layer
- d. All associated equipment must be screened.

5.12.3. Standards specific to Kiosks and Food Carts located on Public Right of Way

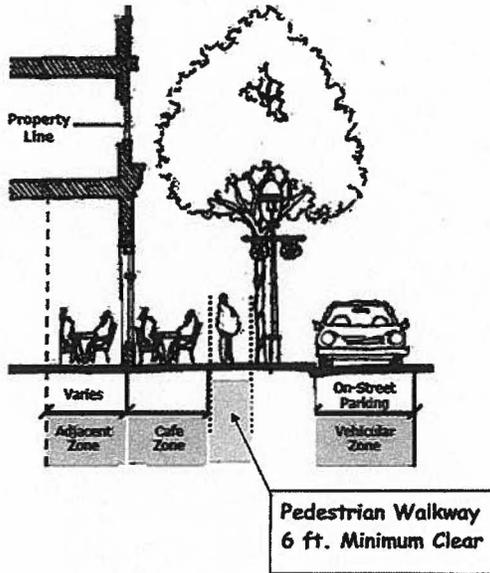
- a. Signed approval from the business or property owner of each adjacent property is required prior to the issuance of a permit
- b. The Operating Area shall not exceed 24 square feet of sidewalk which shall include the area of the vending cart, and, when externally located, the operator and trash and recycling receptacles
- c. A separate refuse and recycling container is required to be placed within the Operating Area
- d. The business shall provide an indemnity and release and liability insurance.

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TABLE 5.1. KIOSKS, FOOD CARTS, SIDEWALK CAFES & STREET FURNITURE

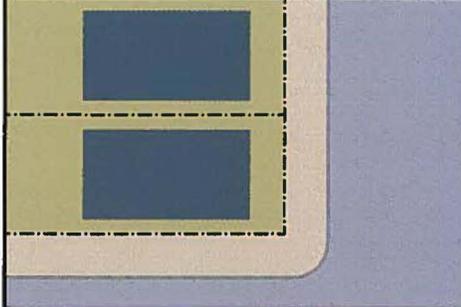
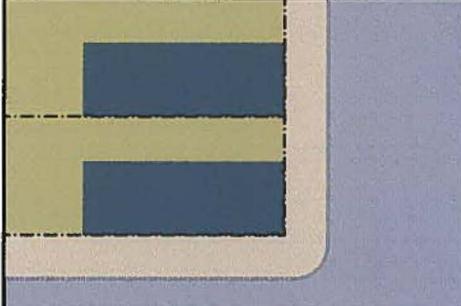
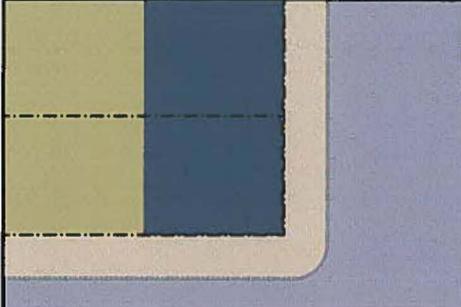
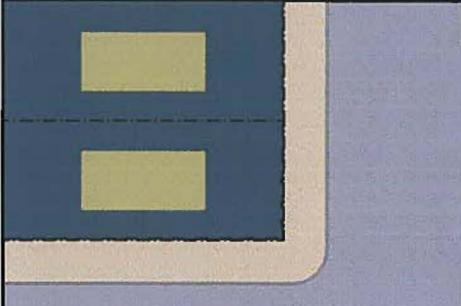
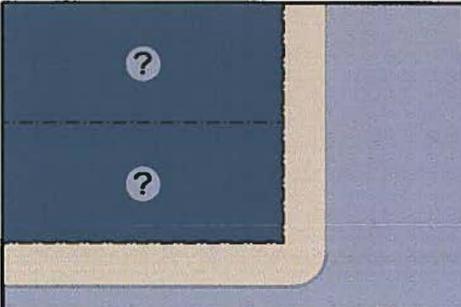
This table illustrates the appropriate location of uses on a sidewalk.



ARTICLE 5. LOT AND BUILDING REGULATIONS

TABLE 5.2. 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.

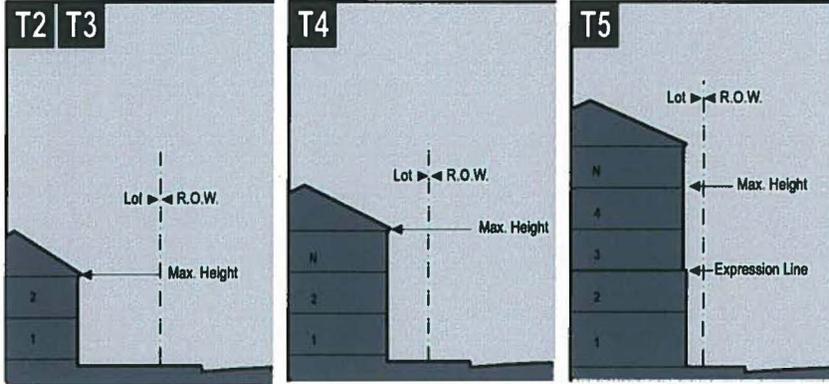
<p>a. Edgeyard: Specific Types - single family House, Cottage, villa, Estate House, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition 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>	 <div style="float: right; text-align: center;"> <p>T2</p> <p>T3</p> <p>T4</p> </div>
<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>	 <div style="float: right; text-align: center;"> <p>T4</p> <p>T5</p> </div>
<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>	 <div style="float: right; text-align: center;"> <p>T4</p> <p>T5</p> </div>
<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>	 <div style="float: right; text-align: center;"> <p>T5</p> </div>
<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>	 <div style="float: right; text-align: center;"> <p>SD</p> </div>

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.3. BUILDING CONFIGURATION

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



* Buildings located in the downtown historic district shall not exceed a building height of 3 stories.

ARTICLE 5. LOT AND BUILDING REGULATIONS

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TABLE 5.4. 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 5.5. 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.

ARTICLE 5. LOT AND BUILDING REGULATIONS

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TABLE 5.6. 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. New multi-family development within the Downtown SmartCode District, T4 Transect shall adhere to the parking requirements of the Land Development Code. New multi-family development in the T5 Transect shall adhere to the requirements below. *Properties within the Central Business Area are exempt from parking requirements.*

REQUIRED PARKING (See Table 5.4)

	T2	T3	T4	T5
RESIDENTIAL	2.0 / dwelling		1.05 / dwelling	1.0 / dwelling
LODGING	1.0 / bedroom		1.0 / bedroom	1.0 / bedroom
OFFICE	4.0 / 1000 sq. ft.		3.0 / 1000 sq. ft.	2.0 / 1000 sq. ft.
RETAIL	4.0 / 1000 sq. ft.		3.0 / 1000 sq. ft.	2.0 / 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 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.	1.0 / 5 seats assembly use 1.0 / 1000 s.f. of exhibition or recreation area 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.
OTHER	To be determined by Warrant			

TABLE 5.7. 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

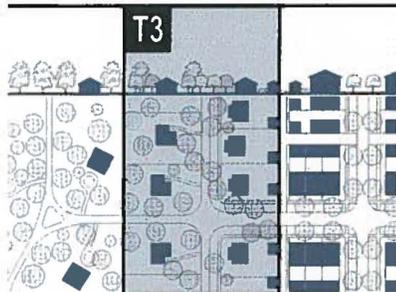
TABLE 5.8. SPECIFIC FUNCTION & USE

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				■	■	
Sidyard 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 5.9. FORM-BASED CODE GRAPHICS: DOWNTOWN - 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 & 1.2k)

Principal Building	1, n/a
Outbuilding	2 stories

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
Sidyard	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 8 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 1.2

PARKING PROVISIONS

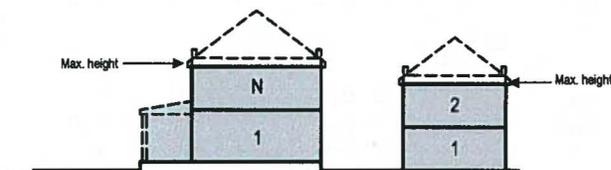
See Tables 5.5 & 5.6

*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

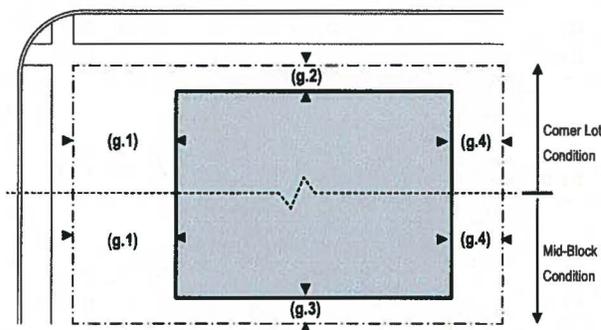
BUILDING CONFIGURATION

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.



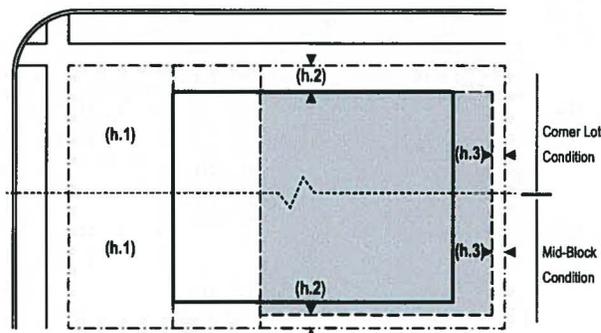
SETBACKS - PRINCIPAL BLDG

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.



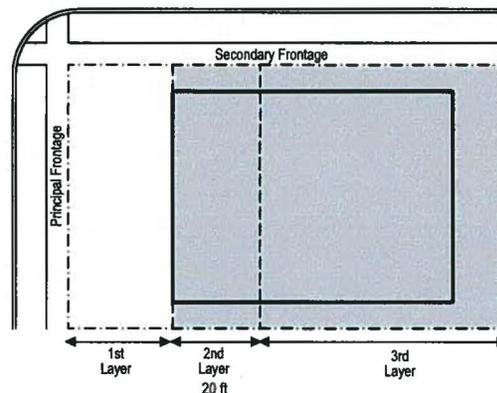
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

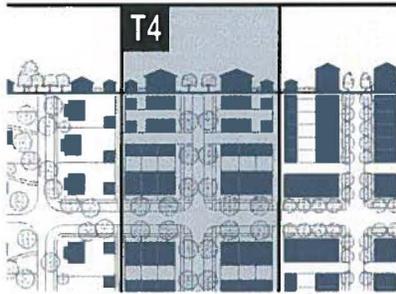
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d). Side- or rear-entry garages may be allowed in the first or second Layer by Warrant.
3. Trash and recycling containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

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TABLE 5.10. FORM-BASED CODE GRAPHICS: DOWNTOWN - T4



(see Table 1.1)

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
Outbuilding	2 stories

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
Sideway	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	8 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
Sloop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.2

PARKING PROVISIONS

See Tables 5.5 & 5.6

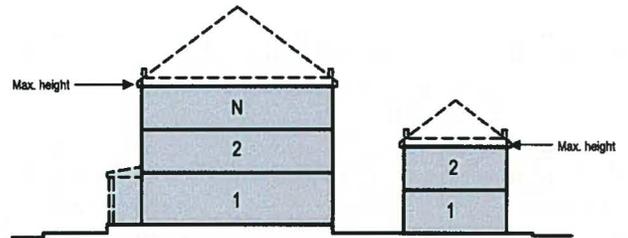
*or 15 ft. from center line of alley

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

** 6+ stories permitted by warrant

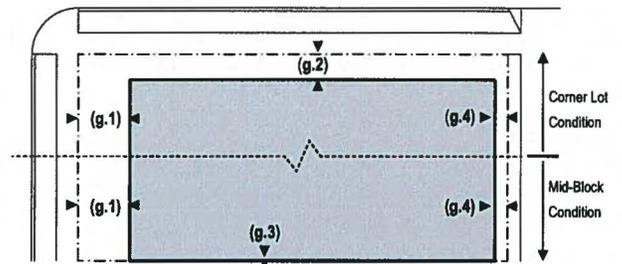
BUILDING CONFIGURATION

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.



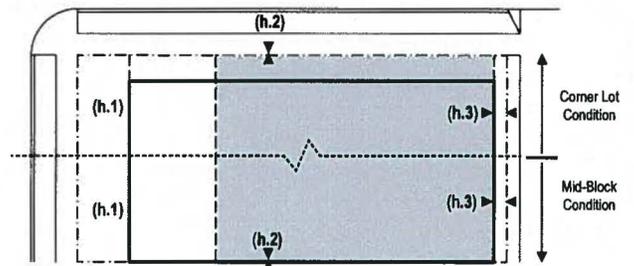
SETBACKS - PRINCIPAL BLDG

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.



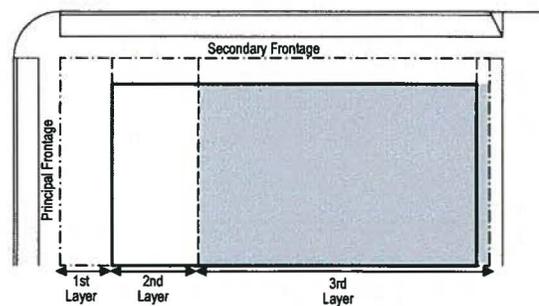
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

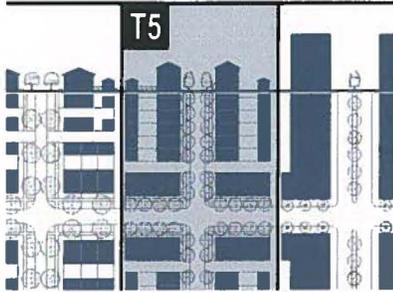
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d).
3. Trash and recycling containers shall be stored within the third Layer.



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TABLE 5.11. 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**
Outbuilding	2 stories.

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 Bulldout	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

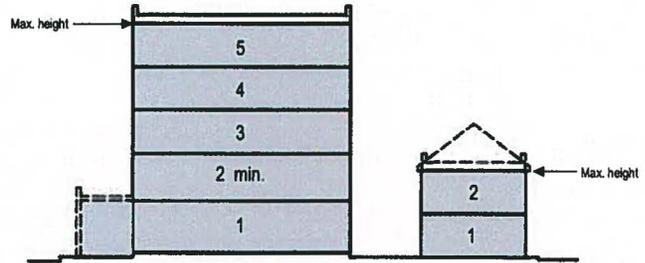
See Tables 5.5 & 5.6

*or 15 ft. from center line of alley

** Buildings within the downtown historic district are limited to a maximum building height of 3 stories/ 6+ stories permitted by warrant for buildings located outside the downtown historic district. One-story buildings in T5 may be permitted by Warrant.

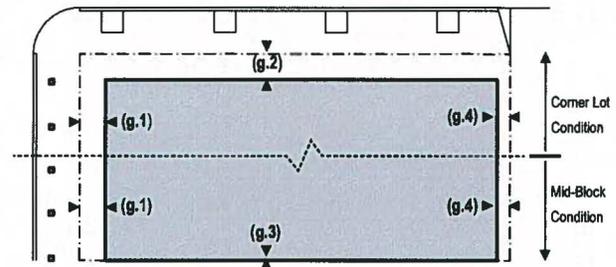
BUILDING CONFIGURATION

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.



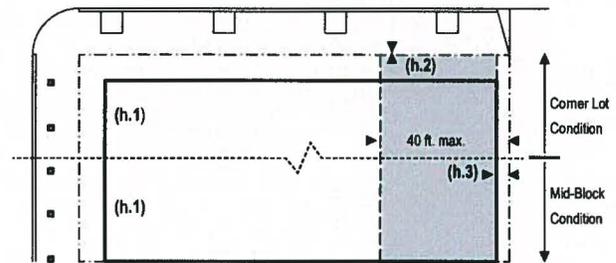
SETBACKS - PRINCIPAL BLDG

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.



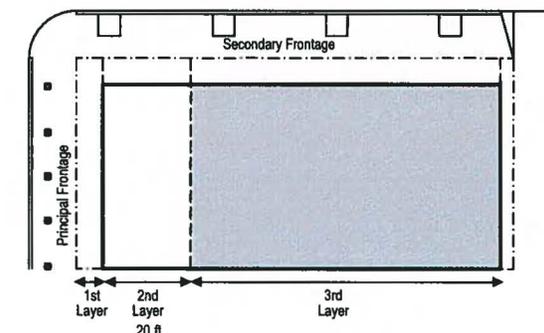
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

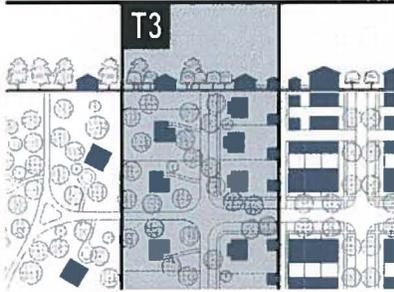
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 6.1).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1).
3. Trash containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

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

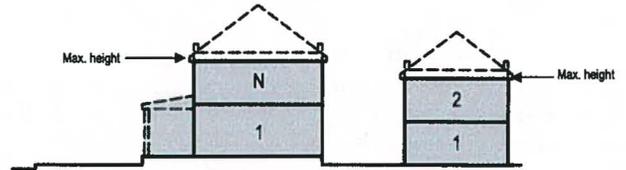
See Tables 5.5 & 5.6

*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

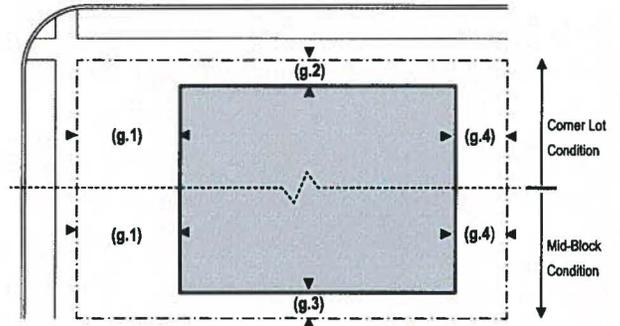
BUILDING CONFIGURATION

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 ft with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck as specified on Table 5.2.



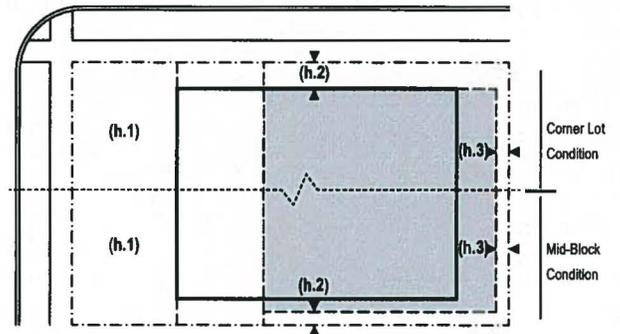
SETBACKS - PRINCIPAL BLDG

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 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d). 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.

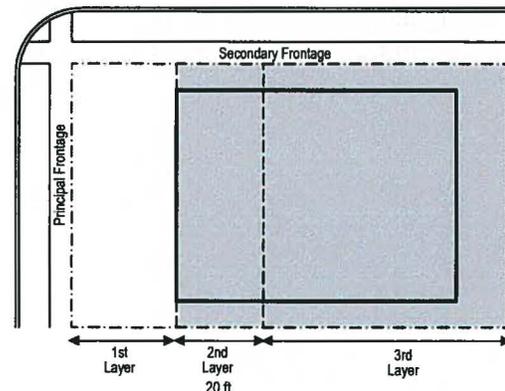
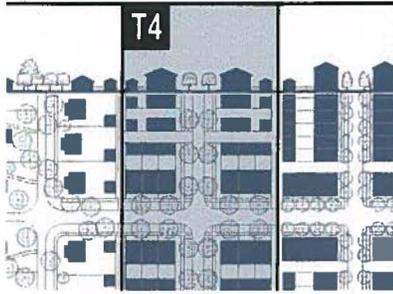


TABLE 5.13. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T4



(see Table 1.1)

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
Scoop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

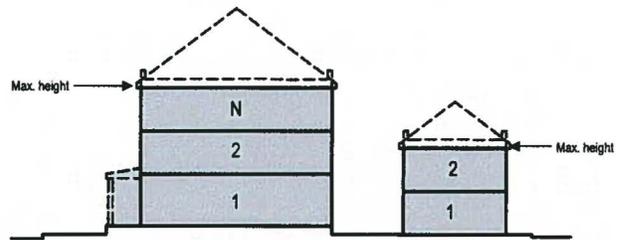
See Tables 5.5 & 5.6

*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

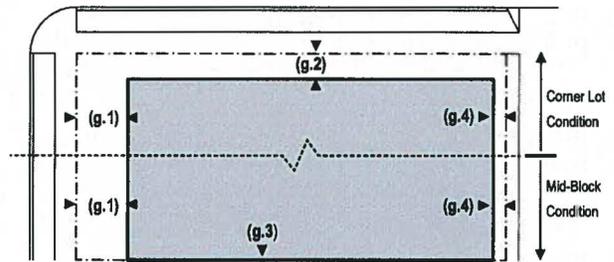
BUILDING CONFIGURATION

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.



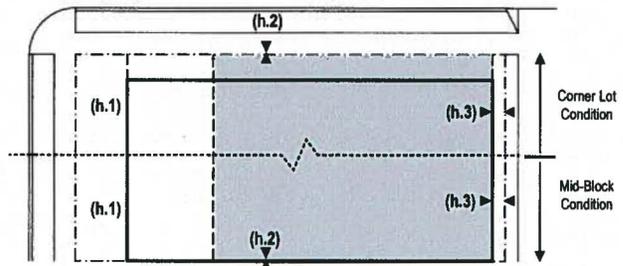
SETBACKS - PRINCIPAL BLDG

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.



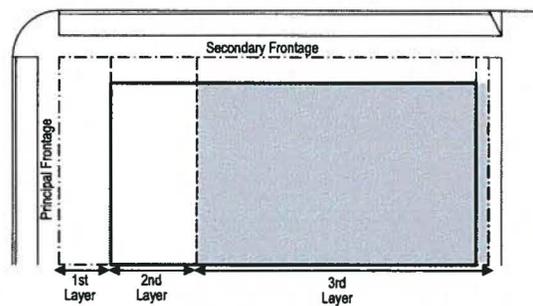
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

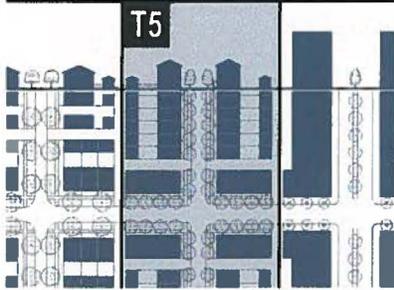
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d).
3. Trash containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.14. 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. ** 6 by warrant
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
Sloop	permitted
Shopfront & Awning	permitted
Gallery	permitted

Refer to Summary Table 1.3

PARKING PROVISIONS

See Tables 5.5 & 5.6

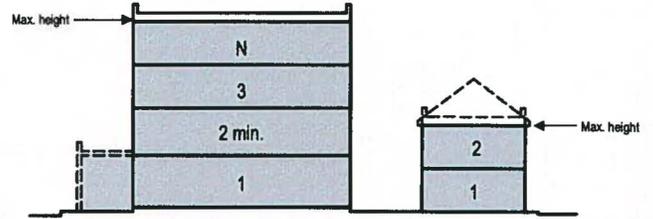
*or 15 ft. from center line of alley

** 1-story buildings shall be permitted by Warrant

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

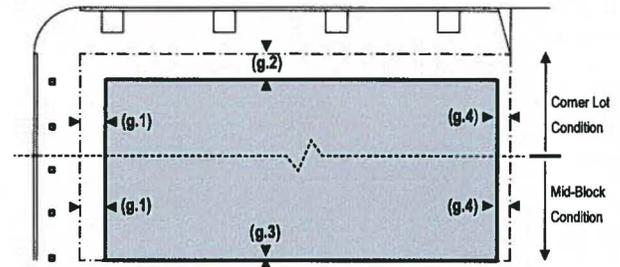
BUILDING CONFIGURATION

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.
4. Expression Lines shall be as shown on Table 5.2.



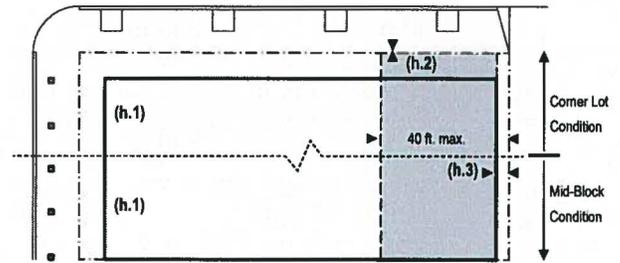
SETBACKS - PRINCIPAL BLDG

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.



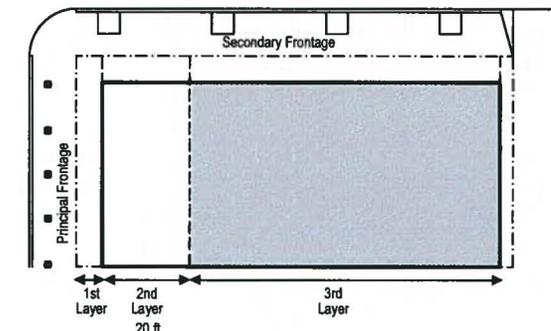
SETBACKS - OUTBUILDING

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 6.1).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1).
3. Trash containers shall be stored within the third Layer.





MEMO

To: Planning and Zoning Commission
From: Jennifer Shell, P.E., City Engineer
Date: April 18, 2012
Re: Follow-up Information for Capital Improvement Program for 2012-2022

As a follow-up to the April 10th Planning and Zoning Meeting, I am providing more information about the 2012-2022 Capital Improvement Program.

Additional Information and Revisions. Revised project sheets for 2013, new project sheets for 2014 and a revised 10-year sheet are attached for your reference. Revisions were necessary due to recent bid prices being higher than anticipated. All projects were reviewed with this new information and some project costs were increased. This resulted in one wastewater project moving to 2014 (Endicott, Armstrong, MLK WW Improvements), and a slightly higher total than allowed for General Fund in 2014.

Funding Limitations. Due to City Council's Number 1 Goal of *Sound Finances*, the following limitations have been placed on each fund for the upcoming years.

Fund	2013 Limit	2013 Proposed	2014 Limit	2014 Proposed
General	\$4.0 million	\$3.99 million	\$4.0 million	\$4.29 million
Drainage	\$1.0 million	\$1.35 million	\$1.0 million	\$1.02 million
Electric	\$3.8 million	\$3.87 million	\$1.9 million	\$1.62 million
Water	\$8.1 million	\$8.78 million	\$8.1 million	\$6.12 million
Wastewater	\$7.75 million	\$6.57 million	\$7.75 million	\$7.51 million

The proposed Fund totals for 2013 and 2014 are being reviewed by the Finance Department this month to ensure there are no rate implications.

Planning and Zoning Next Steps. The P&Z Commission acts as an advisory committee to the City Council and can recommend any projects in the CIP. Additional projects can be added, and projects can be moved. If this is done, please keep each fund within the limit provided.

The Engineering/Capital Improvements Department greatly appreciates your input throughout this process. Please contact us with any questions.

Engineering/Capital Improvements Department 393-8130