



REGULAR MEETING OF THE SAN MARCOS PLANNING AND ZONING COMMISSION

Tuesday, April 10, 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

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. **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.

Public Hearings:

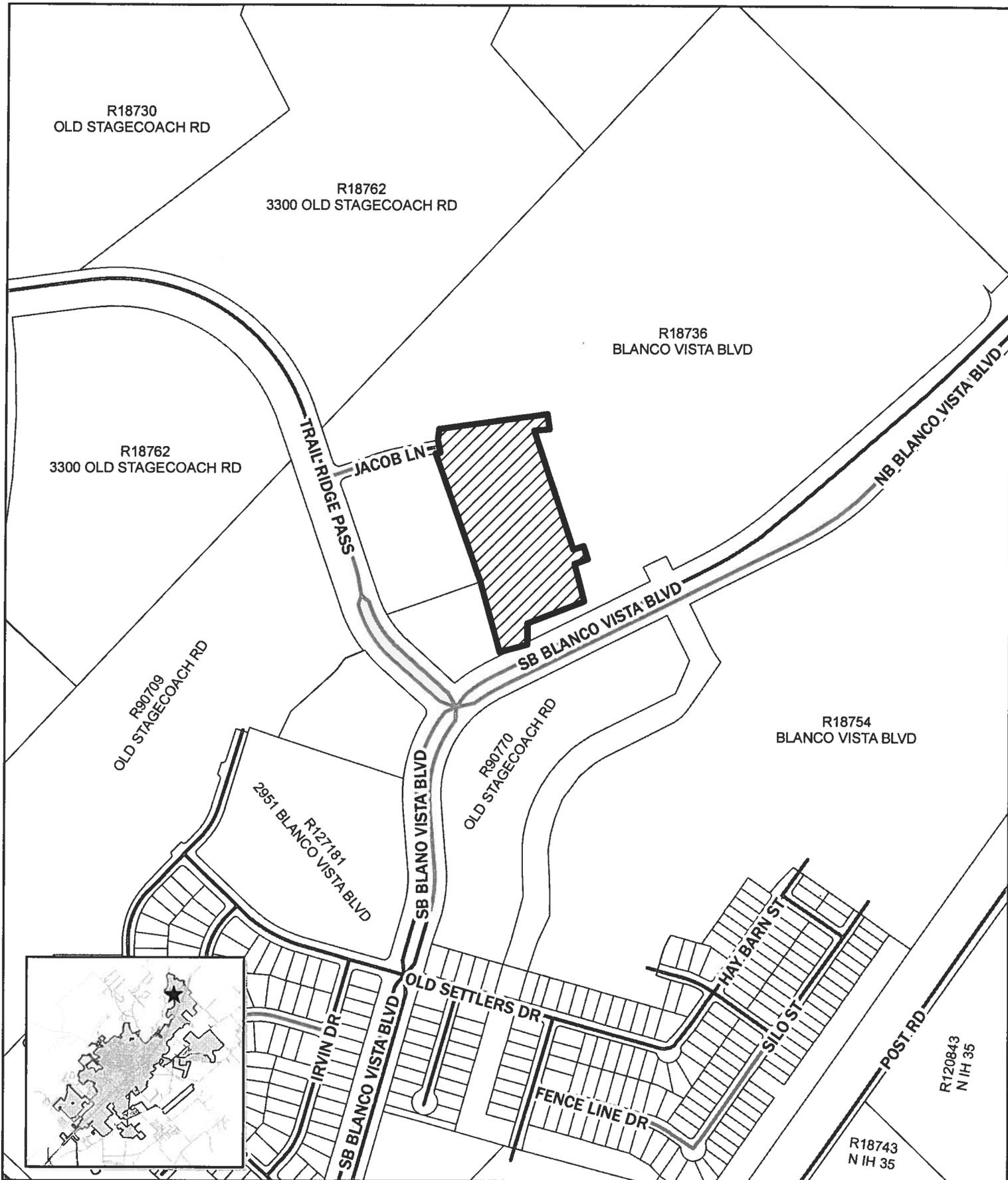
7. **2012-10628 (Qualified Watershed Protection Plan Phase 1, C&G Development)** Hold a public hearing and consider a request by Stephen Ramsey, PE, on behalf of C&G Development, Inc., for a Qualified Watershed Protection Plan Phase 1 for the future development of approximately 99 acres at and southwest of the intersection of Craddock Avenue and Wonder World Drive.
8. **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.
9. **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.

Non-Consent Agenda:

10. **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.
11. **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.
12. **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.
13. **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.
14. **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.
15. **LDC-12-11 (SmartCode Revisions)** Discuss an amendment to the City's SmartCode, Articles 1, 3 and 5 to clarify process and language.
16. **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.
17. **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.
18. **Capital Improvement Project Plan** Presentation on recommendations for Capital Improvement Projects for 2012-2022.
19. **Development Services Report**
20. **"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.*"
21. 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.

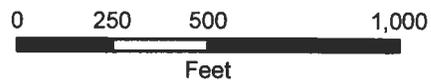


PC-12-05(03)
Blanco Vista
Phase 3, Section 1
Map Date: 04/05/12



Site Location

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



PC-12-05(03) Final Plat, Blanco Vista, Phase 3, Section 1



Applicant Information:

Agent: CSF Civil Group
3636 Executive Center Drive
Suite 209
Austin, Texas 78731

Property Owner: Brookfield Residential
9737 Great Hills Trail
Suite 260
Austin, Texas 78759

Notification: Notification not required

Type & Name of Subdivision: Final Plat, Blanco Vista Phase 3, Section 1

Subject Property:

Summary: The subject property is approximately 5.832 acres, more or less, and is located adjacent to the intersection of Blanco Vista Boulevard and Trail Ridge Pass

Zoning: Mixed Use/PDD/Single Family

Traffic/ Transportation: The property is located adjacent to the intersection of Blanco Vista Boulevard and Trail Ridge Pass. Sidewalks will be installed as part of the development of this plat.

Utility Capacity: All utilities are provided for onsite.

Planning Department Analysis:

The subject property is part of the Blanco Vista Planned Development District, and has a base zoning of Mixed Use. This section, which would provide for the development of 40 lots, is within the single-family portion of the development. The proposed plat would be consistent with developments in the area and meets all the requirements of the Land Development Code and the PDD. The site is adjacent to the existing amenity center, and is part of the continued build-out of the Blanco Vista subdivision.

The site is not located in floodplain or floodway. A Comprehensive Site Preparation Permit, which includes a Watershed Protection Plan Phase 2, will be submitted for review following approval of this plat.

Parkland dedication was completed with the initial phase of this project, and is not required for this individual plat.

The Planning Department recommends approval of the platting request.

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

The Commission's Responsibility:

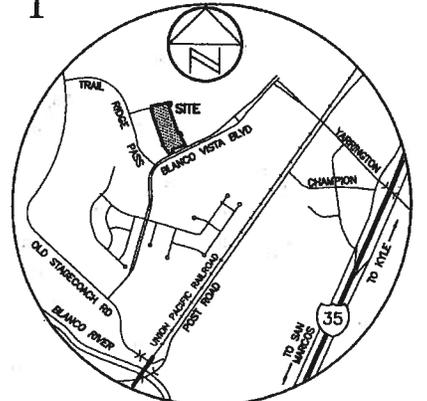
The Commission is charged with making the final decision regarding this proposed Final Development Plat. The City charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove, or to statutorily deny (an action that keeps the applicant "in process") the plat.

Prepared By:

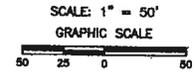
Christine Barton-Holmes, LEED AP	Chief Planner	April 3, 2012
Name	Title	Date

BLANCO VISTA PHASE 3 SECTION 1 CITY OF SAN MARCOS, TEXAS

CARMA BLANCO VISTA, LTD.
PORTION OF 199.323 ACRES
(2494/618)



LOCATION MAP
NOT TO SCALE



BENCHMARK INFORMATION:
 BM #5: SQUARE CUT ON BACK OF
 CONCRETE CURB ON THE NORTH SIDE
 OF JACOB LANE ACROSS FROM CHURCH
 DRIVE.
 ELEVATION = 644.43'
 NVD 29 DATUM (SOURCE BENCHMARK
 IS 1988, F.E.M.A. MAP 48299C0188E
 DATED FEBRUARY 16, 1998.)

LOT 1
BLOCK A
TRAIL RIDGE PASS
CHURCH SUBDIVISION
(18/271)

- LEGEND**
- 1/2" REBAR WITH "CHAPARRAL" CAP FOUND
 - 1/2" REBAR WITH "CHAPARRAL" CAP SET
 - ⊕ CONTROL POINT/BENCHMARK LOCATION
 - C.O.S.M. CITY OF SAN MARCOS
 - P.U.E. PUBLIC UTILITY EASEMENT
 - () RECORD INFORMATION
 - SIDEWALK LOCATION

CONTROL POINT HC08
 4" ALUMINUM DISC IN CONC. STAMPED
 HC08
 BENCHMARK ELEV. = 637.78 (NVD
 29 DATUM), SOURCE BENCHMARK IS
 1988, F.E.M.A. MAP 48299C0188E
 DATED FEBRUARY 16, 1998.
 TEXAS CENTRAL ZONE SURFACE
 COORDINATES:
 N 9054798.42
 E 3067134.63
 SURFACE TO GRID
 1.000017434
 GRID TO SURFACE
 0.999982566
 FROM G.P.S. OBSERVATIONS USING
 I.C.R.A. H.A.R.M. NETWORK.

CARMA BLANCO VISTA, LTD.
PORTION OF 199.323 ACRES
(2494/618)

CARMA BLANCO VISTA, LTD.
PORTION OF 199.323 ACRES
(2494/618)

LOT 1, BLOCK A
OPEN SPACE
BLANCO VISTA TRACT C SEC. A
(14/266)

WILLIAM WARD LEAGUE
ABS. 467

BLANCO VISTA BOULEVARD
(150' R.O.W. WIDTH) (13/246)
(R.O.W. WIDTH VARIES) (14/266)

Jeg
3/2/12



Chaparral

Professional Land Surveying, Inc.
Surveying and Mapping

3500 McCell Lane
Austin, Texas 78744
512-443-1724

PROJECT NO.:
500-004

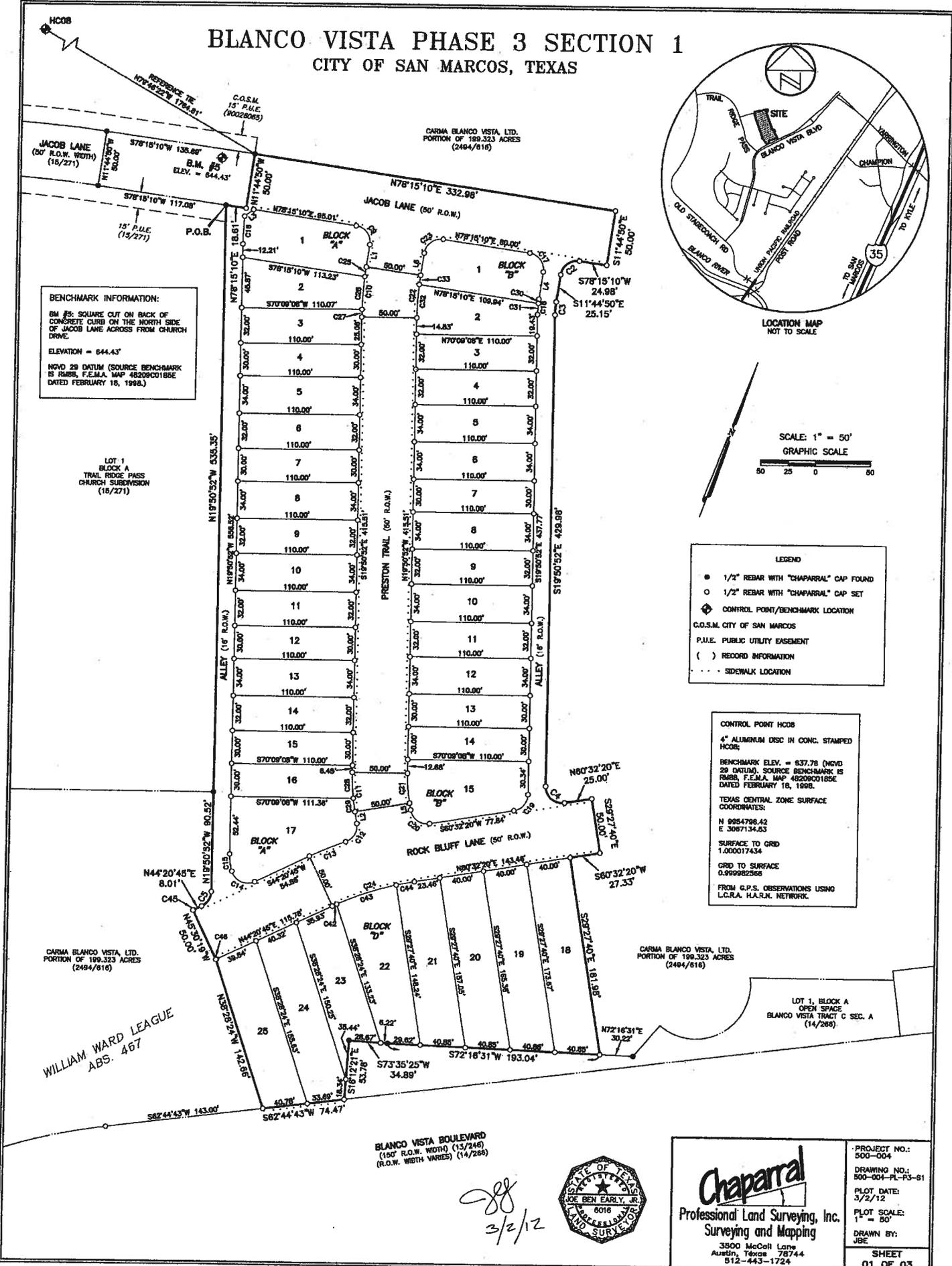
DRAWING NO.:
500-004-PL-P3-S1

PLOT DATE:
3/2/12

PLOT SCALE:
1" = 50'

DRAWN BY:
JBE

SHEET
01 OF 03



BLANCO VISTA PHASE 3 SECTION 1

CITY OF SAN MARCOS, TEXAS

STATE OF TEXAS:
COUNTY OF HAYS:

WHEREAS, BROOKFIELD RESIDENTIAL (FORMERLY KNOWN AS CARMA BLANCO VISTA, LTD.) IS THE OWNER OF 5.832 ACRES IN THE WILLIAM WARD LEAGUE, ABS. 467 IN HAYS COUNTY, TEXAS, BEING A PORTION OF A 199.323 ACRE TRACT CONVEYED TO CARMA BLANCO VISTA, LTD. IN A SPECIAL WARRANTY DEED DATED JUNE 25, 2004 AND RECORDED IN VOLUME 2494, PAGE 816 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS; SAID 5.832 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDINGS AS FOLLOWS:

BEGINNING at a 1/2" rebar with "Chaparrol" cap found in the south right-of-way line of Jacob Lane (50' right-of-way width) as shown on Trail Ridge Pass Church Subdivision, a subdivision of record in Volume 18, Page 271 of the Plat Records of Hays County, Texas, being the northeast corner of Lot 1, Block A, of said Trail Ridge Pass Church Subdivision, from which 1/2" rebar with "Chaparrol" cap found in the south right-of-way line of Jacob Lane, being in the north line of Lot 1, Block A, of said Trail Ridge Pass Church Subdivision, bears South 78°15'10" West, a distance of 117.03 feet;

THENCE North 78°15'10" East with the south right-of-way line of Jacob Lane, a distance of 18.61 feet to a 1/2" rebar with "Chaparrol" cap set for the southeast termination of Jacob Lane;

THENCE North 11°44'50" West with the east termination of Jacob Lane, a distance of 50.00 feet to a 1/2" rebar with "Chaparrol" cap found for the northeast termination of Jacob Lane;

THENCE crossing the said 199.323 acre tract, the following twelve (12) courses and distances:

1. North 78°15'10" East, a distance of 332.98 feet to a 1/2" rebar with "Chaparrol" cap set;
2. South 11°44'50" East, a distance of 50.00 feet to a 1/2" rebar with "Chaparrol" cap set;
3. South 78°15'10" West, a distance of 24.98 feet to a 1/2" rebar with "Chaparrol" cap set;
4. With a curve to the left, having a radius of 18.00 feet, a delta angle of 90°00'00", an arc length of 23.56 feet, and a chord which bears South 33°15'10" West, a distance of 21.21 feet to a 1/2" rebar with "Chaparrol" cap set;
5. South 11°44'50" East, a distance of 25.15 feet to a 1/2" rebar with "Chaparrol" cap set;
6. With a curve to the left, having a radius of 84.00 feet, a delta angle of 8°04'02", an arc length of 11.88 feet, and a chord which bears South 18°47'51" East, a distance of 11.87 feet to a 1/2" rebar with "Chaparrol" cap set;
7. South 19°50'52" East, a distance of 429.98 feet to a 1/2" rebar with "Chaparrol" cap set;
8. With a curve to the left, having a radius of 18.00 feet, a delta angle of 89°36'47", an arc length of 26.08 feet, and a chord which bears South 69°38'18" East, a distance of 22.92 feet to a 1/2" rebar with "Chaparrol" cap set;
9. North 60°32'20" East, a distance of 25.00 feet to a 1/2" rebar with "Chaparrol" cap set;
10. South 29°27'40" East, a distance of 50.00 feet to a 1/2" rebar with "Chaparrol" cap set;
11. South 60°32'20" West, a distance of 27.33 feet to a 1/2" rebar with "Chaparrol" cap set;
12. South 29°27'40" East, a distance of 181.68 feet to a 1/2" rebar with "Chaparrol" cap set in the northwest line of Lot 1, Block A, Blanco Vista Tract C Section A, a subdivision of record in Volume 14, Page 295 of the Plat Records of Hays County, Texas, from which a 1/2" rebar with "Chaparrol" cap found on an angle point in the northwest line of Lot 1, Block A, of said Blanco Vista Tract C Section A, bears North 72°18'31" East, a distance of 30.22 feet;

THENCE with the northwest line of Lot 1, Block A, of said Blanco Vista Tract C Section A, the following two (2) courses and distances:

1. South 72°18'31" West, a distance of 193.04 feet to a 1/2" rebar with "Chaparrol" cap found;
2. South 73°35'29" West, a distance of 34.89 feet to a 1/2" rebar with "Chaparrol" cap found for a northwest corner of Lot 1, Block A, of said Blanco Vista Tract C Section A;

THENCE South 18°12'21" East with the west line of Lot 1, Block A, of said Blanco Vista Tract C Section A, a distance of 63.78 feet to a 1/2" rebar with "Chaparrol" cap set in the northwest right-of-way line of Blanco Vista Boulevard (150' right-of-way width) as shown on Blanco Vista Phase 1-2, Sections 1, 2, and Infrastructure Improvements, a subdivision of record in Volume 13, Page 246 of the Plat Records of Hays County, Texas, being the southwest corner of Lot 1, Block A, of said Blanco Vista Tract C Section A;

THENCE South 62°44'43" West with the northwest right-of-way line of Blanco Vista Boulevard, a distance of 74.47 feet to a 1/2" rebar with "Chaparrol" cap set;

THENCE crossing the said 199.323 acre tract, the following six (6) courses and distances:

1. North 38°28'24" West, a distance of 142.68 feet to a 1/2" rebar with "Chaparrol" cap set;
2. North 45°30'19" West, a distance of 60.00 feet to a 1/2" rebar with "Chaparrol" cap set;
3. With a curve to the left, having a radius of 275.00, a delta angle of 0°08'07", an arc length of 0.65 feet, and a chord which bears North 44°24'48" East, a distance of 0.65 feet to a 1/2" rebar with "Chaparrol" cap set;
4. North 44°20'48" East, a distance of 8.01 feet to a 1/2" rebar with "Chaparrol" cap set;
5. With a curve to the left, having a radius of 15.00 feet, a delta angle of 64°11'37", an arc length of 16.81 feet, and a chord which bears North 12°14'56" East, a distance of 15.94 feet to a 1/2" rebar with "Chaparrol" cap set;
6. North 19°50'52" West, a distance of 90.52 feet to a 1/2" rebar with "Chaparrol" cap found for the southeast corner of Lot 1, Block A, of said Trail Ridge Pass Church Subdivision;

THENCE North 19°50'52" West with the east line of Lot 1, Block A, of said Trail Ridge Pass Church Subdivision, a distance of 535.35 feet to the POINT OF BEGINNING, containing 5.832 acres, more or less.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

THAT WE, BROOKFIELD RESIDENTIAL (FORMERLY KNOWN AS CARMA BLANCO VISTA, LTD.) AS OWNER OF THE ABOVE DESCRIBED PROPERTY, DO HEREBY ADOPT THIS PLAT DESIGNATING THE TRACT AS BLANCO VISTA PHASE 3 SECTION 1, AN ADDITION TO THE CITY OF SAN MARCOS, AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOR THE RIGHTS OF WAY, PUBLIC USE AREAS AND OTHER EASEMENTS SHOWN THEREON FOR THE PURPOSES INDICATED; THAT NO BUILDINGS, FENCES OR OTHER OBSTRUCTIONS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE SAID EASEMENTS, EXCEPT AS MAY BE PERMITTED BY THE SAID CITY; THAT SAID EASEMENTS MAY BE FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES SERVING THE PROPERTY, UNLESS AN EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, WITH ALL USES BEING SUBORDINATE TO THAT OF THE CITY OF SAN MARCOS'S; THAT THE SAID CITY AND PUBLIC UTILITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS, WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS LOCATED WITHIN SAID EASEMENTS; AND THAT THE SAID CITY AND PUBLIC UTILITIES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO AND CROSS FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM ANYONE; AND THAT THIS PLAT IS SUBJECT TO ALL OF THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS AND THE COUNTY OF HAYS, TEXAS.

WITNESS MY HAND THIS ____ DAY OF _____, 20____.

SHAUN E. CRANSTON, VICE PRESIDENT OF OPERATIONS

BROOKFIELD RESIDENTIAL
9737 GREAT HILLS TRAIL, SUITE #260
AUSTIN, TX 78769
(512) 391-1331

STATE OF TEXAS:
COUNTY OF HAYS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY

PERSONALLY APPEARED SHAUN E. CRANSTON, GENERAL MANAGER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON:

SURVEYOR'S CERTIFICATE:

KNOW ALL MEN BY THESE PRESENTS:

THAT I, JOE BEN EARLY, JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY TO THE BEST OF MY SKILL AND KNOWLEDGE THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND ON JANUARY 6, 2012 AND THE CORNER MONUMENTS SHOWN THEREON AS "SET" WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF SAN MARCOS.

BEARING BASIS IS GRID AZIMUTH FOR THE TEXAS CENTRAL ZONE, NAD 1983/93 HARN VALUES FROM THE LGRA CONTROL NETWORK.

Joe Ben Early, Jr. 3/2/12



JOE BEN EARLY, JR., R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR, STATE OF TEXAS NO. 6016
CHAPARRAL PROFESSIONAL LAND SURVEYING, INC.
3500 McCALL LANE
AUSTIN, TX 78744
512-443-1724

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY

PERSONALLY APPEARED JOE BEN EARLY, JR., REGISTERED PROFESSIONAL LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20____.

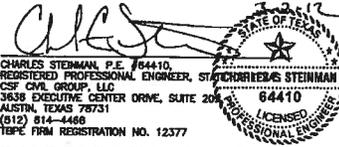
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON:

ENGINEER'S CERTIFICATION:

I, CHARLES STEINMAN, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NO LOT IN THIS SUBDIVISION FALLS WITHIN THE 100 YEAR FLOOD PLAIN OF A WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL 48209C385F, DATED SEPTEMBER 2, 2006, FOR HAYS COUNTY, TEXAS AND INCORPORATED AREAS.



CHARLES STEINMAN, P.E. #64410,
REGISTERED PROFESSIONAL ENGINEER, STATE OF TEXAS
CSP CIVIL GROUP, LLC
3636 EXECUTIVE CENTER DRIVE, SUITE 200
AUSTIN, TEXAS 78731
(512) 814-4468
TFCP FIRM REGISTRATION NO. 12377

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY

PERSONALLY APPEARED CHARLES STEINMAN REGISTERED PROFESSIONAL ENGINEER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES ON:

CITY OF SAN MARCOS:

CERTIFICATE OF APPROVAL:

APPROVED AND AUTHORIZED TO BE RECORDED ON THE ____ DAY OF _____, 20____ BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAN MARCOS.

MATTHEW LEWIS
DIRECTOR DEVELOPMENT SERVICES

FRANCIS SERVA, RECORDING SECRETARY

CHAIRMAN
PLANNING AND ZONING COMMISSION

STATE OF TEXAS:
COUNTY OF HAYS:

I, _____, CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE

ON THE ____ DAY OF _____, A.D. 20____ AT ____ O'CLOCK ____ M., AND DULY

RECORDED ON THE ____ DAY OF _____, A.D. 20____ AT ____ O'CLOCK ____ M., IN THE

OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND STATE, IN DOCUMENT NUMBER _____

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE ____ DAY OF _____

_____, COUNTY CLERK, HAYS COUNTY, TEXAS

BY _____
DEPUTY

<p>Chaparral Professional Land Surveying, Inc. Surveying and Mapping</p> <p>3500 McCall Lane Austin, Texas 78744 512-443-1724</p>	PROJECT NO.:
	500-004
	DRAWING NO.:
	500-004-PL3P3-S1
	PLOT DATE:
3/2/12	
PLOT SCALE:	
1" = 50'	
DRAWN BY:	
JBE	
SHEET	
02 OF 03	

BLANCO VISTA PHASE 3 SECTION 1

CITY OF SAN MARCOS, TEXAS

PLAT NOTES:

1. TRAFFIC CALMING DEVICES, AS DETERMINED BY THE CITY ENGINEER, OR ESCROW FOR SAME SHALL BE REQUIRED ALONG JACOB LANE.
2. NO PUBLIC IMPROVEMENT SHALL BE ACCEPTED BY THE CITY UNTIL CONSTRUCTION PLANS FOR OPEN SPACE IMPROVEMENTS AND AN OPEN SPACE PLAN, OUTLINING THE MANAGEMENT AND MAINTENANCE RELATIONSHIP BETWEEN CITY AND HOMEOWNER ASSOCIATION FOR SUCH IMPROVEMENTS, ARE APPROVED BY THE CITY.
3. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE BLANCO VISTA PDD, OR AS OTHERWISE APPROVED BY THE CITY OF SAN MARCOS.
4. A 7.5-FOOT-WIDE PUBLIC UTILITY EASEMENT IS HEREBY DEDICATED ADJACENT TO THE RIGHTS-OF-WAY OF PRESTON TRAIL, ROCK BLUFF LANE, AND JACOB LANE.

SPECIAL NOTICE:

SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE LDC AND STATE LAW, AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

SIDEWALKS:

PUBLIC SIDEWALKS, BUILT TO CITY OF SAN MARCOS STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS, AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT: BLANCO VISTA BOULEVARD, JACOB LANE, PRESTON TRAIL, ROCK BLUFF LANE. THESE SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.

ACCESS EASEMENTS:

THE UNDERSIGNED DOES COVENANT AND AGREE THAT THE ACCESS EASEMENT MAY BE UTILIZED BY ANY PERSON OR THE GENERAL PUBLIC FOR INGRESS AND EGRESS TO OTHER REAL PROPERTY, AND FOR THE PURPOSE OF GENERAL PUBLIC VEHICULAR AND PEDESTRIAN USE AND ACCESS, AND FOR FIRE DEPARTMENT AND EMERGENCY USE IN, ALONG, UPON AND ACROSS SAID PREMISES, WITH THE RIGHT AND PRIVILEGE AT ALL TIMES OF THE CITY OF SAN MARCOS, ITS AGENTS, EMPLOYEES, WORKMEN AND REPRESENTATIVES HAVING INGRESS, EGRESS, AND REGRESS IN, ALONG, UPON AND ACROSS SAID PREMISES.

IF DEVELOPMENT OCCURS WITH A ZERO LOT LINE, A 5 FOOT MAINTENANCE EASEMENT SHALL BE PROVIDED ADJACENT TO THE ZERO PROPERTY LINE.

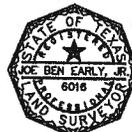
NEITHER ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY NOR BUILDING AND SITE CONSTRUCTION PERMITS (OTHER THAN MODEL HOMES) SHALL OCCUR PRIOR TO THE FILING OF THIS PLAT AND ACCEPTANCE OF ASSOCIATED INFRASTRUCTURE.

CURVE TABLE						
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING
C2	80°00'00"	15.00'	15.00'	23.58'	21.21'	S33°15'10"W
C3	8°08'02"	84.00'	5.88'	11.88'	11.87'	S15°47'51"E
C4	88°38'47"	15.00'	17.78'	28.08'	22.92'	S88°38'18"E
C5	84°11'37"	15.00'	9.41'	16.81'	15.84'	N12°14'56"E
C8	80°00'00"	15.00'	15.00'	23.58'	21.21'	S58°44'50"E
C10	8°08'02"	325.00'	23.01'	45.85'	45.81'	S15°47'51"E
C11	10°02'22"	205.00'	18.01'	35.82'	35.87'	S24°52'03"E
C12	80°28'22"	15.00'	12.70'	21.07'	19.38'	S10°21'27"W
C13	8°15'23"	325.00'	17.78'	35.48'	35.47'	S47°28'28"W
C14	88°18'28"	15.00'	17.88'	28.88'	22.88'	N88°01'02"W
C15	18°31'58"	54.50'	7.82'	15.73'	15.87'	N28°08'51"W
C16	4°57'59"	282.00'	12.86'	25.31'	25.30'	N17°21'53"W
C17	80°00'00"	15.00'	15.00'	23.58'	21.21'	S58°44'50"E
C18	8°08'02"	100.00'	7.08'	14.14'	14.13'	S15°47'51"E
C19	80°23'13"	15.00'	12.67'	21.05'	19.36'	S20°20'44"W
C20	88°34'28"	15.00'	14.88'	23.45'	21.13'	N74°40'27"W
C21	10°02'22"	155.00'	13.81'	27.16'	27.12'	N24°52'03"W
C22	8°08'02"	275.00'	18.47'	38.88'	38.85'	N15°47'51"W
C23	80°00'00"	15.00'	15.00'	23.58'	21.21'	N33°15'10"E
C24	18°11'35"	275.00'	38.12'	77.72'	77.48'	N52°28'33"E
C25	1°35'22"	325.00'	4.51'	8.02'	8.02'	S12°32'31"E
C26	8°17'18"	325.00'	18.01'	30.00'	28.89'	S15°58'51"E
C27	1°13'22"	325.00'	3.47'	6.84'	6.84'	S18°14'11"E
C28	8°38'50"	205.00'	11.82'	23.80'	23.59'	S23°08'47"E
C29	72°8'32"	205.00'	6.18'	12.32'	12.31'	S28°08'58"E
C30	2°12'20"	100.00'	1.82'	3.85'	3.85'	S12°51'00"E
C31	8°53'42"	100.00'	8.15'	10.29'	10.28'	S18°54'01"E
C32	8°20'22"	275.00'	15.23'	30.43'	30.41'	N18°40'41"W
C33	1°45'40"	275.00'	4.23'	8.43'	8.45'	N12°37'40"W
C42	0°54'47"	275.00'	2.19'	4.38'	4.38'	N44°48'08"E
C43	11°49'53"	275.00'	28.49'	58.79'	58.89'	N51°10'28"E
C44	72°8'55"	275.00'	6.28'	12.45'	12.45'	N58°48'53"E
C45	0°08'07"	275.00'	0.32'	0.65'	0.65'	N44°24'48"E
C46	0°08'15"	325.00'	0.38'	0.78'	0.78'	N44°24'52"E

LINE TABLE		
No.	BEARING	LENGTH
L1	S11°44'50"E	20.55'
L2	S28°53'14"E	10.88'
L3	N33°15'10"E	10.31'
L4	S11°44'50"E	25.15'
L5	N28°53'14"W	6.35'
L6	N11°44'50"W	20.55'

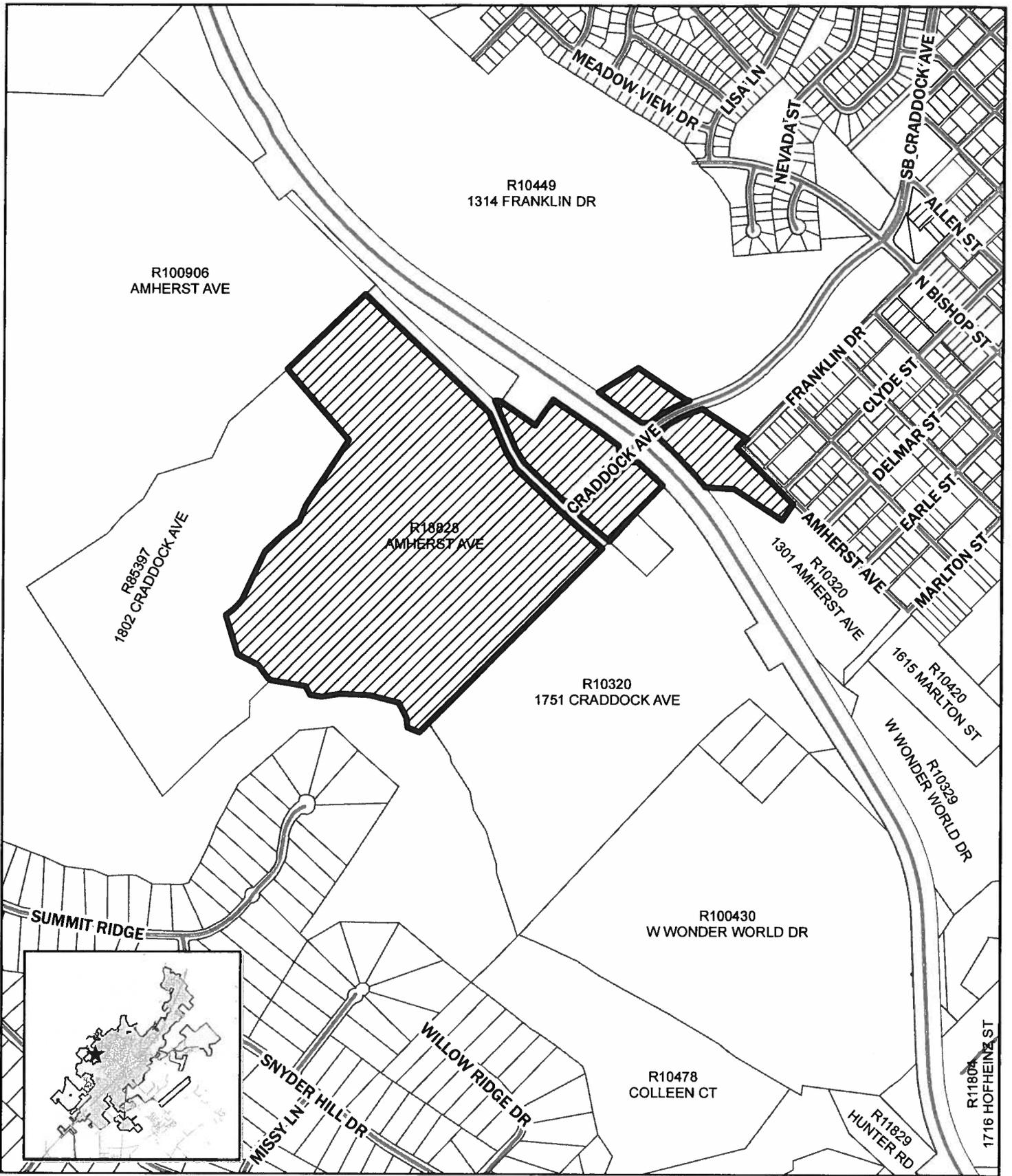
LOT SUMMARY	
RIGHT-OF-WAY	1,867 AC.
LOTS	3,865 AC.
TOTAL	5,832 AC.

JJ
3/2/12



Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3600 McCall Lane
Austin, Texas 78744
512-443-1724

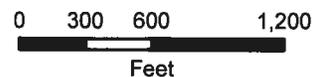
PROJECT NO.: 500-004
DRAWING NO.: 500-004-PL-P3-S1
PLOT DATE: 3/2/12
PLOT SCALE: 1" = 50'
DRAWN BY: JBE
SHEET 03 OF 03



2012-10628
Qualified Watershed
Protection Plan Phase 1
Map Date: 04/05/12

•  Site Location •

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



Report for Qualified Watershed Protection Plan Phase 1 2012-10628



Applicant Information:

Engineer: Ramsey Engineering.
Property Owner: C&G Development
Applicant's Request: Increase in Impervious Cover Requiring a Mitigation Plan
Public Hearing: April 10, 2012

Subject Property:

Location: Intersection of Craddock Avenue and Wonderworld Drive
Legal Description: 74.26 and 24.6 acres out of Thomas J. Chambers and John Williams Surveys, Abstracts 0471 and 0002, City of San Marcos, Hays County, Texas
Frontage On: Craddock Avenue and Wonderworld Drive
Existing Zoning: Located outside City Limits
Future Land Use Map: Commercial, Very Low Density Residential, and Open Space
Sector: ETJ
Existing Use of Property: Undeveloped - Agricultural
Proposed Use of Property: Single Family Residential, Commercial, and Open Space

Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	P and ETJ	Undeveloped, Wonderworld Drive, Agriculture
S of Property	P	Parkland
E of Property	ETJ and SF-6	Undeveloped
W of Property	P and ETJ	Parkland

Engineering Analysis :

The applicant is requesting approval of a Qualified Watershed Protection Plan, Phase 1 (QWPP1) based upon the proposed increase in impervious cover requiring a mitigation plan. The property is currently undeveloped and is used for agricultural purposes.

The entire site is within the Edwards Aquifer Recharge Zone. A portion of the site is within a Federal Emergency Management Agency- (FEMA-) mapped 100-year floodplain and another portion is outside the FEMA-mapped 100-year floodplain but is in a floodplain regulated by the City due to the size of its contributing drainage basin. A portion of the site is within the flood control inundation easement upstream of Natural Resources Conservation Service (NRCS) Dam Number 5.

The City's Land Development Code (LDC), FEMA, the Texas Commission for Environmental Quality (TCEQ), and the Upper San Marcos Watershed District each provide certain restrictions to development on various parts of the C&G site. The applicant is proposing to meet most of the requirements without variance or qualification. Those requirements include (but are not limited to) the following:

- Construction in floodways and floodplains is subject to special minimum standards set by FEMA and some higher standards set by the City.
 - This plan includes the stipulation of no development or alterations to the natural state of any floodplain area.
- Construction within the inundation easement is limited to that which would provide no net decrease in actual volume below the inundation elevation.
 - This plan includes the stipulation of no development or alteration of the natural area within the inundation easement.
- No impervious cover is permitted by the City in any water quality zone or sensitive feature buffer zone.
 - The plan includes stipulation of no impervious cover within any water quality or sensitive feature buffer zone.
- Up to 10% of the area within any buffer zone may be covered with impervious material.
 - This plan includes the stipulation of no impervious cover within any defined buffer zone. In addition, the established width of the buffer zones (100' required) is proposed to be wider in two locations (between approximately 150 – 200' wide).

The City through its LDC imposes an impervious cover limitation of 20% (19.82 acres on this site) over the Edwards Aquifer Recharge Zone. It also requires the removal of 80% of the increase in total suspended solids (TSS) discharging from the site under developed conditions as compared to current, undeveloped conditions.

The applicant is requesting an increase in the allowable impervious cover over the site up to a maximum of 25 acres (25.2%) impervious cover based on several mitigating factors. The LDC provides clustering incentives as follows:

- For each acre of land in a buffer zone that is permanently set aside in its natural condition as open space, the total impervious cover may be transferred to one or more uplands zones (those upstream of any drainage ways or sensitive feature protection zones) and may be increased by a bonus of 7,000 square feet.
 - This plan includes the set aside of 12.95 acres of otherwise at least partially developable land in buffer zones as Conservation Easement for a bonus of 2.08 acres of impervious cover.

- Additional impervious cover may be granted by the Commission if the applicant proposes to use best management practices that exceed the base standards set by the LDC. (Note that in no case may impervious cover incentives be granted that result in impervious cover greater than 30% of the gross site area.)
 - This plan stipulates the use of best management practices to achieve a removal of 85% of the increase in TSS. The additional 5% removal over the entire site developed with 25 acres leads to the achievement of higher water quality than would be achieved by restricting the project to 20% impervious cover and removal of 80% of the associated increased TSS load.

Based on TCEQ calculations, the following demonstrates that a higher level of water quality can be achieved by treating the runoff from the proposed development with increased impervious cover to 85% increased TSS removal than limiting development to 20% impervious cover but only treating to the required 80% TSS removal efficiency.

- ▶ Runoff from site developed at 20.0% impervious cover treated to 80% TSS removal equals an annual pollutant load discharge increase of 4,452 pounds.
- ▶ Runoff from site developed at 25.2% impervious cover treated to 85% TSS removal equals an annual pollutant load discharge increase of 4,212 pounds.

A stormwater detention waiver has been submitted and approved for this site based on its proximity to the NRCS Dam which acts as a large regional detention facility. Additionally, for a development located immediately adjacent to a waterway of the size of Purgatory Creek at this point, it is generally better not to detain the flow so that the peak discharge will have less of a chance to combine with peaks from runoff generated further upstream in the watershed. Discharge from the developed project will be slowed and reduced through low impact and traditional water quality treatment practices and will be discharged as sheet flow distributed along the creek adjacent to the site.

Based upon the engineering review of this Qualified Watershed Protection Plan, Phase 1, it meets the applicable technical requirements of Chapter 5 of the Land Development Code.

Engineering Recommendation	
X	Approve as submitted
	Approve with conditions as noted
	Alternative
	Denial

The Commission's Responsibility:

The Commission is required by law to hold a public hearing and receive public comment regarding the proposed Qualified Watershed Protection Plan, Phase 1. After considering the public input, the Commission, following the recommendation of the City Engineer, is charged with approving, conditionally approving, or denying the request.

The criteria for evaluating a request for a Qualified Watershed Protection Plan 1 is:

- (1) Edwards Aquifer zones – factors. Where land subject to the plan lies in whole or in part within the Edwards Aquifer recharge or transition zones:
 - a. Whether the Watershed Protection Plan is consistent with approved legislative applications for the land subject to the plan;
 - b. Whether the Watershed Protection Plan meets the standards in Chapter 5, Article 1, Division 1, and the specific criteria in Chapter 5, Article 2;

- c. Whether any proposed mitigation plan or enhanced geological assessment offsets the impacts to water quality resulting from increased development within a buffer zone;
- d. Whether any proposed intensification of impervious cover for the area beyond the limits allowed by right subject to the Watershed Protection Plan is warranted; and
- e. Whether the Watershed Protection Plan is consistent with proposed clustering or development transfers outside the plan area.

The Commission's action on the Qualified Watershed Protection Plan, Phase 1 may be appealed to the City Council.

List of Attachments:

- C&G Development Watershed Protection Plan Phase 1

Prepared by:

Kathryn Woodlee

Kathryn Woodlee, PE, CFM

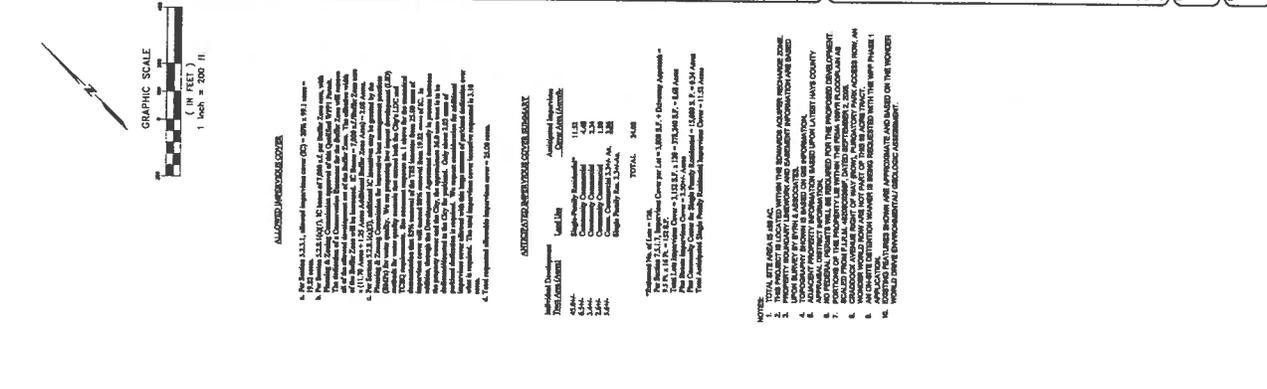
Name

Development Engineer

Title



NO.	DATE	REVISIONS

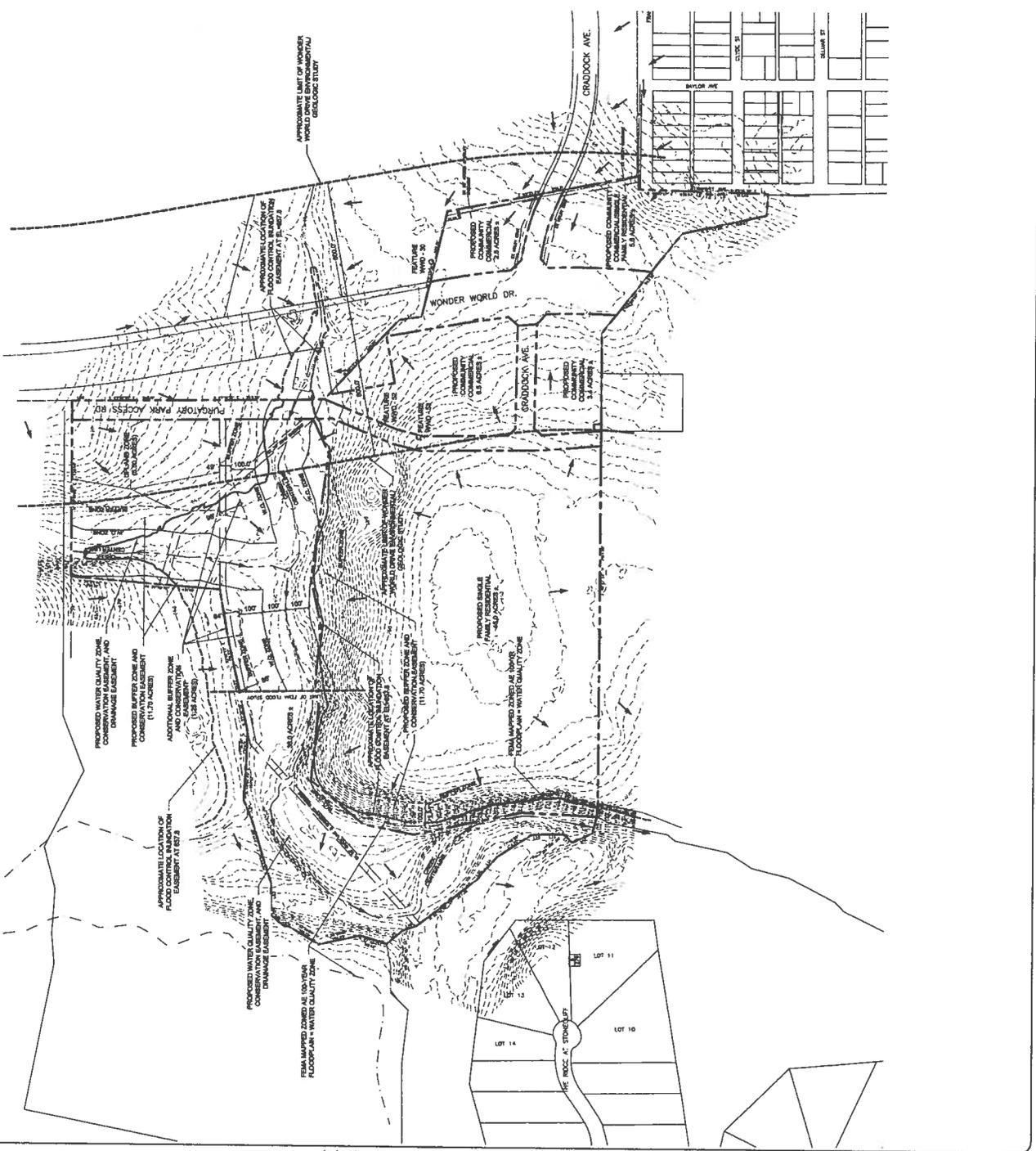


ALLOTTED IMPROVEMENTS COVER
 The Project 3.333... (text describing the project area and improvements)

ANTICIPATED IMPROVEMENTS COVER ESTIMATE

Item	Quantity	Unit Price	Total
Asphalt Paving	1.18	1.00	1.18
Concrete Paving	1.18	1.00	1.18
Gravel Paving	1.18	1.00	1.18
Other	1.18	1.00	1.18
Total			

NOTES:
 1. TOTAL SITE AREA IS 588 AC.
 2. PROPOSED IMPROVEMENTS COVER IS 11.55 AC.
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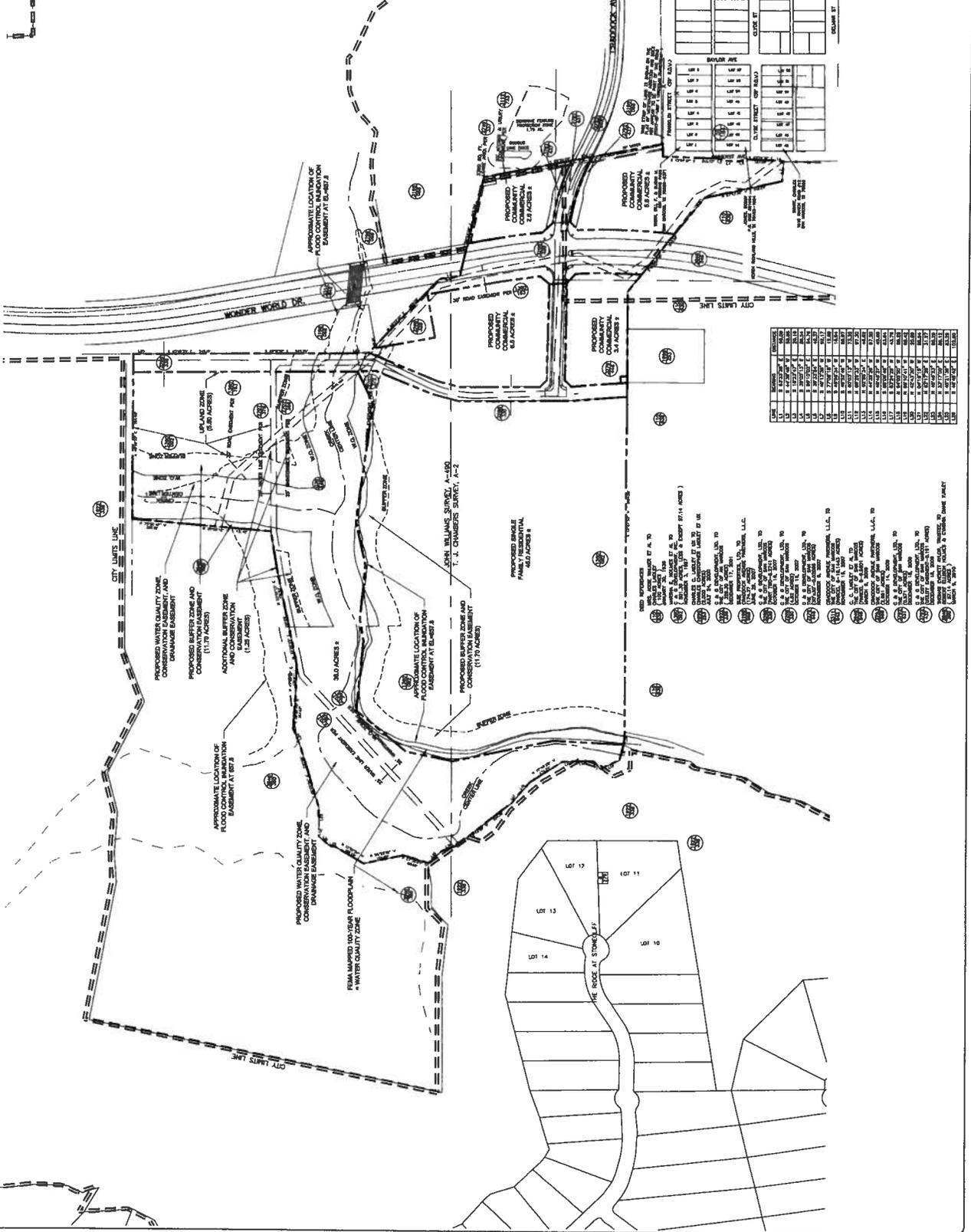
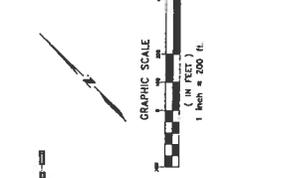


RAMSEY ENGINEERING, LLC
 3205 WILLOWBARK TERRACE
 AUSTIN, TEXAS 78757
 CALL: 512-650-6800
 EMAIL: ramsey-eng@aol.com



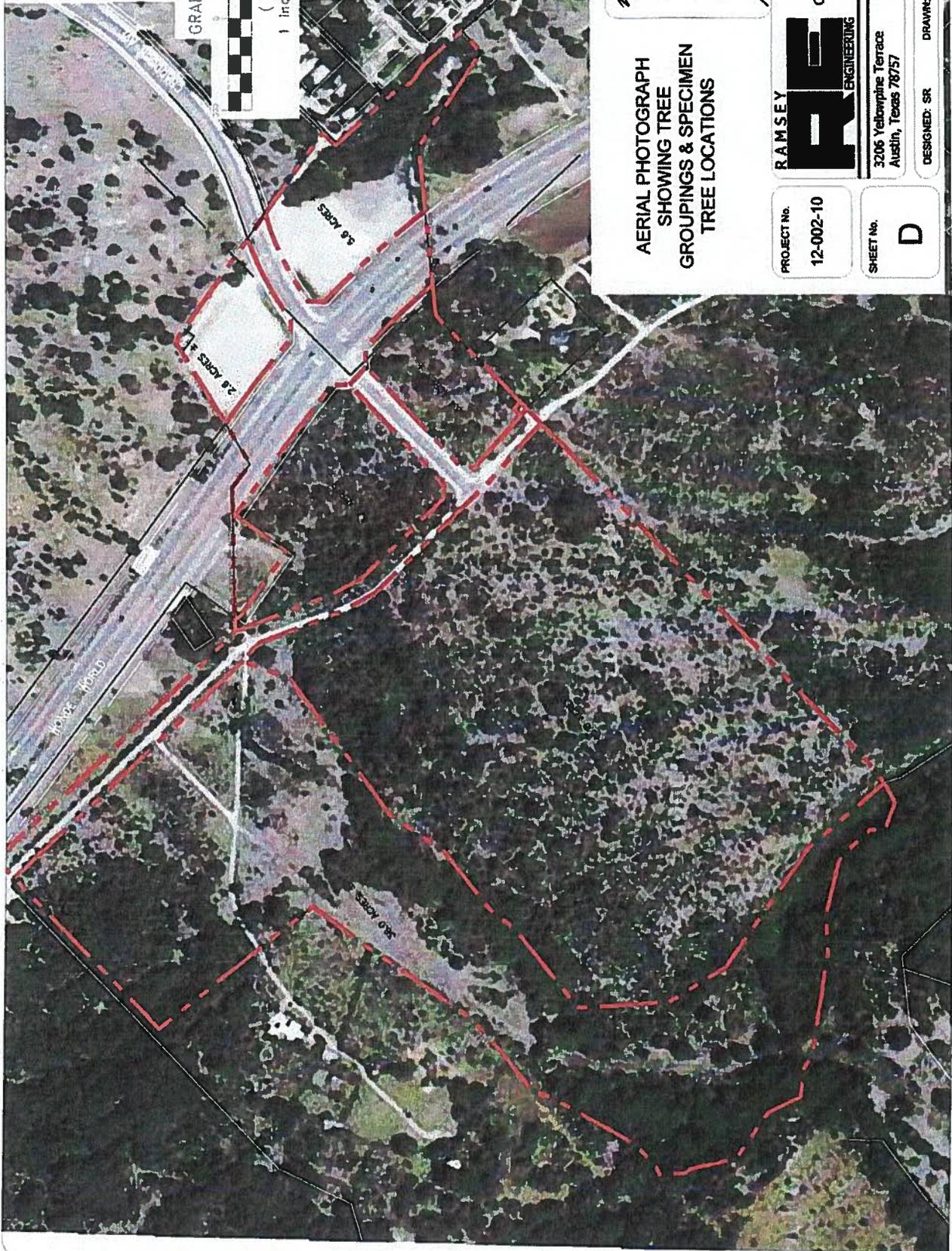
NO.	DATE	REVISIONS

C&G DEVELOPMENT
 SAN MARCOS, TX
 SITE PLAN
 SHEET TITLE BLOCK
 PROJECT NO. 15-002-10
 SHEET NO. A



NO.	DATE	REVISIONS

- 1. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.
- 2. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.
- 3. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.
- 4. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.
- 5. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.
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- 18. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.
- 19. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.
- 20. APPROXIMATE LOCATION OF FLOOD CONTROL INUNDATION BASINMENT AT 100' ELEVATION.



**AERIAL PHOTOGRAPH
SHOWING TREE
GROUPINGS & SPECIMEN
TREE LOCATIONS**



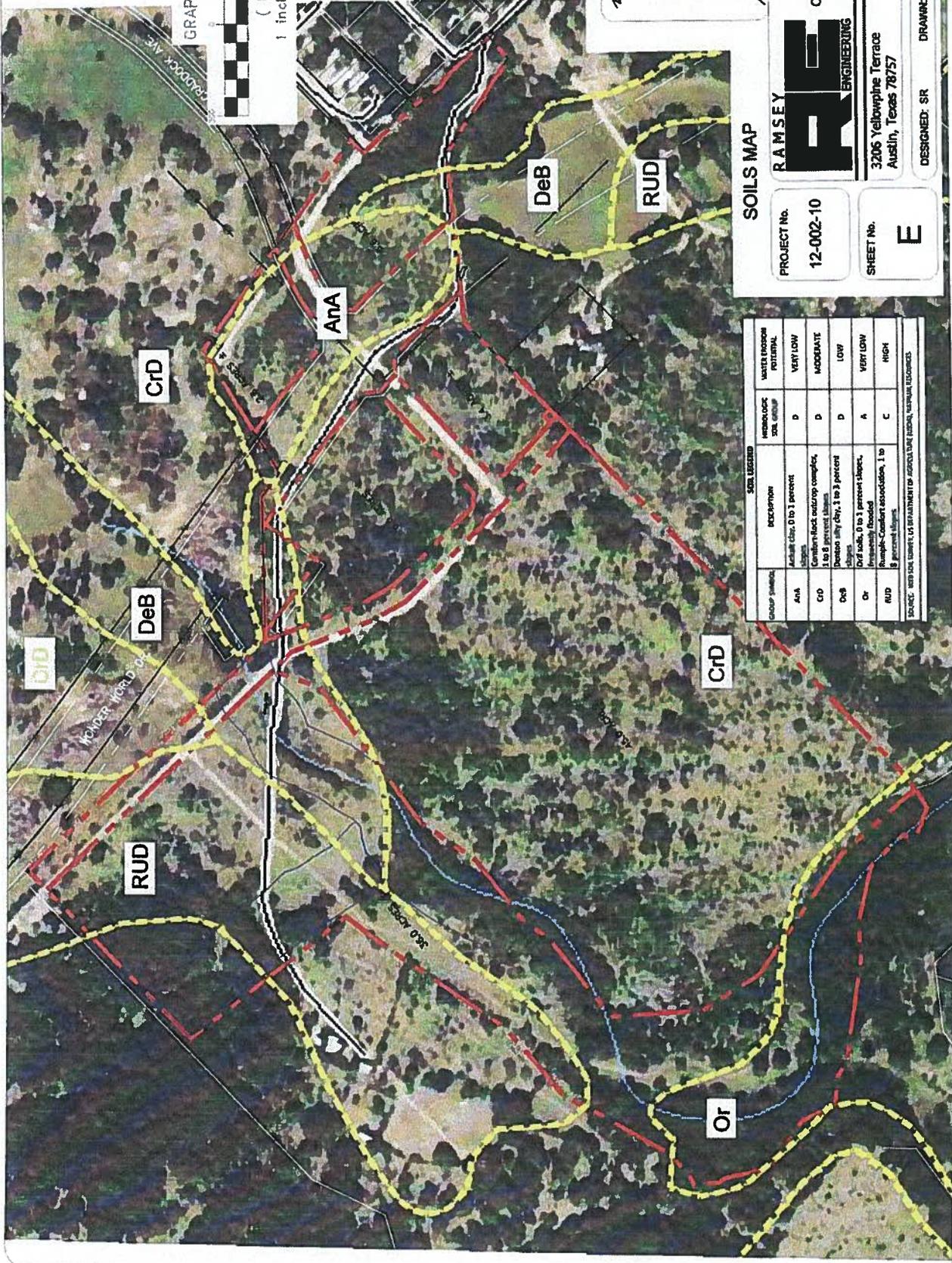
PROJECT No.
12-002-10



SHEET No.
D

3206 Yellowpine Terrace
Austin, Texas 78757
Call: 512-650-6800
ramsey-eng@aol.net

DESIGNED: SR DRAWN: AL REVIEWED: CD



GRAPHIC SCALE
 (IN FEET)
 1 inch = 300 ft.



SOILS MAP

R. RAMSEY
ENGINEERING

Ramsey Engineering, LLC
 Civil Engineering • Consulting
 TBPE Firm No. F-12606

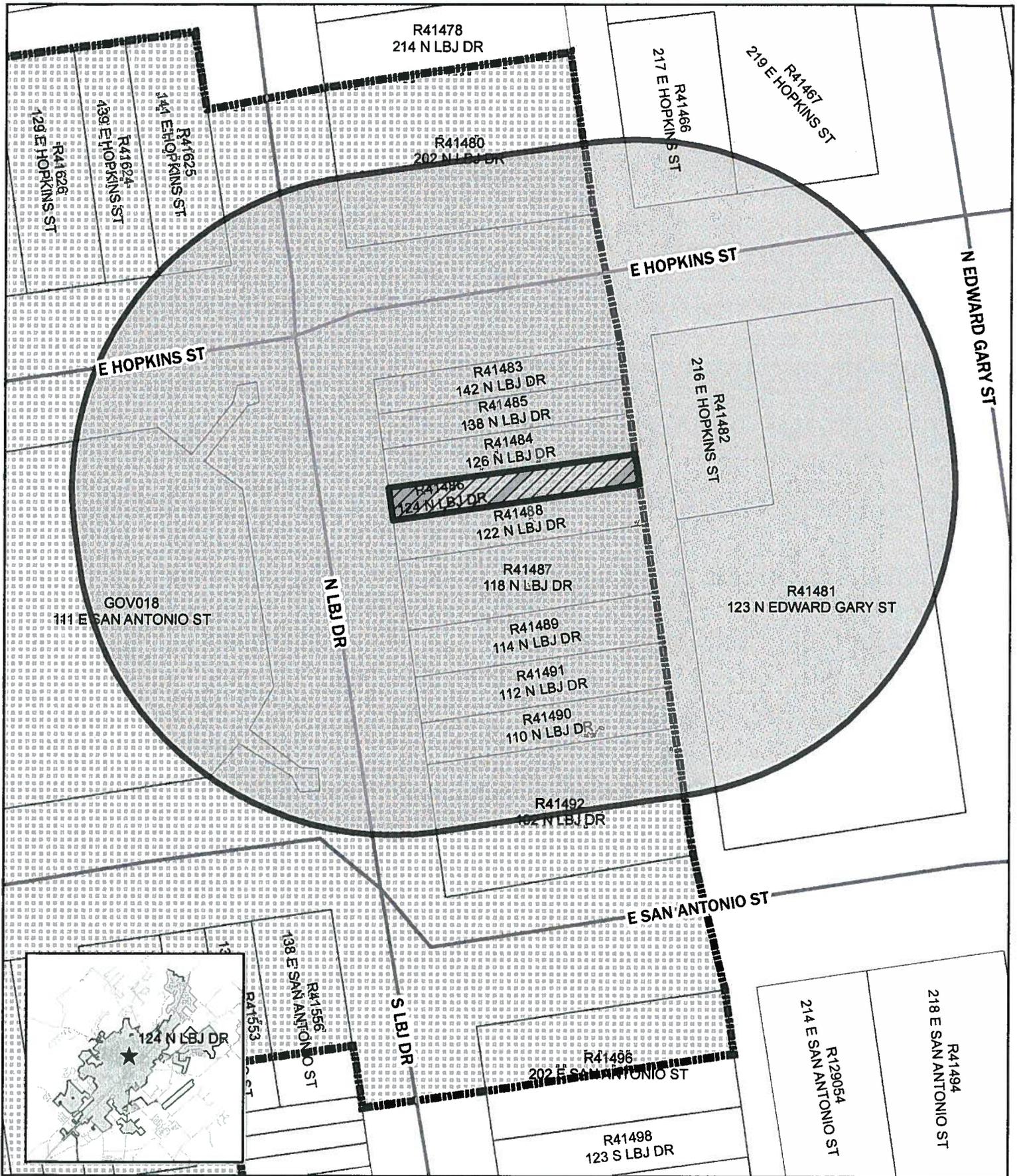
3206 Yellowphre Terrace
 Austin, Texas 78757
 Cell: 512-650-6800
 ramsey-eng@att.net

DESIGNED: SR DRAWN: AL REVIEWED: CD

PROJECT No. 12-002-10
 SHEET No. E

GROUP SYMBOL	DESCRIPTION	HYDROLOGIC SOIL GROUP	WATER EXCESS POTENTIAL
AnA	Active clay, 0 to 1 percent slopes	D	VERY LOW
CrD	Compacted outcrop complex, 1 to 8 percent slopes	D	MODERATE
DeB	Denton silty clay, 1 to 3 percent slopes	D	LOW
Or	Drift soils, 0 to 1 percent slopes, frequently flooded	A	VERY LOW
RUD	Rumpke-Comfort association, 1 to 8 percent slopes	C	HIGH

SOURCE: WEB SOIL SURVEY U.S. DEPARTMENT OF AGRICULTURE (NASS), NATIONAL SOILS DATA CENTER



CUP-12-14

**Green Parrot
124 N LBJ Dr**

Map Date: 03/19/12



Notification Buffer
(200 feet)
Site Location
Historic District

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



**CUP-12-14
Unrestricted Conditional Use Permit
Green Parrot
124 N. LBJ Dr.**



Applicant Information:

Applicant: Rolling Hills Food and Beverage Inc.
124 N. LBJ Dr.
San Marcos TX 78666

Property Owner: EFW Holdings
124 N. LBJ Dr.
San Marcos, TX 78666

Applicant Request: Request for renewal of an existing Unrestricted Conditional Use Permit allowing for on-premise consumption of mixed beverages at Green Parrot in the CBA.

Notification: Public hearing notification mailed on March 30, 2012.

Response: None

Subject Property:

Expiration Date: March 24, 2012

Location: 124 N. LBJ Dr.

Legal Description: Lot PT of 5-6, Block 8, Original Town of San Marcos

Frontage On: N. LBJ Dr.

Neighborhood: CBA - Downtown

Existing Zoning: T5 – Urban Center

Master Plan Land Use: Commercial

Sector: 8

Existing Utilities: Adequate

Existing Use of Property: Bar

Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	T5	Restaurant
S of Property	T5	Commercial
E of Property	T5	Restaurant
W of Property	T5	Courthouse

Code Requirements:

A conditional use permit 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.

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).

There is a limit of 12 unrestricted CUPs in the CBA at any time. An unrestricted CUP does not require food sales as a condition. If a CUP is restricted, the business must comply at all time with the standards for "bona fide restaurants." Green Parrot currently owns one of the 14 active unrestricted permits within the CBA. The CUP may be amended to change the name of the permit holder without regard for any waiting list for new permits (4.3.4.2 (7)).

Case Summary:

A notice letter was sent on January 13, 2012 informing the applicant that the CUP would be expiring on March 24. A second letter was sent March 5 in order to follow up and inform the applicant that the expiration date was approaching. Staff received the renewal application on March 9, ahead of the scheduled expiration date.

The Green Parrot has had a CUP since 1981. The CUP was amended in 2003 to change the name on the license to a new owner. In 2009 there was another request to amend the name on the permit due to the manager purchasing the property from the previous owner. This is the first renewal hearing for the CUP since the 2009 amendment. The CUP was renewed for a period of three years with the conditions that the applicant shall submit a new food service application, resolve the state plumbing issues, and either install a grease trap or obtain a variance, in a time period satisfactory to the Health Department.

The Environmental Health Department confirmed that the Green Parrot has met the conditions placed on the previous CUP. A grease variance obtained was recently renewed in January of this year. Environmental Health informed staff that there are no outstanding issues with the Green Parrot.

The Green Parrot's hours of operation are from 4:00 PM – 2:00 AM. The applicant states that there are no changes planned for the business. There are still 36 indoor fixed seats and a gross floor area of 2100 square feet. One off street parking space is provided.

Comments from Other Departments:

There were no issues reported by Fire, Code Enforcement, SMEU, Police, Environmental Health or Engineering.

Planning Department Analysis:

The Green Parrot has not been cited for any violations and no issues were raised by any City departments. The applicant followed through on the previous conditions set in place in 2009, including receiving a variance for the grease traps. The applicant has remained current with the variances put in place.

Staff recommends a renewal for the life of the permit based on the standard recommendation system used for CUPs. The previous permit renewal was for three years, instead of one. Since there have been no complaints or issues raised regarding the Green Parrot, staff believes a renewal for the life of the permit is appropriate.

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

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

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

- 1. The permit shall be valid for approval of the life of the TABC license, 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

The Commission's Responsibility:

The Commission is required by law to hold a public hearing and receive public comment on this application. After considering the public input, the Commission is charged with making a decision to approve, approve with conditions, or deny the Conditional Use Permit. The applicant or any interested person may appeal the decision to City Council within 10 working days.

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 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.

John Stanley	Planner	April 2, 2012
Name	Title	Date



**PUBLIC SERVICES –
WATER / WASTEWATER UTILITIES**

January 11, 2012

Eric White
Green Parrot
124 North LBJ Drive
San Marcos, TX 78666

**Re: Variance to Grease Trap/Interceptor Installation Requirements
Green Parrot, San Marcos, TX**

Dear Water Customer:

After reviewing the information you provided requesting a variance from the City's grease trap/interceptor installation requirements, your request has been approved.

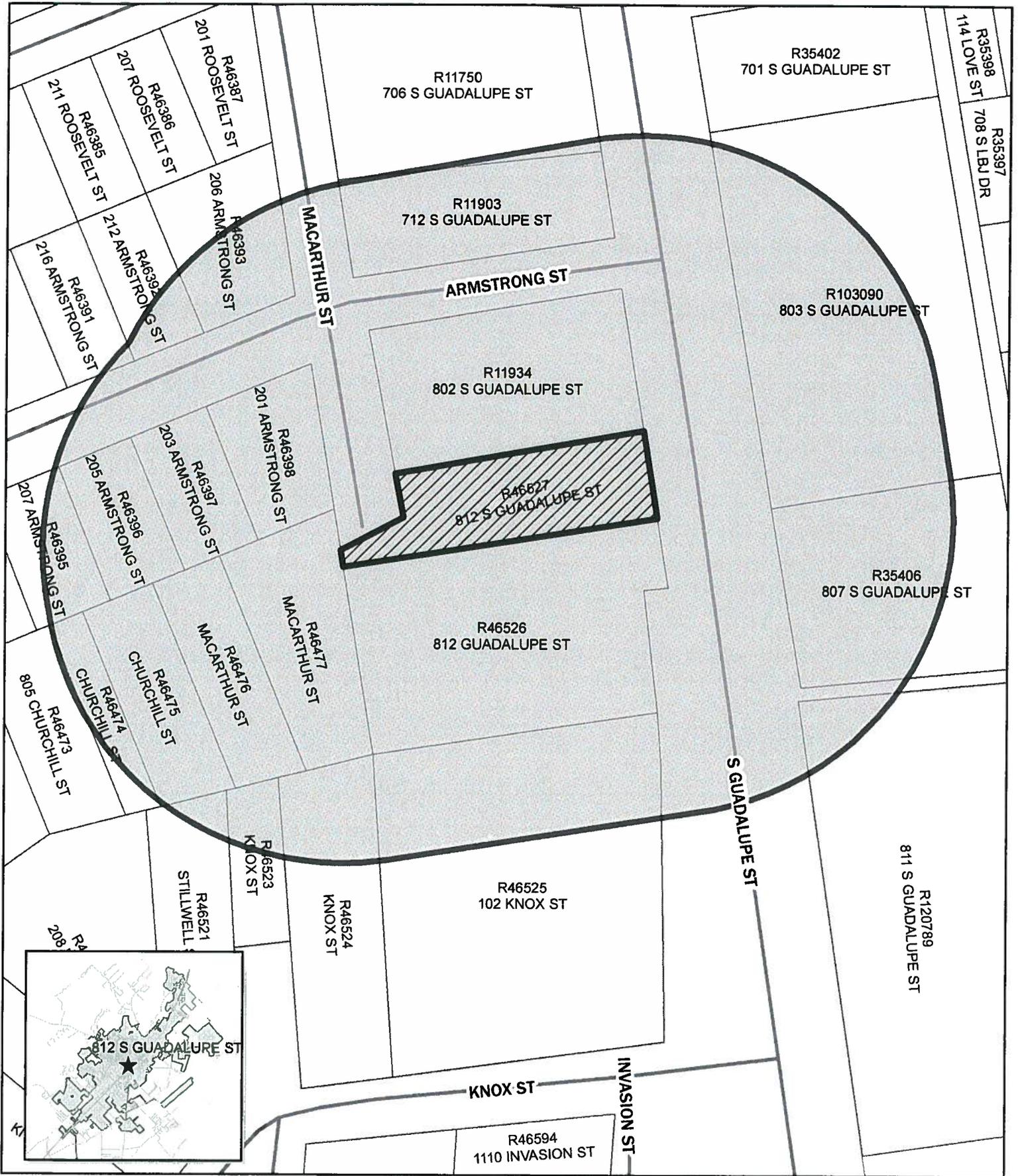
This variance will remain in effect for a period of one (1) year from the date of this letter. Be advised, if the facility's food manufacturing, processing, preparation, or services change, impacting the quantity or quality of the fats, oils, and greases generated, the facility will be required to install a properly sized grease trap/interceptor at the facility's own expense.

If you have any questions concerning this matter, please feel free to contact me at (512) 393-8003.

Respectfully,

A handwritten signature in black ink that reads "Jon L. Clack".

Jon L. Clack,
Asst. Director, Water/Wastewater Utilities
City of San Marcos



CUP-12-15

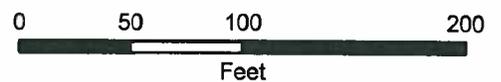
Wok & Roll

812 S Guadalupe St

Map Date: 03/20/12

-  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-12-15

Conditional Use Permit

Wok & Roll Restaurant

812 S. Guadalupe Street



Applicant Information:

Applicant: Choon K.E., Johnny Lai, Mei Wan Lai (Wok & Roll Restaruant)

Mailing Address: 812 S. Guadalupe Street
San Marcos, TX 78666

Property Owner: George Forrester
812 S. Guadalupe Street, Suite 101
San Marcos, TX 78666

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

Public Hearing Notice: Public hearing notification was mailed on March 30, 2012.

Response: None as of April 3, 2012

Subject Property:

Expiration Date: January 13, 2012

Location: 812 S. Guadalupe Street

Legal Description: Victory Gardens #2, ½ of block 31

Frontage On: Guadalupe

Neighborhood: Victory Gardens

Existing Zoning: "T-5" – Urban Center

Sector: Sector 4

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	CC/SF-6	Commercial/Single-family Residential

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

Wok & Roll is a restaurant located at 812 S. Guadalupe Street, just south of Armstrong Street. The Commission approved a CUP in January 2011 for one year to allow the on-premise consumption of beer and wine. The applicant is requesting to renew the Conditional Use Permit. Currently, the applicant has an active TABC permit to allow the on-premise consumption of beer and wine. Staff first sent out a letter on January 13, 2012 reminding the applicant that the current CUP had expired on January 11, 2012. A second letter reminding the applicant that their CUP had expired was sent on March 5, 2012. The applicant had until March 13, 2012 to respond by submitting an application to renew. The application was received by staff on March 13, 2012.

The gross floor area is 3,375 square feet, which includes the outdoor above-ground deck, and there are 30 off-street parking spaces. The application indicates that the restaurant has an indoor seating capacity of 75 and an outdoor seating capacity of 20. The hours of operations are from 11 a.m. to 10 p.m. with no live entertainment 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:

This site is located in Sector 4 of the City and the current land use is permitted. While this site is surrounded by commercial uses the Victory Gardens neighborhood is located within walking distance from the restaurant which can service this adjacent neighborhood. Again, staff has not received any citizen comments or comments from other departments regarding this property.

Signage had been an issue that was reported the first time the request was before the Commission. There had been a temporary sign located in what appeared to be the right-of-way. In preparing the current report, a site visit showed that this issue had been rectified.

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 two letters had to be sent reminding the applicant that their CUP had expired in January and the precedent that has been set with expired CUPs, staff is recommending that the CUP only be renewed for 6 months.

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

1. **The permit shall be valid for six months, provided standards are met, subject to the point system; and**

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	4/4/2012
Name	Title	Date



MEMO

To: Planning and Zoning Commission
From: Christine Barton-Holmes, LEED AP, Chief Planner
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: Christine Barton-Holmes, LEED AP, Chief Planner
Date: March 30, 2012
Re: LDC Revisions- Round 5 – LDC-12-03 – Use Matrix Updates

At the City Council's and Planning & Zoning Commission's direction, the Use Matrix has been updated to provide greater differentiation between Commercial districts and add the Hopkins Street Overlay.

LDC-12-03 - 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

- This Use Matrix revision will provide for a specific set of uses appropriate for Hopkins Street within the proposed Hopkins Street Overlay
- The Matrix also provides for additional clarification and differentiation between Neighborhood Commercial, Community Commercial, General Commercial and Heavy Commercial.
- The revisions will move more intense commercial uses to areas that are more auto-oriented while providing for uses with less impact in areas that have a residential component and/or are more pedestrian-friendly.

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

Non-Residential Districts													
Types of Land Uses	FD	HSD	MU	VMU	P	NC	OP	CC	GC	HC	CBA	LI	IH
	Loft Apartments		P	P	P	C	C	C	C	C	C	P	
Multi-Family (Apartments)		P	C	C	C				C				
Private Street Subdivision													
Single Family Detached House	P	P	P	P	C	C							
Single Family Industrialized Home	P		P	P	C	C							
Single Family Townhouse (Attached)		P	P	P		C	C						
Single Family Zero Lot Line / Patio Homes		P	C	C									

(See Section 7.4.1.2)

Office Service Type Uses	FD	HSD	MU	VMU	P	NC	OP	CC	GC	HC	CBA	LI	IH
Armed Services Recruiting Center			P	P	P	P	P	P	P	P	P	P	
Bank or Savings and Loan (w/o Drive-thru)			P	P		C	P	P	P	P	P	C	
Bank or Savings and Loan (w Drive-thru)			C	C		E	C	P	P	P	P	C	
Check Cashing Service			C	C		P		P	P	P	P		
Offices (Health Services)			P	P		P	P	P	P	P	P		
Offices (Medical Office)		C	P	P		P	P	P	P	P	P		
Offices (Professional)		C	P	P	C	P	P	P	P	P	P		
Call Service Center								P	P	P	P	P	P

Personal and Business Service Uses	FD	HSD	MU	VMU	P	NC	OP	CC	GC	HC	CBA	LI	IH
Appliance Repair			C	C		E		P	P	P	P		
Artist or Artisans Studio	P		P	P		P		P	P	P	P		
Ambulance Service (Private)					P	E		C	P	P	C	C	C
Automobile Driving School (including Defensive Driving)			P	P	P	C	C	P	P	P	C		
Automatic Teller Machines (ATM's)			P	P	P	P		P	P	P	C	P	P
Barber/Beauty College (barber or cosmetology school or college)					P	C	C	P	P	P	P		
Barber/Beauty Shop, Haircutting (non-college)			P	P		P	C	P	P	P	P		
Bed and Breakfast (No Permanent Residence)	C		P	P		C		P	P	P	P		
Communication Equipment (Installation and/or Repair – No outdoor sales or storage)								E	P	P	C	P	P

Non-Residential Districts													
Types of Land Uses	FD	HSH	MU	VMU	P	NC	OP	CC	GC	HC	CBA	LI	HI
	Dance/Drama/Music Schools (Performing Arts)			P	P	P	P	C	P	P	P	P	
Extended Stay Hotels / Motels (Residence hotels)			C	C				C	P	P	C		
Exterminator Service (No outdoor sales or storage)			P	P					P	P			
Funeral Home			P	P		P			P	P	C		
Hotel/Motel			P	P				C	P	P	C		
Kiosk (Providing A Retail Service)						C		P	P	P	P	P	P
Laundry/Dry Cleaning (Drop Off/Pick Up)			P	P		C		P	P	P	P		
Martial Arts School			P	P		C		P	P	P	P		
Medical Supplies and Equipment			P	P		P		P	P	P	P		
Mini-Warehouse/Self Storage Units			C						C	P		C	P
Off-Premise Freestanding Sign													
Photocopying/Duplicating/Copy Shop			P	P		C		P	P	P	P	P	P
Sexually Oriented Business								P-C	P-C	P		P	P
(See Section 18, Article 6 of the City Code)													
Studio for Radio or Television (without tower)			P	P	P	P		P	P	P	P	P	P
Tool Rental (Indoor Storage only)			P			C		C	P	P	C	P	P
Tool Rental (with Outdoor Storage)									C	P		C	P
Washateria/Laundry (Self Serve)						C		P	P	P	P		
Retail and Service Type Uses													
All Terrain Vehicle (go-carts) Dealer / Sales								€	P	P			
Antique Shop (with outside storage)			C	C		C		C	P	P	C		
Auto Dealer (Primarily New/Used Auto Sales as accessory use only)									P	P		C	C
Auto Dealer, Used Auto Sales								€	P	P			
Auto Supply Store for New and Rebuilt Parts			C	C				P-C	P	P			
Bike Sales and/or Repair			P	P		C		P	P	P	P		
Building Material Sales									P	P		P	P
Cabinet Shop (Manufacturing)									P	P		P	P

Non-Residential Districts

<i>Types of Land Uses</i>	FD	HSD	MU	VMU	P	NC	OP	CC	GC	HC	CBA	LI	HI
Convenience Store without gas sales			P	P		C		P	P	P	P		
Convenience Store with gas sales			C			E		C	P	P	C		
Department Store								P	P	P	P		
Food or Grocery Store with Gasoline Sales			C			E		C	P	P			
Food or Grocery Store without Gasoline Sales			P	P		P		P	P	P	P		
Gravestone/Tombstone Sales									C	P			P
Gun Smith									C	P			
Home Improvement Center (10,000 s.f. or more)			C	C				P-C	P				
Lawnmower Sales and/or Repair			C	C				C	P	P		C	C
Liquor Sales (retail)								P	P	P			
Market (Public, Flea)			C	C		C			C	P	C		
Pharmacy			P	P		C		P	P	P	P		
Plant Nursery (Retail Sales / Outdoor Storage)	P		C	C	P	C	C	P	P	P			
Recycling Kiosk			P	P	P	C	C	P	P	P	P		
Restaurant/Prepared Food Sales			P	P	C	E-P		P	P	P	P		
Restaurant/Prepared Food Sales with beer/wine for off-premise consumption								P	P	P	C		
Restaurant/Prepared Food Sales with drive thru			C	C				C	P	P	P		
Retail Store (Misc.) without Drive Thru Service (Under 100,000 s.f. Bldg.)			C	C				P	P	P	P		
Retail Store (100,000 s.f. or more Bldg.)								C	P	P		C	C
Retail Store (over 10,000 sf or more Bldg.) outside sales			C	C		E		C	P	P	C		
Retail Store(under 10,000 sf or more Bldg.) outside sales			C	C		E		P	P	P	C		
Retail Store (under 10,000sf or more Bldg.) no outside sales			P	P		P		P	P	P	C		
Security Systems Installation Company									P	P	P	P	P
Shopping Center (Over 5 Acres)								P	P	P		C	

<i>Non-Residential Districts</i>													
	FD	HSH	MU	VMU	P	NC	OP	CC	GC	HC	CBA	TL	HI
Types of Land Uses													
Studio Tattoo or Body Piercing			C	C		C		P	P	P			
Temporary Outdoor Retail Sales / Commercial Promotion (4 day time limit; Permit Required by Building Official)			P	P		C		P	P	P	P	P	P
Upholstery Shop (Non-Auto)								C	P	P			
Veterinarian (Indoor Kennels)			C	C		C		C	P	P			
Woodworking Shop (Ornamental)			P	P		P		P	P	P	P	P	P

Transportation and Automotive Uses

General Vehicular Sales and Service			C	C				P	P	P	C		
Auto Body Repair								C	C	P		C	P
Auto Muffler Shop								P	P	P			
Auto Paint Shop									C	P		C	P
Auto Repair (General)			C	C				C	P	P			
Auto Repair as an Accessory Use to Retail Sales			C	C				P	P	P			
Auto Tire Repair /Sales (Indoor)			C	C				P	P	P	C		
Auto Wrecker Service/ Tow Yard										P		C	C
Car Wash (Self Service; Automated)			C	C				C	P	P			
Full Service Car Wash (Detail Shop)			C	C				P	P	P			
Heavy Load Vehicle Sales/Repair										P		C	C
Limousine / Taxi Service			C	C				P	P	P	C		
Public Garage / Parking Structure			C	C	C			C	C	C	C	C	C
Tire Sales (Outdoors/Storage)								E	P	P			
Transit Terminal								C	C	P	C		
Truck Terminal									C	P		P	P

Amusement and Recreational Uses

Amusement Services or Venues (Indoors)			C	C				C	P	P	P		
Amusement Services or Venues (Outdoors)	C		C	C	C				P	P			
Bar			C	C				C	C	C	C		

<i>Non-Residential Districts</i>													
<i>Types of Land Uses</i>	FD	HSD	MU	VMU	P	NC	OP	CC	GC	HC	CBA	LI	HI
Billiard / Pool Facility/Nightclub (Three or More Tables) No alcohol consumption								C	P	P	P		
Smoking Lounge			C	C		E		C	P	P	C	P	P
Broadcast Station (with Tower)					P					P		P	P
Civic/Conference Center			P	P	P		C	P	P	C	C	C	C
Country Club (Private)	C		C	C		C	C	C	C	C		C	C
Dance Hall / Dancing Facility							C	P	P	C			
Day Camp	C								P	P		P	P
Driving Range									P	P			
Fair Ground	C				P								
Health Club (Physical Fitness; Indoors Only)			P	P		P		P	P	P	P	P	P
Motion Picture Theater (Indoors)			C	C			C	P	P	P	P		
Motion Picture Studio, Commercial Film			C			C			P	P	P	P	P
Museum (Indoors Only)			P	P	P	P	P	P	P	P	P		
On-Premise Consumption of Alcohol			C	C		C		C	C	C	C		
Park and/or Playground	P		P	P	P	P	P	P	P	P	P	P	P
Travel Trailers / RVs (Short Term Stays)									P	P			
Rodeo Grounds	C				P					P			
RV/Travel Trailer Sales									P	P			
Tennis Court (Lighted)	P		C	C	P		C	C	C	C			
Theater (Non-Motion Picture; Live Drama)			C	C	P	P	C	P	P	P	P		

Institutional / Governmental Uses

Adult Day Care (No Overnight Stay)			P	P	P	C		P	P	P			
Antenna (Non-Commercial)													
Antenna (Commercial)													
Assisted Living Facility/Hospice			P	P		C		P	P	P			
Broadcast Towers (Commercial)													
Cellular Communications Tower / PSS													
Cemetery and/or Mausoleum	C					P							

<i>Non-Residential Districts</i>													
<i>Types of Land Uses</i>	FD	HSO	MU	VMU	P	NC	OP	CC	GC	HC	CBA	TL	HI
Child Day Care (Business)			P	P		C		P	P	P			
Meeting Place/Nonreligious						E-P							
Place of Religious Assembly/Church	P		P	P	P	P	P	P	P	P	P	P	P
Clinic (Medical)			P	P	P	C							
Electrical Generating Plant	C				C							C	C
Electrical Substation	C		C	C	C	C	C	C	C	C		C	C
Emergency Care Clinic			P	P		C		P	P	P	C	C	C
Franchised Private Utility (not listed)													
(See Section 4.3.4.1)													
Fraternal Organization/Civic Club			P	P		E-P		P	P	P	P		
Governmental Building or Use (Municipal, State or Federal)	P		P	P	P	P	P	P	P	P	P	P	P
Heliport			C	C	P				C	C	P	C	C
Helistop (Non-Emergency)					P							C	C
Household Care Facility	P		C	C	P								
Hospital (Acute care / Chronic Care)			C	C	C	C	C	C	P	P		P	P
Nursing/Convalescent Home			P	P		C		P	P	P			
Philanthropic organization			P	P		C	P	P	P	P	P	C	C
Post Office (Private)			P	P	P	P	P	P	P	P	P	P	P
Post Office (Governmental)	C		P	P	P	P	P	P	P	P	P	P	P
Radio/Television Tower (Commercial)													
(See Section 4.3.4.1)													
Rectory/Parsonage with Place of Worship	P		P	P	P	P		P	P	P			
Retirement Home/Home for the Aged			P	P				P	P	P			
School, K through 12 (Private)	C		C	C	P	P		P	P	P	C	P	P
School, K through 12 (Public)	P		P	P	P	P		P	P	P	P	P	P
School, Vocational (Business/Commercial Trade)			C	C	P	C		P	P	P	P	P	P
University or College	C				P								P
(See Section 4.3.4.1)													
Commercial and Wholesale Trade Uses													

Non-Residential Districts

Types of Land Uses	Non-Residential Districts															
	H	S	A	N	A	O	A	O	S	H	U	B	I			
Auction Sales (Non-Vehicle)												P	P	C	C	P
Bio-Medical Facilities																P
Caterer												C	C	P	P	P
Extermination Service																P
Feed and Grain Store																P
Furniture Manufacture																P
Maintenance/Janitorial Service																P
Manufactured Home Sales																C
Metal Fabrication Shop																C
Moving Storage Company																P
Portable Building Sales																P
Taxidermist																P
Transfer Station (Refuse/Pick-up)																C
Veterinarian (Outdoor Kennels or Pens)																C
Warehouse / Office and Storage																P
Welding Shop																P

Industrial / Manufacturing Uses

Aircraft Support and Related Services																	P
Airport																	C
Manufacturing																	P
Contractor's Office/Sales, With Outside Storage including Vehicles																	C
Contractor's Temporary On-Site Construction Office (only with permit)																	P
Distribution Center																	P
Electronic Assembly/High Tech Manufacturing																	P
Engine Repair/Motor Manufacturing Re-Manufacturing and/or Repair																	C
Food Processing (no Outside Public Consumption)																	P
Laboratory Equipment Manufacturing																	P

(Issued by the Building Official)

Non-Residential Districts

<i>Types of Land Uses</i>	FD	HSO	MU	VMU	P	NC	OP	CC	GC	HC	CBA	TL	HI
Leather Products Manufacturing										C		P	P
Machine Shop										P		C	P
Manufacturing Processes not Listed												C	C
Marble or Stone Finishing										C		P	P
Micro Brewery (onsite mfg. and sales)			C	C		C		P	P	C	C	C	C
Motor Freight Terminal										C		P	P
Outside Storage (as primary use)									C	P		C	C
Paint Manufacturing													P
Petroleum Bulk Storage												C	P
Plastic Products Molding/Reshaping												P	P
Research Lab (Non-Hazardous)							C		C	P	C	P	P
Sand/Gravel Sales (Storage or Sales)										C		C	P
Sign Manufacturing										P	C	P	P
Stone/Clay/Glass Manufacturing										C		P	P
Wrecking/Junk Yard										C			C



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>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>

- 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, 9-10-06)

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.

(c)(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 50, § 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.~~
- ~~(b) 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)

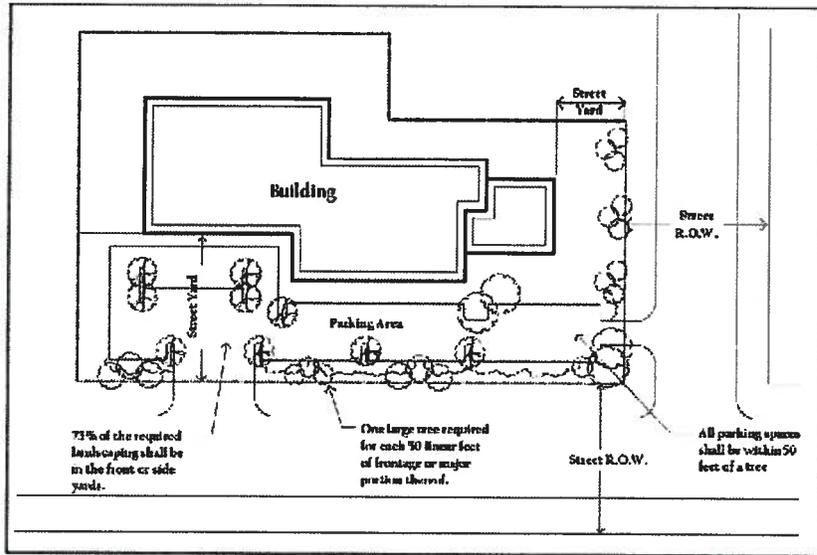


Figure 6: Landscaping Requirements

- (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

DIVISION 2: - NOTICE REQUIREMENTS

Section 1.3.2.1 - General Notice Requirements

Section 1.3.2.1 - General Notice Requirements

(a) *Published Notice.* Whenever published notice of a public hearing before a board or commission or the City Council regarding a legislative or quasi-judicial decision is required under state law, the City Charter, or this Land Development Code, the responsible official shall cause notice to be published in a newspaper of general circulation in the City before the 15th day before the date set for the required hearing. The notice shall set forth the date, time, place and purpose of the hearing, and identification of the subject property, where the decision concerns an individual tract or parcel of land.

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

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

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

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

~~d. a Application for replat without vacation;~~

~~e. a Petition for Amendment to the text of the Land Development Code;~~

~~f. a Petition for Amendment to the Master Plan;~~

~~g. a Petition for Development Agreement;~~

~~h. Establishment and expansion of local historic districts; and~~

~~i. Establishment of local historic landmarks; and~~

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

(b) *Personal Notice.* Whenever personal notice of a public hearing is required by state law, the City Charter, or this Land Development Code before a board or commission or the City Council, the responsible official shall cause notice to be sent by regular mail before the tenth day before the hearing date to 1) each owner of real property located within 200 feet of the exterior boundary of the property in question, 2) to any registered neighborhood organization representing the area in which the subject property is located, 3) the applicant and/or property owner, and 4) if the matter to be considered is an appeal, to the appellant. The notice shall set forth the name of the applicant, the time, place and purpose of the hearing, identification of the subject property, and if the matter to be considered is an appeal, the name of the appellant.

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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.

~~(3) 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: Christine Barton-Holmes, LEED AP, Chief Planner
Date: March 30, 2012
Re: LDC Revisions- Round 5 – LDC-12-10 – Hopkins Street Overlay

At the City Council's and several citizen's suggestion, an ordinance has been drafted that would provide an Overlay for Hopkins Street, to provide specific use and design standards. The suggestion arose from rezoning requests on Hopkins Street in 2011, and it was determined that a few small-scale uses in addition to those permitted by right or as a home-based occupation could be appropriate.

LDC-12-10 - 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

- This Overlay will provide for a specific set of uses appropriate for Hopkins Street, as well as signage standards and recommendations for street design.
- The Overlay will extend one property deep on either side of Hopkins Street.
- Additional uses permitted with the grant of a Conditional Use Permit include Professional and Medical offices; Community Homes; and Bed and Breakfasts with five or fewer bedrooms.
- Permitted zoning districts within the Overlay are: Single Family SF-4.5; Single Family SF-6; Townhouse TH; Patio Homes/Zero Lot Line PH-ZL; Duplex Restricted DR; Mixed Use MU; Office Professional OP; Multifamily MF-12; and Neighborhood Commercial NC. Districts that are not listed will be grandfathered.
- Several sign types will be permitted for businesses, subject to the granting of a Certificate of Appropriateness
- All development within the Hopkins Street Overlay will still be subject to review by the Historic Preservation Commission.

Next Steps

Staff has been working with Hopkins Street Block Captains on the draft overlay since late fall. The draft presented to the Commission is a result of that collaborative work as well as input from residents along the street. 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

Section 4.2.4.2 Hopkins Street Overlay District

(a) Purpose and Intent

The purpose of the Hopkins Street Overlay District is to preserve and protect historic structures, maintain a residential appearance along Hopkins Street and maintain the integrity of the historic character, while providing for a mix of uses appropriate in predominantly residential historic districts. This Section contains specific development and design standards for the Hopkins Street Overlay District. The Hopkins Street Overlay District will provide for additional review and protection while allowing for neighborhood-compatible uses and redevelopment on a case-by-case basis.

(b) Districts within the Overlay

The following Zoning Districts shall be included within the Hopkins Street Overlay District: Single Family SF-4.5; Single Family SF-6; Townhouse TH; Patio Homes/Zero Lot Line PH-ZL; Duplex Restricted DR; Mixed Use MU; Office Professional OP; Multifamily MF-12; and Neighborhood Commercial NC. Districts not listed here shall be subject to Chapter 4, Article 5 regarding nonconforming uses and structures.

(c) Applicability

The uses and development regulations of the underlying base zoning district shall apply in the Hopkins Street Overlay District, except as specifically modified, excepted or superceded by this Section. In the event of a conflict between the development regulations of the underlying base zoning district and the provisions of this Section, the provisions of this Section shall apply. Additionally, any development taking place within a designated historic district will be subject to the standards under section 4.2.5.1 and procedures under Chapter 1, Article 5, Divisions 5 and 6. Uses and structures predating the adoption of this section shall be subject to Chapter 4, Article 5 regarding nonconforming uses and structures.

(d) District Boundaries

The Hopkins Street Overlay District is bounded on the north by Moore Street and on the south by Bishop Street. It extends to a depth of one lot on each side of Hopkins Street.

The Hopkins Street Overlay District does not follow the same boundaries as the Hopkins Street Historic District. The Overlay is intended to provide additional protection and regulation along Hopkins Street, recognizing that its position as a primary arterial and State highway bring unique development pressures.

(e) Use Regulations

Uses marked with a P shall be permitted by right. Uses marked C shall require approval of a Conditional Use Permit from the Planning and Zoning Commission.

- The following table illustrates uses permitted in the Hopkins Street Overlay District.

	P = Permitted C = Conditional
Single-Family Residential	P
Family Home Child Care	P
Bed and Breakfast (up to five rooms)	C
Community Home	C
Offices (Professional)	C
Offices (Medical)	C
Live/Work Building	P

4.2.4.3 Development Regulations

(a) Streetscape Regulations

Hopkins Street, while serving as one of the primary arterials for the City of San Marcos, is also a residential street. Improvements made to the streetscape shall emphasize the residential nature and provide for traffic calming and pedestrian activity. Suggested improvements include sidewalks measuring at least five feet; traffic circles and on-street parking where enough right-of-way exists; context-sensitive, pedestrian-scaled street lighting and bike lanes. These improvements are appropriate for the entire Hopkins Street Overlay District.

(b) Non-Single-family Development Regulations

1. Parking

The parking standards of Chapter 6 of the Land Development Code shall apply in full with the exception of the permitted location of parking. Parking shall not be permitted in front of the main structure and shall be set back a minimum of 20 feet from the front property line. On-street parking shall be permitted only where there is sufficient right-of-way, and shall be clearly marked.

2. Dumpster Location

Dumpsters and recycling bins may not encroach into the front yard of the site, and shall be fully screened.

3. Signage

(a) Signs will be permitted, only as described below. Additionally, any signs placed on the property shall be subject to the issuance of a Certificate of Appropriateness.

(b) Internally illuminated signs shall not be permitted. External illumination may be through up-lighting or down-lighting. Neon lighting is permitted only through the grant of a Conditional Use Permit. Landscaping around the base of the sign is required to obscure fastenings and foundations. Landscaping materials shall be chosen from the Preferred Plant List in the San Marcos Developers' Guide.

(c) One sign per lot is permitted.

(d) Materials permitted by right are wood; metal; cloth; and glass. Plastic signs require review and the granting of a Conditional Use Permit, and may not be internally illuminated.

(e) The following sign types are permitted in the Hopkins Street Overlay District.

- 1) **Awning Signs** are permitted on commercial structures. Letters shall not exceed 10 feet in height.
- 2) **Monument Signs** shall not exceed six feet in height and four feet in width.
- 3) **Pole-Mounted Signs** shall be no more than six feet tall, and shall be either single-post or double-post, or hung from a post-and-arm structure. The sign area shall be no more than 20 square feet. Either uplit or downlit illumination may be provided.
- 4) **Projecting Signs** shall project no more than ten inches from the supporting wall, as measured from the inner edge, and the area of the sign shall not exceed 15 percent of the wall area upon which it is mounted. Gooseneck or similar illumination is permitted. The sign area shall be no more than 20 square feet.
- 5) **Tenant Panel/Directory Signs** shall not exceed 20 square feet, and shall provide panels equal in size for all tenants located within the building(s) onsite. Illumination may be uplit or downlit.
- 6) **Under-Canopy Signs** are permitted on commercial structures only. At least eight feet clearance between the base of the sign and the sidewalk must be provided.

- 7) **Wall Signs** shall be mounted within ten inches of the supporting wall, and the area of the sign shall not exceed 15 percent of the wall area upon which it is mounted.
- 8) **Window Signs** shall measure no more than 30 percent of the total glass area of the window . No more than one window sign per façade is permitted.



MEMO

To: Planning and Zoning Commission
From: Christine Barton-Holmes, LEED AP, Chief Planner
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

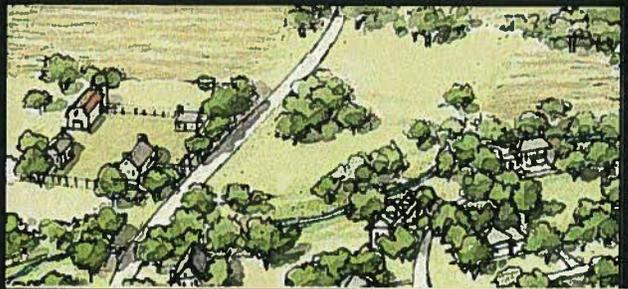
- April 18th
 - All-day public workshop
- April 24th
 - Planning & Zoning Commission Action
- May 1st
 - City Council Public Hearing
- May 15th
 - City Council Reconsideration

SAN MARCOS TX

SMARTCODE



T1



T2



T3



T4



T5

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San Marcos, Texas

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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

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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.

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- 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

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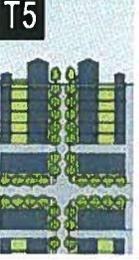
- City Council. The petition must be filed within ten days after the date the decision is filed with the Development Services Department.
- 1.4.7. Should a violation of an approved Regulating Plan occur during construction, or should any construction, site work, or development be commenced without an 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>

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TABLE 1.2. SUMMARY TABLE - DOWNTOWN



a. ALLOCATION OF ZONES - not applicable

b. BASE RESIDENTIAL DENSITY (see Section 5.9)

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

c. BLOCK SIZE - not applicable

d. THOROUGHFARES - not applicable

e. CIVIC SPACES - not applicable

f. LOT OCCUPATION

Lot Width	60 ft. min 180 ft. max	18 ft. min 120 ft. max	18 ft. min 196 ft. max
Lot Coverage	40% max	80% 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 centerline of alley

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

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

i. BUILDING DISPOSITION (see Table 5.1)

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

j. PRIVATE FRONTAGES (see Table 5.3)

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

k. BUILDING CONFIGURATION (see Table 5.2)

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

*Ratios apply to the distance between the setback line and the front of the building. Large signs and other structures are exempt from these setback requirements.

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

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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 3.6)					
By Right	not applicable	1 unit / 20 ac avg.	10 DUA	by Design	by Design
Other Functions	by Variance	by Variance	20% max	10 - 30%	30 - 50%
c. BLOCK SIZE					
Block Perimeter	no maximum	no maximum	2400 ft. max	2000 ft. max	2000 ft. max *
d. THOROUGHFARES (see Table 3.3)					
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)					
				* permitted with Open Space	
Park	permitted	permitted	permitted	by Warrant	by Warrant
Green	not permitted	not permitted	permitted	permitted	permitted
Square	not permitted	not permitted	not permitted	permitted	permitted
Plaza	not permitted	not permitted	not permitted	not permitted	permitted
Playground	permitted	permitted	permitted	permitted	permitted
Community Garden	permitted	permitted	permitted	permitted	permitted
f. LOT OCCUPATION					
Lot Width	not applicable	by Warrant	60 ft. min 120 ft. max	18 ft. min 120 ft. max	18 ft. min 196 ft. max
Lot Coverage	not applicable	by Warrant	60% max	80% max	100% max
g. SETBACKS - PRINCIPAL BUILDING (see Tables 5.11 - 5.13)					
(g-1) Front Setback (Principal)	not applicable	48 ft. min	24 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g-2) Front Setback (Secondary)	not applicable	48 ft. min	12 ft. min	6 ft. min 18 ft. max	0 ft. min 12 ft. max
(g-3) Side Setback	not applicable	96 ft. min	12 ft. min	0 ft. min or 6 ft. min, total	0 ft. min 24 ft. max
(g-4) Rear Setback	not applicable	96 ft. min	12 ft. min	3 ft. min *	3 ft. min *
Frontage Buildout	not applicable	not applicable	40% min	60% min	80% min
h. SETBACKS - OUTBUILDING (see Tables 5.11 - 5.13)					
				* or 15 ft. from centerline of Lane or Alley	
(h-1) Front Setback	not applicable	20 ft. min +bldg setback	20 ft. min +bldg setback	20 ft. min +bldg setback	40 ft. max from rear prop
(h-2) Side Setback	not applicable	3 ft. or 6 ft.	3 ft. or 6 ft.	0 ft. min or 5 ft.	0 ft. min
(h-3) Rear Setback	not applicable	3 ft. min	3 ft. min	3 ft. max	3 ft. max
i. BUILDING DISPOSITION (see Table 5.1)					
Edgeyard	not applicable	permitted	permitted	permitted	by Warrant
Sideyard	not applicable	not permitted	not permitted	permitted	permitted
Rearyard	not applicable	not permitted	not permitted	permitted	permitted
Courtyard	not applicable	not permitted	not permitted	not permitted	permitted
j. PRIVATE FRONTAGES (see Table 5.3)					
Common Yard	not applicable	permitted	permitted	permitted	not permitted
Porch & Fence	not applicable	permitted	permitted	permitted	not permitted
Terrace or Dooryard	not applicable	not permitted	not permitted	permitted	permitted
Forecourt	not applicable	not permitted	not permitted	permitted	permitted
Stoop	not applicable	not permitted	not permitted	permitted	permitted
Shopfront & Awning	not applicable	not permitted	not permitted	permitted	permitted
Gallery	not applicable	not permitted	not permitted	permitted	permitted
k. BUILDING CONFIGURATION (see Table 5.2)					
Principal Building	not applicable	2 Stories max	2 Stories max	3 Stories max	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)					
				* 1 or 6 Stories by Warrant	
Residential	not applicable	restricted use	restricted use	limited use	open use
Lodging	not applicable	restricted use	restricted use	limited use	open use
Office	not applicable	restricted use	restricted use	limited use	open use
Retail	not applicable	restricted use	restricted use	limited use	open use

DISPOSITION

CONFIGURATION

FUNCTION

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.

- 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.

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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
DLC						
TNZ						
DCR						

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 □ BY WARRANT
20-25 mph	9 feet	■	■	■	■	□	
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	■	■			□	

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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 3.2. PUBLIC FRONTAGES - SPECIFIC

This table assembles prescriptions and dimensions for the Public Frontage elements - Curbs, walkways and Planters – relative to specific Thoroughfare types within Transect Zones. Table 3-3 assembles all of the elements for the various street types. This table is used for Infill streetscape improvements.

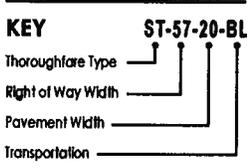
TRANSECT ZONE Public Frontage Type	R U R A L						T R A N S E C T				U R B A N	
	T1	T2	T3	T1	T2	T3	T3	T4	T4	T5	T5	T5
	HW & RD		RD & ST			ST-DR-AV		ST-DR-AV-BV		CS-DR-AV-BV		CS-DR-AV-BV
a. Assembly: The principal variables are the type and dimension of Curbs, walkways, Planters and landscape.												
Total Width	16-24 feet		12-24 feet			12-18 feet		12-18 feet		18-24 feet		18-30 feet
b. Drainage: The detailing of the edge of the vehicular pavement, incorporating drainage.												
Type	Open Swale		Open Swale			Raised Curb		Raised Curb		Raised Curb		Raised Curb
Radius	10-30 feet		10-30 feet			5-20 feet		5-20 feet		5-20 feet		5-20 feet
c. Walkway: The portion of the Thoroughfare dedicated exclusively to pedestrian activity.												
Type	Path Optional		Path			Sidewalk		Sidewalk		Sidewalk		Sidewalk
Width	N/A		4-8 feet			4-8 feet		4-8 feet		12-20 feet		12-30 feet
d. Planter: The portion of the Thoroughfare accommodating street trees and other landscape.												
Arrangement	Clustered		Clustered			Regular		Regular		Regular		Opportunistic
Species	Multiple		Multiple			Alternating		Single		Single		Single
Planter Type	Continuous Swale		Continuous Swale			Continuous Planter		Continuous Planter		Continuous Planter		Tree Well
Planter Width	8 feet-16 feet		8 feet-16 feet			8 feet-12 feet		8 feet-12 feet		4 feet-8 feet		4 feet-6 feet

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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.

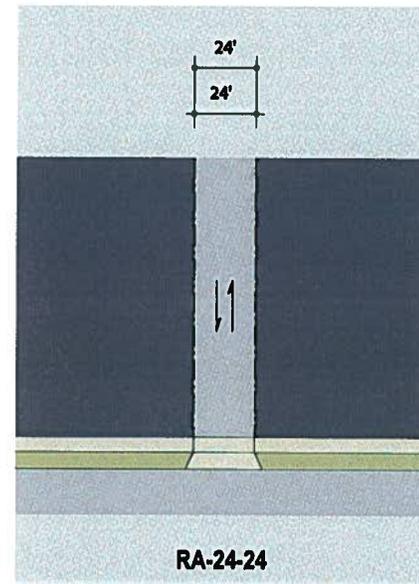
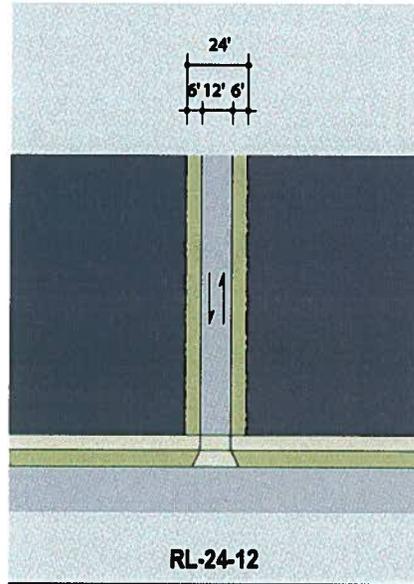


THOROUGHFARE TYPES

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	DYLC
Porch & Fence	PF
Sloop	ST
Shopfront Awning	SFAW



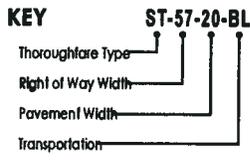
Thoroughfare Type	Rear Lane
Transect Zone Assignment	T3, T4
Right-of-Way Width	24 feet
Pavement Width	12 feet
Movement	Yield Movement
Operating Speed	10 MPH
Pedestrian Crossing Time	3.5 seconds
Traffic Lanes	n/a
Parking Lanes	None
Curb Radius	Taper
Public Frontage Type	None
Walkway Type	None
Planter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

Thoroughfare Type	Rear Alley
Transect 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

Thoroughfare Type	Rear Alley
Transect 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

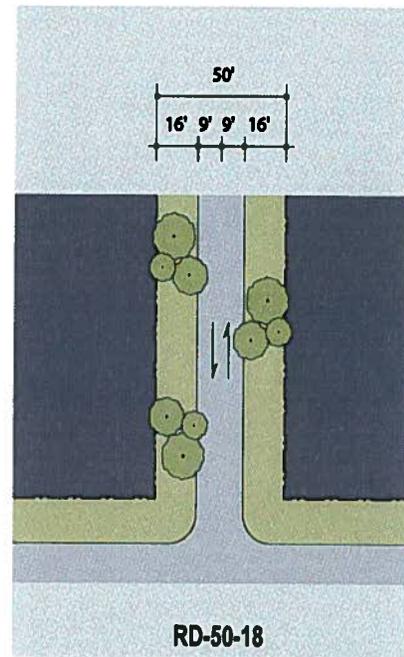
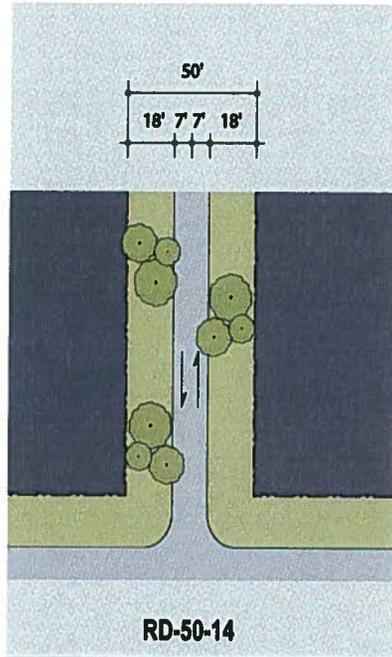
ARTICLE 3. NEW COMMUNITY PLANS

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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
Public Frontages	
Arcade/Gallery	AG
Forecourt	FC
Door yard, Light Court	DY/LC
Porch & Fence	PF
Sloop	ST
Shopfront Awning	SF/AW

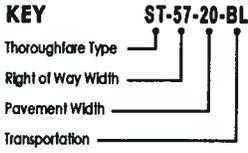


Thoroughfare Type	Road
Transect Zone Assignment	T1, T2, T3
Right-of-Way Width	50 feet
Pavement Width	14 feet
Movement	Yield Movement
Operating Speed	15 MPH
Pedestrian Crossing Time	4 seconds
Traffic Lanes	2 lanes
Parking Lanes	
Curb Radius	None
Public Frontage Type	25 feet
Walkway Type	Porch and Fence, 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.

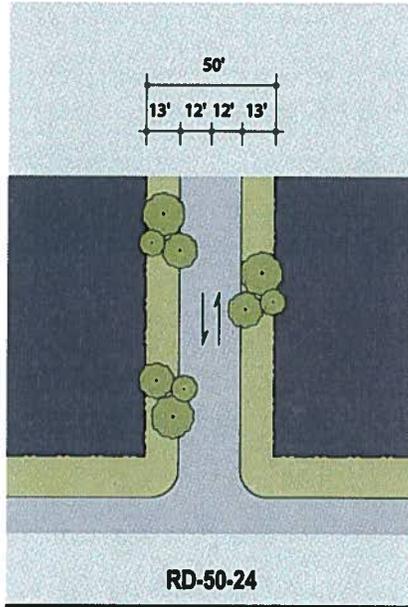
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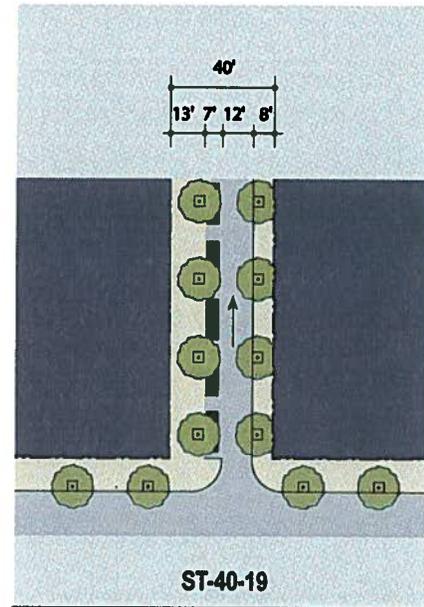


THOROUGHFARE TYPES

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	A/G
Forecourt	FC
Door yard, Light Court	DY/LC
Porch & Fence	PF
Shop	ST
Shopfront/Awing	SF/AW



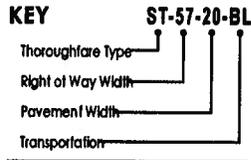
Thoroughfare Type	Road
Transect Zone Assignment	T1, T2, T3
Right-of-Way Width	50 feet
Pavement Width	24 feet
Movement	Slow Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	6.8 seconds
Traffic Lanes	2 lanes
Parking Lanes	None
Curb Radius	25 feet
Public Frontage Type	Porch and Fence, Common Lawn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



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, SF/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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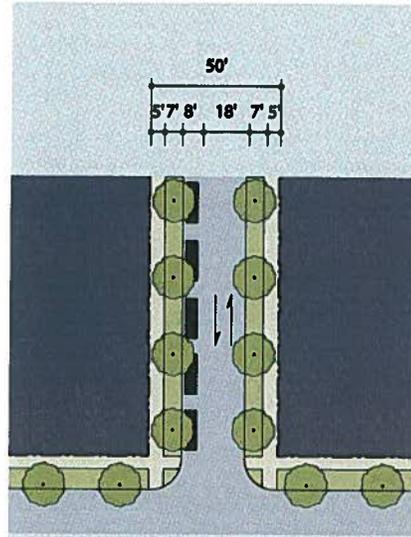


THOROUGHFARE TYPES

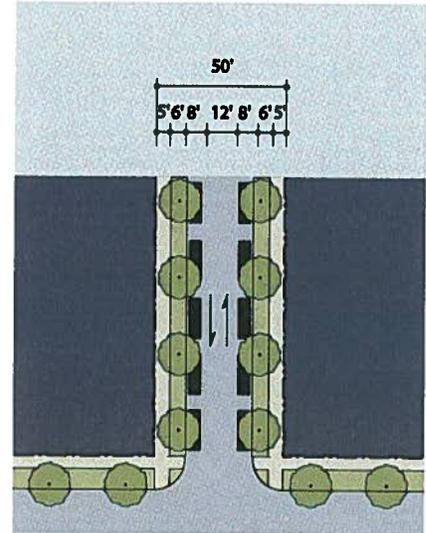
Highway:	HW
Boulevard:	BV
Avenue:	AV
Commercial Street:	CS
Drive:	DR
Street:	ST
Road:	RD
Rear Alley:	RA
Rear Lane:	RL
Bicycle Trail:	BT
Bicycle Lane:	BL
Bicycle Route:	BR
Path:	PT
Transit Route:	TR
Sharrow	SH

Private Frontages

Arcade/Gallery	AG
Forecourt	FC
Door yard, Light Court	DY/LC
Porch & Fence	PF
Sloop	ST
Shopfront Awning	SF/AW



ST-50-26



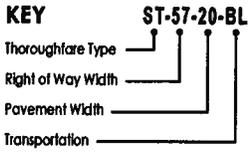
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Thoroughfare Type	Street
Transect Zone Assignment	T4, T5, T6
Right-of-Way Width	50 feet
Pavement Width	26 feet
Movement	Free Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	7.4 seconds
Traffic Lanes	2 lanes
Parking Lanes	One Side @ 8 feet 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

Street
T4, T5, T6
50 feet
26 feet
Yield Movement
20 MPH
7.6 seconds
2 lanes
Both Sides @ 8 feet unmarked
10 feet
ST, FC, DY/LC, PF
5 foot Sidewalk
6 foot Continuous planter
Curb
Trees at 30' o.c. Avg.
BR, SH

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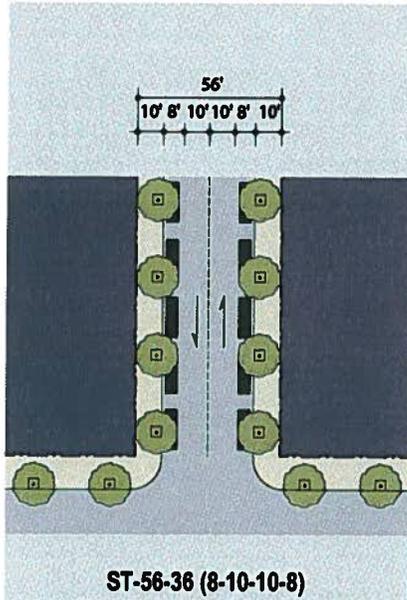
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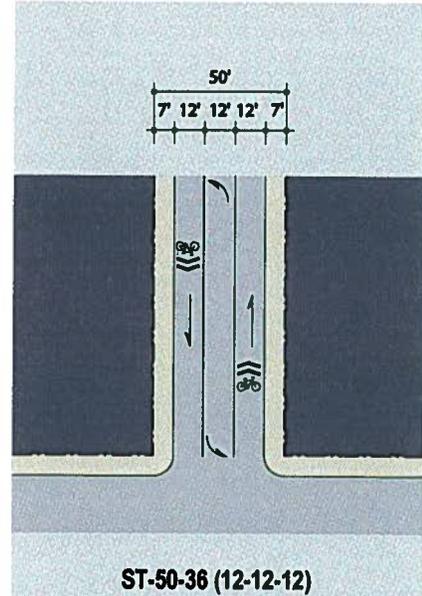
THOROUGHFARE TYPES

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:	A/G
Forecourt:	FC
Door yard, Light Court:	DY/LC
Porch & Fence:	PF
Sloop:	ST
Shopfront/Awning:	SF/AW

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



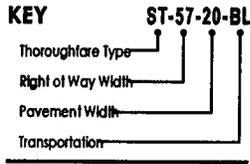
Street
T4, T5
56 feet
36 feet
Slow Movement
25 MPH
10 seconds
2 lanes
Both sides @ 8 feet marked
10 feet
Gallery, Shopfront, Sloop
10 feet Sidewalk
9' x 9' tree well
Curb
Trees at 30' o.c. Avg.
BR



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

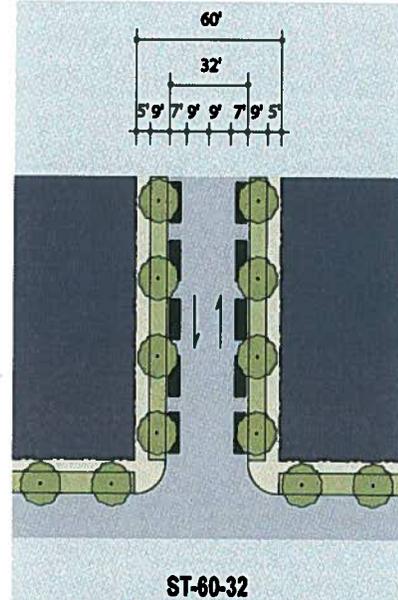
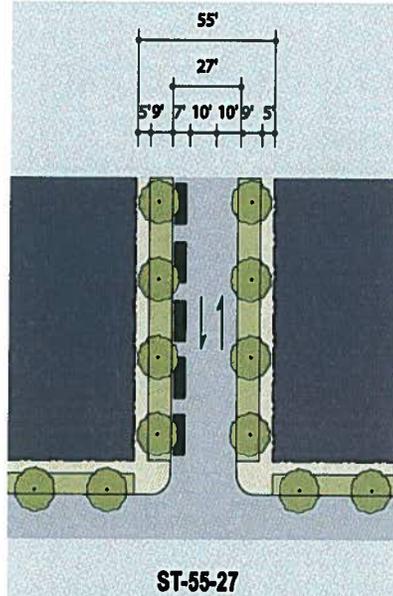
ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas



THOROUGHFARE TYPES

Highway:	HW
Bolevard:	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

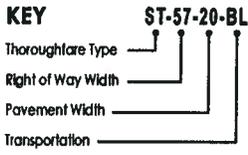


Thoroughfare Type	Street
Transect Zone Assignment	T4, T5
Right-of-Way Width	55 feet
Pavement Width	27 feet
Movement	Slow Movement
Operating Speed	20 MPH
Pedestrian Crossing Time	6.0 seconds
Traffic Lanes	2 lanes
Parking Lanes	One Sides @ 7 feet marked
Curb Radius	10 feet
Public Frontage Type	ST, FC, 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

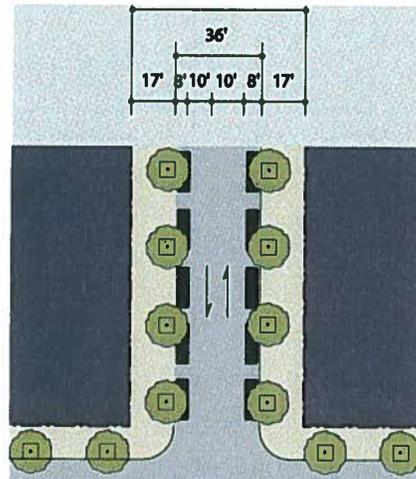
ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas



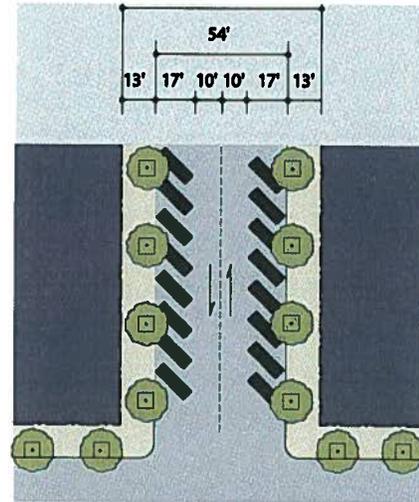
THOROUGHFARE TYPES

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	A/G
Forecourt	FC
Door yard, Light Court	DY/LC
Porch & Fence	PF
Shop	ST
Shopfront/Awning	SF/AW



CS-70-36

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



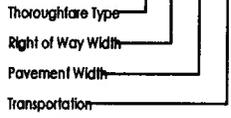
CS-80-54

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

ARTICLE 3. NEW COMMUNITY PLANS

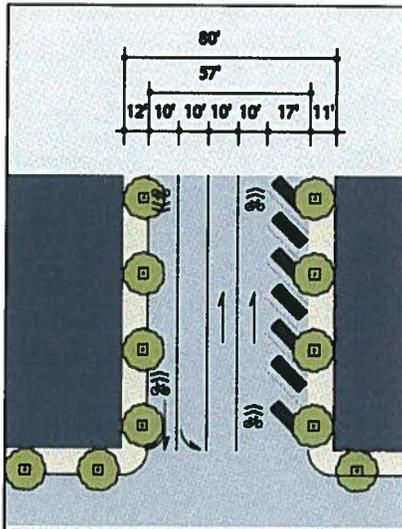
San Marcos, Texas

KEY ST-57-20-BL

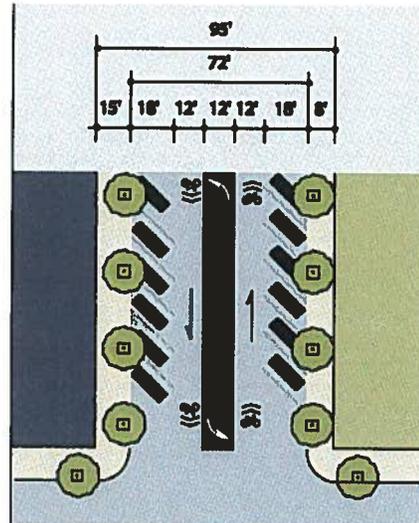


THOROUGHFARE TYPES

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	DYLC
Porch & Fence	PF
Sloop	ST
Shopfront Awning	SF/AW



CS-80-57



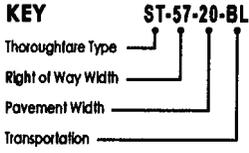
CS-95-72

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 lanes
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	T6
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

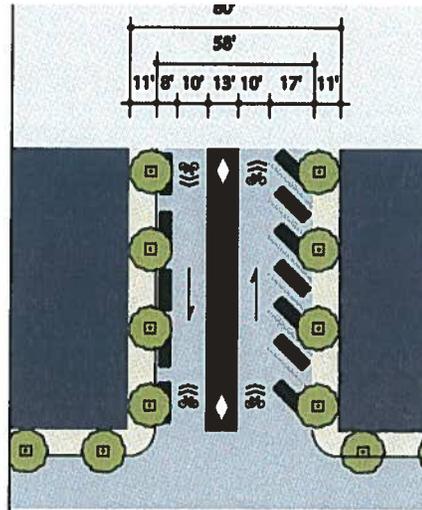
San Marcos, Texas



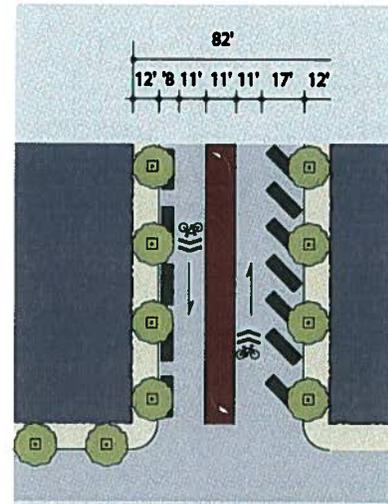
THOROUGHFARE TYPES

- 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: SFAW

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	



CS-80-58
Commercial Street
T5
80 feet
58 feet
Slow Movement
25 MPH
12.3 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

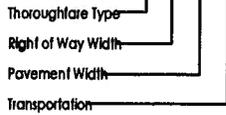


CS-82-58
Commercial Street
T5
82 feet
58 feet
Slow Movement
25 MPH
8.5 seconds
2 lanes, center transit / turn lane
1 side @ 8 feet marked, 1 side @ 17 feet marked reverse angle
10 feet
Gallery, Shopfront
12 feet Sidewalk
7' x 7' tree well
Curb
Opportunistic
SH, TR

ARTICLE 3. NEW COMMUNITY PLANS

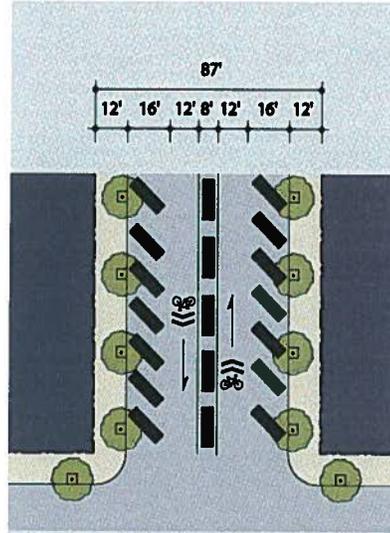
San Marcos, Texas

KEY ST-57-20-BL

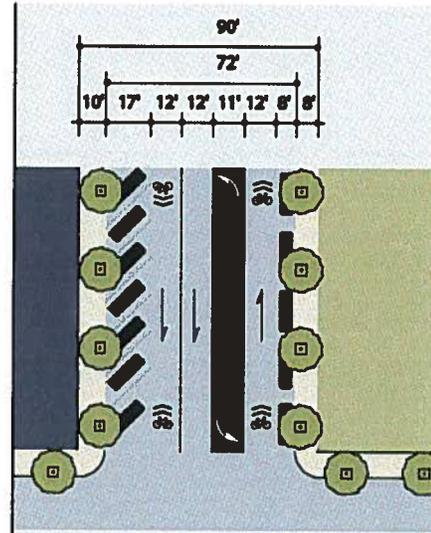


THOROUGHFARE TYPES

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



CS-87-63



CS-90-72

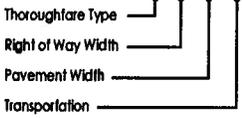
Thoroughfare Type	Commercial Street
Transect Zone Assignment	T5
Right-of-Way Width	87 feet
Pavement Width	63 feet
Movement	Slow Movement
Operating Speed	25 MPH
Pedestrian Crossing Time	9 seconds
Traffic Lanes	2 lanes
Parking Lanes	both sided @ 17 feet marked reverse angle, center @ 8 feet marked
Curb 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

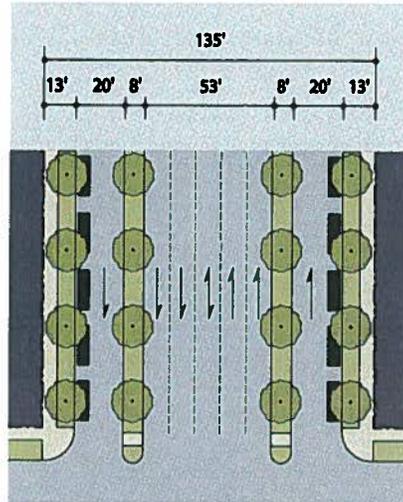
San Marcos, Texas

KEY ST-57-20-BL

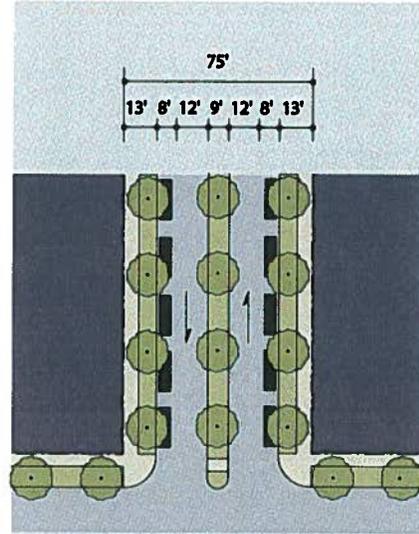


THOROUGHFARE TYPES

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
Private Frontages	
Arcade/Gallery	AG
Forecourt	FC
Door yard, Light Court	DY/LC
Porch & Fence	PF
Sloop	ST
Shopfront/Awning	SF/AW



BV-135-53



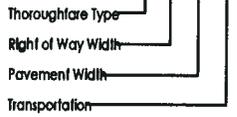
AV-75-40

Thoroughfare Type
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

Boulevard
T5, T6
135 feet
20 feet - 53 feet - 20 feet
Free Movement (inner lanes)
35 MPH
5.7 seconds - 15.1 seconds - 5.7 seconds
5 lanes, one turning & two one-way slip roads
8 feet
10 feet
ST, FC, DY/LC, PF
6 foot Sidewalk
7 foot Continuous planter
Curb
Trees at 30' o.c. Avg.
BR, BL, TR

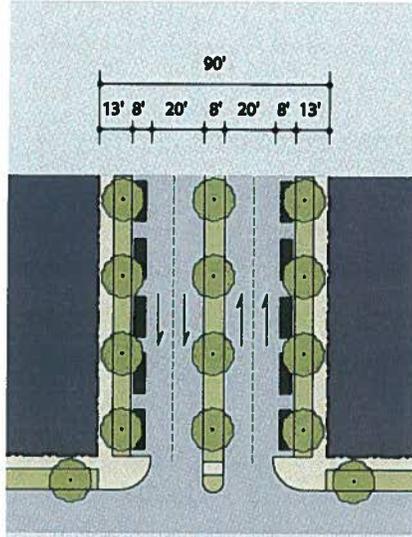
Avenue
T3, T4, T5
75 feet
40 feet
Slow Movement
25 MPH
5.7 seconds - 5.7 seconds
2 lanes
Both Side @ 8 feet matted
10 feet
ST, FC, DY/LC, PF
6 foot Sidewalk
7 foot Continuous planter
Curb or Swale *
Trees at 30' o.c. Avg.
BR, TR

KEY **ST-57-20-BL**

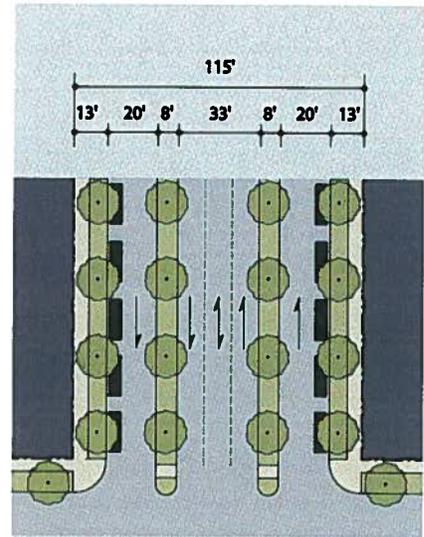


THOROUGHFARE TYPES

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



AV-90-56



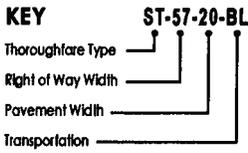
BV-115-33

Thoroughfare Type	Avenue
Transect 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
Transect 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

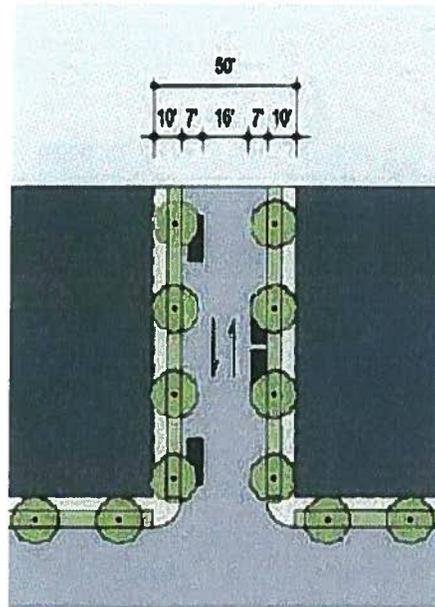
ARTICLE 3. NEW COMMUNITY PLANS

San Marcos, Texas

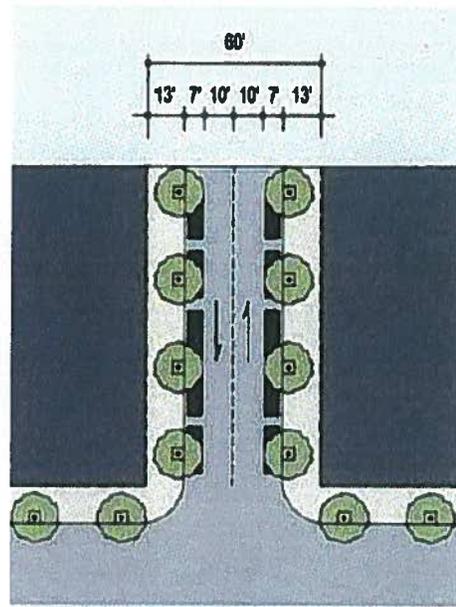


THOROUGHFARE TYPES

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



ST-50-30



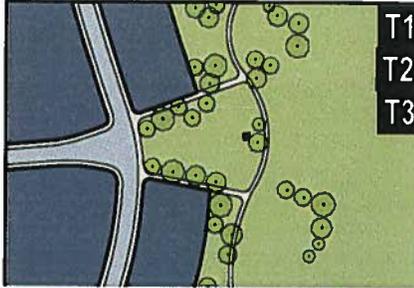
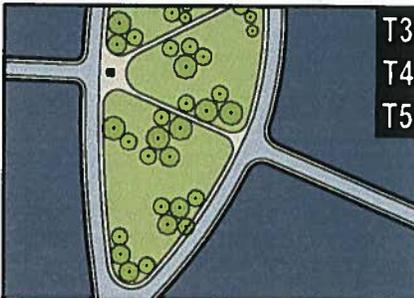
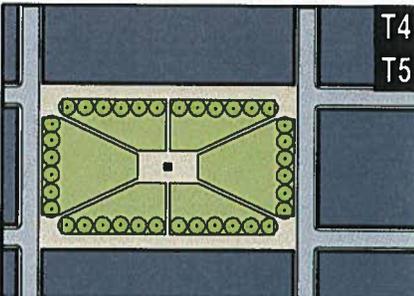
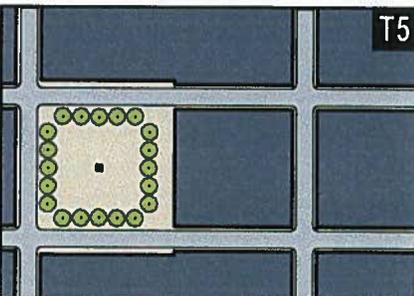
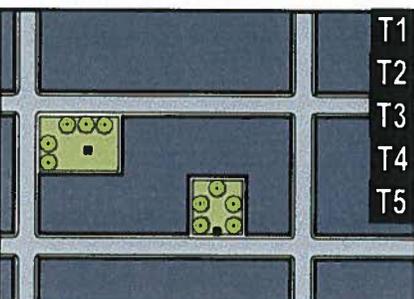
CS-60-34

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
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.

Commercial Street
T5, T8
60 feet
34 feet
Slow Movement
20 MPH
8.7 seconds
2 lanes
Both sides @ 7 feet marked
10 feet
13-foot Sidewalk
4x4" tree well
Curb
Trees at 30' o.c. Avg.

TABLE 3.4. CIVIC SPACE

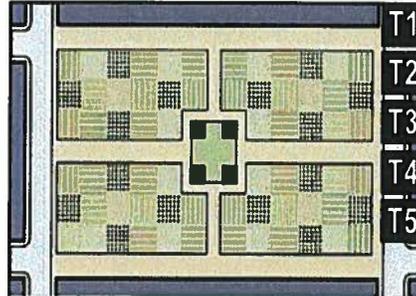
<p>a. Park: A natural preserve available for unstructured recreation. A park may be independent of surrounding building Frontages. Its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories 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>

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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

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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	Sabal Texana Washingtonia Filifera
Oval 												White Ash Magnolia, Southern Oak, Bur Pecan Sycamore Common Persimmon Caddo maple	Fraxinus Americana Magnolia Grandiflora Quercus Macrocarpa Carya illinoensis Platanus Occidentalis Diospyros Virginiana Acer Saccharum
Rounded 												Wright acacia Texas Ash Madrone, Texas Mexican Blue Oak Texas Red Oak American Smoketree Texas Walnut	Acacia Greggii var. Wrightii Fraxinus Texensis Arbutus Texana Quercus Oblongifolia Quercus Buckleyi Colinus Obovatus Juglans Microcarpa
Conical 												Arizona Cypress Remola Pinyon Pine Sweetgum Callery Pear Alger Pine	Cupressus Arizonica Pinus Remola Liquidamber Stryacitua Pyrus Callaryana Pinus Eiderica
Spreading 												Cedar Elm Hulsache Jerusalem-Thorn Honey Mesquite Live Oak Mexican Plum Durand Oak	Ulmus Crassifolia Acacia Farnesiana Parkinsonia Aculeata Prosopis Granulosa Quercus Virginiana Prunus Mexicana Quercus Sinuata
Vase 												Desert-Willow American Elm Leadtree, Goldenball Mexican-Buckeye Texas Persimmon Tridend Maple Western Soapberry	Chilopsis Linearis Ulmus Americana Leucaena Refusa Unguadia Speciosa Diospyros Texana Acer Rubrum var. Tildens Sapiindus Drummondii

ARTICLE 3. NEW COMMUNITY PLANS

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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						
CB	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						
Reward	X						
i. PRIVATE FRONTAGES							
Common Yard	X						
Porch & Fence	X						
Terrace, Dooryard	X						
Forecourt	X						
Sloop	X						
Shopfront	X						
Gallery	X						
Arcade	X						
Parking Lot							
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

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ARTICLE 5. LOT AND BUILDING REGULATIONS

5.1. INSTRUCTIONS

5.1.1. LOT AND BUILDING REGULATIONS

5.1.2. INSTRUCTIONS

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

5.1.4. Such plans require administrative approval by the DRC.

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

a. For preliminary site and building approval:

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

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

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

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

PRE-EXISTING CONDITIONS

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

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

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

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

ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

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

5.2. SPECIAL REQUIREMENTS

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

- a. Buildings along the A-Grid shall be held to the highest standard of this Code in support of pedestrian activity. Buildings along the B-Grid may be more readily considered for Warrants allowing automobile-oriented standards.
- b. A Mandatory or Recommended Retail Frontage designation requires or advises that a building provide a Shopfront at Sidewalk level along the entire length of its Private Frontage. The Shopfront shall be no less than 70% glazed in clear glass and should be shaded by an awning overlapping the Sidewalk as generally illustrated in Table 5.3. Awnings, if present, shall be a minimum of 3 feet deep. The first floor should be confined to Retail use through the depth of the second Layer. (Table 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

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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

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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)

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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.

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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 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 with the public interest.
- c. No items may be placed on a sidewalk within 10 feet of the extension of any building entrance or doorway, to the curbline.
- 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

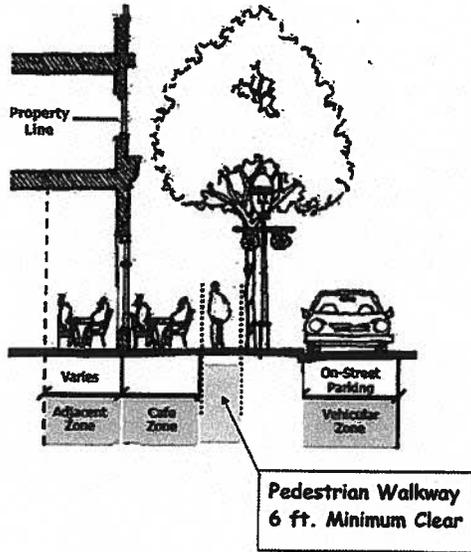
- a. Signed approval from the business or property owner of each adjacent property is required prior to the issuance of a permit
- b. The Operating Area shall not exceed 24 square feet of sidewalk which shall include the area of the vending cart, and, when externally located, the operator and trash and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

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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.

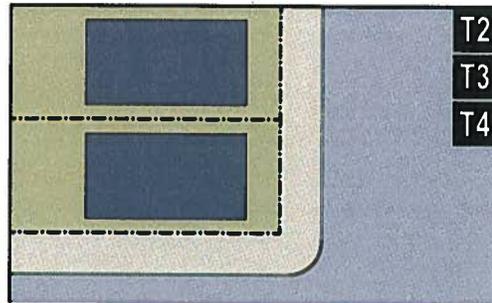
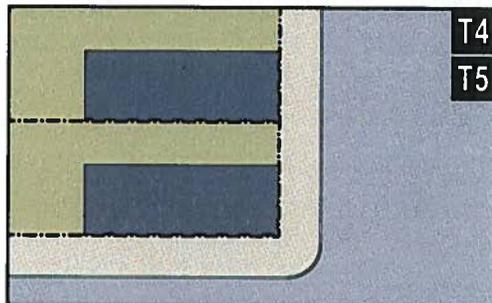
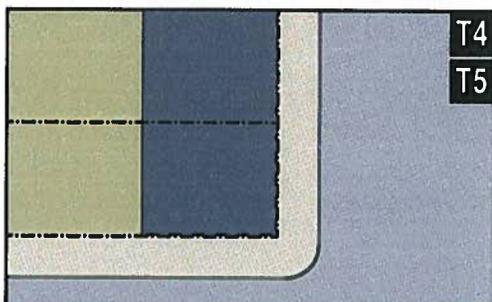
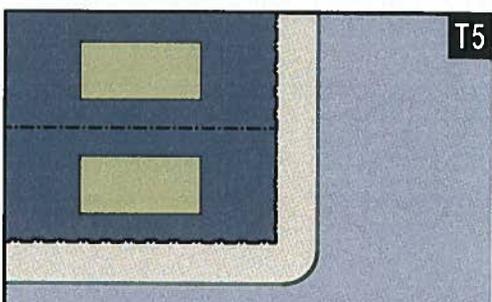
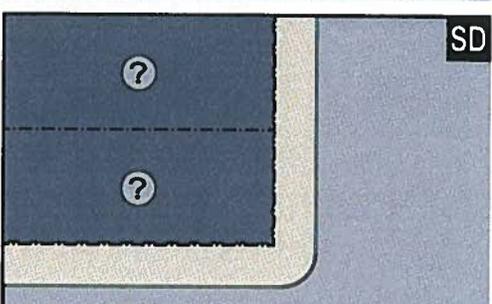


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TABLE 5.2. BUILDING DISPOSITION

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.

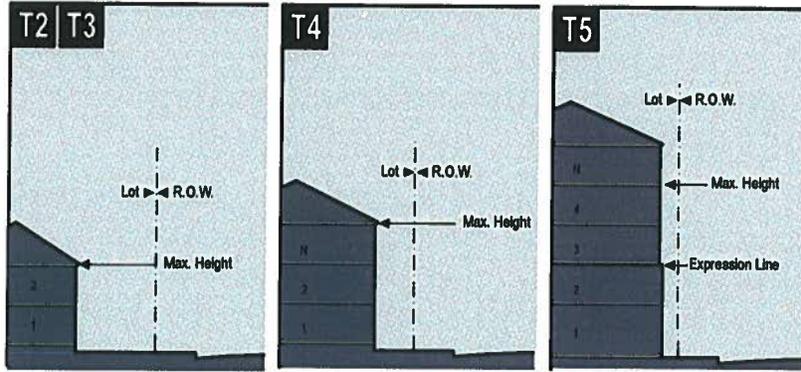
<p>a. Edgeyard: Specific Types - single family House, Cottage, villa, Estate House, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition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

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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.

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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 Throughfares.</p>					T2 T3 T4
<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>					T2 T3 T4
<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>					T4 T5
<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>					T5
<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>					T4 T5
<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>					T4 T5
<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>					T4 T5

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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		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	80%	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

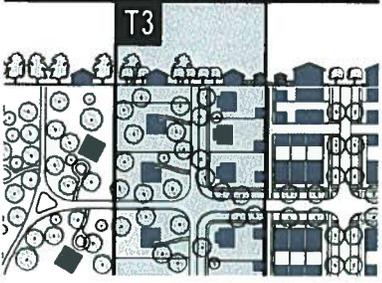
This table expands the categories of Table 5.4 to delegate specific Functions and uses within Transect Zones.

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

	T1	T2	T3	T4	T5	SD
f. OTHER: AGRICULTURE						
Grain Storage	■	■				□
Livestock Pen	□	□				□
Greenhouse	■	■	□			□
Stable	■	■	□			□
Kennel	■	■			□	□
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



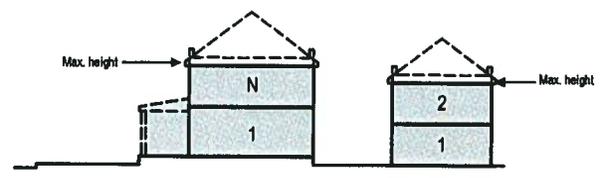
(see Table 1.1)

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	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 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 1.2	
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

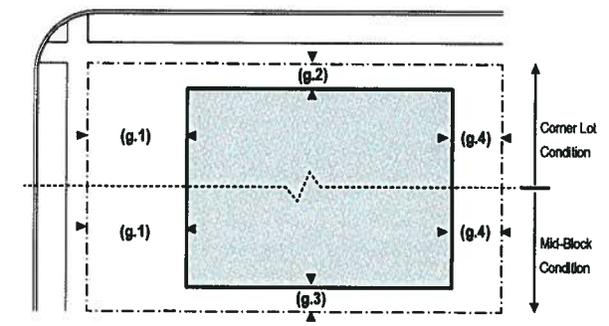
BUILDING CONFIGURATION

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.



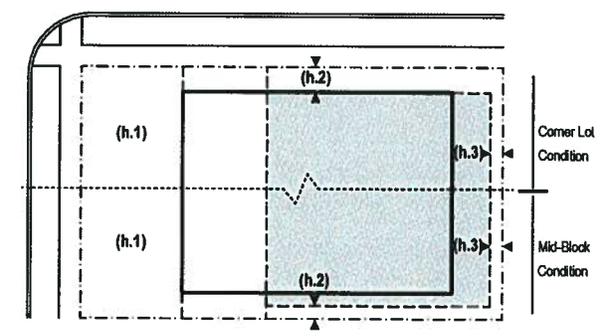
SETBACKS - PRINCIPAL BLDG

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.



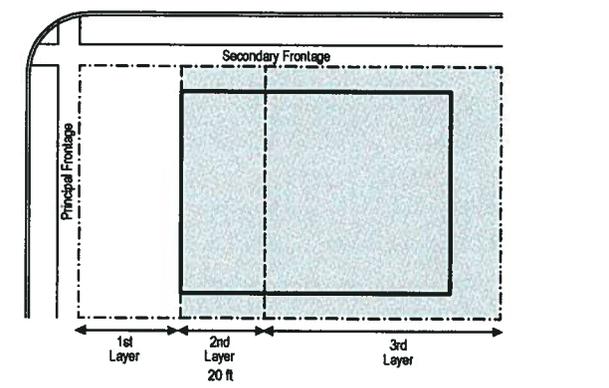
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

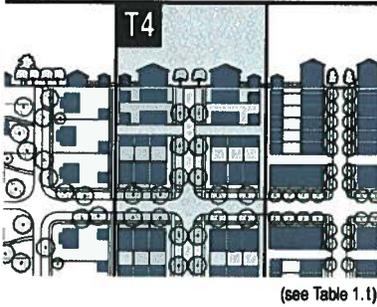
1. Uncovered parking spaces may be provided within the second and third Layer as shown in the diagram (see Table 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d). Side- or rear-entry garages may be allowed in the first or second Layer by Warrant.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



ARTICLE 5. LOT AND BUILDING REGULATIONS

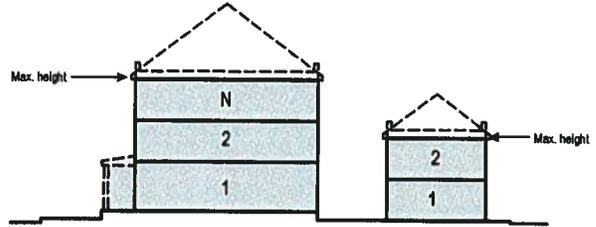
San Marcos, Texas

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



BUILDING CONFIGURATION

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



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

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

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

Principal Building	5 stories
Outbuilding	2 stories

f. LOT OCCUPATION (see Table 1.2f)

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

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	permitted
Sidyard	permitted
Rearyard	permitted
Courtyard	not permitted

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

(g.1) Front Setback Principal	6 ft. min. 16 ft. max.
(g.2) Front Setback Secondary	6 ft. min. 18 ft. max
(g.3) Side Setback	0 ft. min.
(g.4) Rear Setback	3 ft. min.*
Frontage Buildout	70% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.2h)

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

J. PRIVATE FRONTAGES (see Table 5.3)

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

Refer to Summary Table 1.2

PARKING PROVISIONS

See Tables 5.5 & 5.6

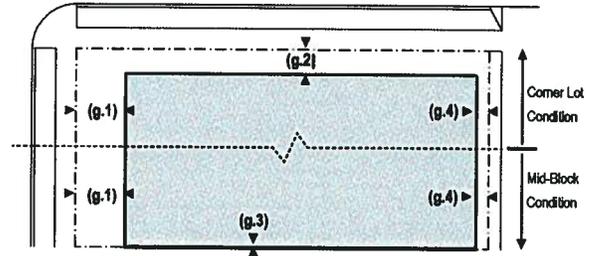
*or 15 ft. from center line of alley

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

** 6+ stories permitted by warrant

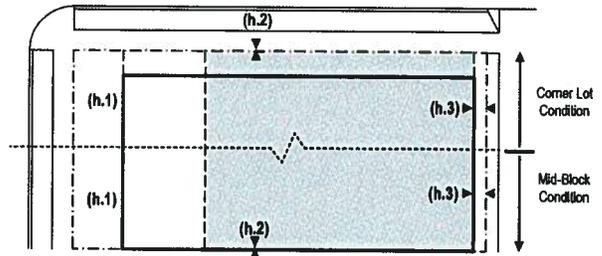
SETBACKS - PRINCIPAL BLDG

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



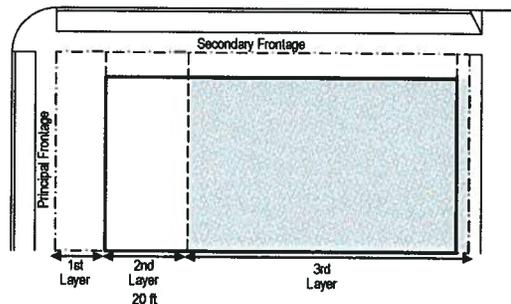
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

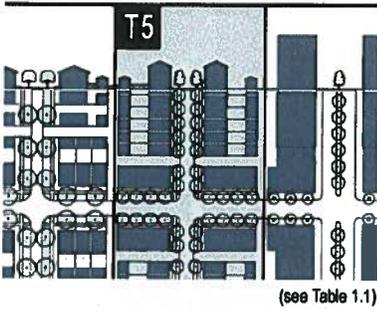
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d).
3. Trash and recycling containers shall be stored within the third Layer.



ARTICLE 5. LOT AND BUILDING REGULATIONS

San Marcos, Texas

TABLE 5.11. FORM-BASED CODE GRAPHICS: DOWNTOWN - T5



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 198 ft max
Lot Coverage	100% max

i. BUILDING DISPOSITION (see Table 5.1)

Edgeyard	by Warrant
Sideyard	permitted
Rearyard	permitted
Courtyard	permitted

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

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

h. SETBACKS - OUTBUILDING (see Table 1.2h)

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

J. PRIVATE FRONTAGES (see Table 5.3)

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

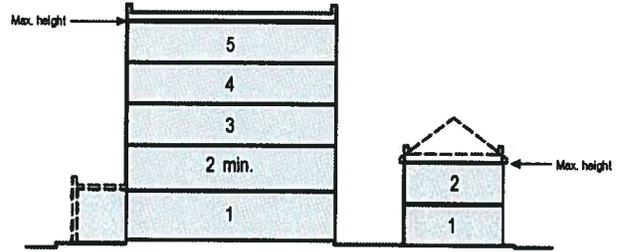
Refer to Summary Table 1.2
PARKING PROVISIONS
 See Tables 5.5 & 5.6

*or 15 ft. from center line of alley

** 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.

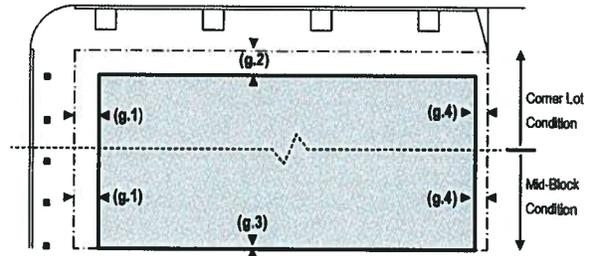
BUILDING CONFIGURATION

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.



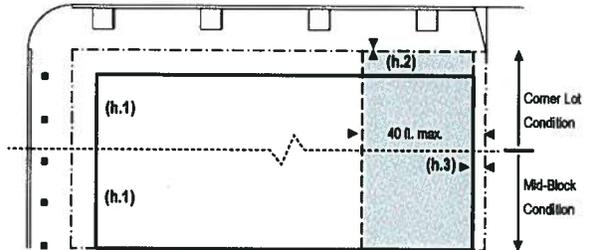
SETBACKS - PRINCIPAL BLDG

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.



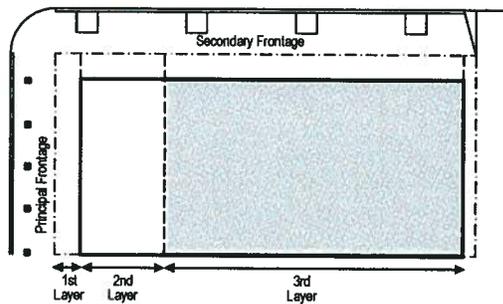
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

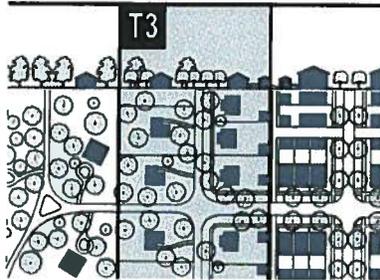
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 6.1).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1).
3. Trash containers shall be stored within the third Layer.



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

l. 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

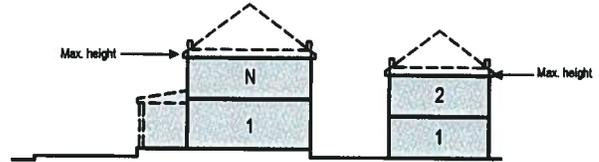
See Tables 5.5 & 5.6

*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

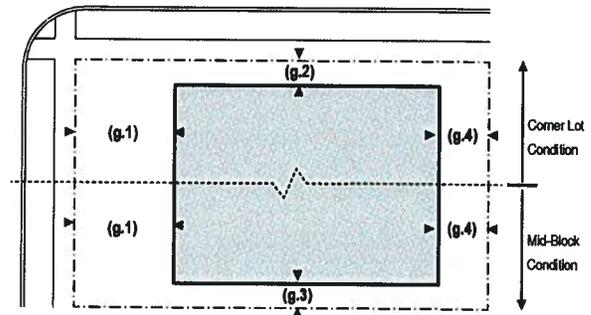
BUILDING CONFIGURATION

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.



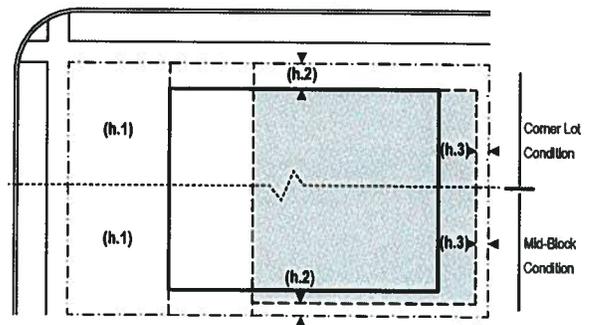
SETBACKS - PRINCIPAL BLDG

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.

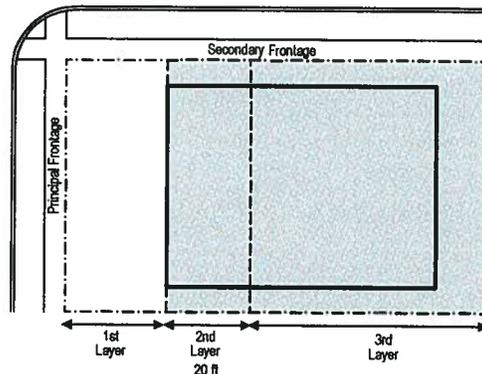
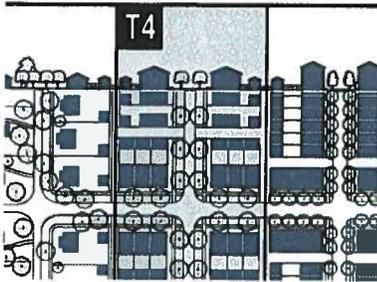


TABLE 5.13. FORM-BASED CODE GRAPHICS: NEW DEVELOPMENT - T4



(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
Sideryard	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	80% min at setback

h. SETBACKS - OUTBUILDING (see Table 1.3h)

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

j. PRIVATE FRONTAGES (see Table 5.3)

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

Refer to Summary Table 1.3

PARKING PROVISIONS

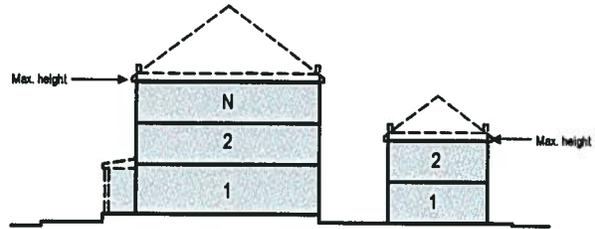
See Tables 5.5 & 5.6

*or 15 ft. from center line of alley

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

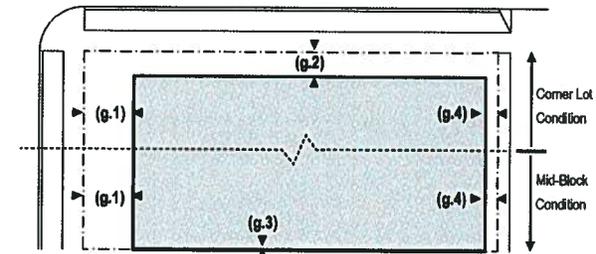
BUILDING CONFIGURATION

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



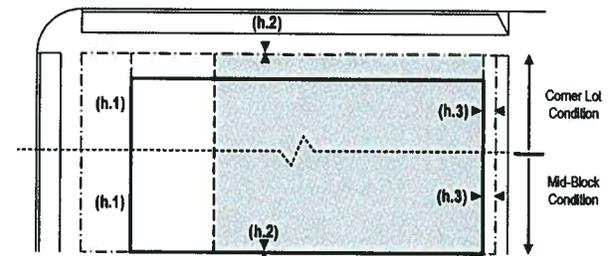
SETBACKS - PRINCIPAL BLDG

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



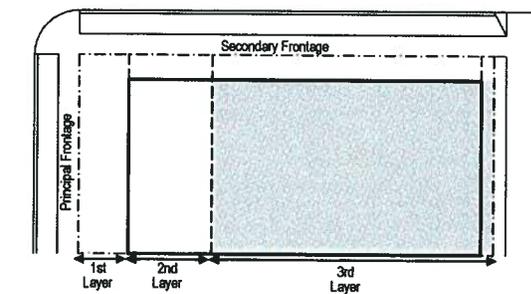
SETBACKS - OUTBUILDING

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



PARKING PLACEMENT

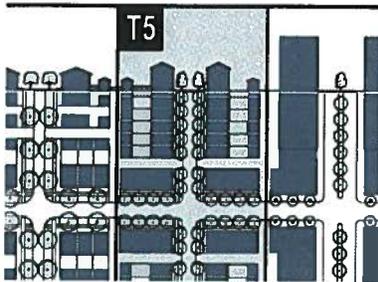
1. Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 6.1d).
2. Covered parking shall be provided within the third Layer as shown in the diagram (see Table 6.1d).
3. Trash containers shall be stored within the third Layer.



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	6 stories max. 2 min. ** 6 by warrant
Outbuilding	2 stories max.

f. LOT OCCUPATION (see Table 1.3f)

Lot Width	16 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

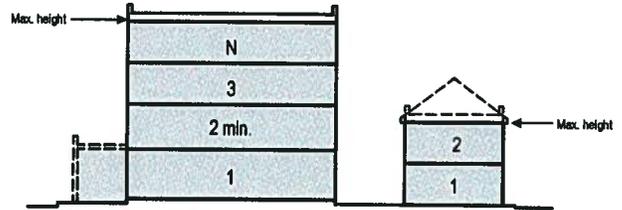
*or 15 ft. from center line of alley

** 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

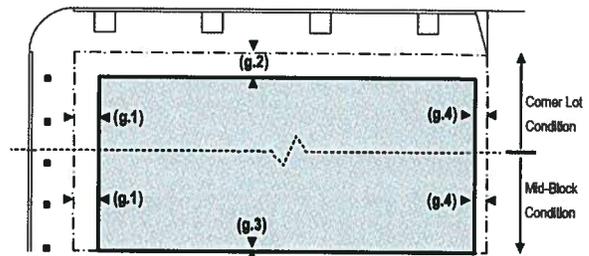
BUILDING CONFIGURATION

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.



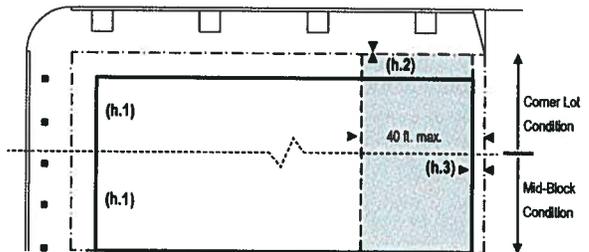
SETBACKS - PRINCIPAL BLDG

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.



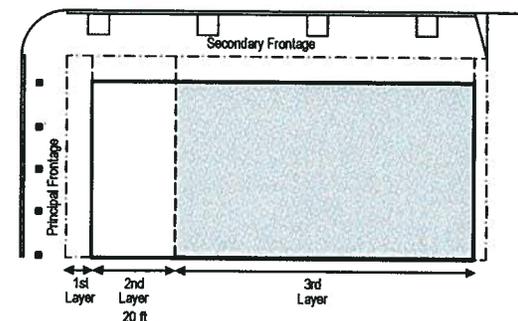
SETBACKS - OUTBUILDING

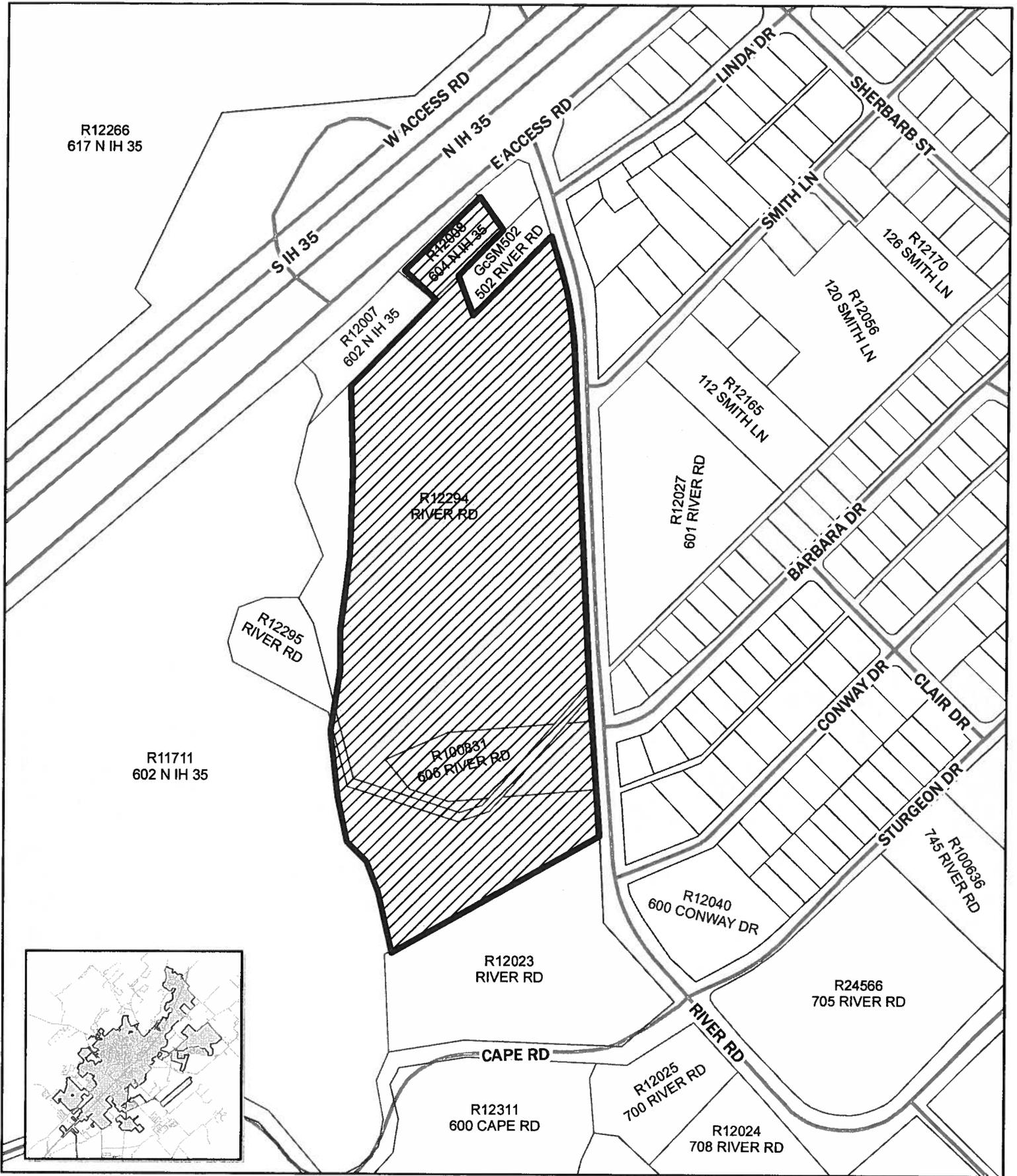
1. The Elevations of the Outbuilding shall be distanced from the Lot lines as shown.



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.

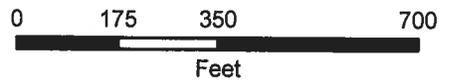




LUA-11-25
Capes Camp
Map Date 3/15/12

-  Notification Buffer (200 feet)
-  Site Location
-  Historic District

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



Land Use Map Amendment

LUA-11-25

Capes Camp - River Road



Summary:

The applicant is requesting a Land use Map Amendment from Commercial (C) to Medium Density Residential (MDR)

Applicant: Thornton Family Investments
P.O. Box 1430
San Marcos, TX 78667

Property Owner: Thornton Family Investments
P.O. Box 1430
San Marcos, TX 78667

Notification: Notifications were mailed for the previous meeting. No notifications were mailed for this one due to the postponement that will be made by the Commission.

Response: There have been several responses from the community. A neighborhood meeting is being set up as of 4/3/12 to inform citizens on the developers' plans and intent. City staff will be present at the meeting to provide any clarification needed.

Subject Property:

Legal Description: 4.2 +/- Acres, in the J.M. Veramendi Survey No. 2, Abstract No. 17, City of San Marcos, Hays County, Texas

Location: West of River Road, south of existing commercial fronting IH-35, east of San Marcos River, north of vacant land.

Sector: 6

Current Zoning: Future Development (FD)

Proposed Zoning: MF-12, Multi-Family Residential District (Maximum 12 units per gross acre)

Current Future Land Use Map Designation: Commercial (C)

Proposed Future Land Use Map Designation:

Medium Density Residential (MDR)

Surrounding Land Use and Zoning pattern:

Proximity	Zoning	Existing Land Use	Future Land Use
N of property	GC, CC, P	Single family residential, public & institutional	Commercial
S of property	FD	Vacant	Medium density residential
E of property	MF-12, MU	multi-family residential	Medium density residential
W of property	FD	Open Space, commercial	Open Space

This request was brought before the Planning and Zoning Commission on March 27. The public hearing was held, but after the public hearing the Planning and Zoning Commission postponed both the Land Use Amendment and Zoning Change at the request of the applicant. Staff has found several inaccuracies in the previous applications and has asked that the applicant re-apply for both the Land Use and Zoning changes.

Staff recommends that LUA-11-25 be postponed to a future date in order for meetings to be held with the public to address concerns and to receive new applications clarifying the boundaries and requests being made on both the Land Use and Zoning changes.

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

The Commission's Responsibility:

The Code requires the Commission to hold a public hearing and receive public comment regarding the proposed Land Use Map Amendment. The Commission's advisory recommendation to the Council is a discretionary decision. The City Council will ultimately decide whether to approve or deny this request, and will do so through the passage of an ordinance.

After considering the public input, your recommendation should be based on the "fit" of this proposal for a land use amendment with the general character, land use pattern and adopted policy for the area. Section 1.4.1.4 charges the Commission to consider the following criteria for amendments to the Master Plan's Future Land Use Map:

- Whether the amendment is consistent with the policies of the Master Plan that apply to the map being amended;
- The nature of any proposed land use associated with the map amendment; and,
- Whether the amendment promotes the orderly and efficient growth and development of the community and furthers the public health, safety and general welfare of the City.

Prepared by:

John Stanley

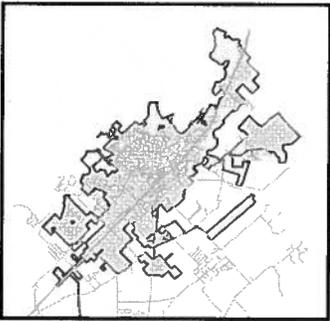
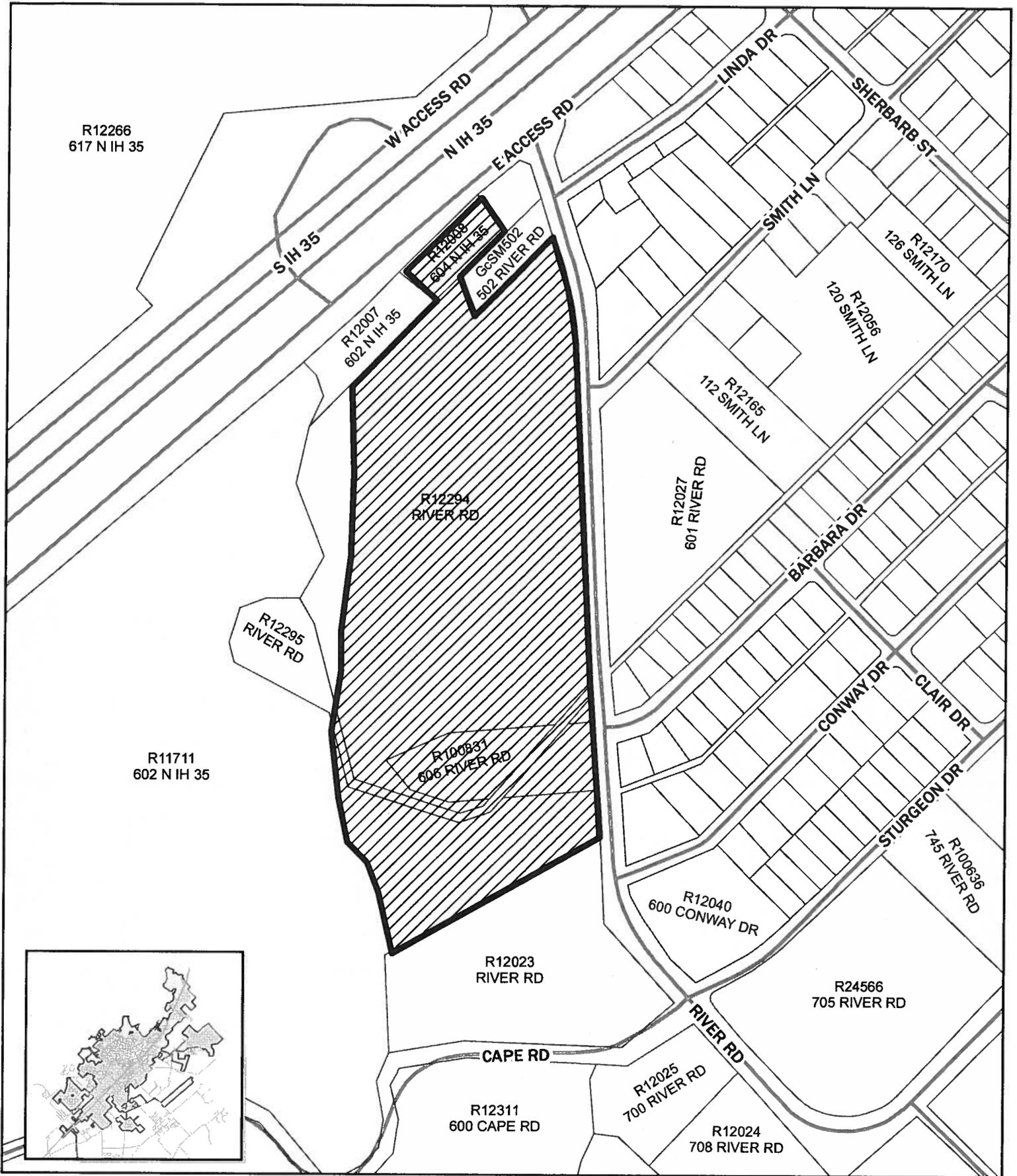
Planner

April 3, 2012

Name

Title

Date



ZC-11-39
Capes Camp
Map Date 3/15/12

-  Notification Buffer (200 feet)
-  Site Location
-  Historic District

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



Zoning Change

ZC-11-39

Capes Camp

Summary: The applicant is requesting a zoning change for 23.16 acres from FD (Future Development) to MF-12 (multi-family 12 units per acre).

Applicant: Thornton Family Investments
PO Box 1430
San Marcos TX 78667

Owner: Same

Notification: Personal notifications of the public hearing were mailed on Friday, March 16, 2012 to all property owners within 200 feet of the subject property.

Response: See report for LUA-11-25

Property/Area Profile:

Legal Description: 23.16 acres out of the J.M. Veramendi Survey No. 2, Abstract No. 17

Location: Southeast of the intersection of River Road and IH 35

Existing Use of Property: Single farmhouse

Proposed Use of Property: Multi-family Development

Future Land Use Map: Medium Density Residential

Existing Zoning: Future Development (FD)

Proposed Zoning: Multi-family, 12 units per acre (MF-12)

Area Land Use and Zoning Pattern

	Current Zoning	Existing Land Use
N of Property	GC, CC, P	Single-Family residential, lift station, commercial
W of Property	FD/Future Development	Undeveloped/Commercial
S of Property	FD/Future Development	Undeveloped
E of Property	MF-12, MU, SF-6	Single and multifamily residential

Planning Department Analysis

The subject property is located in the San Marcos River Corridor with frontage on River Road and IH 35. The 23.16 acres requested for rezoning is part of a larger 39 acre, more or less, tract. The San Marcos River runs through the approximate center of the site. It is currently zoned Future Development (FD) with two Future Land Use Designations – Commercial and Medium Density Residential. The FD District is intended to provide areas for land that is relatively undeveloped and/or agricultural in nature. The FD district is also a default district for newly annexed land that is not yet ready to be zoned for a particular intended use. This site has been zoned FD (or PD, Predevelopment, which was the equivalent zoning district prior to the citywide rezoning) since its annexation in 1982.

Staff is requesting that this item be postponed to allow time for meetings with the public, gather additional information and address concerns. Prior to the item being brought forward to a hearing again, it will be renoticed.

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

The Commission's Responsibility:

The Commission is required by law to hold a public hearing and receive public comment regarding the proposed zoning. After considering the public input, the Commission is charged with making an advisory recommendation to the City Council regarding the request. The City Council will ultimately decide whether to approve or deny the zoning change request. The Commission's advisory recommendation to the Council is a discretionary decision.

Prepared by:

Christine Barton-Holmes, LEED AP
Name Title

Chief Planner

April 4, 2012
Date



ENGINEERING/
CAPITAL IMPROVEMENTS

MEMO

To: Planning and Zoning Commission
From: Engineering/Capital Improvements Department
Date: April 5, 2012
Re: **Information for Presentation on recommendations for Capital Improvement Projects for 2012-2021**

The Engineering/Capital Improvements Department is preparing the 10-Yr Capital Improvements Program for 2012-2022. A presentation will be given on April 10, 2012, at the Planning and Zoning Meeting. The presentation will focus on the projects scheduled in the upcoming fiscal year; although the entire 10-year plan will be provided for review. Staff is continuing to assemble the project sheets for the upcoming year and will provide them via email before the April 10th meeting.

Staff will also be holding a Public Hearing for the 10-Yr Capital Improvements Program at the April 24, 2012 Planning and Zoning Meeting.

2012-2021 CIP Calendar

Notes

- Week of April 2nd – Finalize CIP**
- April 5th – Include CIP Presentation on P&Z Agenda for April 10th Meeting;**
 - Include Memo in P&Z Agenda Packet explaining project information coming to them on Friday and a Public Hearing and CIP Recommendation scheduled for April 24th P&Z Meeting
- April 6th – Finalize and distribute all project sheets to P&Z for review prior to April 10th Meeting**
- April 8th – Publish Notice for Public Hearing and Recommendation of CIP on April 24th**
- April 10th – Presentation to P&Z**
- April 24th – Public Hearing and Presentation of CIP for Recommendation**
- April 27th – ARF due in Muni-Agenda for CIP Presentation and Recommendation to Council**
- May 15th – Presentation and Recommendation to Council**

April 2012

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

May 2012

S	M	T	W	T	F	S
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June 2012

S	M	T	W	T	F	S
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

July 2012

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2012

S	M	T	W	T	F	S
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

September 2012

S	M	T	W	T	F	S
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						