

DEVELOPMENT GUIDE 2013 v1.0

san marcos, texas

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Chapters are meant to be a basic overview of the development process. Please refer to our Code of Ordinances for specific requirements.

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What is the purpose of this guide?

This is the City of San Marcos Development Guide to Building Dreams in San Marcos.

This guide contains basic information to help you complete a successful development project in our community from start to finish. Our goal is to inform you of what to expect throughout the entire development process.

How do I locate the information I need?

We have divided the guide into different sections to explain the various stages of development which include Pre-development, Zoning, Platting, Public Infrastructure, Site Development, Structures & Building Permits, and Certificate of Occupancy.

Each project submitted will involve different stages of the development process depending on your specific needs.

When reviewing each section of this guide, you will find explanations on how each process functions including flow charts and references to any fees and applications required.

Also included is an appendix of additional information you may find useful before submitting your project.

For more detailed information on applications, checklists, and fees, please visit the city website at sanmarcostx.gov.

How can I seek help before I submit my project?

To assist in determining your “development path,” we encourage you to schedule a pre-development meeting to discuss your project so that we may provide you with specific requirements and the information necessary to move forward with project submission.



How does pre-development work?

Pre-development begins when you inform us that you are interested in development in our community. At this time, we will request that you fill out the pre-development form (located on page 5) to help us determine the appropriate staff needed to discuss your project.

After submitting your form, the Development Operations Coordinator will contact you by the end of the next business day to schedule a meeting. Staff reserves time twice a week for pre-development meetings. Depending on the project, these meetings can range from 30 minutes to an hour. An overview of the pre-development process is included in the Figure on page 4.

Are pre-development meetings required?

No, but if your development meets any of the following, staff highly encourages a pre-development meeting (at no cost):

30 Minute Meeting

- *Zoning – reuse of existing structures and site*
- *Non-residential construction – minor addition*
- *Land disturbance less than 5,000 square feet*
- *Construction in the Historic District*
- *Zoning Variance Request*

1 Hour Meeting

- *Zoning change*
- *Planned Development District (PDD)*
- *Municipal Utility District*
- *Public Improvement District*
- *Development Agreement*
- *Platting or subdividing platted property*
- *Single-family subdivision construction*
- *New non-residential construction (including apartments, new structure or significant addition)*
- *Land disturbance greater than 5,000 square feet*

If you do not meet any of the above criteria and your request is relatively straightforward, then you may move forward in the process without a pre-development meeting. However, pre-development meetings are always available and encouraged.

chapter two

WHERE TO BEGIN

THE PRE-DEVELOPMENT PROCESS



What takes place at the pre-development meeting?

At this meeting we will discuss the general needs, plans, and constraints for your project. This discussion helps us identify the codes, ordinances, infrastructure locations, and department requirements that might affect your project.

What do I need to bring?

Please come prepared with a sketch or basic vision of what you have in mind for your project. This will allow us to better understand your project and provide the most accurate information for you. It is also helpful if you can answer as many questions as possible on our pre-development checklist (located on page 6).

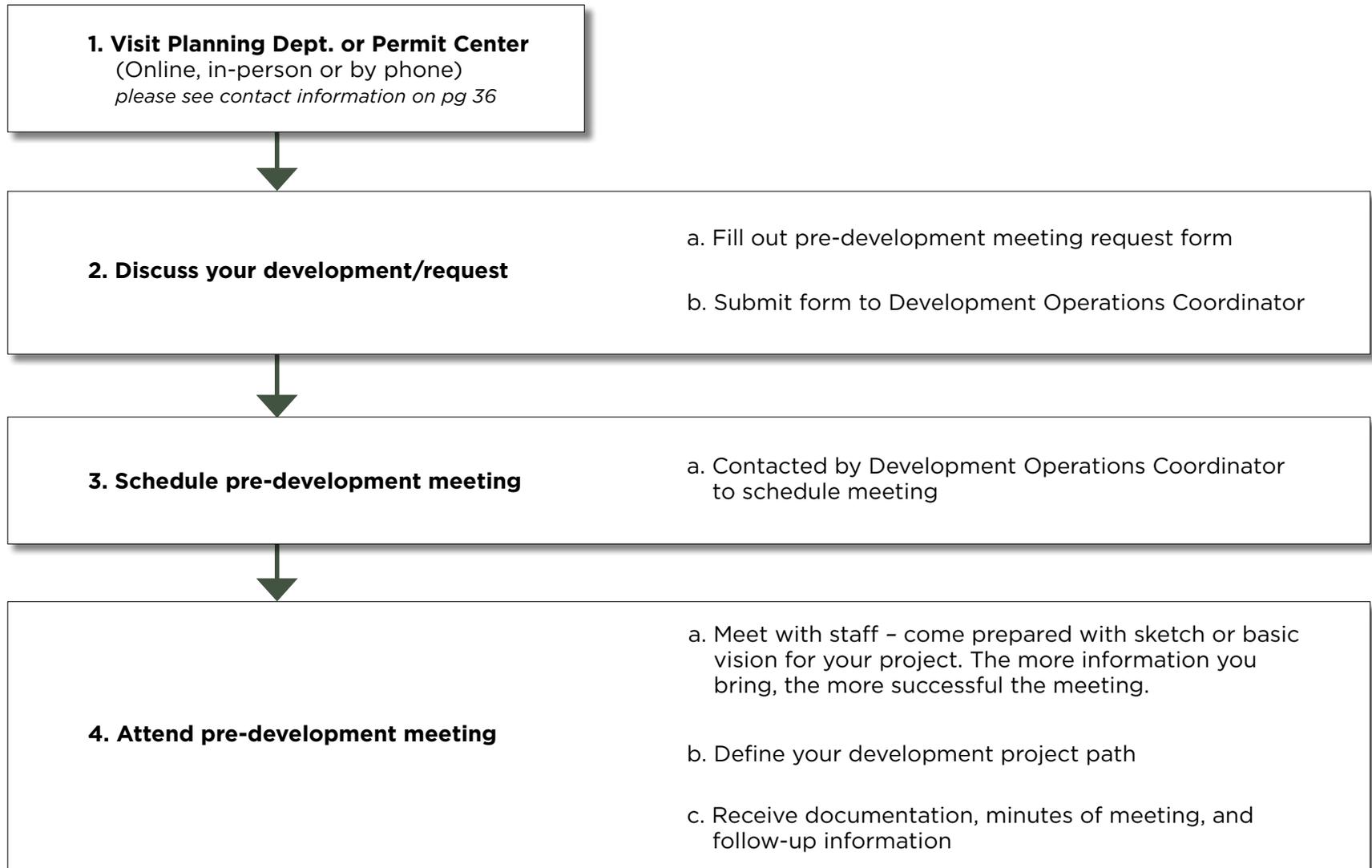
What will I get out of attending a pre-development meeting?

We will explain the process you will be following, provide you with any applicable documentation including checklists, timing information, and address any questions you may have.

Minutes from this meeting will be recorded and provided so that all parties understand what has been discussed and what is expected as your project moves forward in the process. A copy of the minutes will be emailed to all participants after the meeting.

The Development Operations Coordinator (512-393-8230) will be your contact for any follow-up questions or additional information. This person will also act as your liaison from the beginning to end of the process to facilitate the success of your project.

PRE-DEVELOPMENT PROCESS



Move to next steps according to path identified in pre-development meeting.

pre-development
**MEETING REQUEST
 FORM**

*This form may be found online
 under Planning & Development
 Services Documents*

PRE-DEVELOPMENT MEETING REQUEST FORM

Please email completed form to afreeman@sanmarcostx.gov For questions please call 512-805-2636



Contact Information:

Applicant Owner
 Developer Architect Engineer Consultant Realtor

| | |
|--|--|
| Name: <input style="width: 90%;" type="text"/> | Name: <input style="width: 90%;" type="text"/> |
| Company: <input style="width: 90%;" type="text"/> | Company: <input style="width: 90%;" type="text"/> |
| Address: <input style="width: 90%;" type="text"/> | Address: <input style="width: 90%;" type="text"/> |
| City: <input style="width: 40%;" type="text"/> State: <input style="width: 10%;" type="text"/> Zip: <input style="width: 20%;" type="text"/> | City: <input style="width: 40%;" type="text"/> State: <input style="width: 10%;" type="text"/> Zip: <input style="width: 20%;" type="text"/> |
| Phone or Cell: <input style="width: 90%;" type="text"/> | Phone or Cell: <input style="width: 90%;" type="text"/> |
| Fax: <input style="width: 90%;" type="text"/> | Fax: <input style="width: 90%;" type="text"/> |
| Email: <input style="width: 90%;" type="text"/> | Email: <input style="width: 90%;" type="text"/> |

Project Information:

| | |
|--|---|
| Project Name: <input style="width: 50%;" type="text"/> | Address/Location: <input style="width: 50%;" type="text"/> |
| Tax ID/R#': <input style="width: 90%;" type="text"/> | |
| Subdivision Name: <input style="width: 50%;" type="text"/> | Lot: <input style="width: 20%;" type="text"/> Block: <input style="width: 20%;" type="text"/> |
| Existing Use: <input style="width: 50%;" type="text"/> | Proposed Use: <input style="width: 50%;" type="text"/> |

What do you want to do? Briefly describe structure size and/or proposed use:

I hereby understand and agree that the meeting and discussions taking place on are for informational purposes only and is not intended to be an application for a permit, or submission of a plan for development to the City. At this time, I am not making an application, or request for provision of services, on the part of the City, or seeking a commitment by the City of San Marcos or agreement for services or improvements including, but not limited to planning, platting, zoning, water, sewer, roadways, drainage, or development agreement.

Applicant Signature:

| | | |
|------|-----------|------|
| | | |
| Name | Signature | Date |

City Staff or others present:

| | | | | |
|--|--|--|--|--|
| | | | | |
| | | | | |
| | | | | |

CHECKLIST: questions to answer prior to PRE-DEVELOPMENT MEETING

Interactive maps are available online at sanmarcostx.gov under the GIS department for assistance in answering many of these questions.

Answer as many questions as possible prior to the meeting.
If an answer is unknown, City staff may assist with the determination during the meeting.

| | Yes | | No |
|--|--------------------------|---|--|
| Is the lot located in the City of San Marcos Extraterritorial Jurisdiction (ETJ) | <input type="checkbox"/> | Proceed to next question. | <input type="checkbox"/> No further action is required. |
| Is the lot located in the City of San Marcos city limits? | <input type="checkbox"/> | Proceed to next question. | <input type="checkbox"/> This lot may be subject to annexation if city services (water or wastewater) are requested. |
| Is the lot legally platted? | <input type="checkbox"/> | Proceed to next question. | <input type="checkbox"/> Lot must be legally platted prior to Site Preparation Permit Submittal. |
| Is the property zoned appropriately for the intended use? | <input type="checkbox"/> | Proceed to next question. | <input type="checkbox"/> The property must be rezoned or a Conditional Use Permit may be required. |
| Is any part of the lot over the Edwards Aquifer Recharge, or Contributing within the Transition Zone? | <input type="checkbox"/> | Must adhere to special requirements for the appropriate zone. <i>Land Development Code (LDC) 5.2 and Texas Commission on Environmental Quality (TCEQ) Rules</i> | <input type="checkbox"/> No further action is required. |
| Is any part of the lot within a FEMA Area of Special Flood Hazard? | <input type="checkbox"/> | A floodplain development permit will likely be required. <i>LDC 5.4 and FEMA (Federal Emergency Management Agency) Rules</i> | <input type="checkbox"/> No further action is required. |
| Is any part of the lot within the San Marcos River Corridor? | <input type="checkbox"/> | Must adhere to special requirements for that area. <i>LDC 5.3</i> | <input type="checkbox"/> No further action is required. |
| Is the lot within a City of San Marcos Historic District? | <input type="checkbox"/> | A Certificate of Appropriateness from the Historic Commission may be required. | <input type="checkbox"/> No further action is required. |
| Are utilities already installed to the site and adequate for the proposed use? | <input type="checkbox"/> | No further action is required. | <input type="checkbox"/> Public improvements may be required. |

ZONING – CURRENT AND DESIRED ZONING

What is zoning?

Zoning regulates land use to ensure compatibility with the community and its master plan.

What is a zoning district?

A zoning district is a classification such as Single Family, Multi-Family, Commercial, etc. Zoning districts and details are listed in Chapter 4 of the Land Development Code. In the downtown area, zoning is defined by the San Marcos SmartCode, which contains uses and standards for those areas.

How can I find out what my property is zoned?

Visit the City of San Marcos Website for interactive maps to determine your zoning.

What uses are allowed in my zoning district?

Uses are outlined in the Land Use Matrix in the Land Development Code found on the city website. Uses identified with a P are permitted by right, which means they are allowed with no further approvals. Uses identified with a C are conditional and require a Conditional Use Permit. Uses not identified are not allowed.

Where can I find my setbacks and other zoning standards?

Section 4.1.6.1 of the Land Development Code or the San Marcos SmartCode, depending on your district.

How do I change the zoning on my property?

Requests for zoning changes must be made through a Zoning Change Application. Applications may be picked up at the Planning Department Office or downloaded from the Planning and Development Services website. Applications and corresponding documents must be taken to the Planning Department Office and submitted to a staff member. Zoning Change Applications will be reviewed by staff and submitted for consideration by the Planning and Zoning Commission followed by City Council for final approval or denial. Both the Planning and Zoning Commission and the City Council will hold public hearings on the request prior to taking action.

chapter three DETERMINING LAND USE



- **What should I do to prepare for the public hearing?**

Gather any documents or information you feel justify the requested change and could aid the Commission members in their decision. Zoning changes are not conditional — i.e. the Planning & Zoning Commission and City Council may not approve a zoning change request subject to certain restrictions or requirements.

- **What happens at the public hearing? Should I attend?**

Anyone is allowed to speak in support of or in opposition to the zoning change during a public hearing. Speaking time is limited to three minutes per person. Though not mandatory, your attendance is highly recommended because the Commission and Council may ask you questions. For complex projects, you may ask for more than three minutes to present your project. Approval of this request is at the discretion of the Chair of the Commission or the Mayor.

- **How long does a zoning change take?**

Zoning changes generally take around 60 days from application to final decision by City Council. This time may vary based on timing of the submittal in the process cycle and the complexity of the issues surrounding the zoning. Planned Development Districts (PDDs) and SmartCode projects will have a different timeline.

- **How much does a zoning change cost?**

Zoning change costs vary based on the type of zoning change (residential, commercial, etc.) as well as the size of the parcel being rezoned. Fees are paid when the application for the zoning change is submitted. Complete fee schedules are located online.

- **What if the Planning and Zoning Commission denies my request?**

The case proceeds to City Council but requires a super-majority vote (6 out of 7) for approval.

- **What happens if the City Council approves my request?**

An ordinance will be created legally granting you the right to the zoning change (and proper adjustments will be made to the zoning of the property).

- **What happens if the City Council denies my request?**

The zoning on the property remains the same. There is a 1-year waiting period prior to resubmitting a zoning request, if the application is denied by City Council.

What is my property zoned if I live in the Extraterritorial Jurisdiction?

There is no zoning since state statutes limit the authority of cities to regulate zoning outside city limits and within the Extraterritorial Jurisdiction (ETJ).

What is a Planned Development District?

A Planned Development District (PDD) is a special overlay zoning district intended to create a higher quality development for the community through an approved conceptual plan and development standards. The PDD process may take up to six months to complete. More information may be found online in our Land Development Code.

What is a Zoning Verification Letter and how do I obtain the letter?

A Zoning Verification Letter is a letter from the Development Services Department that states the current zoning for a particular parcel or parcels.

A letter may be obtained by submitting a request via email (openrecordsrequest@sanmarcostx.gov) or by phone (512.393.8090) to the City Clerk's office at City Hall.

Conditional Use Permits (CUP)

What is a Conditional Use Permit?

The CUP grants rights to uses that are not expressly given in the zoning district, but may be allowed if they are compatible with adjoining uses. Conditional uses are identified in the Land Use Matrix of the LDC found online at the city website.

Are there different types of CUPs?

Yes, CUPs range from the creation of a parking area to alcohol sale permits. CUPs may be granted for uses which are not expressly guaranteed in the base zoning district subject to Planning and Zoning Commission approval.

What do I need to do to serve alcohol for on-premise consumption?

You will need a CUP allowing beverage sale and consumption on the subject property. After obtaining a CUP, you will need to obtain a license from the Texas Alcohol and Beverage Commission (TABC).

What is the difference between a Restricted and Unrestricted CUP?

Restricted and Unrestricted CUPs both authorize the sale of alcohol for on-premise consumption in the Central Business Area (CBA) zoning district. Restricted CUPs are also known as Restaurant CUPs and require food sales as a condition of approval. Unrestricted CUPS do not require food sales. There are a limited number of each type allowed within the CBA.

Who approves or denies a CUP?

The Planning and Zoning Commission approves or denies a CUP as part of a public hearing held during their scheduled meeting dates.

What happens at the public hearing?

Those who wish to speak for or against the CUP are allowed up to 3 minutes to voice their opinion.

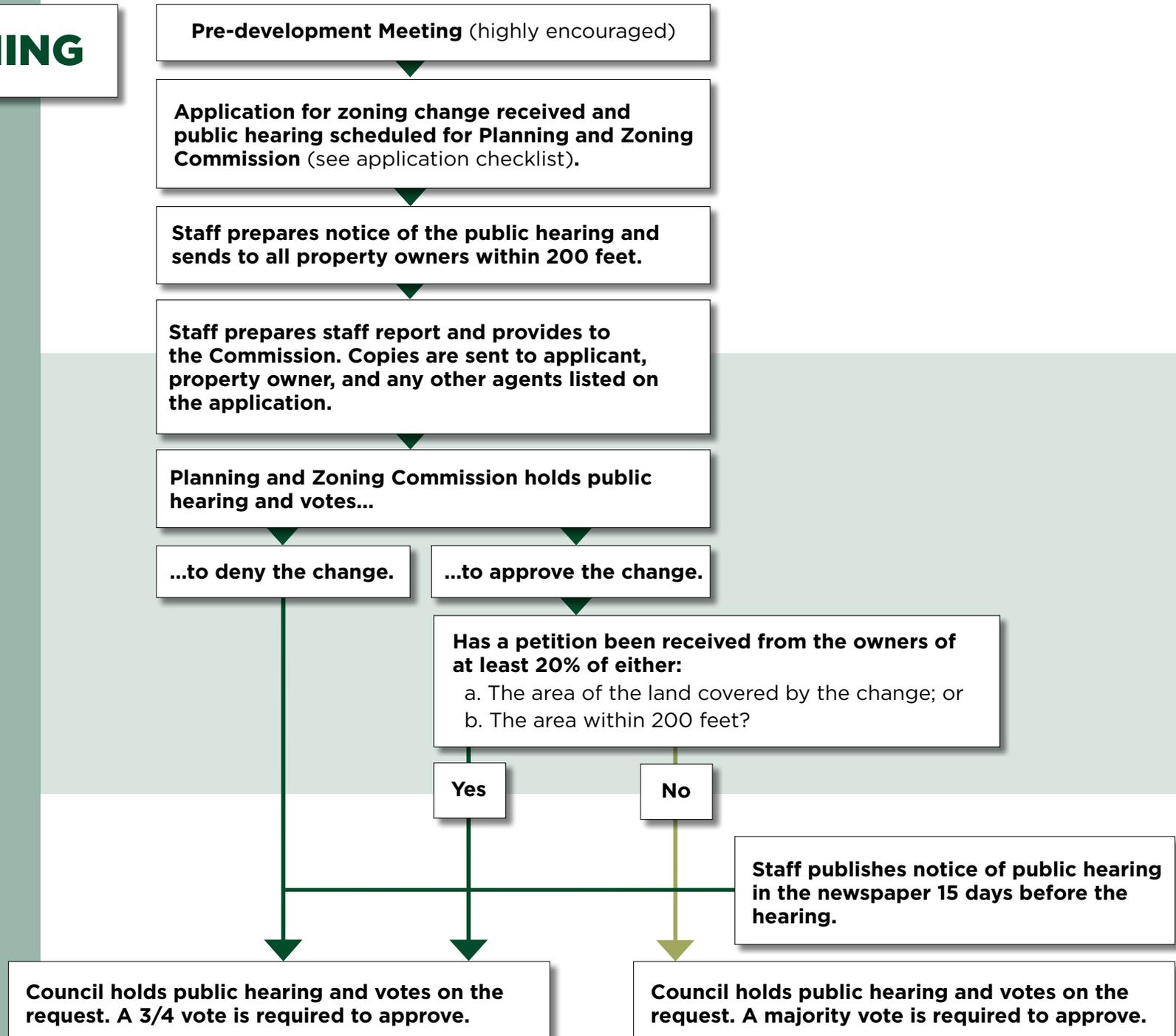
What happens if the Planning and Zoning Commission denies my request?

You will not be granted a CUP, but you may appeal to City Council.

Can a CUP be approved with conditions? What are the types of conditions?

Yes, a CUP can be approved with conditions such as limitations of the term of the CUP, necessary changes that must be made to the property or aspects of the property, set hours of operation, noise limitations, parking restrictions and requirements, etc.

ZONING



petition for
**ZONING CHANGE,
ZONING OVERLAY,
OR HISTORIC DISTRICT
CHECKLIST**



- Pre-development meeting** (highly encouraged)
- A completed application form, including a statement verifying land ownership and, if applicable, authorization of the land owner's agent to file the petition and required fees**
- Legal description of the site** (metes and bounds or lot and block if platted)
- Certificate of no tax delinquency** (tax certificates)
- Subdivision Concept Plats or Site Plans as required** (see Chapter 1 of the LDC)
- Additional information as required to clarify the request**



planned
**DEVELOPMENT DISTRICT
CHECKLIST**

Pre-development meeting (highly encouraged)

A completed application for a Petition for Planned Development District (PDD) and required fees

A digital .pdf copy of the Concept Plan at minimum scale of 1" = 100' showing the following:

A detailed listing of the proposed land uses and development standards, referenced to the Concept Plan. The description of land uses must outline and define all allowed primary uses, all allowed accessory uses, which land uses are specifically prohibited or limited, maximum residential densities, maximum floor-to-area ratios for non-residential uses.

Written zoning and development standards for the district, describing all exceptions, modifications or limitations to the applicable base zoning district regulations, and to environmental, supplemental development or public facilities standards in Chapters 4, 5, 6 and 7 of the Land Development Code. Written development standards are to include the following:



A detailed description of how proposed uses, layout and development standards that vary from otherwise applicable requirements or standards of the base zoning district and standards in Chapters 4, 5, 6 and 7 of the Land Development Code will produce a superior development project that is not inconsistent with the purposes of the regulations to be varied.



A description of the reasons why the proposed PDD meets one or more of the special circumstances listed in Chapter 4, Article 2, Division 6 as justifying creation of the district.



A drainage study and traffic impact study (when required) demonstrating that adequate facilities standards are provided (refer to Chapter 7 of the Land Development Code).



conditional use
PERMIT APPLICATION
GENERAL CHECKLIST

- Pre-development meeting** (highly encouraged)
- A completed application for Conditional Use Permit and required fees**
- A site plan illustrating the location of all structures on the subject property and on adjoining properties**
- Authorization to represent the property owner, if applicant is not the owner**

Additional information may be required.

conditional use
PERMIT APPLICATION
CHECKLIST
for on-premise consumption of alcohol

- Pre-development meeting** (highly encouraged)
- A completed application for Conditional Use Permit and required fees** *
- A site plan drawn to scale illustrating the locations of all structures on the subject property and on adjoining properties** *
- Interior layout showing all proposed seating, kitchen, bar areas and restroom facilities**
- Authorization to represent the property owner, if applicant is not the owner**

** Include all information and illustrations necessary to show the nature and effect of the proposed variations to the standards of the zoning district.*

Additional information may be required.

WATERSHED PROTECTION PLAN (Drainage Plan)

What is the purpose of a Watershed Protection Plan (Drainage Plan)?

The purpose of a Watershed Protection Plan is to identify, during the platting process, the environmental and drainage constraints of a site and to apply the environmental and flood control standards contained in chapter 5 of the Land Development Code to a specific platting application. A Watershed Protection Plan assures that the plat proposed for approval reflects the easements, water quality and buffer zones, sensitive feature protection zones, impervious cover limitations, and tree and habitat protection requirements contained in Chapter 5.

A Watershed Protection Plan, Phase 1, provides a conceptual overview of the environmental conditions and drainage patterns on the property. The Phase 2 plan provides for a detailed analysis and plan for mitigation of environmental impacts, compliance with drainage requirements, and final location of the required protection zones.

When is a Watershed Protection Plan Required?

Approval of a Watershed Protection Plan (WPP) is required prior to any platting of land or before the approval of a Site Preparation Permit on land already platted. For land already platted, the requirement for a WPP will be met through the submittal and issuance of a Comprehensive Site Preparation Permit. The WPP process applies to all projects within the city limits and within the city's extraterritorial jurisdiction.

What activity is exempt from the requirement of a Watershed Protection Plan?

- *The approval of a Minor Plat if the land does not contain a floodplain, floodway or regulated drainage way, and is not located on the Edwards Aquifer Recharge Zone or Contributing within Transition Zone, or in a stream or river corridor;*
- *Development on a previously platted lot (in this case, Chapter 5 compliance is determined at Site Preparation or Building Permit stage through expanded submittal requirements);*
- *Agricultural activities.*

chapter four PREPARING LAND FOR DEVELOPMENT



What is the process and time table?

A Watershed Protection Plan is reviewed and approved administratively under most circumstances.

A Watershed Protection Plan is considered “Qualified” and is approved by the Planning and Zoning Commission if any of the following is proposed:

- *A variance from water quality standards;*
- *A request for an increase in impervious cover requiring a mitigation plan;*
- *A request for reclamation of floodplain within a water quality or buffer zone;*
- *A request for reclamation of 20 acres or more of land in the 100-year floodplain;*
- *A request for clustering or development transfers benefiting a water quality zone.*

Initial administrative application review:

10 working days.

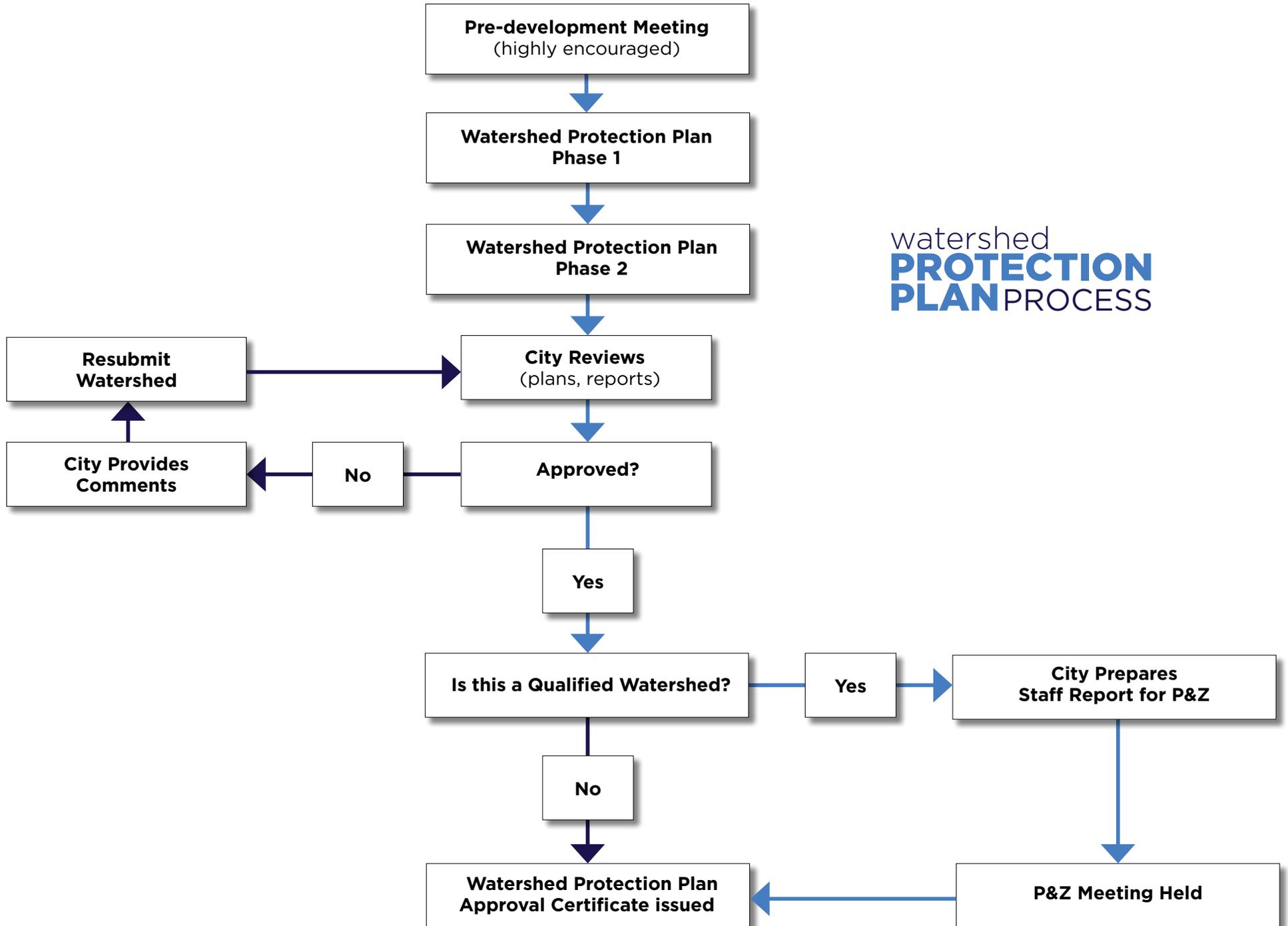
Approval time varies depending on the complexity of the project and quality of submittal and whether or not the plan is Qualified.

What work does the approval of the Watershed Protection Plan authorize?

An approved WPP authorizes no site preparation or other construction activities on the land. The plan approval authorizes the consideration of subsequent development applications:

- *An approved WPP Phase 1 allows the submittal and subsequent approval of a Concept Plat or Preliminary Subdivision Plat.*
- *An approved WPP Phase 2 allows the submittal and subsequent approval of Public Improvement Construction Plans, Final Development Plat or Final Subdivision Plat.*

watershed
**PROTECTION
PLAN** PROCESS



WATERSHED PROTECTION PLAN PHASE 1 (WPP1) CHECKLIST



- Pre-development meeting** (highly encouraged)
- Application and permit fee**
- Existing conditions topographic plan**
- Proposed improvements plan**
- Identification of any state and/or federal permits required for development**
- Soil map**
- Slope map with proposed impervious cover within each slope range**
- Aerial photograph showing tree groupings and specimen tree locations**
- Hydrologic and hydraulic calculations report**
- Supplemental plan sheets, reports, and materials**

WATERSHED PROTECTION PLAN PHASE 2 (WPP2) CHECKLIST

Pre-development meeting (highly encouraged)

Application and permit fee

Submittal shall consist of plans, exhibits, reports, and other supporting documentation depicting/demonstrating the following elements of the plan:

Approval of Phase 1 Watershed Protection Plan and identification of any element change from that approved plan OR documentation of all elements of a WPP1

Survey of all regulated trees
(9-inch diameter at breast height and larger)

Proposed improvements

Statement of no impact by qualified environmental professional (submit copy of any supporting environmental assessment information) **or approval from state and federal agencies for impacts to:**

- *Potable water mains*
- *Endangered species or habitat*
- *Archeological site*
- *Historical structures*
- *Wetlands*
- *Waters of the United States*
- *Edwards Aquifer*

Enhanced geological assessment if required in Chapter 5

Additional documentation is required if any disturbance will occur in the floodplain, if any clustering or development transfer is proposed, or if there is a request for any variance from environmental standards set forth in City code.

Existing drainage plan with summary of calculations

Proposed drainage plan with summary of calculations

public improvements
CONSTRUCTION PLAN
(PICP)

What are Public Improvements?

Public Improvements consist of the construction of public water, wastewater, drainage, and/or street improvements for a development.

When are Public Improvements required?

Public Improvements may be necessary when platting property or for a proposed development without adequate public infrastructure.

During the platting process City staff will work with you to determine the necessary public improvements. All lots platted are required to have public infrastructure to and through the limits of the proposed plat.

A proposed development may require public improvements if they do not currently have direct access to public infrastructure or if the development requires infrastructure with a capacity greater than what is directly available.

Will the City cost participate in these improvements?

The person developing or who owns the property is responsible for all costs associated with public improvements to service their development. This may include improvements to existing public infrastructure to provide the necessary capacity for the development.

The City may oversize participate in the cost associated with the public infrastructure to provide additional capacity above what is necessary for the development to serve a larger area in the future.

The City and developer/property owner would enter into an oversize participation agreement outlining the responsibility for each party.

Supplemental Information: 5 working days

Initial review of application: 10 working days

Applicant revision after comment notification:
Time determined by applicant

What is the process and time table?

A PICP is reviewed and approved administratively. The plans and application requirements should be submitted with the Site Preparation Plan submittal.

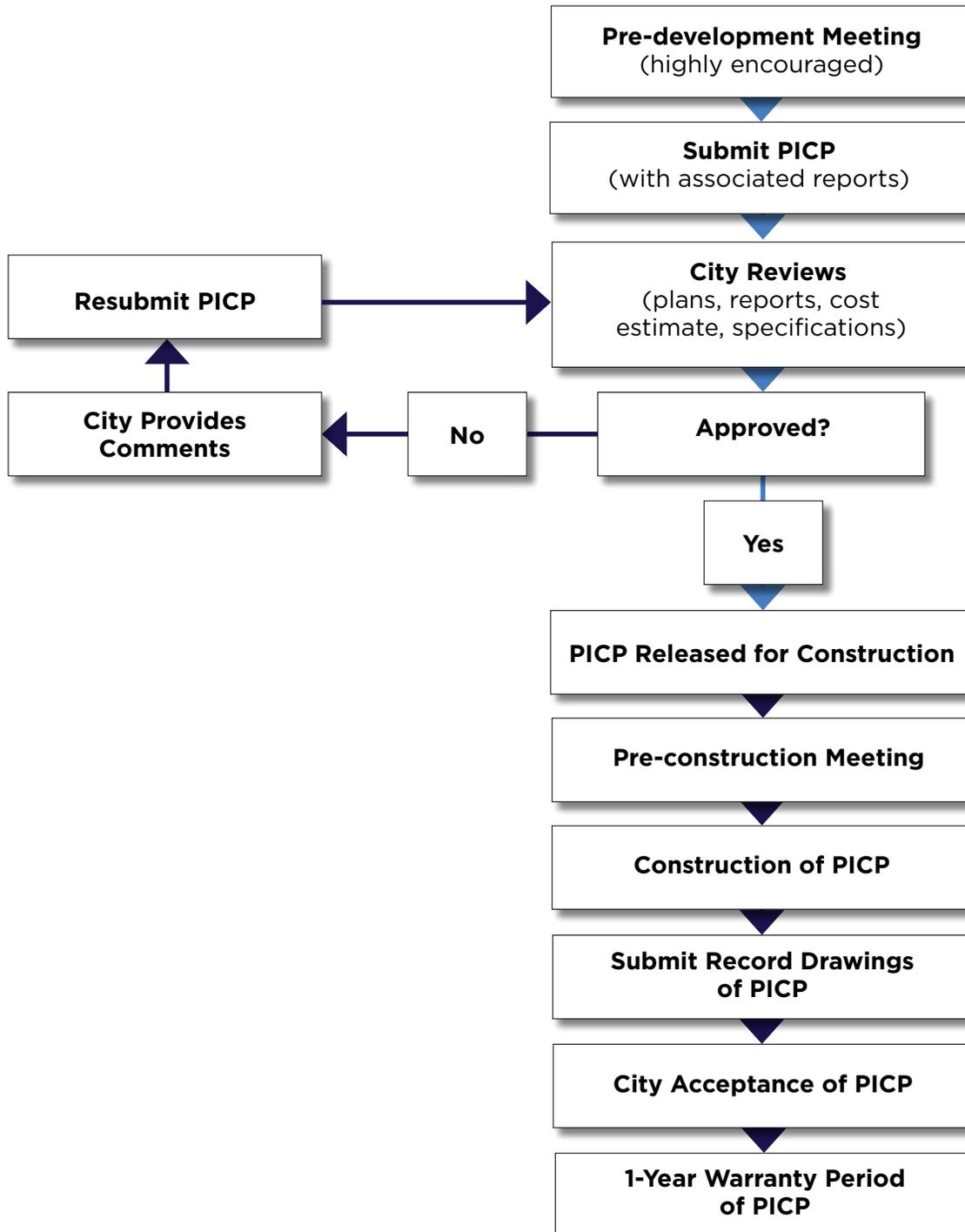
Completeness Check: 5 working days

Review of revised application: 10 working days

Permitting time varies depending on the complexity of the project and quality of submittal.

What work is authorized after approval of a PICP?

Approval of a PICP authorizes the applicant to schedule a pre-construction meeting with City personnel and the contractor. After the pre-construction meeting, the applicant may begin construction as shown on the approved Public Improvements Construction Plan.



PICP PROCESS

Review is performed by staff and is overseen by Development Engineering personnel.



public improvements
**CONSTRUCTION PERMIT
CHECKLIST**

- | | | | |
|--------------------------|---|--------------------------|--|
| <input type="checkbox"/> | Pre-development meeting (highly encouraged) | <input type="checkbox"/> | Water report |
| <input type="checkbox"/> | Application fee | <input type="checkbox"/> | Wastewater report |
| <input type="checkbox"/> | Approved Watershed Protection Plan Phase 2 | <input type="checkbox"/> | Hydraulic calculations (detailed calculations such as pond routing computations not included on construction plan sheets) |
| <input type="checkbox"/> | Traffic Impact Analysis | <input type="checkbox"/> | Construction specifications |
| <input type="checkbox"/> | Final Plat or Associated Plat | <input type="checkbox"/> | Construction plans |
| <input type="checkbox"/> | Engineer's opinion of probable construction cost | <input type="checkbox"/> | Subdivision Improvement Agreement (if applicable) |
| <input type="checkbox"/> | Associated reports | | |
| <input type="checkbox"/> | Geotechnical report including pavement design specifications | | |

PLATTING – SUBDIVIDING YOUR LAND

What is a plat?

Platting is the process through which undeveloped land is subdivided or transformed into legal building sites. The layout of streets, utilities, and lots are established for individual ownership and development. A subdivision plat is not the same as a survey. A plat will be signed and recorded with the county as part of the official legal description of the property.

When do I need to plat?

A plat must be prepared for a property prior to the development or division of land if:

- *the property is unplatted land, or*
- *an existing platted lot is further divided.*

When a plat is required, it must be approved prior to the issuance of a Site Development Permit or a Building Permit.

What prior submittals or approvals are required before submission?

Prior to the approval and recordation of a plat, the following petitions or permits must be approved if applicable:

- *Zoning*
- *Watershed Protection Plan (Phase 2)*
- *Public Improvement Construction Plans*
- *Traffic Impact Analysis*

What type of plat is required?

Subdivision Concept Plat – The purpose of a subdivision concept plat is to plan for the overall traffic and infrastructure needs for a project that will be developed and platted in multiple phases.

Approving Body: Planning and Zoning Commission

Preliminary Plat – The purpose of a preliminary plat is to lay out the utilities, transportation infrastructure and lots in preparation for the submission of Public Improvement Construction Plans. A preliminary plat is not required but is helpful in the processing of larger multi-lot subdivisions with a significant amount of planned street and utility infrastructure.

Approving Body: Planning and Zoning Commission

Minor Subdivision Plat – The purpose of a minor subdivision plat is to simplify the platting process when the proposed plat creates no more than 4 lots and no utility or transportation improvements are required.

Approving Body: Administrative Approval by City Staff

Revision to Recorded Plat – The purpose of this type of plat is to change the configuration of an existing platted lot. A revision to a recorded plat is either referred to as a replat or an amending plat. An amending plat is generally used to correct an error on the original plat and does not affect the plat date of the original plat. A replat is applicable when the lots are being re-configured to provide for development. In addition, a replat requires the planning staff to notify all property owners within 200 feet of the property to be replatted and creates a new plat date for the effected properties.

Approving Body for Replat: Planning and Zoning Commission

Approving Body for Amending Plat: Administrative Approval by City Staff

How long does it take to plat?

If all prior applications have been approved, all plats must be processed and decided within 30 days. If prior submittals are required and have not been approved at the time of application, then you will be asked to waive this statutory deadline by supplying a letter requesting the waiver.

How is a plat recorded?

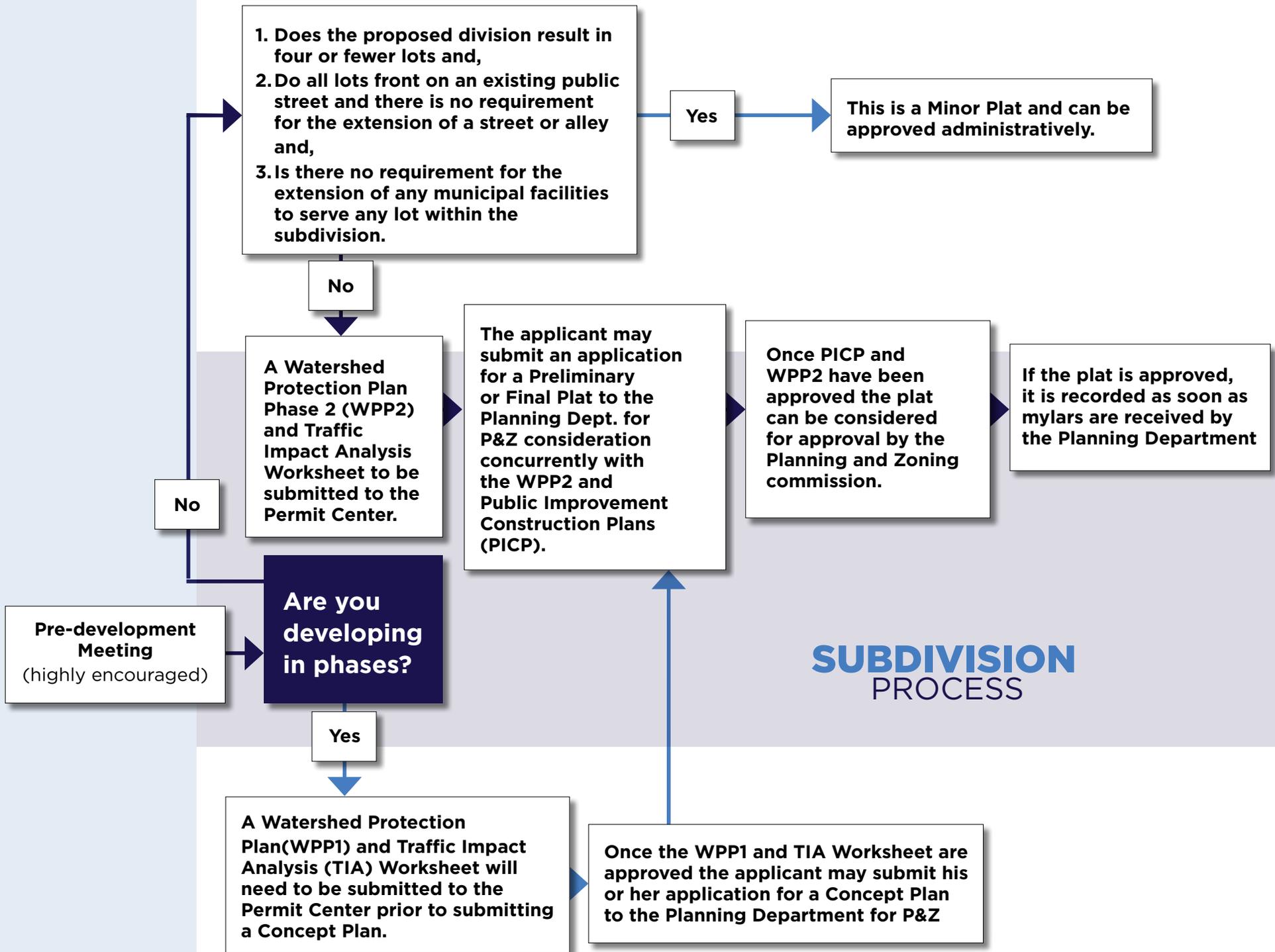
City staff will record the approved plat after the dedication, construction, or completion of the fiscal security agreement for all required Public Improvements including:

- *Streets*
- *Utilities*
- *Drainage Facilities*
- *Parks (parkland dedication or a fee in lieu is required for all residential subdivisions)*

What work does a plat authorize?

The approval and recording of a plat authorizes the issuance of Site Development and Building Permits so construction may begin on a property.





SUBDIVISION PLAT CHECKLIST



- Pre-development meeting** (highly encouraged)
- All zoning or legislative applications are complete**
- Watershed Protection Plan submitted if required**
- Public Improvement Construction Plans submitted** (if required)
- When a Watershed Protection Plan or Public Improvement Construction Plans are submitted but not approved a signed waiver of the 30 day requirement for plats needs to be submitted with the application.**
- Subdivision Plat application**
- Required fees**
- Proof of record ownership**
- Current tax certificate**
- Provide a digital pdf copy of the plat** (a .dwg file may be requested for larger subdivisions)

SITE DEVELOPMENT - BREAKING GROUND

What is the purpose of a Site Preparation Permit?

The purpose of a Site Preparation Permit is to apply the City's zoning, environmental, development, and public facilities standards to a specific development design proposed for a platted lot. It assures that the site work portion of a project will be constructed compliant with City rules and regulations.

When is a Site Preparation Permit required?

A Site Preparation Permit is required prior to any non-exempt development of land involving any earth disturbance within the City limits or in the City's extraterritorial jurisdiction. Development proposing the construction of a single family home or duplex on a single, legally platted lot does not require a Site Preparation Permit (compliance with development standards is assessed during the Building Permit process).

What activity requires a Site Preparation Permit?

- *Development proposing construction of more than 5,000 square feet of new impervious cover*
- *Expansion of an existing building by more than 50%*
- *Development located partially or completely within one of the following sensitive environmental regions:*
 - › *Edwards Aquifer Recharge or Contributing Zone*
 - › *Identified floodway or floodplain*
 - › *San Marcos River Corridor*
 - › *Wetlands or Jurisdictional Water*

What is the process and time table?

A Site Preparation Permit is reviewed and issued administratively.

Initial administrative application review: 10 working days.

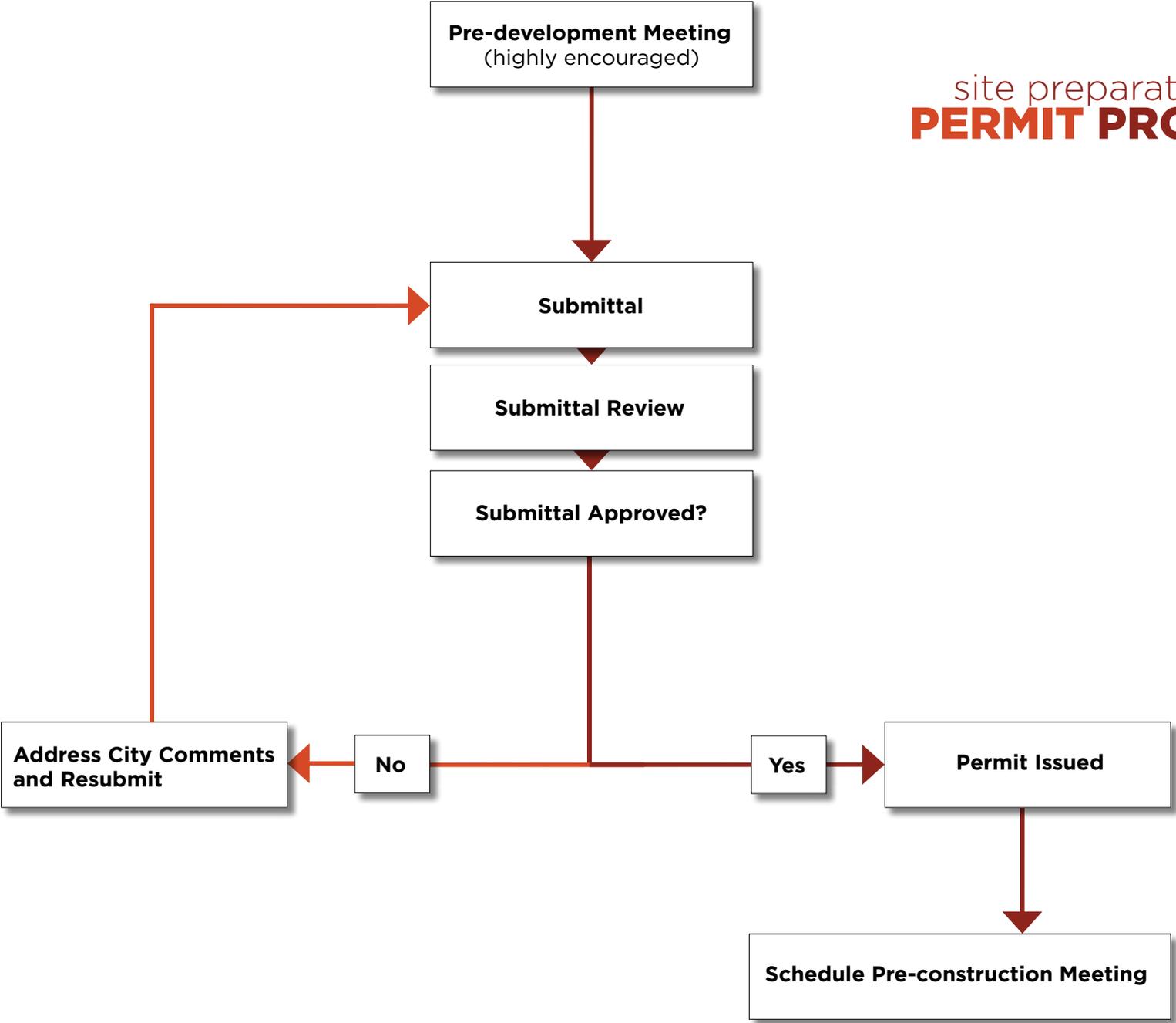
Permitting time varies depending on the complexity of the project and quality of submittal.

What work is authorized under a Site Preparation Permit?

A Site Preparation Permit authorizes the holder to schedule a pre-construction meeting with City personnel. After the pre-construction meeting, the permit holder may begin construction work that is located outside the footprint of buildings on a private development project. The work typically includes grading, paving, utility installation, drainage, detention, landscaping, irrigation, screening, etc., as reflected on the approved site construction plans.



site preparation
PERMIT PROCESS





site preparation
PERMIT CHECKLIST

Pre-development meeting (highly encouraged)

Site Preparation Permit application

Permit fee

Site Construction Plans to include:

Copy of recorded plat

General construction notes

Existing conditions plan

Erosion control plan and details

Proposed improvements/site plan

Landscape plan

Irrigation plan

Photometric plan and calculations

Standard construction details

Slope map with proposed impervious cover per slope range

Existing conditions drainage plan

Proposed conditions drainage plan
(including upgrading contributing drainage areas)

Additional Materials:

Fixture count based flow calculations

Hydrologic and hydraulic calculations

STRUCTURES & BUILDING PERMITS – GOING VERTICAL

What is the purpose of a Building Permit?

The purpose of a Building Permit is to ensure construction plan compliance with the approved Site Preparation Permit and to apply the City's adopted building construction codes to a specific proposed structure.

The City has adopted the following Codes for building construction:

- *International Code Council Family of Codes, 2009 Edition*
- *National Electric Code, 2008 Edition*
- *Local amendments to those codes located in Chapters 14 and 38 of the City Code of Ordinances.*

When is a Building Permit required?

A Building Permit is required prior to the placement, construction, or alteration of any building or structure within the City Limits.

Is any construction exempt from the requirement of a Building Permit?

- Minor cosmetic work or repair such as painting, carpeting, limited roof repair, siding installation, or fixture replacement may be done without a permit. If you are uncertain if the work is exempt, please contact the Permit Center at 512.805.2630 or by email at building_inspection_info@sanmarcostx.gov.
- Building construction in the City's ETJ does not require a building permit (plumbing permit required if on City water system, electrical permit required if served by San Marcos Electric Utility).

What is the process and time table?

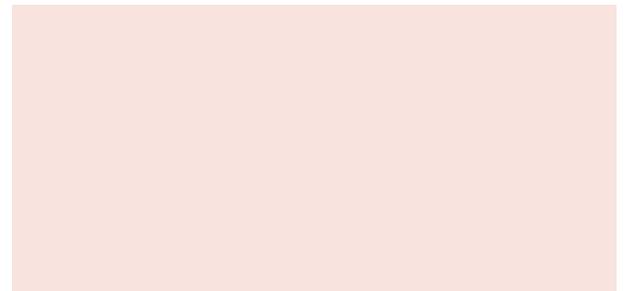
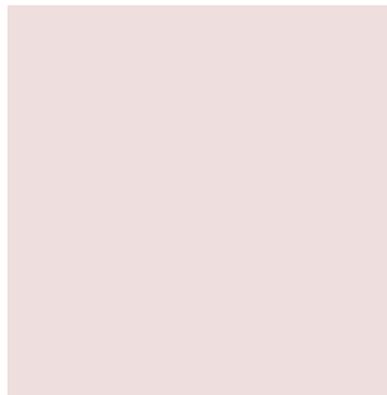
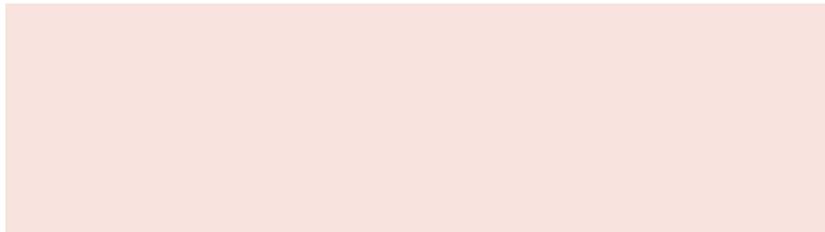
A building permit is required and issued administratively.

Initial review of application: 5 working days

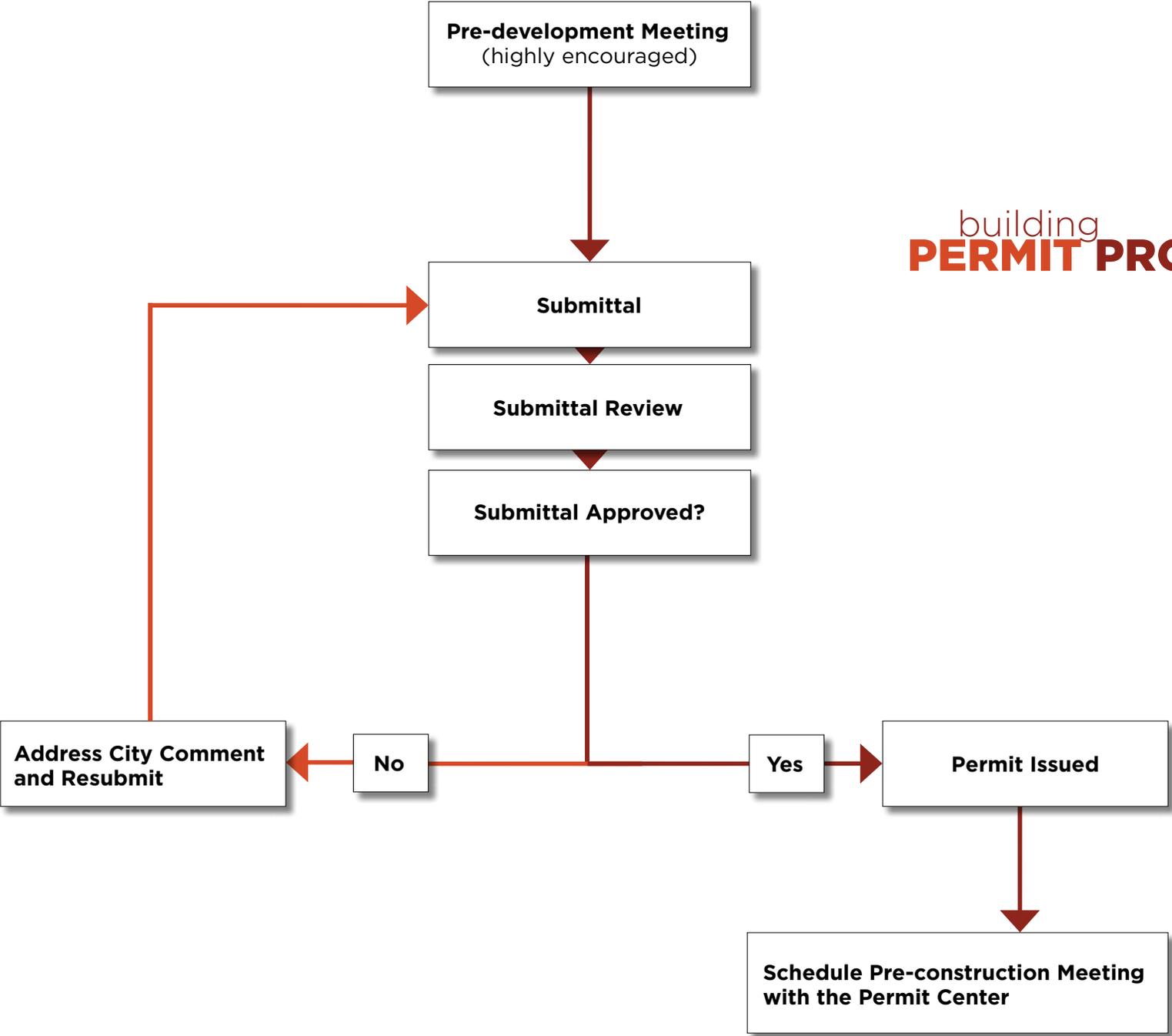
Permitting time varies depending on the complexity of the project and quality of submittal.

What work is authorized under a Building Permit?

An approved Building Permit authorizes the permit holder to construct, alter, or place a structure on the land in accordance with approved plans. Approval of a Building Permit also authorizes the property owner, upon completion of a structure intended for human occupancy, to obtain a Certificate of Occupancy.



building
PERMIT PROCESS



Pre-development meeting (highly encouraged)

Building Permit application

Plan review fee

Building Construction Plans to include:

Site plan

Floor plan

Wall, ceiling, and roof framing detail

Foundation plan with details

Electrical plan

Plumbing plan

Mechanical plan



building
PERMIT CHECKLIST
RESIDENTIAL

Additional Materials:

Copy of recorded plat

RES check (energy calculations)

Pre-development meeting (highly encouraged)

Building Permit application

Plan review fee



building
PERMIT CHECKLIST
COMMERCIAL

Building Construction Plans to include:

Site plan

Floor plan

Wall, ceiling, and roof framing detail

Foundation plan with details

Electrical plan

Plumbing plan

Mechanical plan

Additional Materials:

Copy of recorded plat

Exterior elevation views

COM check (energy calculations)

Asbestos report (if applicable)

Texas Department of Licensing and Regulation (TDLR) project registration number (for accessibility standards compliance)

CERTIFICATE OF OCCUPANCY – MOVING IN

What is a Certificate of Occupancy?

A Certificate of Occupancy (C of O) is a document or permit that allows a business to operate in a specific location. The process of issuing a C of O ensures that a business complies with zoning or land use ordinances as well as the structural and fire-life-safety codes of the City. It assures the applicant that his/her business structure is ready for occupancy.

When is a Certificate of Occupancy required?

A C of O is required any time a new business is opening in either an existing or new structure.

This includes:

- *A tenant change*
- *Change in the type of use*
- *Change of occupancy classification*
- *A major change in the characteristics of the business*
- *A new business*

What is the process?

A C of O where no construction is involved requires:

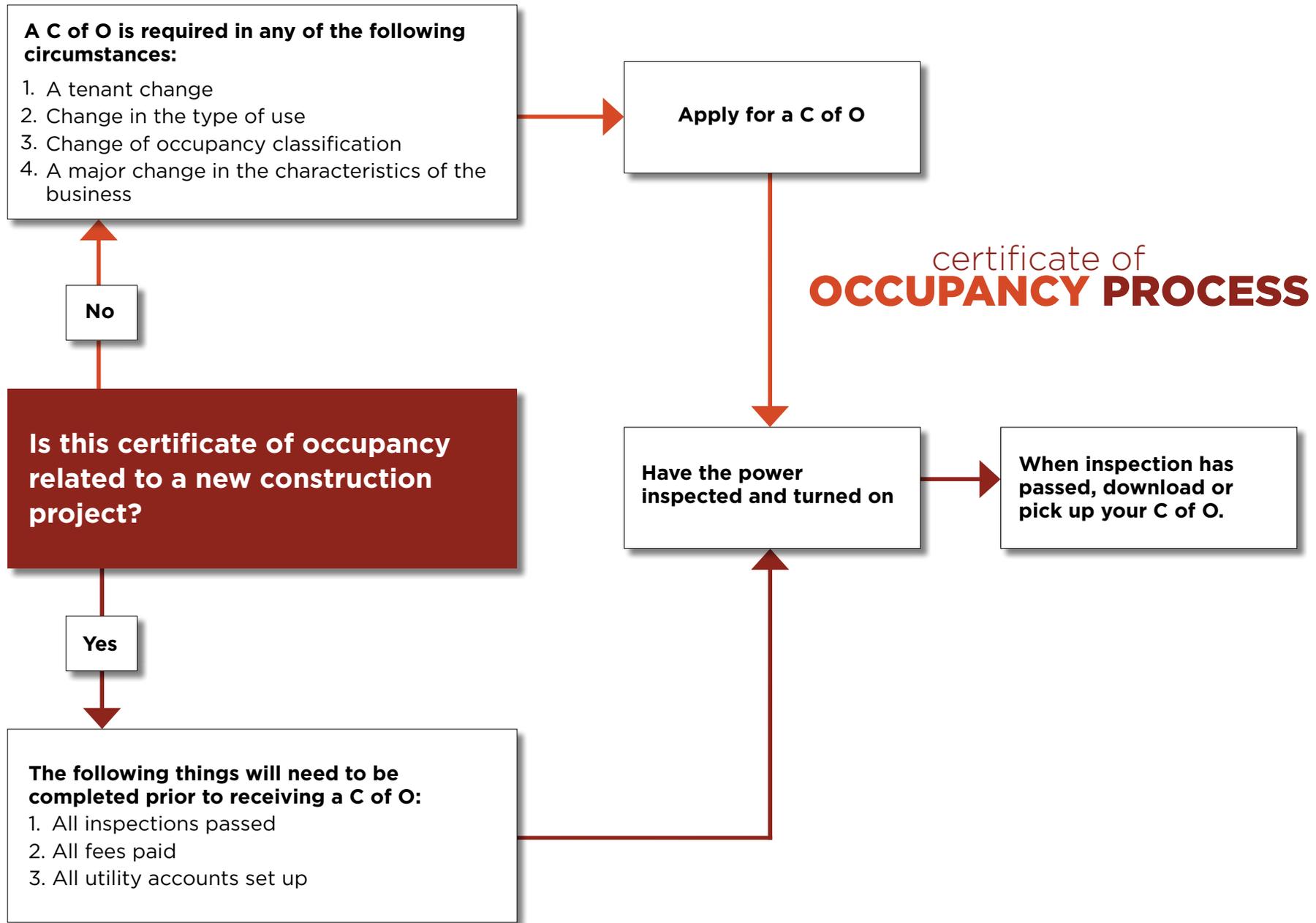
- *An application submitted to the Permit Center*
- *One or more inspections will occur. If you need power turned on in the building, two inspections will be required: a Phase 2 power that allows the Electric Utility to turn on power to the property, and the Certificate of Occupancy inspection.*
 - › *The building inspector will contact you the morning of the inspection to schedule a time to meet you on site.*

A C of O shall be issued at the end of a building project after:

- *All fees have been paid*
- *All inspections have been successfully passed*
- *All utility accounts have been set up*

When all of these steps have been completed, a C of O inspection can be scheduled.

When this inspection has passed, the C of O Certificate will be available for download in MyPermitNow or may be picked up at the Permit Center.





certificate of
OCCUPANCY CHECKLIST

All utility accounts set up

All fees paid

All inspections completed

Proposed change in land use is described

Number of existing parking spaces are accounted

chapter six

MISCELLANEOUS PROCESSES & PERMITS

FENCE PERMIT

When is a fence permit required?

A fence permit is required any time fencing is being installed, with the following exceptions:

- Maintenance of an existing fence that does not include adding new fencing or the demolition and re-construction of more than 50% of the existing fence
- A fence that has been approved through a subsequent permit application and was identified on the site plan of that application.

What is the process?

- An application and site plan can be delivered to the Permit Center, applied for on-line, or emailed to building_inspection_info@sanmarcostx.gov.
- Typical review times are 1 - 3 business days.
- Plans will be reviewed and a permit can be emailed or uploaded to your online account.
- Construction can take place once the permit is received

fence PERMIT CHECKLIST

Completed application and fee

Site plan

SIGN PERMIT

When is a sign permit required?

- A sign permit may be required whenever a new sign is placed within the City Limits or the shape, size, or location of an existing sign changes.
- A sign permit is only required in areas where a sign is visible from a public ROW or street. For example signs within the outlet mall that face the interior of the mall do not require a permit.

What types of sign permits are available?

There are several different types of sign permits described below:

- On-Premise Attached Sign - This is a sign that is typically attached to the building that is being advertised. It can also include window signs or signs attached to a wall or fence.
- On-Premise Free Standing Sign - This is typically a pole or monument sign located on the property that is being advertised.
- Off-Premise Sign - This is typically a billboard.
- Temporary Sign - These are typically associated with a special event and are only permitted for a maximum of 90 days throughout the calendar year.

What is the process?

- An application and site plan can be delivered to the Permit Center, applied for on-line, or emailed to building_inspection_info@sanmarcostx.gov.
- Typical review times are 1 - 3 business days.
- Construction can take place once the permit is received.

sign PERMIT CHECKLIST

Completed application and fee

Site plan - required for free standing signs

APPENDIX



How do I contact the Planning Department?

Phone: 512.393.8230

Email: planning_info@sanmarcostx.gov

Address: 630 East Hopkins, San Marcos, Texas 78666

How do I contact the Engineering Department?

Phone: 512.393.8130

Email: capital_imp_info@sanmarcostx.gov

Address: 630 East Hopkins, San Marcos, Texas 78666

How do I contact the Permit Center?

Phone: 512.805.2630

Email: building_inspection_info@sanmarcostx.gov

Address: 630 East Hopkins, San Marcos, Texas 78666

When are City Council meetings held?

The San Marcos City Council meets on the 1st and 3rd Tuesdays of each month. The City Council operates under the City Charter adopted by the citizens of San Marcos.

The San Marcos City Council is composed of a Mayor elected at-large by the people for a 2-year term and six Council Members elected at-large for staggered 3-year terms. Regular City Council elections are held on the general election day in November.

When are Planning & Zoning (P&Z) Commission meetings held?

The Planning and Zoning Commission meets the 2nd and 4th Tuesday of every month at 6:00 p.m. in the City Council Chambers, located at 630 E. Hopkins. Commissioners are appointed by City Council and serve a maximum of two 3-year terms. Commissioners filling a vacancy may be reappointed twice.

Extraterritorial Jurisdiction (ETJ)

Is my property located within the city limits of San Marcos or in the ETJ?

There are several ways to obtain this information. One way is to visit the city's website and use the interactive GIS map found in the Development Services page to search the specific address. The City of San Marcos Website provides interactive maps that allow the user to find the parcel or parcels in question and compare with the city limits and ETJ boundary. Also, there is a large digital map of the city's ETJ on the Development Services website. Another way to find this information is to call or come in to the Development Services office upstairs in the Municipal Building where a planner can help aid you in determining whether the property is located within city limits.

What is the Extraterritorial Jurisdiction (ETJ)?

ETJ is a buffer extending outside the city limits which grants certain rights to the City. Properties outside the city limits but inside the ETJ will be under the subdivision regulations of the City, but will not be held to zoning, land use or most City development standards. Land within the City's ETJ cannot fall within another city's ETJ or be annexed by another city. Properties within the ETJ are also not provided City utilities and are not subject to City taxes but may be annexed at some point in the future. The ETJ for San Marcos currently extends 3.5 miles from the city limit boundaries.

What is my property zoned if I live in the ETJ?

There is no zoning since state statutes limit the authority of cities to regulate outside of city limits and within the ETJ.

What City regulations affect my property in the ETJ?

Although there is no zoning in the ETJ, the City does have subdivision authority. These rules determine how land is divided. Also, some environmental regulations are in place, which requires approval of a Site Preparation Permit for certain projects.

I'm not in Hays County. Can I still be in San Marcos's ETJ?

Yes. San Marcos's ETJ extends into parts of four counties: Hays, Caldwell, Guadalupe, and Comal.

What is annexation?

Annexation is the process by which a municipality expands the boundary of its city limits. The City of San Marcos is a home rule city. Annexation by home rule cities in Texas may be done unilaterally by ordinance of the annexing city government. Texas law specifies different types of annexation with different procedures.

I'm in the ETJ but I would like to receive City services. Is this possible?

This may be possible depending on service availability and may trigger annexation. Please consult city staff to schedule a meeting to review the process and your options.

General Questions:

What are the current fees for development in San Marcos?

Current fees can be found on the Planning & Development Services and Permit Center websites.

Does the City of San Marcos have maps available online?

Yes, interactive maps are available on our city website that provides the public access to our Geographic Information System (GIS) data in a user-friendly environment. The application is easy to use and can be used with little or no training. Additionally, users can download static maps in pdf format and GIS data layers in shapefile format. The interactive maps include information such as parcels, zoning districts, floodplains, collection routes, and much more.

Can I run a business from my home?

Home Based Businesses (Home Occupations) are allowed under Section 4.3.3.1 of the Land Development Code (LDC). There are restrictions to types of businesses and amount of square footage used by a home based business within the Code.

Who assigns a street address?

Street addresses are assigned by Permit Center staff.

What is the Comprehensive Plan and what does it do?

The Comprehensive Plan is a document that states the future goals and policies of the community in regard to land use, recreation, utilities, housing, municipal services and more. The comprehensive plan provides a framework for future growth and development of the city.

Where can I find planning application submittal requirements and checklists?

By navigating to the Development Services homepage, located on the city website at sanmarcostx.gov.

Planning and Zoning Commission, Zoning Board of Adjustments, and City Council Questions:

What is the function of the Planning and Zoning Commission and Zoning Board of Appeals?

The Planning and Zoning Commission (P&Z) is an appointed government board that reviews the local zoning boundaries as well as the regulations to be enforced in them. The commission is comprised of 7 members. Most cases being reviewed are voted on by P&Z before being sent to City Council for approval or denial. The P&Z also acts as the decision making body for most subdivision cases.

The Zoning Board of Appeals (ZBOA) is an appointed government board that hears and decides upon requests to vary from the Land Development Code's development standards, found in Chapter 4. Typically requests include fence height increases, reductions in setbacks and sign variance for size or height. In order to be approved, a request must meet nine Findings of Fact, determining whether or not there is a hardship that necessitates the request. The Zoning Board of Appeals also hears Special Exceptions and appeals from the Historic Preservation Commission.

What can I do to let the Planning and Zoning Commission, Zoning Board of Appeals or City Council know that I am either opposed to or supportive of a proposed rezoning request or another planning application?

For cases requiring a public hearing, property owners within a 200 foot buffer of the subject property will be sent a letter informing them of the changes proposed at the property as well as the meeting time for the Planning and Zoning Commission or the Zoning Board of Appeals. Anyone may submit emails to planning_info@sanmarcostx.gov or letters or documents to the Planning Department to be included in the case packets. One may also attend P&Z, ZBOA and/or City Council meetings and speak during the public hearing or public comment period.

MyPermitNow

MyPermitNow is a web-based permitting software the City of San Marcos launched in January 2012 that is helping to streamline our development process.

With this new software our citizens are able to:

- Submit digital plans and documents that will be reviewed, stored, and linked to the users secure account
- Track the progress from beginning to end of current projects including comments, mark-ups and other relevant information
- Schedule Inspections and receive real-time notification of the results via email and phone message
- Apply and pay for permits online
- View and save real-time reports for all permits at www.mypermitnow.org

How to find Permit Reports

www.mypermitnow.org

1. Enter “Customer Portal”
2. Click “Search Permits”
3. Select State and Jurisdiction (“San Marcos”)
4. Click “Advanced Reporting or Bulk Downloads”
5. Select Permitted Uses Detail
6. Select Time Frame
7. Export file to CSV, PDF, MHTML, Excel, TIFF or Word formats



PREPARED BY
CITY OF SAN MARCOS DEVELOPMENT OPERATIONS
630 EAST HOPKINS | SAN MARCOS, TX 78666

