

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE
OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

AMENDING CITY CODE CHAPTER 35, SECTIONS 35-339.04 AND 35-339.05 UNIFIED DEVELOPMENT CODE OF SAN ANTONIO, TEXAS, BY CREATING THE MARTINDALE ARMY AIR FIELD MILITARY LIGHTING OVERLAY DISTRICT 3 (MLOD-3) AND MILITARY SOUND ATTENUATION OVERLAY DISTRICT (MSAO-2); AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, SECTION 35-304, BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY WITHIN 5 MILES OF THE BOUNDARY OF MARTINDALE ARMY AIR FIELD BY APPLYING MLOD-3 AND MSAO-2.

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WHEREAS, the military mission in San Antonio contributes to the Texas economy and directly and indirectly supports 283,000 Texan jobs

WHEREAS, Martindale Army Air Field (“Martindale”) provides a base of operations for helicopter training, including night time training generally located near Loop 410 and IH 10 on the far east side of San Antonio; and

WHEREAS, to protect the military mission of Martindale, the City Council finds it necessary to adopt zoning regulations for lighting and sound attenuation in areas around Martindale; and

WHEREAS, a public hearing was held after notice and publication regarding these zoning regulations and amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, on November 20, 2018, the Zoning Commission has submitted a final report to City Council regarding these zoning regulations and amendments to the Official Zoning Map of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35 of the City Code of San Antonio, Texas, the Unified Development Code, is hereby amended by adding language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text as set forth in this Ordinance.

SECTION 2. Chapter 35 of the City Code of San Antonio, Texas, is hereby amended as follows:

Chapter 35, Article III, Division 4, Section 35-339.04. is amended as follows:

Sec. 35-339.04. - Military Lighting Overlay Districts.

STATEMENT OF PURPOSE

The purpose of this section is to establish regulations for outdoor lighting impacting military operations five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, ~~and~~ Lackland Air Force Base and Martindale Army Air Field.

Specific purposes of these lighting districts are as follows:

- To reduce glare and potential distractions to night time training exercises occurring within this area.*
- To balance the needs of the military, the City of San Antonio, and property owners regarding responsible development including outdoor lighting within this area.*
- To permit the use of outdoor lighting that does not exceed the minimum level as guided by Illuminating Engineering Society (IES) recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.*
- Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.*

Designation Criteria. To be designated as a military lighting overlay district, an area must be five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, ~~or~~ Lackland Air Force Base, or Martindale Army Air Field; provided, however, that if a Joint Land Use Study determines that lighting regulations are required in a smaller area than those required in a designated district, the City may initiate a rezoning to remove properties from a military lighting overlay district. If a Joint Land Use Study determines that different regulations are required or recommended, the City may modify the district regulations accordingly.

(a) Zoning Process and Classification.

- (1) This section establishes a military lighting overlay district, specifies the general purposes of the military lighting overlay district and the scope of the standards within that district.
- (2) The military lighting overlay district is established as an overlay to the regular base zoning districts.
- (3) The planning and development services department shall coordinate with other appropriate departments or agencies in order to evaluate land use, traffic and other development related issues in determining the necessity of establishing a military lighting overlay district. All parties in interest and citizens shall have an opportunity to

be heard at a public hearing in accordance with Chapter 211 of the Local Government Code.

- (4) The zoning designation for the military lighting overlay district shall consist of a base zone symbol and the military lighting overlay district symbol "MLOD" as a suffix. The following two (2) types of military lighting overlay districts shall be established and numbered sequentially to distinguish among different districts, i.e., "MLOD-1," "MLOD-2," etc.
- (b) **Military Lighting Regions (MLRs) within Military Lighting Overlay Districts (MLODs).** Overall geographic areas shall be known as Military Lighting Regions within the Military Lighting Overlay District and shall be specified as described below.
 - (1) MLR1—Three (3) miles or less from the installation (most restricted lighting) = LZ-2 for BUG rating limitations referenced in Exhibit 1. Lighting Zone 2 allows only fifty (50) lumens in the Uplight High (UH) and Uplight Low (UL) zones, one hundred (100) lumens total (less than a 25W incandescent lamp).
 - (2) MLR2—Greater than three (3) miles and up to and including five (5) miles from the installation (less restricted lighting) = LZ-3 for BUG rating limitations referenced in Exhibit 1. Lighting Zone 3 allows only five hundred (500) lumens in the Uplight High (UH) and Uplight Low (UL) zones, one thousand (1,000) lumens total (about the output of a 75W incandescent bulb).
 - (3) This will ensure the following:
 - A. Consistent color temperature of the lights.
 - B. Color temperatures do not exceed 4100K (white light or warm light) depending on MLR.
 - C. Fully shielded lights.
 - D. No light emitted above ninety (90) degrees.
 - E. Appropriate amount of light where needed.
 - F. Glare restrictions are in place.

Chapter 35, Article III, Division 4, Section 35-339.05(c). is amended as follows:

Sec. 35-339.05. - Military Lighting Overlay Districts.

Division 4. "MSAO" Military Sound Attenuation Overlay District.

- (c) **District Standards - Camp Bullis (MSAO-1) and Martindale (MSAO-2).** All habitable portions of structures occupied by noise sensitive land uses shall be designed and constructed to achieve either: an outside to inside noise level reduction (NLR) of at least twenty-five (25) a-weighted decibels (dBA), or be built to the standards set forth in subsection (c)(1)B. below.

These standards are required regardless of whether the noise sensitive land use is stand-alone as a single use or part of a larger development that may include more than one land use.

SECTION 3. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 32,344 acres for multiple properties by adding the zoning overlay districts of Martindale Army Air Field Military Lighting Overlay District 3 (MLOD-3) to include the Military Lighting Regions (MLR) and Military Sound Attenuation Overlay District "MSAO-2" to all property within the corporate limits of the City of San Antonio and five (5) miles or less from the boundary of the limits of Martindale Army Air Field **as listed below**.

SECTION 4. A description of the property is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes

SECTION 5 All other provisions of Chapter 35 of the City Code of San Antonio, Texas, shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 6. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 7. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 8 The City Clerk is directed to publish notice of this ordinance amending City Code, Chapter 35, Unified Development Code. Publication shall be in a newspaper in the City in accordance with Section 17 of the City Charter.

SECTION 9. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 10. This ordinance shall become effective December 16, 2018.

PASSED AND APPROVED this 6th day of December, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

DRAFT