SG 05/18/17 Item # 16

AN ORDINANCE 2017 - 05 - 18 - 0344

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS ADOPTING NOTICE PROCEDURES AND A DEFINITION FOR COURTESY NOTICE TO REGISTERED NEIGHBORHOOD CONSERVATION DISTRICTS AND HISTORIC DISTRICTS REGARDING PERMIT APPLICATIONS AND PRELIMINARY PLAN REVIEW MEETINGS FOR PROJECTS WITHIN THE RESPECTIVE DISTRICTS AS REQUESTED BY COUNCIL MEMBER TREVINO, DISTRICT 1.

* * * * *

WHEREAS, Council Member Trevino, District 1 submitted a Council Consideration Request to adopt procedures to notify registered Neighborhood Conservation Districts and Historic Districts regarding permit applications and preliminary plan review meetings for projects within the respective districts; and

WHEREAS, a public hearing was held after notice and publication regarding amendments to Chapter 35 of the City Code of San Antonio at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding amendments to Chapter 35 of the City Code of San Antonio adopting notice procedures and a definition for courtesy notice to registered Neighborhood Conservation Districts and Historic Districts regarding permit applications and preliminary plan review meetings for projects within the respective districts; 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 is hereby amended by adding language that is underlined (<u>added</u>) 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 IV, Division 1, Table 403-1 Notice Requirements, is amended as follows:

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	<u>(M)</u>
Type of Notice	Amendments to Master Plan	Amendments to future land use or text changes to the Community, Neighborhood, Perimeter or Sector Plans	Rezoning	Master Development Plan	ltems Requiring Public Hearing Before the Board of Adjustment	Subdivision Plat, Major	Subdivision Plat, Minor	Certificate of Appropriateness (Not Including Administrative Approval Certificates)	Permits, Orders or Approvals Not Mentioned Requiring Public Hearing	Request for Demolition of a Historic Landmark or Potential Historic Landmark	Historic Designation Application Approved by Historic Preservation Officer	Applications within Neighborhood Conservation Districts and Historic Districts

Table 403-1Notice Requirements

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Publication: Publication in an official newspaper of general circulation before the 15th day before the date of the hearing.	*		*	-	*	*(6)	(6)	×	*	_	-	
Mail: Written notice of the public hearing shall be sent.	-	*(1)(2)	*(1)(2)	-	*(1)(2)	(6)	(6)	· _	*(1)	*(1)(2)	*(2)(8)	
Internet: Post notice on the city's Internet website until the process has been completed.	*(7)	*	*	*(7)	*	*(7)	*(7)	*	*	*	-	
Signage: Post a sign on the property subject to the application. Signs to be installed and provided by the city			*(4)(5)		× -	-	_	*	_	* .	_	
<u>E-Mail: Courtesy Reports</u> of Applications shall be sent.												<u>*(9)</u>

Notes:

(1) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property, within two hundred (200) feet of the property. Notice for zoning cases shall be sent prior to the tenth day before the date of the public hearing at the zoning commission. Notice for demolition applications shall be sent prior to the seventh day before the date of the public hearing at the historic design and review commission. Notice shall not be required for text amendments to the Community, Neighborhood, Perimeter or Sector Plans.

(2) Notice shall be sent to registered neighborhood associations within two hundred (200) feet of the project.

(3) The sign shall measure not less than eighteen by twenty-four inches and shall contain:

City's name,

HDRC Case #_____

Name of Case Manager, and Contact telephone number.

Contact telephone number.

The sign shall be constructed of corrugated plastic sign stock and shall be in a highly visible fluorescent style color with contrasting colors. Lettering shall be a block font in as large a type as permitted by the sign size.

(4) The sign shall measure not less than twenty-four by thirty-six inches and shall contain:

City's name,

Zoning Case#

Contact telephone number of case manager

(General) Purpose: From To

The sign shall be constructed of corrugated plastic sign stock and shall be in highly visible fluorescent style color with contrasting colors. Lettering shall be a block font in as large a type as permitted by the sign size.

(5) The requirement for the posting of signs on individual lots and properties shall be waived for city initiated area-wide rezoning consisting of six (6) or more individual lots. However, signs will be placed at the general location of the boundary of the area-wide zoning project and its intersection with major arterial and collector streets that provide ingress/egress to the area subject to rezoning.

(6) Notice for replat applications shall be sent in accordance with Local Government Code Ch 212.015.

(7) Notice will include project name, number of acres, and approximate location.

(8) The historic preservation officer shall notify all property owners within a proposed historic district boundary of the date, time, place and purpose of the historic and design review commission hearing at least thirty (30) days prior to the historic and design review commission hearing on the historic district designation.

(9) Notice of Courtesy Reports of general building permits, sign permits, and Preliminary Plan Review meeting requests shall be sent weekly to all registered neighborhood associations. These notices are sent as a courtesy. Any failure to send or receive courtesy reports shall not restrict the issuance of the applicable permit.

Chapter 35, Appendix A: Definitions and Rules of Interpretation, is amended by adding the definition of courtesy notice as follows:

APPENDIX A: DEFINITIONS AND RULES OF INTERPRETATION Sec. 35-A101. Generally.

Council. The city council of the City of San Antonio.

<u>Courtesy Notice.</u> Notice, either in the form of an email or written, of the scheduled public hearing or permit applications or preliminary plan review meetings.

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<u>Courtyard.</u> A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) or more sides by the walls of a building.

SECTION 3. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

SECTION 4. 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 5. 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 6. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 18th day of May 2017.

y IC. Ja M

Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

Agenda Item:	16											
Date:	05/18/2017											
Time:	09:52:56 AM											
Vote Type:	Motion to Approve											
Description:	An Ordinance amending Chapter 35 of the City Code, specifically 35.403 and 35-A101 of the Unified Development Code to provide weekly reports to registered neighborhood associations with a Neighborhood Conservation District and Historic District zoning overlay, regarding permit applications and/or preliminary plan review meetings for projects located within their respective Neighborhood Conservation District and Historic District. [Roderick J. Sanchez, Assistant City Manager; Michael Shannon, Interim Director, Development Services]											
Result:	Passed											
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second					
Ivy R. Taylor	Mayor	9	x									
Roberto C. Treviño	District 1	n "a	x			x						
Alan Warrick	District 2		x		a 8	2	x					
Rebecca Viagran	District 3	x				X						
Rey Saldaña	District 4		x									
Shirley Gonzales	District 5	102	x									
Ray Lopez	District 6		x									
Cris Medina	District 7		x									
Ron Nirenberg	District 8		x									
Joe Krier	District 9		x		r - 1							
Michael Gallagher	District 10		x									

NCD WEEKLY PERMIT REPORTS

CITY COUNCIL – ITEM 16 MAY 18, 2017



Presented by: Michael Shannon, P.E., CBO – Interim Director

Agenda

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Timeline and Online Reports Of Co



Process

Recommendation

Council Consideration Request (CCR)



- Sponsored by Councilman Robert Treviño (CD 1)
 Submitted August 18, 2016
- Requests weekly reports to registered neighborhood associations within a Neighborhood Conservation District (NCD) for:
 - Preliminary plan review meetings
 - Permit applications
- □ There are 9 NCD's

Timeline

Aug. 2016

- CCR created
- Online Weekly Reports Created

Feb. 2017

 Met with Neighborhood Associations

Mar. 2017

- Development
 Process Task Force
- Met with Neighborhood Associations
- Planning Commission Technical Advisory Committee
- Outreach through Constant Contact

Apr. 2017

• Zoning Commission

May 2017

Neighborhoods
 Set in a bility

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- & LIVADIIITY
- City Counci

Online Reports

DEVELOPMENT SERVICES HOME ABOUT >	SUMMARY OF DEVELOPMENT SERVICES' PERMIT ACTIVITY:									
BOARDS AND COMMISSIONS >	Development Services provides regular reports on utility releases, residential or commercial plans that have been submitted, building and residential permits insued, and row buomesses that opened. Such reports are designed to keep the community informed about building developments that ucual impact their area, as well as occurrent the progress of projects throughout the City. These reports are issued weekly, monthly, for the calendar year and based on fiscal year.									
BUSINESS OWNERS > CONSTRUCTING IN SAN ANTONIO >										
CONTRACTOR REGISTRATION & LICENSING	DAILY/WEEKLY MONTHLY CALENDAR YEAR FISCAL YEAR DISTRICTS OPEN PERMITS									
CODE ENFORCEMENT > RESOURCES > ONLINE SERVICES >	DAILY REPORTS: Code Modification Request (Excel)									
SA.GOV RELATED SITES	WEEKLY REPORTS ON UTILITY RELEASES, GRANTED PERMITS AND SUBMITTED PLANS:									
FIRE MARSHAL	Every week, Development Services provides a list of business and residences that have received utility releases from CPS. Energy in addition, Development Services reports on all the commercual and residential plans submitted for processing, as well as building permits that have been granted and new businesses that have opened.									
OFFICE OF HISTORIC PRESERVATION	as building permits their never been granned and never obsinesses than never opened. CITY PUBLIC SERVICE									
MORE LINKS	Belease To CPS Report (POF) Belease To CPS Report (Excel)									
HELPFUL LINKS	NEW BUSINESS									
BEXAR APPRAISAL (BCAD)	New Business List (PDF) PERMITS									
BEXAR COUNTY LAND DATA CPS ENERGY	Building Permits Granted (PDF) Building Permits Granted (Previous Reports)									
MORE LINKS	PLANS									
OFFICE & LOCATION	Commercial Plans Submitted (PDF) Residential Plans Submitted (PDF)									

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Link: http://www.sanantonio.gov/dsd/resources/Reports

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Process



7

 Amend the Unified Development Code (UDC) to provide:
 Weekly e-mail notification to registered neighborhood associations presidents within NCDs & Historic Districts

- Permits (submitted / issued)
- Preliminary plan review meetings
- □ All reports are available on DSD website
- Conducted stakeholder meetings to receive input on proposed UDC changes



Sec. 35-403. - Notice Provisions.

(a) Generally. The notice requirements for each type of application for development approval are prescribed in the individual subsections of this article applicable thereto and/or the Texas statutes. The notice requirements for certain types of public hearings are established in Table 40-1 below provided, however, that to the extent of an inconsistency-between the provisions of this section and any state statute, this last estatute shall govern.

(b) Contents of Notice. The notice shall state the time, date and place of hearing and a description of the property subject to the application. The notice shall include, at a minimum, the following:

. The street address, if the street address is unavailable, the legal description by NCB/CB, block, and lot metes and bounds or a general description of the location of the property, either using block numbers, nearby street intersections or approximate distances from intersections.

· The current zoning district, if any, and

. The category of permit requested and a brief description of the proposed development including density or building intensity, revised zoning classification (if any), and uses requested

In Table 403-1, the method for providing notice is provided in column (A) and the types of permits affected are set forth in columns (B) through (J). In Table 403-1, an asterisk (*) indicates that the type of notice prescribed in column (A) is required for the category of development order prescribed in columns (B) through

(L), while a dash (----) indicates that the notice is not required Table 403-1 Notice Requirements

□ Add "Courtesy Reports" to NCD's and Historic Districts

□ Amend Sec. 35-403

Notice Provisions

00	(0)	63	(D)	40	(B)	(60)	টেট	<u>(</u>)	05	00	il.)	00
Type of Native	Ameridations to Master Plan	Anne-diments to future hard user or test changes to the Commonity, Netghboritoed, Preiburter or Sector Pases	Franke	Master Development Plan	Trens Requiring Fublic Hearing Before the Bosto of Adjuntment	Subditision Pie. Major	Stelehous Plat, Maser	Centerforment Appropriationes One lacteding Athelens cache Approved Centerformes	Perneks, Ordens er Appervals Nor Meet knows Requiring Prakik, Bisaribig	Require for Densition of a Rinter's Landmath, or Prantial Ristor's Landmath	Haroner Livergeethen Application Apprased by Blatank Freesevetaun Officer	Agentical sam within Synatherchard Conterconting Execution and Historick Data but
Publication: Publication et an official newspaper of general cerusidion before De 12th Gay betwee die date of Sochestrong	·	•		1		•08)	163	-		-	-	- 1
Mail: Written to dow of the patho bearing shall be prot	-	*(Dg5)	*0.60		*(3)(2)	46)	10		R (1)	*(730)	*(250)	
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(1) Notice shall be sent to each owner, as indicated by the most recently approved numicipal tax roll, of real property, within two handred (200) files of the property. Notice for zoning cases shall be sent prior to the stant day before the date of the public hearing at the zoning communication indication applications while use net prior to the stant day before the date of the public hearing at the zoning communication applications while the net prior to the stant day before the date of the public hearing at the hinter: design and review commission. Notice shall not be required for text amendments to the Community, Neightorhood. Parimeter or Sector Plans.

(2) Notice shall be sent to registered neighborhood associations within two hundred (200) feet of the project

□ Amend Table 35-403-1 to add:

"Notice of Courtesy Reports of general building permits, sign permits, and Preliminary Plan Review meeting requests shall be sent weekly to all registered neighborhood associations. These notices are sent as a courtesy. Any failure to send or receive courtesy reports shall not restrict the issuance of the applicable permit."



Recommendation

Approval to move forward for City Council consideration to amend Chapter 35 as proposed



NCD WEEKLY PERMIT REPORTS CITY COUNCIL – ITEM 16 MAY 18, 2017



Presented by: Michael Shannon, P.E., CBO – Interim Director