

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 (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 IV, Division 1, Table 403-1 Notice Requirements, is amended as follows:

Table 403-1
Notice Requirements

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
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	Items 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

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)	—	—	—	—	*	—	*	—	
E-Mail: Courtesy Reports of Applications shall be sent.												*(9)

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.

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.

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

Courtyard. 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.

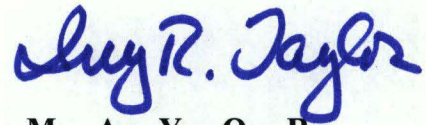
SECTION 3. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

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.

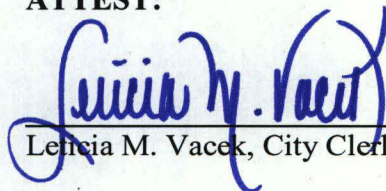
SECTION 5. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

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.

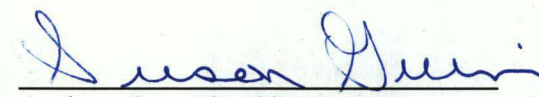
PASSED AND APPROVED this 18th day of May 2017.


M A Y O R
Ivy R. Taylor

ATTEST:


Lencia M. Vacek, City Clerk

APPROVED AS TO FORM:


For 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		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

NCD WEEKLY PERMIT REPORTS

CITY COUNCIL – ITEM 16

MAY 18, 2017



CITY OF SAN ANTONIO
**DEVELOPMENT SERVICES
DEPARTMENT**

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

Agenda



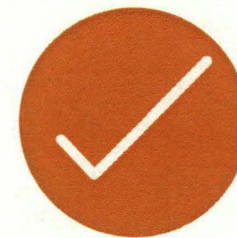
Council
Consideration
Request (CCR)



Timeline
and
Online Reports



Process



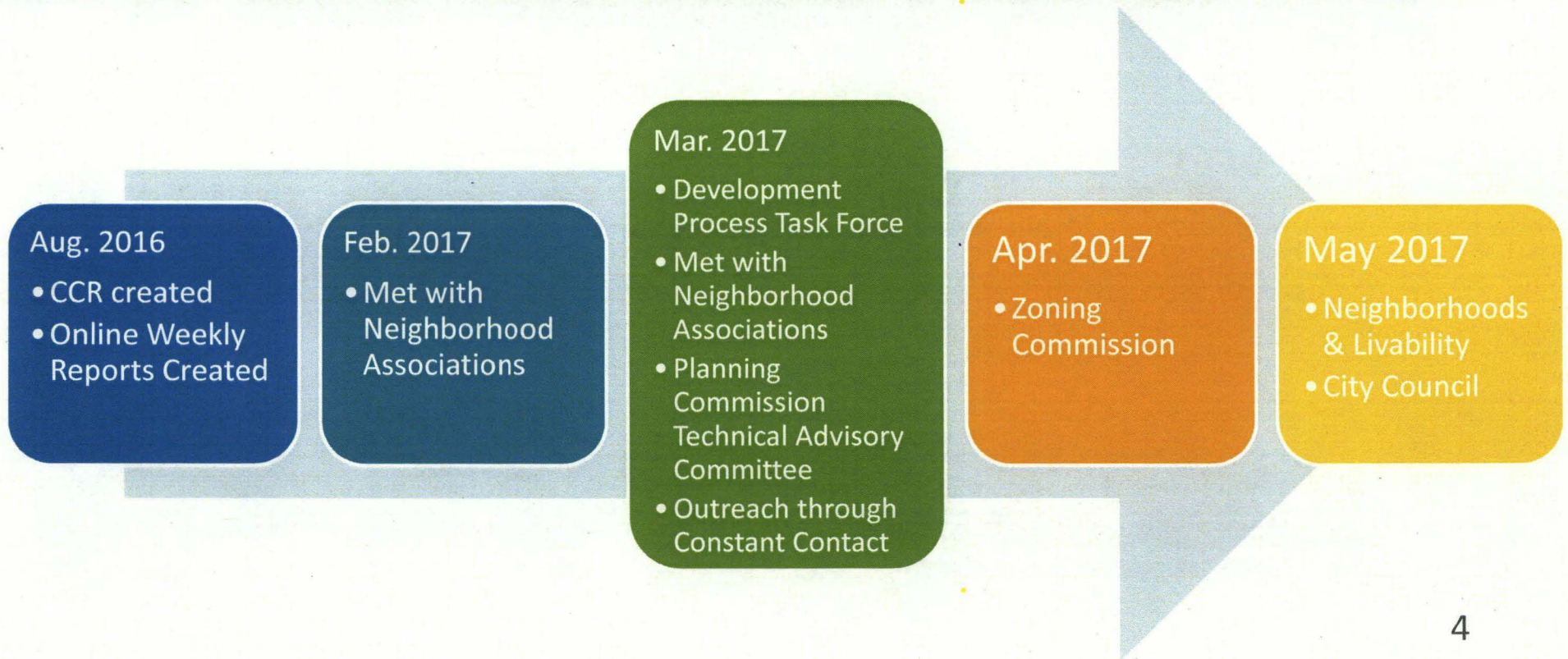
Recommendation

Council Consideration Request (CCR)

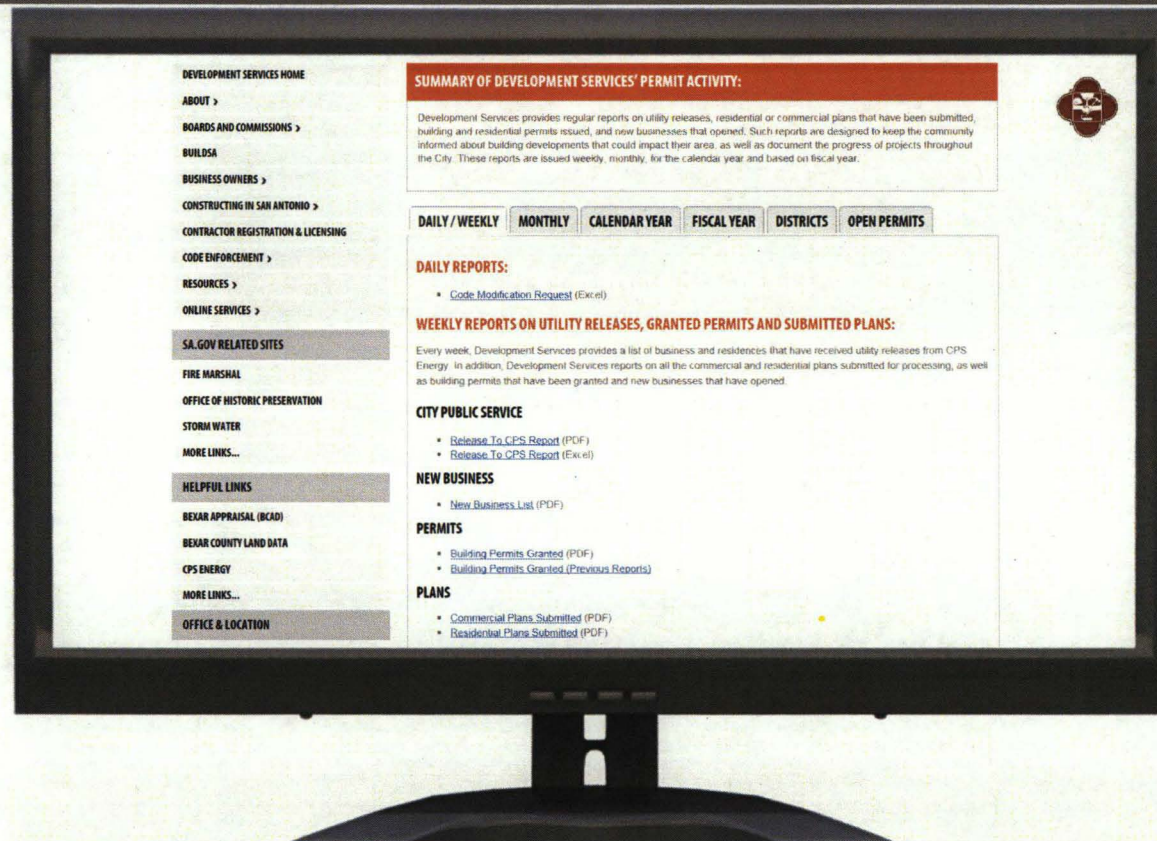


- Sponsored by Councilman Robert Treviño (CD 1)
 - Submitted August 18, 2016
- Requests weekly reports to registered neighborhood associations within a Neighborhood Conservation District (NCD) for:
 - Preliminary plan review meetings
 - Permit applications
- There are 9 NCD's

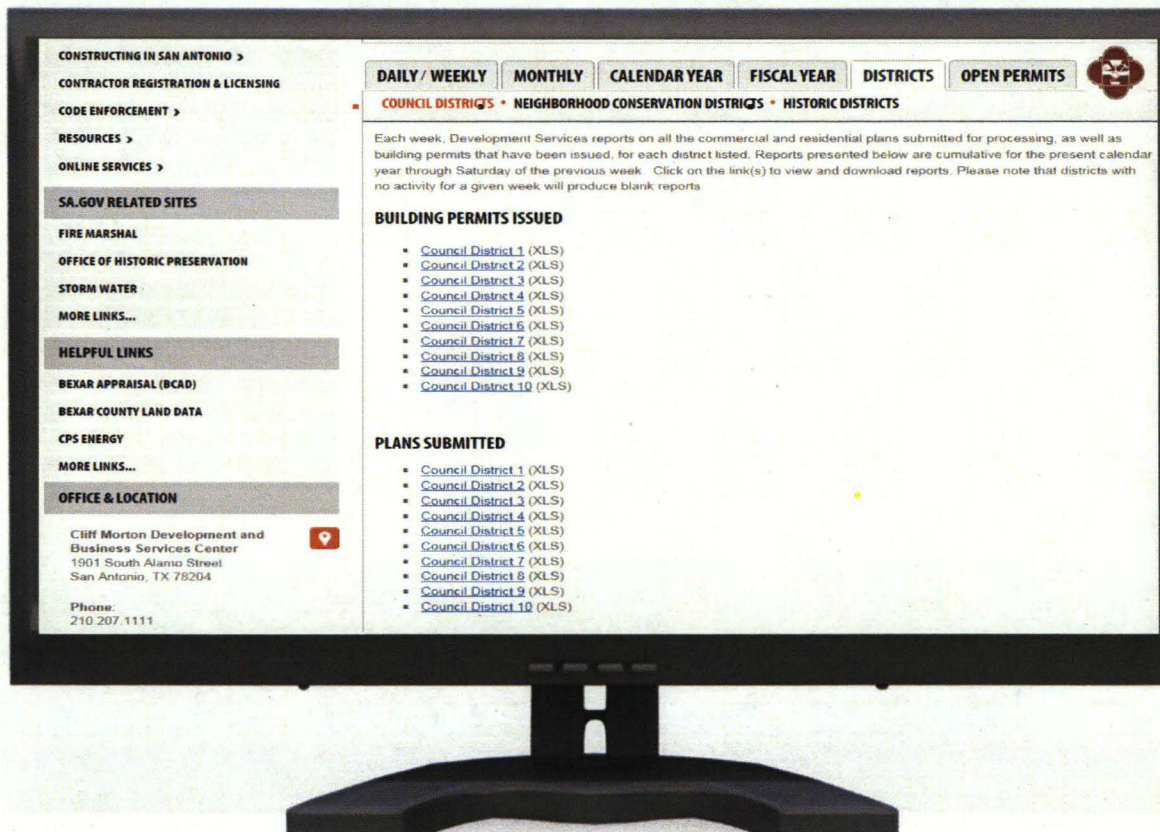
Timeline



Online Reports



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



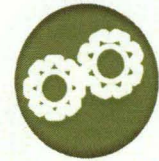
Process



- 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

□ 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.”



(f) The sign shall measure not less than eighteen by twenty-four inches and shall contain:
City's name,
HEBIC Case # _____,
Name of Case Manager, and
Contact telephone number.
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(g) The sign shall measure not less than twenty-four by thirty-six inches and shall contain:
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Zoning Case# _____,
Contact telephone number of case manager.
(General) Purpose: From _____ To _____
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Sec. 35-A101. – Definitions and Rules of Interpretation

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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



CITY OF SAN ANTONIO
**DEVELOPMENT SERVICES
DEPARTMENT**

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