



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3338

**Type:** Staff Briefing - Without Ordinance

**In control:** Planning Commission

**On agenda:** 5/25/2016

**Title:** Consideration and Action on Amendments to Chapter 35 of the Municipal Code, the Unified Development Code, to modify regulations and fees for Notice Requirements for rezoning cases.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Table 403-1 Amendment

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Roderick Sanchez

**COUNCIL DISTRICTS IMPACTED:** All

### SUBJECT:

Consideration and Action on the proposed amendments to the Zoning Change Notification Process as recommended by the Housing Commission on Preserving Dynamic and Diverse Neighborhoods

### SUMMARY:

This item includes staff and Housing Commission recommendations to the current zoning notification procedures by increasing the size of the sign, adding general purpose language, Spanish translation and fees.

### BACKGROUND INFORMATION:

Current notification procedures for changes in zoning are governed by both Texas Local Government Code and the City of San Antonio's Unified Development Code.

Texas Local Government Code requires that notice of the proposed rezoning be sent to property owners within 200 feet of the subject property, as indicated by the most recently approved municipal tax roll, 11 days prior to the Zoning Commission Meeting. Additionally, notice of the proposed rezoning must be published in a newspaper 16 days prior to the City Council Meeting. Agendas for the Meetings must meet the 72 hour

requirement for posting.

The City's Unified Development Code follows the state statute requirements and adds additional notification for proposed rezoning requests. They are as follows:

For Zoning Commission:

- Following submittal of an application and Completeness Review, DSD posts information regarding the application received on the DSD Website
- 16 days prior to the Meeting, notice of the proposed rezoning is published in a newspaper
- 11 days prior to the Meeting, in addition to the state law requirement for notice to be sent to the owners within 200 feet of the subject property, notice is also sent to the registered Neighborhood Associations within 200 feet. A sign is also posted on the subject property.
- 72 hours prior to the Meeting, the agenda is posted on the City Hall kiosk as well as the City's Website

For City Council:

- 16 days prior to the Meeting, notice of the proposed rezoning is published in a newspaper as required by state law
- 11 days prior to the Meeting, notice is sent to the owners within 200 feet of the subject property, as well as the registered Neighborhood Associations within 200 feet.
- 72 hours prior to the Meeting, the agenda is posted on the City Hall kiosk as well as the City's Website State Law requires a  $\frac{3}{4}$  vote of City Council to approve a rezoning if 20% of property within 200 feet is represented by property owner opposition.

## **ISSUE:**

Further enhancing the transparency of the zoning change process was identified by the Housing Commission as a way to increase public awareness and involvement in property use changes. Staff recommended increasing the size of the sign posted on the property and adding general information regarding the request to increase public awareness.

The current size 18" X 24" sign is \$8.05 per sign and are included in the costs of a zoning change application. Costs to rezone are based on acreage and additional fees are assessed if site plans are required or if the property is over the recharge zone. Increasing the size of the sign to 24" X 36" would cost \$18.40 per sign. Staff recommends an additional \$10.00 fee to the zoning application fee to cover the increase in the costs.

Staff will also translate the sign into Spanish on the other side of the sign.

## **ALTERNATIVES:**

N/A

## **FISCAL IMPACT:**

Recommendations that change the zoning notification process result in increased expenses. This will result in an increase in application fees.

**RECOMMENDATION:**

Staff recommends approval of the changes as recommended by the Housing Commission in order to increase public awareness and involvement in the rezoning process. Next steps in the timeline are below:

May 17, 2016: Zoning Commission Consideration and Action

May 25, 2016: Planning Commission Consideration and Action

June 20, 2016: Neighborhoods and Livability Council Committee Consideration

June 30, 2016: City Council Consideration