



City of San Antonio

Agenda Memorandum

File Number:15-5542

Agenda Item Number: 15.

Agenda Date: 10/28/2015

In Control: Planning Commission

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick J. Sanchez, AICP, CBO

COUNCIL DISTRICTS IMPACTED: All

SUBJECT: 2015 Unified Development Code Updates

SUMMARY:

Consideration and recommendation of amendments to the Chapter 35 of the Municipal Code, the Unified Development Code, affecting all Articles, Appendices, and adding a new Appendix. These amendments are part of the 2015 UDC 5-year update program.

BACKGROUND INFORMATION:

The San Antonio City Council adopted the UDC on May 3, 2001. UDC Chapter 35-111 provides for an update process every 5 years. The UDC authorizes the Zoning Commission, Planning Commission, Board of Adjustment, Historic Design Review Commission, and City Council to initiate amendments to the UDC for any purpose. Other individuals may submit amendments to the UDC that meet one of the following criteria:

1. Editing amendments to provide for editing changes that do not alter the impact of the provision being addressed and including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinances, statutes or case law.
2. Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC. Clarification amendments should not change or alter the intent or meaning of existing UDC provisions.
3. Rule interpretation determinations (RIDs) are written policies and administrative interpretations made by the development services director, historic preservation officer and planning and community

development director for subjects which are not fully provided for in the UDC. RIDs are based on case or project experience and may or may not result in the creation of a UDC amendment.

The UDC implements the City's Comprehensive Plan and Master Plan policies. In addition, the UDC includes development regulations for subdivision platting, zoning, and street and drainage design standards, as well as historic preservation. This amendment process is intended to help strengthen and clarify regulations, and carry out City Council priorities.

For the last several months, amendments have been reviewed and considered by several stakeholders and the Planning Commissions Technical Advisory Committee (TAC). DSD served as the administrator over this process and accepted over 200 submissions. As the UDC process continues, below is an outline of what has occurred:

On May 1, 2015, 260 amendments were submitted by 30 internal/external agencies and/or private citizens. The internal agencies included:

- Development Services
- Transportation and Capital Improvements
- Office of Historic Preservation
- SAWS
- Bexar County
- Parks and Recreation
- City Attorney's Office

On July 13, 2015, TAC considered 76 external amendments to determine if they were editing, clarification, or not editing or clarification. TAC sent all 76 to Planning Commission for further review.

On August 12, 2015 - Planning Commission evaluated the external amendments for:

TAC recommendation, compliance with the UDC, needed changes, and/or sponsorship. Planning Commission sponsored 33 of the 76 external amendments and sent them back to TAC for full consideration. These external amendments included:

- Donald Oroian - Platting (6)
- Michael Romans - Platting (1)
- Food Policy Council - Urban Farming (5)
- HEB - Bicycle, Parking, Sidewalks (3)
- Brown and Ortiz - Zoning matrix and Master Development Plan Validity (5)
- King William Association - Subcategory of Commercial Districts (1)
- Kaufman and Killen Inc. - Zoning matrix (3)
- Real Estate Council of San Antonio - Secondary Access (1)
- SARA - RIO site design standards (1)
- Green Industry Alliance- Tree (6)
- Robert Barry/Timothy Barker - Zoning matrix Ambulatory Surgical Center (1 each/duplicate)
 - Planning Commission did not support the applicant's submitted amendment. However, they did direct staff to create a definition of Ambulatory Surgical Centers with no impact/change to the Zoning matrix

The remaining amendments did not meet the UDC criteria and were not sponsored by the Planning Commission.

From July - September 2015, TAC has been meeting every week, they have considered and approved over 200 amendments.

- 22 Category 1 (minor)
- 142 Category 2 (major)
- 40 Category 3 (major/extended discussion)

October - November 2015 - TAC will continue to consider remaining items that include:

- Low Impact Development (LID)
- Secondary Access

Boards and Commissions have been briefed on:

- October 5, 2015- BOA
- October 6, 2015 - ZC
- October 14, 2015 - PC
- October 21, 2015 - HDRC

Public Hearing and Consideration:

- October 19, 2015 - BOA
- October 20, 2015 - ZC
- October 28, 2015 - PC

City Council:

- November 16, 2015: Neighborhoods and Livability Committee
- December 10, 2015 - tentatively scheduled City Council

January 1, 2016 - Effective date of amendments

ISSUE:

Staff and the TAC agreed on approximately 200 of the amendments considered. The following items represent the areas of disagreement.

Unfavorable Recommendation by TAC

- **Amendment 19-5 relating to bicycle lane facilities for collectors, secondary, and primary arterials (Submitted by Transportation and Capital Improvements)**
- **Amendment 29-13 relating to adding a requirement for applicants to submit consent from holders of private easements prior to plat recordation (Submitted by City Attorney's Office)**

Items which TAC and staff are still working to resolve

- **Amendment 3-1 relating to adding a voluntary LID development option and conservation subdivision (Submitted by San Antonio River Authority)**
- **Amendments 12-1 and 14-16 relating to modifying and clarifying secondary access requirements (Submitted by Real Estate Council of San Antonio and Bexar County, respectively)**

Board of Adjustment Consideration, October 19, 2015

- **The Board of Adjustment recommended approval of all amendments that received a favorable**

recommendation from TAC.

Zoning Commission Consideration, October 20, 2015

- Zoning Commission did not provide a recommendation for
 - Amendment 13-1/22-1 relating to ambulatory surgical centers
 - Amendment 24-8 relating to Code Enforcement Activities and property liens by the Office of Historic Preservation
- Zoning Commission provided a recommendation of denial for
 - Amendment 28-102 relating to conditional uses and specific uses where the base zoning district is not changing but is inconsistent with the underlying future land use plan designation
- Zoning Commission provided a recommendation of approval for all other amendments that received a favorable recommendation from TAC.

Historic & Design Review Commission, October 21, 2015

- HDRC recommended approval of amendments submitted by the Office of Historic Preservation only.

Development Services will continue to work with these City Departments, Stakeholders, and TAC on the items of disagreement prior to consideration by the City Council.

ALTERNATIVES:

On each amendment the main alternative is to leave the Unified Development Code as it exists today, without an amendment.

FISCAL IMPACT:

There is no anticipated fiscal impact to the City's general fund or the Development Services Department's enterprise fund with this proposed ordinance.

RECOMMENDATION:

The Development Services Department and the Planning Commission Technical Advisory Committee recommend approval of the proposed UDC amendments as presented.