



City of San Antonio

Agenda Memorandum

File Number:16-5392

Agenda Item Number: 4.

Agenda Date: 10/19/2016

In Control: Governance Committee

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Briefing and discussion of a Council Consideration Request to amend the composition of the San Antonio Planning Commission.

SUMMARY:

Discussion on amending the composition of the Planning Commission from at-large membership to district and mayoral appointments.

BACKGROUND INFORMATION:

On September 6, 2016 District 1 Councilman, Roberto C. Treviño sponsored a Council Consideration Request (CCR) to amend the composition of San Antonio's Planning Commission to eleven members, excluding ex-officio members, such that members are appointed by Council District and the Mayor.

The Planning Commission is a nine (9) member body appointed at-large by City Council in accordance with the City Charter Article IX Section 117. Commission members have overlapping two year terms. Regularly scheduled meetings are held twice a month where the Planning Commission is:

- the final approving body for Subdivision Plats, Subdivision Variances, and Planned Unit Developments (PUDs) in the city and extraterritorial jurisdiction;
- the appellate body for Rights Determinations (vested rights), Master Development Plans (MDPs), and Certificates of Determination (plat exceptions); and
- the recommending body for street closures, street name changes, license agreements, encroachments, land transactions, Unified Development Code (UDC) amendments, the Parks Plan, Capital Improvements Program (CIP), annexation, Master Plan amendments (including Neighborhood, Community and Sector plans), and Major Thoroughfare Plan amendments.

The Planning Commission considers the broader development of the city and extraterritorial jurisdiction by determining how specific developments impact the community as a whole. The Planning Commission also determines if proposed developments, projects and initiatives are consistent with the Comprehensive Plan. The Planning Commission must also review for compliance with the UDC and the Texas Local Government Code. In some cases the commission must approve projects by state law; however, in other circumstances they have

the discretion to deny projects.

ISSUE:

Changes to the composition of the planning commission could require an amendment to the UDC and/or a charter election.

- Changing the composition of the planning commission by implementing specific categories (i.e. neighborhood leader, registered architect, professional engineer, planning professional, development and/or real estate professional); and/or require that membership come from different areas of the city. This would only require a UDC amendment.
- Changing the planning commission from a nine (9) member body to 11 members will require a UDC amendment and charter amendment.

All charter amendments require ordering a city charter election and the approval of registered voters during an election process. The Texas Constitution states that “no city charter shall be altered, amended or repealed oftener than every two years”. The last charter amendment occurred in May 2015.

ALTERNATIVES:

Leave the Planning Commission as it is today but require that members represent all four quadrants of the City.

FISCAL IMPACT:

If council approves a charter amendment the City will be responsible for funding the charter election.

RECOMMENDATION:

Staff recommends amending the UDC through the established UDC process to require geographical areas so that the city and ETJ are represented. This will continue to allow for comprehensive reviews, recommendations and action by the Planning Commission.

Staff recommends that the Mayor convene the Charter Review Commission to study and make a recommendation on changing the Planning Commission from an at-large body to a district appointed one. There are many advantages and disadvantages to this change that must be evaluated by the Charter Commission.