



# City of San Antonio

## Agenda Memorandum

**File Number:**19-6941

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**Agenda Item Number:** 3.

**Agenda Date:** 9/18/2019

**In Control:** Governance Committee

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**DEPARTMENT:** Development Services

**DEPARTMENT HEAD:** Michael Shannon, PE, CBO

**COUNCIL DISTRICTS IMPACTED:** City Wide

### **SUBJECT:**

Briefing and discussion related to a CCR to amend Section 21-52 (a) (6) of the Local Government Code to prohibit construction near residential properties during certain hours

### **SUMMARY:**

A Council Consideration Request (CCR) was sponsored by Councilman John Courage on August 8, 2019, to amend Section 21-52 (a) (6) of the Local Government Code to prohibit construction within 300 feet of an inhabited residential property between the hours of 7:00 pm and 7:00 am from Monday through Friday and 7:00 pm and 9:00 am on Saturday and Sunday.

### **BACKGROUND INFORMATION:**

The CCR notes that Section 21-52 (a) (6) of the Local Government Code states that loud construction shall be allowed only during the daytime on weekdays and does not provide adequate protection for area residents from excessive overnight noise nuisances. Further, the current code is challenging to enforce.

### **ISSUE:**

The current City Code does not define specific hours of construction when this activity takes place near residential properties.

Additional research is required and a task force should be developed to evaluate the impact to the development

and construction process and to produce options for possible code changes that will be enforced by Development Services and the San Antonio Police Department.

**ALTERNATIVES:**

As an alternative, City Council could choose not to amend the City Code, which currently does not specify when construction activity can take place near residential properties.

**FISCAL IMPACT:**

The requirement to limit construction to specific hours when that construction is within 300 feet of residential property may increase the cost of construction. The fiscal impact will be evaluated by the task force.

**RECOMMENDATION:**

Staff recommends creating a task force of construction, development and neighborhood groups to discuss and develop potential code changes that could provide improved noise protections for existing residential areas while also ensuring no negative impact to development activity with the city.