



City of San Antonio

Agenda Memorandum

File Number:19-9136

Agenda Item Number: 27.

Agenda Date: 12/12/2019

In Control: City Council A Session

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon, PE, CBO

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT: UDC Zoning Amendments

SUMMARY:

Amending the Unified Development Code (UDC), Chapter 35, of the City Code of San Antonio, Texas, with changes to Section 35-310-01 Table 310-1 Lot and Building Dimensions Table.

BACKGROUND INFORMATION:

Pursuant to a City Council Request (CCR) jointly submitted by Council District 1, Development Services staff was asked to review areas within District 1 that have multi-family zoning not consistent with adopted land use plans or current patterns of development and possibly update Section 35-310, relating to existing "MF-33" and "RM-4" zoning designations to address the growing need for housing without compromising the integrity of neighborhoods.

Development Services Department (DSD) staff organized an RM/MF Task Force, consisting of 16 members from both neighborhoods and the development community. The Task Force met seven (7) times to discuss proposed changes to current "RM" Residential Mixed District and "MF" Multi-Family Districts regulations.

Planning Commission Technical Advisory Committee (PCTAC) considered the item on Monday, October 21, 2019 and recommended approval with 2 amendments to help clarify the code in one amendment and provide additional protection and compatibility with the other amendment. On Wednesday, October 23, 2019, Planning Commission recommended approval of the proposed changes with the two amendments. On Tuesday, November 19, 2019, Zoning Commission recommended approval with one amendment for clarification purposes. The details of the three amendments are provided below.

The Planning and Community Development Committee considered the item on Tuesday, November 12 and recommended the item move forward for consideration.

On December 5, 2019, City Council considered the item; however, Councilman Treviño proposed an amendment that City Council requested be discussed at the Planning and Community Development Committee prior to consideration by the full Council. As such, the item was continued until December 12. The details of the amendment are provided below.

ISSUE:

The current “RM-4” and “MF-33” zoning designations allow for construction up to 35 feet and 45 feet in height respectively. There are neighborhoods within Council Districts 1, 2, 3, 5, 8, that have “RM” and “MF” zoning prevalent within their neighborhoods as well as other areas of the city, that have lots zoned for this type of development scattered throughout the neighborhood, either through a rezoning approved decades ago or the 2001 UDC code conversion. Redevelopment of these properties is resulting in incompatible height and lot coverage than adjacent developed properties.

The proposed amendments to the “RM” and “MF” regulations that the Taskforce is recommending address height, front setback and street orientation.

- The proposed code amendment related to height would restrict the height for these districts if directly abutting a single family residential use creating a more appropriate scale for development of multifamily properties within single family residential streets.
- To address the lack of a minimum front setback for “MF-33” zoning, the proposed amendments to the “MF” regulations will create a more consistent setback across the blockface for development of multifamily developments within residential blocks.
- The proposed amendment that addresses street orientation would require development of 2 to 4 units on these lots that are within residential blocks to have a front entry and walkway face the street for the unit abutting the street, creates the street orientation consistent with the entire residential blockface.

PCTAC, Planning Commission and Zoning Commission recommended approval of the proposed amendments put forth by the Taskforce and also recommended three amendments that staff is in agreement with:

- PCTAC / Planning Commission Amendment: Adding the words “and abutting” in reference to when height limits do not apply. This will help to clarify that if a property zoned “MF” is abutting a lot zoned single family residential but not used for residential purposes, the restrictive height limitations do not apply. The property is able to build to the height restrictions for that district.
 - Zoning Commission Amendment: Adding the words “or vacant property” in reference to when height limits do not apply. This will clarify that if a property zoned “MF” is abutting a lot zoned single family residential but not used for residential purposes or is vacant undeveloped property, then the restrictive height limitations do not apply.
- PCTAC / Planning Commission Amendment: Applying the height restriction of 35 feet/2 ½ stories for multi-family construction on MF-18, MF-25 and MF-33 zoned lots less than one third of an acre. Lots larger than one third of an acre may be able to exceed the 35 feet/2 ½ stories using the setbacks for height increases after 50 feet from the property line of the residential use. This would help to maintain compatible scale and massing within residential blocks.

There were other items discussed by the Taskforce related to re-defining height, percent of lot coverage, requiring multiple units to be attached, site plan requirements prior to building permit, and water management and LID requirements that didn’t receive consensus. As these items have a more global impact and will affect other zoning districts, the Taskforce agreed to table these until the 2020 UDC

amendment process to allow more discussion if submitted by any of the Taskforce members during the application process.

Additional Amendment

In reference to the proposed amendment by Zoning Commission to add the words “or vacant property” to when height limits do not apply, Council District 1 proposed an amendment that would apply additional height limitations under certain circumstances. The proposed amendment would limit the height to 35 feet/2 ½ stories for a property that is abutting a vacant property as a result of a demolition of a single family residence that occurred within that last three (3) years. This amendment is intended to protect neighborhoods by preventing the demolition of existing housing stock in order to construct to a higher height of 45 feet. Below is the proposed added amendment highlighted in yellow:

Note (11) - The maximum height of any portion of a commercial, office or multi-family zoning district located within fifty (50) linear feet of the property line of an established single-family residential use shall be limited to the maximum height of the single-family district. The height limit shall not apply where an abutting property is zoned single-family residential but not used for residential purposes, such as a church, school, park, golf course or vacant property, except the height limit shall apply to properties abutting a vacant property resulting from a demolition within three (3) years from the date of the demolition. The measurement of fifty (50) feet shall occur from the property line of the residential use to the structure in the zoning district subject to this subsection. After fifty (50) feet, height may be increased using setbacks for height increases established and illustrated in 35-517. Multi-family construction on lots one-third of an acre in size or smaller, and zoned MF-33, MF-25, MF-18 shall be limited to 35 feet and 2 ½ stories where abutting single family residential uses.

For example, where a C-2 zoned property abuts single-family property with R-5 zoning, the C-2 property shall have a building height limited to thirty-five (35) feet or two and one-half (2½) stories for that portion of the property within fifty (50) feet of the property line with the R-5 district.

ALTERNATIVES:

As an alternative, the City Council may choose not to recommend approval of the proposed amendments to the Unified Development Code.

FISCAL IMPACT:

None.

RECOMMENDATION:

Staff recommends approval of the proposed amendments to the Unified Development Code for the Mixed Residential Districts and Multi-Family Districts as put forward by the Taskforce, Planning Commission Technical Advisory Committee, Planning Commission and Zoning Commission.