



# City of San Antonio

## Agenda Memorandum

**File Number:**15-5361

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**Agenda Item Number:** 4.

**Agenda Date:** 10/19/2015

**In Control:** Neighborhoods and Livability Committee

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**DEPARTMENT:** Planning and Community Development

**DEPARTMENT HEAD:** John Dugan

**COUNCIL DISTRICTS IMPACTED:** City-wide

**SUBJECT:**

Briefing and discussion regarding impervious cover regulations for newly annexed territory.

**SUMMARY:**

Briefing and discussion regarding impervious cover regulations for newly annexed territory.

**BACKGROUND INFORMATION:**

On February 14, 2013, City Council adopted the City of San Antonio Annexation Policy that provides guidance and rationale for the consideration of areas within the City of San Antonio's extraterritorial jurisdiction (ETJ) for annexation. The policy recommends the development of an Annexation Program to be proactive in analyzing and identifying areas for potential annexation for a period of ten years.

On December 4, 2014, City Council approved five priority areas to be studied and brought forward for limited purpose annexation in 2015 and 2016. Portions of two areas proposed for annexation in 2015 (Phase I) fall within the Edwards Aquifer Recharge Zone.

2015 (Phase I)

**IH-10 West** - Approximately 9.13% (889 acres) of the IH-10 West annexation area is within the Edwards Aquifer Recharge Zone.

**US 281 North** - Approximately 82% (6249 acres) of the US 281 North annexation areas is within the Edwards Aquifer Recharge zone.

The vast majority of this area has been developed or is in the process of being developed.

On September 11, 2015, Ron Nirenberg, Councilman for District 8, filed a memorandum to the Mayor and City Council regarding the need to address a serious policy concern regarding impervious cover, and the potential negative impacts that annexation could cause if dense development is allowed to occur over the Edwards Aquifer.

On September 30, 2015, at a City Council “B Session” related to the five priority annexation areas, staff recommended that the impervious cover issue regarding newly annexed territories be referred to the Neighborhoods and Livability Committee for a briefing and discussion.

**ISSUE:**

The development of land above the Edwards Aquifer Recharge Zone is managed, in part, by the City’s Water Quality Ordinance in Chapter 34 of the City Code. The ordinance sets maximum impervious coverage limits for new development on properties in the City limits and the City’s Extra Territorial Jurisdiction. More impervious cover is currently permitted within the City limits than in the City’s Extra Territorial Jurisdiction. Maximum impervious cover in the Extra Territorial Jurisdiction is 15% for all development. Within the City Limits, the maximum impervious cover ranges from 30 % for residential single family subdivisions, to 50% for multi-family development, to 65% for commercial development.

Those projects currently considered Category 3 with restrictions of development to 15% impervious cover will become Category 2 if annexed for limited purposes, which allows increased impervious cover of 30% for single family, 50% for multi-family and 65% for commercial development. The Council may wish to consider including language in the annexation regulatory plan that does not extend Category 2 classification to newly annexed for limited purposes which would be adopted with the annexation action. Additionally, City Council could elect to bring forward an amendment to Chapter 34 to provide this same regulation for properties newly annexed for full purposes.

**ALTERNATIVES:**

Staff will discuss possible alternatives at the briefing.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

**RECOMMENDATION:**

This is a briefing for informational purposes only.