



**RULE INTERPRETATION DETERMINATION**

**Determination #:** RID 2014-001

**Title:** “IDZ” Consistency with Adopted Sector Plans

**Drafted by:** Land Development Division, Zoning Section

**Rule in Question:** Section 35-A101 of the Unified Development Code (*UDC*); “IDZ” Infill Development Zone consistency with the “Mixed Use Center” land use designation in adopted Sector Plans (*Heritage South, North and West/Southwest*).

**Department Action:** The Director concurs with the staff position, identifying “IDZ” Infill Development Zone as consistent with the “Mixed Use Center” land use designation identified in the *West/Southwest Sector Plan* provided the base zoning districts determining future land uses are also consistent with this plan. The Director also concurs with the suggested *UDC* amendments.

Roderick Sanchez, AICP, CBO  
Development Services Director

11-27-13  
Date

**Effective Date of Determination:** Immediately

**Staff Analysis:** The City of San Antonio adopted sector plans to identify existing and future land uses, anticipate growth trends and function as a guide in those portions of the City absent individual, smaller neighborhood and community plans. The plans mentioned above were adopted by the City Council between September of 2010 and April of 2011, including within their respective boundaries many developed areas and areas currently experiencing substantial growth. As with all adopted land use plans, many issues were considered: Transportation; utility infrastructure; economic development; educational and community services; natural resources; and, parks/open space. Further, given San Antonio's unique position as a "military city," compatibility with and the preservation of existing military installations and military-related facilities was also strongly considered.

One of the challenges in adopting future land use plans and applying land use designations to large, fully or partially developed areas is attempting to reconcile existing uses, existing zoning districts and land use designations after that fact. Given San Antonio's substantial growth and its use of both cumulative and exclusionary zoning practices, reconciling existing uses and future land use designations is a difficult task necessitating substantial contribution from San Antonio's citizens, business community and public/private service providers. Among these challenges is promoting the sustainability of existing mixed use developments and encouraging new ones in appropriate locations.

Pursuant to the special district commentary preceding the consistency classifications in each of the adopted sector plans, the Infill Development Zone district is consistent with "*Mixed Use Center*" though not specifically identified as consistent on a designation-by-designation basis in said Plans.

Each adopted sector plan contains the following statement:

*"Special zoning districts such as MXP (sic), IDZ, TOD, ED, AE, PUD, FBZD, etc. may have a broad range of applicability within the Sector. Requests for these special districts should be evaluated on a case by case basis."*

Given this statement, not identifying "IDZ" as a consistent zoning district was an inadvertent omission since Infill Development zoning serves the same purpose as Mixed Use (MXD), Transit Overlay (TOD) and Form Based (FBZD) zoning districts, offering similar flexibility for new mixed use developments. The "*case by case*" language does not apply to "IDZ" as a base district itself – only to those traditional base zoning districts that determine future land uses. Therefore, if "MXD," "TOD" and "FBZD" are consistent with the "*Mixed Use Center*" designation, "IDZ" is also consistent provided the base districts associated with "IDZ" are themselves consistent:

***Example – "IDZ" with uses permitted in "MF-40," "O-2" and "C-2" is consistent as all are individually consistent with "Mixed Use Center"; "IDZ" with uses permitted in "RM-4," "C-3" and "L" would not be consistent, as none of these base districts are consistent, individually or in combination.***

Prior to October of 2012, “IDZ” was only permissible as a base or overlay district within the CRAG (*Community Revitalization Action Group*) target area, an area generally defined as the corporate boundaries of the City of San Antonio as they existed in 1940. Due to *UDC* amendments adopted by City Council on October 18, 2012, specifically those made to Section 35-343 (“IDZ” Infill Development Zone), those boundaries expanded, making any tract of land inside Interstate Loop 410 potentially eligible for “IDZ” as either a base or overlay district. Since the *Heritage South* and *North* sector plans do not contain property inside Loop 410 within their respective boundaries, “IDZ” consistency is only applicable to the *West/Southwest Sector Plan*.

**Staff Position:** Staff finds “IDZ” Infill Development Zone is consistent with the “*Mixed Use Center*” land use designation identified in the *West/Southwest Sector Plan* provided the base zoning districts determining future land uses are also consistent with this plan. Staff also suggests the following amendment to the *UDC*:

Section 35-A101. Definitions and Rules of Interpretation.

Comprehensive land use category. Land use categories designated in the comprehensive/master planning process. The following shall be the designated comprehensive land use categories for neighborhood, community, sector, and perimeter plans and any other element of the Comprehensive plan:

Mixed use – includes a concentrated blend of residential, retail, professional service, office, entertainment, leisure and other related uses at urban densities to create a pedestrian-oriented environment. Mixed use incorporates high quality architecture and urban design features such as attractive streetscapes, parks/plazas, and outdoor cafes. Parking areas should be located behind the buildings. This classification requires a mix of uses in the same building. Examples of mixed use uses include small offices (dentists, insurance professionals, non-profits, etc.), small retail establishments (cafes, shoe repair shops, gift shops, antique stores, hair salons, drug stores, etc.) and high-density residential uses. Permitted zoning districts: IDZ, MXD, MPCD, TOD and FBZD.