

## RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time	DSD Assigned RID # 97
Customer RID	<input checked="" type="checkbox"/>	24 hours	<input type="checkbox"/>
Internal Staff RID	<input type="checkbox"/>	10 working days	<input type="checkbox"/>
		As time available	<input checked="" type="checkbox"/>

**1. Project Name:** Clarification of MDP requirements relative to infill development.

**2. Project Number:** None

(Plat #, Zoning Case #, etc.)

**3. Project Street Address:** Avenue A and Newell

(If not available nearest intersection of two public streets)

**4. Applicant Name:** Pape-Dawson, Engineers, Attn: Tom Carter, P.E.

**5. Applicant Address:** 555 E. Ramsey, San Antonio, TX 78216

**6. Applicant Telephone:** (210) 375-9000

**7. Applicant e-mail Address:** #: tcarter@pape-dawson.com

**8. Rule in Question:** Unified Development Code (UDC) 35-412

(Section and/or policy of UDC, Sign Code, etc)

**9. Applicant's Position:**

(Including date position presented and name of city staff point of contact)

**Date:** December 2, 2010 **Contact:** Tom Carter **Contact Telephone #:** 375-9000

The Unified Development Code Master Development Plan (MDP) provisions (UDC 35-412) were designed to establish projected land development that enable the city and land planners to collaborate in determining future traffic circulation, parks, infrastructure, and the ability to use the document as a planning tool for future growth in areas not served by urban infrastructure. The provisions of 35-412 do not promote development in established areas of the City where urban infrastructure and service delivery is established; therefore clarifying the requirements relative to infill development is recommended.

The Infill Development Zone (IDZ) District (UDC 35-343) encourages redevelopment of underutilized buildings, vacant or bypassed land, and provides a flexible development approach for infill projects.

The IDZ district does not require Traffic Impact Analysis, parks, tree preservation/buffer, parking, and in some cases does not require storm water management.

Further, the UDC-designated IDZ-eligible area is somewhat limited to the 36 square mile CRAG area that already has established school sites and existing levels of service for the community.

In addition, the site plan required with IDZ zoning requires a designation of land uses and as such provides the City with a forum to consider proposed land uses, densities and future infrastructure and service needs.

Therefore, interpretation that MDPs are not required for property zoned IDZ; however a MDP may be furnished as an option, for an applicant in the IDZ district at their choosing.

This RID would support the City's Proposed Master Plan Policy Goals 1.D Inner-city reinvestment is strongly promoted and 5.F Population growth can be accommodated inside the City limits.

#### **10. Staff Finding:**

(Including date of finding and name of city staff person formulating finding)

**Date:** December 22, 2010    **Contact:** Melissa Ramirez    **Contact Telephone #:** 210-207-7038

Staff finds that the Unified Development Code (UDC) recognizes that a Master Development Plan (MDP) is required in instances when a tract of land within the city limits or extraterritorial jurisdiction requests subdivision plat approval in which the entire property will be subdivided in two or more plat phases or units.

Staff finds that the MDP requirement is a most useful tool for areas where development and growth is in the planning stages and the coordination of infrastructure, street connectivity, and parks requirements are necessary.

Staff finds that most properties within the Community Revitalization Action Group (CRAG) already have established infrastructure, street connectivity, and parks. Furthermore, properties that are in the CRAG area have an option to apply and utilize the Infill Development Zone (IDZ). Staff agrees that the IDZ provision does not require an MDP to be submitted as part of the development process. However, it does require a site plan submittal with the zoning application, which provides Development Services staff with land uses, densities, and project size.

Specifically the following provision was added to the UDC on November 18, 2010:

#### ***35-343. "IDZ" Infill Development Zone.***

##### ***(b) Use Regulations***

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(2) When the ordinance designates the "IDZ" as a base zoning district it shall be accompanied by a zoning each use within the "IDZ" must be identified on a site plan which shall be filed with the application for rezoning and be incorporated into the ordinance designating the "IDZ" as a base zoning district. The zoning site plan shall be reviewed by the zoning commission and approved by the city council concurrent with the approval of the "IDZ" district. A zoning site plan for an "IDZ" shall include:

- A. Legal description and exhibit of the property at appropriate scale showing the area to be zoned "IDZ".
- B. The location of all land use categories. Categories may include single-family residential, mixed residential (one (1) to four (4) residential units per structure), multi-family residential, retail, service, office, institutional, industrial, and parks/open space. Multiple categories may be designated where a building is sited to include two (2) or more categories of uses.
- C. The location of all streets.

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The IDZ zoning site plan may be used to determine if additional infrastructure will be required and will be utilized as a replacement for the MDP that will provide a mechanism to collaborate on the overall development for the project. Future development application for permits will be used to capture the requirements of infrastructure or other UDC requirements as they apply.

In conclusion, staff recognizes that this provision was meant to apply to undeveloped areas that have no existing infrastructure and that there are other existing development process mechanisms such as platting and building permit requirements that will enable staff to capture the applicable requirements of the UDC.

## 11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

**Date:** December 22, 2010    **Contact:** Melissa Ramirez    **Contact Telephone #:** 210-207-7038

Upon issuance of the RID, MDPs will not be required for tracts of land that have Infill Development Zone (IDZ) as a base zoning district and that are located within the CRAG area, the site plan required with the zoning application will be the tool that will be used to coordinate infrastructure within the development. This is consistent with existing provisions of the UDC.

## 12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director)

**Date of policy/action:** Immediate

**Effective Date of policy/action:** Immediate

Upon issuance of this RID, MDPs will not be required for tracts of land that have Infill Development Zone (IDZ) as a base zoning district and that are located within the CRAG area, the site plan required with the zoning application will be the tool that will be used to coordinate infrastructure within the development. This is consistent with existing provisions of the UDC.



**Roderick Sanchez, AICP, C.B.O**  
**Director**

**2-8-11**

**Date**