

**Planning Commission
Technical Advisory Committee
& Planning Commission**

**The Cliff Morton Development and Business Services Center
1901 S. Alamo
Training Rooms A & B**

☞ April 28, 2008 ☞

11:30 A.M.

PRELIMINARY ITEMS

1. 11:30 A.M. – Call to Order
2. Roll Call

OTHER ITEMS

3. Consideration of a request initiated by City Councilmember John Clamp, District 10, for an amendment to the Unified Development Code regarding zoning for golf courses.
4. Briefing and consideration concerning amendments to the Unified Development Code (UDC): Article II. "Use Patterns," to add Section 35-209 related to "Form Based Development", and amending the Table of Contents, UDCII:1; and Article III. "Zoning," to add Section 35-357 pertaining to "Form Based Zoning District," and amending the Table of Contents, UDC III:2. (Department of Planning and Community Development)
5. Consideration of the minutes for the April 14, 2008 Planning Commission Technical Advisory Committee meeting.
6. Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed.
7. Questions and Discussion
8. **ADJOURNMENT**

For additional information concerning UDC amendments contact Trish Wallace at (210) 207-0217 patricia.wallace@sanantonio.gov, Richard L. Milk at (210) 207-5495 richard.milk@sanantonio.gov, Nina Nixon-Mendez at (210) 207-2893 Nina.NixonMendez@sanantonio.gov, or Chris Looney at (210) 207-5889 christopher.looney@sanantonio.gov. For information concerning the schedule or meeting location contact Donna Schueling at (210) 207-5016 or donna.schueling@sanantonio.gov

THE CLIFF MORTON DEVELOPMENT AND BUSINESS SERVICES (DBS) CENTER, LOCATED AT 1901 SOUTH ALAMO STREET IS WHEELCHAIR-ACCESSIBLE. ACCESSIBLE PARKING IS LOCATED AT THE FRONT OF THE BUILDING. AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST. INTERPRETERS FOR THE DEAF MUST BE REQUESTED AT LEAST 48 HOURS PRIOR TO THE MEETING BY CALLING (210) 207-7245 VOICE/TDD.



**Planning Commission
Technical Advisory Committee
& Planning Commission**

~ April 14, 2008 ~

MINUTES

PRELIMINARY ITEMS

1. 11:40 A.M. – Call to Order

2. Roll Call

<u>Members Present:</u>	<u>City Staff:</u>
Cecilia Garcia	Thomas Carrasco, DSD
Francine S. Romero	Melissa Ramirez, DSD
John Friesenhahn	Elizabeth Carol, DSD
Mike Cude	Donna Schueling, DSD
Steve Hanan	Richard Milk, Planning & Community Development
Bob Liesman	Trish Wallace, Planning & Community Development
Fred Pfeiffer	Susan Guinn, City Attorney's Office
Robert Hanley	Pablo G. Martinez, DSD
Linda Holsonback	Rebecca Paskos, Planning & Community Development
Gene Dawson Jr.	Jasmin Moore, DSD
Jody Sherrill	Joe G. Mendoza, Planning & Community Development
Peggy Tedford	Jonn Kusch, Public Works, Storm Water
Brad Peel	Abigail Kinnison, Public Works
Ramon Ruiz	Christopher Looney, DSD
	David Clear, CMSA
<u>Members Absent:</u>	Lauren Edlund, Planning & Community Development
Susan Wright	Bill Telford, DSD
Benjamin Youngblood	Richard Chamberlin, DSD
Erika Jucknies	David T. Arciniega, Parks & Recreation
	Temple Kennedy, DSD
<u>Others:</u>	John Osten, DSD
Jeffrey McKinnie	Christina De La Cruz
Robin Stover	Arturo Herrera, VIA
Steve Drenner	
John Jacks	
Michele Hausmann	

OTHER ITEMS

3. Briefing and consideration concerning amendments to the Unified Development Code (UDC): Article II. "Use Patterns," to add Section 35-209 related to "Form Based Development", and amending the Table of Contents, UDCII:1; and Article III. "Zoning," to add Section 35-357 pertaining to "Form Based Zoning District," and amending the Table of Contents, UDC III:2. (Department of Planning and Community Development)

Chairman Garcia stated that it was her intent to go through the new document to make sure that all of the correction that wer discussed were included.

Below are were the items discussed for changes:

- 35-357(f)(2)(C) Clarify FBIP 4202 language with the GIS Division.
- 35-357(f)(2)(E) Correct the statement to read: "Final review and approval of street designclassification as per 209 Table 6G, and right-of-way width shall occur with the review of the Master Plan Development Pattern Plan."
- 35-357(f)(2) Add item (G) Trip Generation Worksheet.
- 35-357(f)(5) Last sentence – change the word infer to imply.
- 35-357(g)(1) Last sentence – change major to minor.
- 35-357(h)(2)(F) Tree Master Plan (refer to sections 35-523 and35-209(d)(7) Tree Preservation.
- 35-357(h)(2)(G)(2)(f) ~~Traffic Impact Analysis (TIA) Worksheet;~~ (g) (f) Utilities Plan; ~~(h)~~ (g). Location of proposed fire hydrants, as part of a request for LOC; and ~~(i-)~~ (h.) A stormwater management plan
- 35-357 (h)(2)(l) Traffic Impact Study as required in Sec. 209(b)~~(6)~~-(5)
- 35-357(j) Last sentence – place a space between 307 and Newly.

- 35-209(a) **STATEMENT OF PURPOSE GOALS AND OBJECTIVES**; "The purpose of these regulations is to enable, encourage, and qualify the implementation of the following ~~policies~~ goals and objectives:"
- ~~35-209(a)(3)(l) That the harmonious and orderly evolution of urban areas shall be secured through graphic codes that serve as guides for change.~~
- 35-209(b)(1)(B) The Planning & Comm Dev. Department will explore other zoning overlays that may conflict with FBZD and recommend how to reconcile.
- Correct 35-209(b)(1)~~(B)~~(C) and add the word "and" between definitions and Appendix A.
- Correct 35-209(b)(1)~~(C)~~(D)
- Correct 35-209(b)(1)~~(D)~~(E)
- Add 35-209(b)(2)(C)(k) TxDOT
- 35-209(b)(2)(E) replace "decision" with "recommendation"

Chairman Garcia stated that April 28th has been scheduled as the next meeting date.

4. Consideration of the minutes for the April 14, 2008 Planning Commission Technical Advisory Committee meetings.

Motion: Francine Romero to adopt the minutes from the April 14, 2008 meeting.

Second: Robert Hanley

In Favor: Cecilia Garcia, Francine S. Romero, John Friesenhahn, Steve Hanan, Bob Liesman, Robert Hanley, Fred Pfeiffer, Linda Holsonback, Gene Dawson, Jr., Jody Sherrill, Peggy Tedford,

Opposed: None

Abstention: Brad Peel, Ramon Ruiz and Mike Cude.

Motion Passed

5. Executive Session: consultation on attorney-client matters (real estate, litigation, contracts, personnel, and security matters) as well as any of the above agenda items may be discussed.

The Planning Commission Technical Advisory Committee did not enter into Executive Session.

6. Questions and Discussion

It was discussed that the Board will start Section 35-209(b)(2)E.

The committee scheduled the next Planning Commission Technical Advisory Committee meeting for Monday, April 28, 2008 11:30 a.m.-1:30 p.m.

7. ADJOURNMENT, 1:25 P.M.

APPROVED:

Ms. Cecilia Garcia – Chairperson



CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2008 JAN -2 PM 3:43

TO: Mayor & City Council

FROM: City Councilman John G. Clamp

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Jelynn Burley, Deputy City Manager; Roderick Sanchez, Director of Development Services; Chris Callanen, Assistant to the City Council

SUBJECT: New Zoning Classification for Golf Courses and Parks

DATE: December 26, 2007

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

I respectfully ask for your concurrence in directing the Department of Development Services to create a designation for golf courses and park land.

Currently, **Private Golf Courses** can be built in zoning designations Resource Protection District (RP), Residential Estate District (RE), R-20 Residential Single Family District, Residential Single Family Districts (RM-6, RM-5 and RM-4), and Multi-Family (MF-25, MF-33, MF-40, MF-50). **Public Golf Courses** can be built in zoning designations Office District (O-1 and O-2), Neighborhood Commercial District (NC), Commercial District (C-1, C-2 and C-3), Downtown District (D), Light Industrial District (L), and Edwards Recharge Zone District (ERZD).

In an effort to streamline the land use designation for golf courses and park lands, I respectfully request that staff study this issue to determine the feasibility of a zoning specific designation for golf courses and park land and provide a recommendation for council consideration.

Brief Background

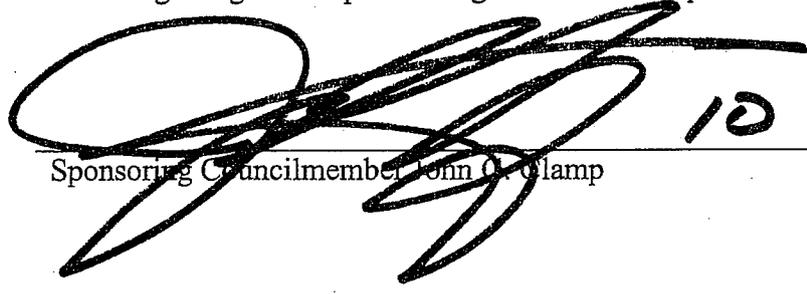
The purpose of this request is to create a specific zoning classification for golf courses and park land. Streamlining the use for private and public golf courses will lessen any confusion about zoning requirements for future golf course development.

Golf courses and parks tend to be built next to residential communities. A specific zoning designation can provide a means for the surrounding neighborhoods to have a voice in the development of the land if it were to change uses. For instance, a neighborhood can be established with a golf course as part of the original land use plan and have the land sold after time. The zoning of the land can be any number of different designations which could possibly allow for a land use that is not consistent with the surrounding area.

In order to streamline the land use for golf courses and provide the community an opportunity

to have some input into potential land use changes, I respectfully request that staff study this issue to determine the creation of a zoning designation specific to golf courses and park land.

Submitted for Council consideration
by:

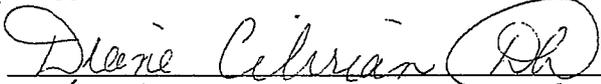
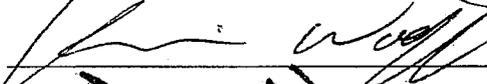
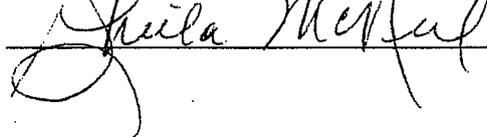


10

Sponsoring Councilmember John O. Olamp

Supporting Councilmembers' Signatures (4 only)

District No.

- | | | |
|----|---|---|
| 1. |  | 8 |
| 2. |  | 9 |
| 3. |  | 6 |
| 4. |  | 2 |

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2008 JAN -2 PM 3:43

CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
UDC Technical Advisory Committee

TO: Members of the Technical Advisory Committee

FROM: Roderick Sanchez, AICP, CBO, Director

SUBJECT: Proposed zoning amendment to the Unified Development Code regarding zoning for golf courses

DATE: April 28, 2008

SUMMARY:

Pursuant to direction by City Council, the Development Services Department is preparing an amendment to the Unified Development Code (UDC) that would change which zoning districts allow golf courses.

BACKGROUND:

San Antonio's UDC indicates in which zoning districts individual uses are allowed or not allowed. Currently:

- a golf course accessory to a residential subdivision is allowed in all of the residential zoning districts;
- private golf courses are allowed in the RD zoning district and with approval of a Specific Use Authorization in the C-2, C-3, UD, FR and MI-1 zoning districts, as well as in the ERZD overlay; and
- public golf courses are allowed in the RD zoning district and with approval of a Specific Use Authorization in the O-1, O-2, NC, C-1, C-2, C-3, D, L, UD, FR and MI-1 zoning districts, as well as in the ERZD overlay.

The Development Services Department received a Council Consideration Request (CCR) asking Staff to explore the creation of a new zoning district specifically for golf courses. At its meeting on January 16th, the Governance Committee voted to ask Staff to research this item and to schedule it for further Governance Committee review prior to referring it for commission and committee considerations.

Development Services Department Staff met with the District 10 Council Office and with the Director of the Parks and Recreation Department to explore options. The outcome was, rather than create a new zoning district, to instead utilize an existing zoning district that is intended to preserve natural resources and allow very low density residential uses: the RP (Resource Protection) District. The Governance Committee considered this item on April 2nd and voted to move it forward through the commission/committee review process. The Real Estate Council was briefed on this item on April 11th. Additional reviews and considerations will be made by the Planning Commission, Zoning Commission, City South Management Authority (CSMA) Board, and the Infrastructure and Growth City Council Committee, before final consideration by City Council.

The CCR originally requested Staff explore other options for parks along with golf courses, but after further research and discussion, it was decided to address only golf courses at this time.

POLICY ANALYSIS:

The intent of this request is to streamline the designation for golf courses by lessening any confusion about the zoning requirements and to alleviate issues that arise when planned golf courses are abandoned and other uses develop in their place. Currently, when golf courses are planned to meander about a residential subdivision, then are closed or never developed as planned, other uses potentially incompatible with the abutting residences, such as high density apartments or commercial establishments, can develop on this available land, depending on the zoning. If a zoning change were required before more dense residential or commercial development could occur, a public hearing process would allow for the neighboring property owners to express their opinions about any new adjacent development.

After research and discussion with the Parks and Recreation Department, it was determined that a good approach would be to allow golf courses within the RP District. Existing golf courses in other conventional zoning districts would be considered nonconforming uses (*grandfathered*) and could continue to exist pursuant to State Law and Article VII of the UDC. Any new golf courses would require the appropriate zoning before being established. Any existing golf courses of concern could potentially be addressed through the rezoning process.

Proposed Amendment to the Unified Development Code (Chapter 35 of the City Code)

35-311 Use Regulations

TABLE 311-1 RESIDENTIAL USE MATRIX																			
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS FUNCTION	LCBS STRUCTURE
Golf Course (Accessory To A Residential Subdivision)	P	P	P	P	P	P	S	P	S	P	S	P	P	P	P	P	S	5370	

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
		Recreation	Golf Course – Private (See Residential Use Table Matrix)					S	S				
Recreation	Golf Course – Publicly Owned	S	S	S	S	S	S	S	S			S	

**FORM-BASED REGULATIONS
TAC EDITS
AS OF APRIL 14, 2008**

CONTENTS

- Sec. 35-357
- Sec. 35-209 → up to (b)(2)(E)

LEGEND

~~strikethrough~~ – Deleted from ordinance adopted December 6, 2008

underline – Added to ordinance adopted December 6, 2008

underline and shaded gray – Staff additions since January TAC edition distributed

underline and italicized in Times New Roman font – TAC additions since Jan TAC edition

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SECTION 2. Chapter 35, Article III is amended by adopting Section 35-357 to the City Code of San Antonio, Texas as follows:

ARTICLE III – ZONING

35-357 “FBZD” Form Based Zoning District

The Form Based Zoning District is a special district established to encourage a sustainable pattern of development by concentrating growth in Hamlets, Villages and Regional Centers while preserving and protecting prime agricultural land, environmentally sensitive areas, important natural features and open space. Hamlets, Villages and Regional Centers are compact, pedestrian-oriented and mixed-use with a focus on creating communities where the ordinary activities of daily living occur within walking distance of most dwellings. Lot and building standards including building disposition, building configuration, building function, parking standards, architectural standards, landscape standards and signage standards are governed by Land Use Plans, Development Pattern Plans and Transect Zones.

(a) Development Standards

Development within an “FBZD” shall comply with the Form Based Development Use Pattern in section 35-209. The remaining sections of chapter 35 continue to be applicable to issues not addressed by section 35-209 or this section. The provisions of section 35-209, when in conflict, shall take precedence over those other sections in chapter 35. Section 35-209 shall control for development standards including, but not limited to:

- (1)** Lot and building layout and dimensions
- (2)** Transportation and stormwater management infrastructure
- (3)** Parks and open space
- (4)** Parking and loading
- (5)** Landscaping and buffering

(b) Consolidated Review Committee

- (1)** The Development Services Department shall establish and coordinate a Consolidated Review Committee (CRC) comprising a representative from each of the various regulatory agencies and staff that have jurisdiction over the permitting of a project. The CRC shall provide a single interface with the ~~developer~~ applicant.

1 of 9

~~strikethrough~~ – Deleted from ordinance adopted December 6, 2008

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DRAFT – All changes subject to legal review.

- (2) The composition and jurisdiction of the CRC shall be as provided in section 35-209(b)(3) Process. ~~The CRC shall issue a Certificate of Compliance for approvals of Master Development Pattern Plans, Plats and Building Plans.~~
- (3) Decisions rendered by the CRC may be appealed to the Director of the Development Services Department.

(c) Uses

An "FBZD" may include residential, commercial, industrial and civic uses as permitted by Table 35-209-13A General Function and Table 35-209-13B Specific Function.

(d) Size

Minimum size requirements are based on development patterns (e.g. Hamlets, Villages, Regional Centers). Development Patterns require a minimum acreage size specified in section 35-209(d)(3) Development Patterns.

(e) Completeness Review

- (1) (1) For all applications for "FBZD" zoning, the Director of the Planning and Community Development Department shall prepare a sector analysis. The sector analysis shall incorporate regional planning principles based on geographic characteristics (including, but not limited to, topography and transportation networks) and growth management priorities by utilizing the sector system described in section 35-209(c) Sector Analysis Report. This analysis shall be used to determine the appropriateness of the zoning request within the context of a regional planning perspective. The applicant shall submit the request for analysis to the Planning and Community Development Department. The analysis shall be completed within 15 working days of the request. Projects over 500 acres may require additional time and shall be completed within 25 working days. The zoning request shall not be deemed complete until this analysis has been completed by the Department of Planning and Community Development and submitted by the applicant. *If the Sector Analysis is not completed within the time allowed, the zoning request may be submitted by the applicant and deemed complete. Analysis submitted after the zoning application has been deemed complete shall continue to be a factor to determine the appropriateness of the zoning request.*

{note: working days is the appropriate terminology for consistency with UDC }

- (2) An application for "FBZD" zoning for an area that lies within the boundaries of an adopted neighborhood, community or perimeter plan, or any other plan adopted pursuant to section 35-420 Comprehensive, Neighborhood, Community and Perimeter Plans, shall be subject to the completeness review criteria in section 35-421(c) Completeness Review. If the zoning commission makes a determination that the zoning request is inconsistent with the master plan policies or the land use element of the applicable neighborhood, community or perimeter plan, then the application for rezoning shall not be deemed complete until a completed application for a master plan amendment is filed.

(f) Zoning Site Plan

- (1) A Zoning Site Plan shall be filed with any request for "FBZD" zoning. An application for "FBZD" zoning shall not be deemed complete unless accompanied by a Zoning Site Plan.
- (2) A Zoning Site Plan shall include the following information:
 - A. Legal description and exhibit of the property at appropriate scale showing the boundaries of the area to be zoned "FBZD."
 - B. Location of Development Patterns (e.g. Hamlets, Villages and Regional Centers) and ~~Special~~ Specialized Districts. A metes and bounds description of each Development Pattern and ~~Special~~ Specialized District (if applicable) and an exhibit showing the boundaries of the Development Pattern or ~~Special~~ Specialized District shall be provided.
 - C. Location of Transect Zones. Transect Zones shall be clearly identified and include a table with an acreage notation (precise to 1/100th of an acre). A table that specifies the allocation of Transect Zones within each Development Pattern expressed in total acreage and as a percentage of the total acreage of the Development Pattern shall be provided. A Geographic Information System (GIS) shapefile shall be submitted that identifies the Transect Zones with x,y coordinates projected to the following coordinate system: NAD 1983 StatePlane Texas South Central FIPS 4204 Feet.

{note: 1/100th is not scale, it is decimal places. Two decimals places (1/100th) is most accurate.}

{note: definitions of the acronyms NAD and FIPS to be placed in Definition section}

- D. Location of Pedestrian sheds.
- E. Location of Mandatory Streets (Avenues, Boulevards, Commercial Streets and Standard that provide connectivity between Development Patterns and/or provide connectivity to major regional arterials). Final review and approval of street design, classification, and right-of-way width shall occur with the review of the Master Development Pattern Plan.

alternative language TAC April 14:

Location of Mandatory Streets (Avenues, Boulevards, Commercial Streets and Standard that provide connectivity between Development Patterns and/or provide connectivity to major regional arterials). Final review and approval of street ~~design, plan review, preliminary schematic,~~ classification, and right-of-way width, *in accordance with Tables 209(6), shall occur with the review of the Master Development Pattern Plan.*

- F. Land use allocation table for each ~~Special~~ Specialized District (if applicable). Land uses within each ~~Special~~ Specialized District shall also be shown on the site plan.

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G. Trip Generation Worksheet that corresponds to Traffic Impact Study required in Sec. 209(b)(5).

- (3) The Zoning Site Plan shall be governed by section 35-421(c) Completeness Review and section 35-421(e) Approval Criteria of this chapter. The Zoning Site Plan shall also be reviewed for compliance with the terms of this section and section 35-209.
- (4) A Zoning Site Plan shall be reviewed by the zoning commission and approved by the city council concurrent with the application for rezoning to "FBZD." The zoning ordinance shall provide that adherence to the Zoning Site Plan, or the amended Zoning Site Plan, is required within the "FBZD" provided, however, that a rezoning shall not be required for the approval of a minor change to the Zoning Site Plan as defined in subsection (g)(2) of this section.
- (5) ~~The approved Zoning Site Plan~~ approved by City Council shall accompany all subsequent development applications (including, but not limited to, Master Development Pattern Plans, Plats and Building Plans). Approval of a Zoning Site Plan shall not infer imply subsequent approval of a Master Development Pattern Plan, Plat, or Building Plan.

(g) Amendments to Zoning Site Plan

- (1) Revisions to a previously approved Zoning Site Plan shall be classified as minor or major changes. An application for a minor or major change to a Zoning Site Plan shall be submitted to the CRC Coordinator and subject to section 35-421(c) Completeness Review provisions of this chapter. Within ~~five (5)~~ fifteen (15) working days after filing the proposed revisions, required items and information, the Consolidated Review Committee (CRC) shall provide a written response indicating whether or not the submitted revised Zoning Site Plan has been accepted as a minor or major revision. If it is determined by the CRC that the revised submittal is considered a minor change then said submittal shall be processed by the CRC and shall not require review by the zoning commission or approval by the city council. If it is determined by the CRC that the proposed revision is a major change then said proposed major revision shall be processed in the same manner as the initial Zoning Site Plan submittal described in subsection (f) of this section. *If written response not received from CRC within 15 working days, change shall be deemed a ~~major~~ minor change.*

{note: decisions of the CRC may be appealed to the Director of Development Services.}

- (2) A minor amendment to a Zoning Site Plan shall include:
 - A. A ~~An~~ accumulated deviation of 5% or less of the total acreage of the Development Pattern. The deviation shall be in the size and/or location of a Transect Zone, subject to the following:
 1. A change to a Transect Zone shall maintain the overall allocation of transect zones within the permitted range for each Development Pattern as listed in Table ~~35-209-48~~ 209-18 Transect Zone Summary.

2. A Transect Zone shall only be changed to a lower Transect Zone or the next highest Transect Zone.

3. Once the 5% accumulated limit has been reached, further amendments shall be deemed a major amendment.

4. Any change to a Specialized District is deemed a major amendment.

B. A deviation in the location of a ~~street~~ Mandatory Street ~~required to be included~~ on the Zoning Site Plan of less than a three ~~maximum block-blocks~~ length as defined for that Transect Zone. The deviation shall not prevent the connection of existing streets, streets on the Major Thoroughfare Plan, or future recorded streets on adjacent properties that are not within the Form Based Zoning District.

{note: CRC recommended change based on TAC discussion}

C. The addition of a street(s) to ensure adequate connectivity and capacity.

C.D.A An accumlulated total deviation of 5% or less, of the total acreage of the Development Pattern, in the size and location of the Pedestrian Shed.

D.E. A change in the housing mix indicated for the Sustainable Design Option as long as the change is in compliance with the housing mix and phasing requirements.

(3) Any other revision to an "FBZD" site plan not described in subsection (2) above shall be deemed a major change.

(h) Master Development Pattern Plan Required

(1) A Master Development Pattern Plan shall be required for every Form Based Development. A Master Development Pattern Plan shall include all areas within a Form Based Development to include all Development Patterns and ~~Special~~ Specialized Districts. A Master Development Pattern Plan shall be approved through the Master Development Plan (MDP) process in section 35-412 Master Development Plan with coordination provided by the CRC.

(2) A Master Development Pattern Plan application shall include the following information:

A. The approved Zoning Site Plan

B. A Master Development Pattern Site Plan showing the location and extent of:

1. Transect Zones. Transect Zones shall be clearly identified and include a table with an acreage notation (precise to 1/100th of an acre).
2. Pedestrian Sheds
3. Street designations, by type ~~[including description of Thoroughfare Assembly as referenced in Table 209-6(g)].~~ [including description of Thoroughfare Design as referenced in Table 209-6
4. Bicycle network

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5. Transit network
6. Civic functions including civic spaces, civic building sites, and civic spaces for public transit
7. School reserve (if applicable)
8. Conservation easement boundaries (if applicable)
9. B-Grid designations
10. Mandatory and recommended frontage designations
11. Cross block passage designations
12. Terminated vista designations
13. General distribution of residential and other (non-residential) functions by Transect Zone.

C. Master Development Pattern Plan ~~Tables~~ tables shall include:

1. Allocation of Transect zones within each Development Pattern expressed in total acreage and as a percentage of the total acreage of the Development Pattern
2. Maximum block size within each Transect Zone
3. Civic space allocation by Pedestrian Shed
4. School area allocation by Development Pattern Plan
5. If B-Grids are designated, measurement ratio of B-Grid frontages to Pedestrian Shed frontages
6. Range of permitted private frontages, parks, lot occupation, building setbacks, building disposition, and building height by Transect Zone
7. Density calculations and exchange rates for housing units to other functions as prescribed by section 35-209(d)(4) Density Calculations. The following additional materials are required if using one of the bonus density options:
 - a. For TDR option, identify receiving and sending areas in accordance with section 35-209(c)(2) Transfer of Development Rights
 - b. For Sustainable Design Option, include Sustainable Design Option Point System Matrix and Housing Mix Phasing Plan as detailed in section 35-209(d)(5) Density Bonus Options

D. Public frontage definitions, including details of thoroughfare assemblies

E. Typical for each category of proposed functions to include lot occupation, building setbacks, building disposition, building height and parking spaces

F. Tree Master Plan (refer to section ~~35-523~~ 35-209(d)(7) Tree Preservation)

G. The following general application requirements included on the site plan or as a separate exhibit as necessary:

1. Identification
 - a. Proposed name of development if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded in the County
 - b. City assigned ID number
 - c. Name and address of owner of record, developer and designer
 - d. The names of all adjacent property owners as shown on current tax records

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- e. Certificate of agency or power of attorney if other than owner
 - f. Signature blocks prepared for the dated signatures of the chairperson and secretary (Director of Development Services or assignee) of the authorized approval entity
 - g. Date of preparation
2. Location
- a. Two Points identified by Texas Planes Coordinates
 - b. Basis of bearings used and a north arrow
 - c. A location map at a scale of not less than 1" = 2,000' indicating the location and distance in relation to adjacent streets and all surrounding major thoroughfares. The location map is to be located in the top left hand corner of the sheet.
 - d. The exterior boundaries as indicated from deeds or other instruments of the development area giving lengths and bearings of the boundary lines. If the proposed development is bounded by a watercourse, a closing meander traverse of that boundary shall be made and shown on the site plan. Where curving boundaries are used, sufficient data to establish the boundary on the ground shall be given; including the curve's radius, central angle and arc length
 - e. Graphic and written scale and north arrow
3. Restrictions
- a. Proposed covenants on the property, if any, including a map and legal description of area affected
 - b. Notation of any restrictions required by the City Council in accordance with this Ordinance
 - c. A development phasing schedule including the sequence for each phase; approximate size in area of each phase; and, proposed phasing of construction of public improvements, recreation and common open space areas
- ~~[*Note: The City does not enforce private deed restrictions.]~~
4. Site Conditions
- a. Existing topography with maximum contour interval of two (2) feet, except where existing ground is on a slope of less than five percent (5%) then either one foot contours or spot elevation shall be provided where necessary
 - b. All existing easements or right-of-way with street names impacting the development area, their nature and width
 - c. The location of all entrances onto existing and/or proposed adjacent roadways, whether existing or proposed
 - d. The location and dimension of all proposed or existing lots
 - e. A delineation of EARZ, wetlands, floodplains and woodlands
 - f. ~~Traffic Impact Analysis (TIA) worksheet~~
 - g. Utilities Plan
 - h. Location of proposed fire hydrants, as part of a request for LOC
 - i. A stormwater management plan

H. Form Based Parking Plan, if applicable.

I. Traffic Impact Study as required in Sec. ~~209(b)(6)~~ 209(b)(5)

- (3) The applicant may elect to omit certain eligible items from the initial Master Development Pattern Plan application. If these items are omitted from the initial application, they shall be submitted in a subsequent application or subsequent applications as an addendum to the Master Development Pattern Plan. The addenda shall not be considered an amendment to the MDPP. These items shall be submitted according to a phasing schedule included with the initial application and shall be approved through the process described in subsection (1) of this section. The following items from subsection (2), above, are eligible for deferred submittal:
- A. Mandatory and recommended frontage designations
 - B. Cross block passage designations
 - C. Terminated vista designations
 - D. The location and dimension of all proposed or existing lots
 - E. The location of proposed fire hydrants, as part of a request for LOC
 - F. Housing Mix for Sustainable Development Option
- (4) An application for plat approval shall not be deemed complete until all items in subsection (2) above have been submitted and approved for the area that is the subject of the application for plat approval.
- (5) Approval Criteria. No Master Development Pattern Plan shall be approved unless it conforms to all applicable requirements in this section and section 35-209.

(6) Minor Amendments to Master Development Pattern Plan

A. Minor amendments to the Master Development Pattern Plan shall include:

- 1. Changes to the timing or phasing of the proposed development.
- 2. Updating of ownership or consultant information.
- 3. Master development plan or subdivision plat name change.
- 4. Minor amendments to the Zoning Site Plan as specified in Sec. 35-357(g).
- 5. Addition or change of a Form Based Parking Plan.

B. Minor amendments shall be subject to review and approval of the Consolidated Review Committee.

C. All other revisions shall be classified as major amendments and shall be processed in the same manner as the initial Master Development Pattern Plan submittal.

(i) Rezoning of Property within an “FBZD”

No property within the boundaries of an “FBZD” site may be rezoned unless and until the Zoning Site Plan is amended pursuant to the provisions contained herein. In particular, any such amendment or rezoning application must be justified in terms of impact to utility infrastructure, roadway infrastructure and goals and purposes of the original Form Based Development.

(j) Development of a Form Based Development Within the city’s Extraterritorial Jurisdiction

A Form Based Development may be developed within the city’s extraterritorial jurisdiction provided that the Form Based Development is developed pursuant to an approved Master Development Plan as provided in section 35-412 Master Development Plan and the Form Based Development is designated as such on the Master Development Plan and meets the requirements set forth in this section and section 35-209. A Master Development Plan that is designated as a Form Based Development shall meet the requirements for a Master Development Pattern Plan and shall include a site plan that meets the requirements for a Zoning Site Plan as outlined in this section. If the property which is the subject of the Master Development Plan designated as a Form Based Development is subsequently annexed into the City’s zoning jurisdiction, then the City shall initiate a rezoning case for the subject tract to rezone the property to “FBZD”. The permanent zoning of any Form Based Development that is initially located within the extraterritorial jurisdiction and is later annexed shall be consistent with the Master Development Plan governing the Form Based Development as provided in section 35-307 Newly Annexed Territory.

(k) Copy of “FBZD” Shall Be Made Available to the Public

The developer or landowner of an approved “FBZD” shall maintain a copy of the Master Development Pattern Plan within the sales office(s) located within the “FBZD”. The site plan shall be displayed in a prominent location within the office so that it is easily viewable by the public. In addition copies of the Master Development Pattern Plan shall be made available at cost to members of the public upon request. This requirement shall continue until all property within the “FBZD” is developed.

~~[** Per State Law _____, the Developer is required to provide a copy of the Master Development Pattern Plan to all (buyers?) of the property within the boundaries of the MDPP.]~~

SECTION 35-209

SECTION (a) STATEMENT OF PURPOSE GOALS AND OBJECTIVES

SECTION (b) GENERAL TO ALL PLANS

- (1) ~~—~~ AUTHORITY
- (2)(1) APPLICABILITY
- (3)(2) PROCESS
- (4)(3) VARIANCES
- (5)(4) INCENTIVES
- (5) TRAFFIC IMPACT STUDY

SECTION (c) SECTORS

- (1) INSTRUCTIONS
- (2) TRANSFER OF DEVELOPMENT RIGHTS
- (3) (S1) PRESERVED OPEN SPACE SECTOR
- (4) (S2) RESERVED OPEN SPACE SECTOR
- (5) (S3) RESTRICTED GROWTH SECTOR
- (6) (S4) CONTROLLED GROWTH SECTOR
- (7) (S5) INTENDED GROWTH SECTOR
- (8) (S6) INFILL SECTOR
- (9) (SD) SPECIALIZED DISTRICT

SECTION (d) DEVELOPMENT PATTERNS

- (1) GENERAL
- (2) TRANSECT ZONES
- (3) DEVELOPMENT PATTERNS
- (4) DENSITY CALCULATIONS
- (5) DENSITY BONUS OPTIONS
- (6) ENVIRONMENTAL AND STORMWATER REQUIREMENTS
- (7) TREE PRESERVATION
- (8) ~~STREETSCAPE~~ THOROUGHFARE REQUIREMENTS
- (9) CIVIC REQUIREMENTS
- (10) SPECIAL REQUIREMENTS

SECTION (e) INFILL DEVELOPMENT

- (1) GENERAL
- (2) DEVELOPMENT PATTERNS
- (3) TRANSECT ZONES
- (4) CIVIC REQUIREMENTS
- (5) SPECIALIZED DISTRICT
- (6) SPECIAL REQUIREMENTS

SECTION (f) BUILDING-SCALE PLANS

- (1) INSTRUCTIONS
- (2) SPECIFIC TO T1 & T2 ZONES
- (3) GENERAL TO T3 THROUGH T6
- (4) SPECIFIC TO T3 ZONES
- (5) SPECIFIC TO T4 ZONES
- (6) SPECIFIC TO T5 ZONES
- (7) SPECIFIC TO T6 ZONES

SECTION (g) GUIDELINES FOR TRANSIT, BICYCLE PARKING, AND ELEMENTARY SCHOOLS

SECTION (h) DEFINITIONS

~~strikethrough~~ – Deleted from ordinance adopted December 6, 2008

underline – Added to ordinance adopted December 6, 2008

underline and shaded gray – Staff additions since January TAC edition distributed

underline and italicized in Times New Roman font – TAC additions since Jan TAC edition

underline, italicized, highlighted in Times New Roman font – TAC changes since April 14, 2008

SECTION (i) STANDARDS & TABLES

~~strikethrough~~ – Deleted from ordinance adopted December 6, 2008
underline – Added to ordinance adopted December 6, 2008
underline and shaded gray – Staff additions since January TAC edition distributed
underline and italicized in Times New Roman font – TAC additions since Jan TAC edition
underline, italicized, highlighted in Times New Roman font – TAC changes since April 14, 2008

DRAFT – All changes subject to legal review.

SECTION (a) STATEMENT OF PURPOSE GOALS AND OBJECTIVES

The purpose of these regulations is to enable, encourage and qualify the implementation of the following policies:

~~{Discussion: TAC doesn't like "policies." Staff prefers something other than "philosophies." An alternative is being drafted to use actual language from adopted Master Plan Policies (similar to intent sections of UDC).}~~

(a)(1) *The Regional Scale and Sector Principles*

- A. *That natural infrastructure and visual character derived from topography, woodlands, farmlands, riparian corridors and shorelines be retained.*
- B. *That development of non-contiguous to urban areas should be organized in the pattern of hamlets, neighborhoods or villages, and centers.*
- C. *That affordable housing shall be distributed throughout the region to match job opportunities and to avoid concentrations of poverty.*
- D. *That transportation corridors shall be planned and reserved in coordination with land use.*
- E. *That green corridors shall be used to define and connect the urbanized areas.*
- F. *That the region shall include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.*
- G. *That the region will not allow gated communities.*

(a)(2) *The Development Pattern Plan*

- A. *That Hamlets, Villages, and Regional Centers shall be compact, pedestrian-oriented and mixed-use.*
- B. *That Villages and Regional Centers shall be the preferred pattern of development and that districts specializing in single-use should be the exception.*
- C. *That ordinary activities of daily living shall occur within walking distance of most dwellings, allowing independence to those who do not drive.*
- D. *That interconnected networks of thoroughfares shall be designed to disperse and reduce the length of automobile trips.*
- E. *That within Villages, a range of housing types and price levels shall be provided to accommodate diverse ages and incomes.*
- F. *That building densities and land uses supportive of transit shall be provided within walking distance of transit stops and, similarly, appropriate transit options shall be available to support the intensity of land uses.*
- G. *That civic, institutional, and commercial activity shall be mixed, not isolated in remote single-use complexes.*

- H. *That schools shall be sized and located to enable children to walk or bicycle to them.*
- I. *That a range of open space including parks, squares, and playgrounds shall be distributed within neighborhoods and urban center zones.*

(a)(3) *The Block and the Building*

- A. *That buildings and landscaping shall contribute to the physical definition of thoroughfares as civic places.*
- B. *That development shall adequately accommodate automobiles while respecting the pedestrian and the spatial form of public space.*
- C. *That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.*
- D. *That architecture and landscape design shall grow from local climate, topography, history, and building practice.*
- E. *That buildings shall provide their inhabitants with a clear sense of geography and climate through energy efficient methods.*
- F. *That civic buildings and public gathering places shall be provided at locations that reinforce community identity and support self-government.*
- G. *That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.*
- H. *That the preservation and renewal of historic buildings shall be facilitated to affirm the continuity and evolution of society.*
- ~~I. *That the harmonious and orderly evolution of urban areas shall be secured through graphic codes that serve as guides for change.*~~

SECTION (b) GENERAL TO ALL PLANS

~~(b)(1)~~ AUTHORITY

- A. ~~Provisions of this section are adopted in the exercise of the power granted municipalities by these statutes and pursuant to the provision of Article 1, Section 3, paragraphs 9 and 13 of the Charter of the City of San Antonio.~~
- B. ~~These regulations are adopted as one of the instruments of implementation of the public purposes and objectives of the adopted City of San Antonio Master Plan Policies. These regulations shall be applied toward properties that have the Form Based Zoning District designation.~~
- C. ~~These regulations have been adopted by a vote of the City Council.~~
- D. ~~These regulations have been adopted to promote the health, safety and general welfare of the City of San Antonio, Texas, and its citizens, including without limitation, protection of the environment, conservation of land, energy and natural resources, reduction in vehicular traffic congestion, more efficient use of public funds, health benefits of pedestrian environment, historic preservation, education and recreation, reduction in sprawl development and improvement of the built environment and human habitat.~~

{ note: Staff removed due to determination that language was superfluous and not legally necessary. }

~~(b)(2)(1)~~ APPLICABILITY

- A. ~~This section shall be applicable to any area zoned "FBZD" (Form-Based Zoning District).~~
- A. ~~Provisions of these regulations are activated by "shall" when required; and "may" when optional.~~

{ note: Staff removed because already tenet of UDC interpretation and does not need to be repeated here. }

~~B-A.B~~ The Unified Development Code continues to be applicable to issues not covered by these regulations except where these would conflict with the Form Based Use Pattern, in which case the conflict shall be resolved in favor of the Form Based Use Pattern. The exceptions shall be that the Form Based Zoning District and Use Pattern shall not supercede the:

1. Edwards Recharge Zone District (ERZD) requirements.
 2. The River Improvement Overlay (RIO) District standards. Maximum height standards in RIO-1, RIO-2, and RIO-3 may be superceded by the Form Based Use Pattern standards provided that the project is in conformance with the RIO Solar Access requirements of Sec. 35-673(a).
- C. Terms used throughout these regulations shall take their commonly accepted meanings or as defined for the FBZD in the Definitions [Sec. 209(h)]. In the event of conflicts between these definitions and Appendix A and those of the Unified Development Code, ~~these regulations~~ Sec. 209(h) shall take precedence.
- D. The Definitions of Terms contain regulatory language that is integral to these regulations.

- E. Unless otherwise indicated, all Section references in these regulations pertain to Chapter 35 of the Code of Ordinances for San Antonio, Texas.

(b)(3)(2) PROCESS

- A. Sectors [defined geographically in Section 209(c)] permit Development Patterns [defined by extent and intensity in Section 209(d)], which are composed of Transect Zones [defined by the elements appropriate to them in Sections 209(f)].
- B. The City of San Antonio Department of Development Services shall include a Consolidated Review Committee (CRC) comprised of a representative from each of the various regulatory agencies and departments that have jurisdiction over the permitting of a project. The CRC shall provide a single interface between the applicant and the agencies. The CRC shall have regularly scheduled meetings held twice per month. Applicants shall make request to be placed on CRC agenda one week before the scheduled meeting date. The CRC Coordinator may cancel meetings when there are no outstanding applications.
- C. The Consolidated Review Committee (CRC) shall be comprised of, but not limited to, one representative from each of the following Plat Certifying Agencies:
- a. Public Works (Stormwater, Transportation, Bicycle Coordination);
 - b. Development Services (Engineering, Trees, Subdivisions, Master Development Planning Plan, Zoning, and Building Review Division);
 - c. Planning & Community Development;
 - d. SAWS;
 - e. CPS Energy;
 - f. Parks & Recreation;
 - g. Bexar County (if applicable).
 - h. VIA Metropolitan Transit;
 - i. Fire Department;
 - j. School Districts;
 - k. TX DOT (if applicable)
 - l. MDP (Master Development Plan) Division;
 - m. Building Review Division

~~In addition to the Plat Certifying agencies, a representative from the following entities shall be a member of the CRC:~~

- D. The CRC shall issue a Certificate of Compliance for recommendation for approval or denial of Master Development Pattern Plans, Zoning Site Plans, Plats, and Building Plans to the appropriate governing body that has approval authority of the respective development application. that are in compliance with these regulations. Decisions may be appealed to the Director of Development Services. The CRC shall be coordinated by the Department of Development Services.

{ note: highlighted areas used to be in table }

- Ⓔ E. An applicant may appeal a decision of the CRC to the Director of Development Services. Decisions of the Director of Development Services may be appealed by the Board of Adjustment [Section 209(f)] or Planning Commission [Section

209(d)] and shall follow the procedures set forth in Chapter 35, Article IV, Sections 35-412 and 35-481.

{Note: Concept recommended by TAC}

- ~~D-F.~~ Should a violation of an approved plan occur during construction, the Director of Development Services has the right to require the owner or applicant to stop, remove, and/or mitigate the violation, or to require the owner or applicant to secure a Variance to cover the violation.

(b)(4)(3) VARIANCES

- A. Variances shall be granted only by the Board of Adjustment or Planning Commission. Variances to Section (c) and Section (d)(1)(F), (d)(6), (d)(7), and (d)(8) shall be heard by the Planning Commission. All other variances shall be heard by the Board of Adjustment.
- B. The request for a Variance shall not subject the entire application to public hearing, but only that portion necessary to rule on the issue under consideration.

(b)(5)(4) INCENTIVES

The following incentives may be utilized in the application of these regulations:

- ~~4~~ A. The application may qualify for fee relief under the City's ~~incentive tool kit program~~ Incentive Scorecard System.
- ~~2~~ B. Through utilization of the Transfer of Development Rights Option or qualification under the Sustainable Design Option, density shall be increased to the levels indicated in Table 48 209-18. The Transfer of Development Rights Option shall follow the procedures set forth in Sec. 35-361 of the Unified Development Code. Receiving Areas and Density Bonus shall follow the standards set forth in the Form Based Zoning District and Use Pattern.
- ~~3~~ C. An Infill Village or Infill Regional Center may utilize the Base Residential Density allowed under the Density Bonus provision of Table 209-18 (Infill Option) if deemed compatible with surrounding uses. The Density Bonus allowance shall require approval at the time of zoning and shall be indicated on the Zoning Site Plan.

(b)(6)(5) TRAFFIC IMPACT STUDY

- A. ~~A Traffic Study shall be required that indicates Trip Generation (Daily and Peak-Hour Volumes), Trip Distribution (Daily and Peak-Hour Volumes), and Level of Service Capacity. A Trip Generation worksheet is required at the time of Zoning. Mitigation shall not be required for Level of Service indicators reported in the Traffic Study. Mitigation may be required for other traffic engineering safety related indicators (not capacity related) including, but not limited to: parking, pedestrian facilities, bicycle facilities, and general traffic circulation.~~

A Traffic Study for the Master Development Pattern Plan shall be required that indicates Trip Generation (Daily and Peak-Hour Volumes), Trip Distribution (Daily and Peak-Hour Volumes), and capacity and Level of Service analysis based on the latest methodologies of the Highway Capacity Manual (HCM). A Trip Generation worksheet is required at the time of Zoning, and the remaining requirements are due with the submittal of the

Master Development Pattern Plan. Mitigation shall not be required for Level of Service indicators reported in the Traffic Study.

- a. Street cross sections, intersection control, and intersection configurations will be determined based on the results of the Traffic Study.
- b. Intersection configurations will be determined based on the overall volume to capacity (v/c) ratio of the intersection, with a required v/c ratio ≤ 1.0 .
- c. Mitigation shall be required for other traffic engineering safety related indicators including, but not limited to: parking, pedestrian facilities, bicycle facilities, vehicular safety, and general traffic circulation.

{ note: updated by Traffic Engineering and Public Works, based on recommendation by TAC. }