

2015 UDC UPDATE PROPOSALS

The *Unified Development Code (UDC)* update program occurs every 5 years, specifically on those years ending in a “0” or “5.” The program provides citizens and stakeholders opportunity to propose amendments pursuant to *Section 35-111*:

Section 35-111. Updates for Amendments.

The purpose of this section is to provide for updates to this chapter in order to modify procedures and standards for workability and administrative efficiency, eliminate unnecessary development costs, and to update the procedures and standards to reflect changes in the law or the stated of the art in land use planning and urban design. The update program shall occur every five years beginning in 2010 in years ending with -0 and -5.

With the exception of amendments initiated by zoning commission, planning commission, board of adjustments, HDRC, city council, or other appropriate city board or council, amendments submitted during the update program shall be limited to the following:

- 1. Editing amendments to provide for editing changes that do not alter the impact of the provision being addressed and including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law.*
- 2. Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC. Clarification amendments should not change or alter the intent or meaning of existing UDC provisions.*
- 3. Rule interpretation determinations (RIDs) are written policies and administrative interpretations made by the development service director, historic preservation officer and planning and community development director for subjects which are not fully provided for in the UDC. RIDs are based on case or project experience and may or may not result in the creation of a UDC amendment.*

Where an amendment qualifies under *Section 35-111* of the *UDC*, proposals must take into account the best interest of the community as a whole and include a summary of the proposed change, the reason for the change and the suggested text amendment. Requests must include a workable document using standard edit formatting of underline followed by strikeout. Any citizen may submit a proposal on their own behalf; however, proposals submitted on behalf of a governmental agency, public or private organization or other entity must be submitted by an authorized representative. The Department will accept update requests starting in January of 2015 through May 1, 2015.

Completed proposal applications and questions about the application process may be directed to Policy Administration staff:

Melissa Ramirez, Policy Administrator **210.207.7038**
Tony Felts, Senior Planner 210.207.8214
Larry Odis, Senior Planner 210.207.0139

Melissa.Ramirez@sanantonio.gov
Tony.Felts@sanantonio.gov
Larry.Odis@sanantonio.gov

WHAT HAPPENS TO MY PROPOSAL?

Proposals are first reviewed for completeness. The *UDC* requires suggested text changes accompany proposals, and applications must include a digitized copy of the proposed changes in *MS Word* (digital copies are required whereas printed copies are optional). Digital copies of proposed text changes enable us to review and catalogue amendment proposals quickly and efficiently.

During the application review process, we may contact you for additional information. Thereafter, the process is generally as follows:

- Proposals receive a number and are entered into a spreadsheet for tracking and compiling purposes.
- Applications are further reviewed for content by Development Services and other City departments. For example, staff reviews proposals to ensure they do not create contradictory or confusing language within the *UDC* or other City Code chapters.
- Proposals are classified by topic and catalogued with other proposals by affected article, division and section of the *UDC*.
- Amendment proposals are collectively considered by numerous committees and commissions prior to *City Council* action:
 - Proposed amendments are presented to the *Planning Commission Technical Advisory Committee (PCTAC)* for review, comment and recommendation at which time applicants are **required** to be present to discuss their respective amendment proposals and answer any questions.
 - Following *PCTAC* recommendations, update cycle amendments must appear before the *Planning and Zoning Commissions*, the *City Council's Infrastructure and Growth Committee*, and *City Council* for final consideration. Per *Section 35-111* of the *UDC*, the commissions must hear the amendments by October 15, 2015, and *City Council* by December 1, 2015.
- Following *City Council* action, approved amendments are codified and the *UDC* is updated accordingly. The City Code, including the *UDC* (Chapter 35), is accessible at https://www.municode.com/library/tx/san_antonio/codes/unified_development_code.
- All update cycle amendments approved by *City Council* become effective January 1, 2016.

APPLICATION INSTRUCTIONS

PART 1: APPLICANT INFORMATION

Please provide:

- *Name*
- *Organization name (if applicable)*
- *Address*
- *Telephone number*
- *Email information*
- *Signature and Date*

PART 2: BASIS FOR UPDATE

- *Read the choices carefully.*
- *Check only one (1) of the four (4) choices that apply to your proposal (if none apply, see Part 4).*

PART 3: REASON FOR PROPOSED CHANGE

- *Read the choices carefully.*
- *Check all of the three (3) choices that apply to your proposal (if none apply, see Part 4).*

PART 4: SUMMARY AND REQUESTED TEXT CHANGES

Per *Section 35-111* of the *UDC*, proposed amendments must include a summary of the proposed changes, the reason(s) for the proposed changes and specific text changes. If none of the choices provided in *Part 2* and/or *Part 3* of the application apply to your proposal, please include the basis and/or reason(s) for the proposed changes in your summary. To satisfy *Section 35-111* of the *UDC* and *Part 4* of the application, the following information must be submitted, preferably via email:

- *A summary of the proposed change(s); and,*
- *The basis and/or reason(s) for the proposed changes (if not provided in Parts 2 and/or 3); and,*
- *The proposed text must be submitted digitally in a separate MS Word document using standard editing – underline (in blue) followed by ~~strikeout~~ (in red). Please do not use the track changes function in lieu of this editing format.*

Note: Proposed text amendments must be submitted digitally in MS Word (.docx file) via email, USB flash drive, CD, or some other form of digital media. Please submit completed applications with proposed text via email to Policy Administration.

SEE EXAMPLES ON NEXT PAGE

EXAMPLES

PROPOSAL SUMMARY (TEXT) –

The reason for this proposed UDC amendment is the current floodplain protection provision in Section 35-350(c)(8) is difficult to understand. This provision applies to properties zoned Quarry District and is intended to preserve floodplain areas from silt or sediment build-up. However, as written, this section is not clear as to which floodplain provisions take precedent (City or State) and where on the property buffers should be located.

FORMATTED PROPOSAL –

Sec. 35-350. “QD” Quarry District.

(c) Operating Standards.

(8) **Floodplain Protection.** No building may be placed or excavation be conducted within one hundred fifty (150) feet from the outer limit of a 100-year floodplain. ~~All NPDES and TEQC requirements must be met any time the quarry operations come within one hundred fifty (150) feet of a 100-year floodplain to prohibit silt or sediment from entering the creek or stream.~~ These restrictions ~~shall will~~ not apply ~~when the 100-year in any case where~~ floodplain is located more than one hundred (150) feet inside the property boundaries ~~of any property zoned “QD”.~~ ~~and no~~ The buffer required by this provision shall ~~be closer in no case be wider~~ than one hundred fifty (150) feet ~~to from~~ the property line boundary ~~of the “QD”.~~ However, all NPDES and TCEQ requirements must be met any time the quarry operations come within one hundred fifty (150) feet of a 100-year floodplain to prohibit silt or sediment from entering the creek or stream.

PROPOSAL SUMMARY (TABLE) –

The UDC currently contains 2 entries in Table 311-2 for “Auto and Light Truck Repair.” One of the entries includes motorcycles and all-terrain vehicles and the other does not. Having 2 entries is redundant and could result in unnecessary confusion. These uses are otherwise similar – both are permitted by right in the “C-3” and “L” zoning districts and prohibited in “ERZD.” This proposal is to remove the entry not referencing motorcycles and all-terrain vehicles. Additionally, this proposal includes allowing auto and light truck repair in the “I-1” zoning district as was the case under the previous 1965 zoning regulations.

FORMATTED PROPOSAL –

TABLE 311-2 NONRESIDENTIAL USE MATRIX													
	<i>PERMITTED USE</i>	O-1 & O-1.5	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Auto	Auto and Light Truck Repair						P		P			NA	2110
Auto	Auto and Light Truck Repair (includes motorized vehicle such as motorcycles and all-terrain vehicles)						P		P	P		NA	2110



UDC Update Request Application

Part 1. Applicant Information

Name: _____ Organization (if applicable): _____

Address: _____

Phone: _____ Email: _____

Signature: _____ Date: _____
 (Include title if representing a governmental agency or public/private organization)

Part 2. Basis for Update (check only one)

- Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
 (Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- Completed Rule Interpretation Determination (*RID*)
- Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)

Part 3. Reason(s) for Update (check all that apply)

- Modify procedures and standards for workability and administrative efficiency
- Eliminate unnecessary development costs
- Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)
