

OLD BUSINESS

Sec. 35-523. Tree Preservation.

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(e) Final Tree Canopy Cover.

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(1) Standards.

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~~C. The city arborist may allow the applicant to defer the minimum tree canopy cover requirements to the building permit phase of the development with plans depicting final canopy cover of preserved trees and newly planted trees and the method to assure that the requirements will be met before the issuance of a building permit or with a guarantee of performance executed and filed with the City of San Antonio. The city arborist shall determine the probable maximum amount of tree mitigation required (measured in dollars) that may be attributable to the development.~~

C. When the Final Tree Canopy is required at platting the city arborist may allow the applicant to defer the minimum tree canopy cover requirements as follows:

- a) To the building permit phase of the development if inside of city limits
- b) Or, to the building phase in ETJ with plans depicting final canopy cover of preserved trees and newly planted trees and the method to assure that the requirements will be met before the issuance of a building permit (35-B123, 35-B125, 35-B107, 35-477, 35-476) (note: per section 35-523(f)(3) Table 523-1B, when using the Tree Stand Delineation option, Tree Save areas must be designated as such when the area is platted)
- c) Or, with a guarantee of performance executed and filed with the City of San Antonio.

The city arborist shall determine the probable maximum amount of tree mitigation required (measured in dollars) that may be attributable to the development.

Sec. 35-431. - Application for Plat Identification Number/Letters of Certification.

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(b) Initiation.

(1) **Certifying Departments.** A request for letters of certification and required items shall be filed by the applicant with the following ~~departments~~ entities (hereinafter "certifying ~~departments~~ entities");

- A. Department of planning and community development.
- B. Office of historic preservation.
- C. SAWS or other entity/entities providing water and/or wastewater service to the project.
- D. CPS Energy or other entity/entities providing electric and/or natural gas service to the project.
- E. Department of parks and recreation. Nonresidential plats at the discretion of the development services director in consultation with the director of the parks and recreation department may not be submitted to the parks and recreation department for review and comment on park or open space dedication. Nonresidential plats will be submitted to the parks and recreation department for information purposes only. If the parks and recreation department should find a plat that they wish to comment on they may do so by submitting such comment to the attention of the development services director at least twenty-four (24) hours prior to the planning commission meeting at which the plat is to be heard.
- F. Applicable county.
- G. Department of development services.

(2) **Referral.** ~~The applicant shall circulate the plat to reviewing agencies and departments for identification of~~ If any of the following services will be provided to the project, the applicant shall provide a copy of the plat to all providers serving the project area for the purpose of identifying any rights-of-way and easements which may be required:

- A. Telephone Service
- B. Internet Service
- C. Cable Television Service

If rights-of-way and/or easements are required, the applicant shall depict them on the plat. Where applicable, a completed request for review form shall be required from Bexar Metro 911 and/or the City Aviation Department.

~~—prepare instruments dedicating the rights-of-way/easements to the appropriate agencies and departments. The instruments shall be filed for record in the county deed records prior to approval of the development plat. In addition to the certifying~~

~~departments, copies of the requests for plat review along with required information shall be distributed to AT & T, Cable Television, aviation department, City South Management Authority (CSMA), Bexar Metro 911, and San Antonio River Authority. A letter of certification is not required from these departments~~

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Sec. 35-404. Public Hearings Procedures.

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(b) **Meetings.** The planning commission, zoning commission, and historic and design review commission shall hold regularly scheduled public hearings to receive and review public input on those items required by this chapter. On those items where it has review authority, the zoning commission or planning commission shall recommend that the city council approve, approve with conditions or deny such items. If a comprehensive plan, rezoning, or other land use regulation requiring final approval of the city council, or amendment thereto, or other development approval, has been duly submitted to the zoning commission or planning commission, and said commission has continued such action at two (2) consecutive meetings, such action, at the option of the applicant or the city council, shall be deemed to be a negative recommendation. In the event that said commission fails to pass a motion at two (2) consecutive meetings, such action shall be deemed to be a negative recommendation. The director shall thereupon submit the proposed land use regulation or amendment thereto or other development approval to the city council for its consideration.

Except as otherwise specified in this chapter, ~~section 35-421~~, if an applicant wishes to postpone an item after submittal for consideration by the commission or city council, then the applicant shall provide a written request either prior to the commission or city council meeting or at the meeting as a verbal request at the dais, and pay any required withdrawal or postponement fees which shall be non-refundable.

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NEW BUSINESS

Sec. 35-373. - Attached Dwellings.

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(b) Townhouse Development.

- (1) No front yard or side yard is required.
- (2) A rear setback shall not be required when the townhouse lot abuts an alley or driveway having a minimum right-of-way width of twenty-four (24) feet which is used to provide ingress and egress to such townhouse development. On townhouses and lots that do not abut at the rear, an alley or driveway having a minimum width of twenty-four (24) feet, a twelve-foot rear setback shall be required.
- (3) ~~Six one~~ hundred (~~600-100~~) square feet of contiguous open area shall be provided on each individual lot. The ~~six one~~ hundred (~~600-100~~) square foot of open area may be used for children's play area and/or patio and may be located in front or to the rear of the townhouse. On corner lots or where side yards are present the ~~The six one~~ hundred (~~600-100~~) square foot of contiguous area may include the side yard as long as it is not separated by a fence from the remaining portion of the ~~The six one~~ hundred (~~600-100~~) square foot of space. The "contiguous open area" may consist of lawns, landscaped areas and/or walkways, but shall not include parking or driveways.
- (4) The minimum lot depth shall be eighty (80) feet.
- (5) Townhouses shall not be subject to the minimum lot size for RM districts in Table 310-1.
- (6) Except in the "TOD" district, no townhouse development shall exceed a density of more than ~~twenty (20)~~ forty (40) units per gross acre.
- (7) ~~The total dwelling units in any single townhouse structure shall not exceed ten (10) nor be less than two (2).~~ The minimum lot width shall be fifteen (15) feet.
- (8) Each townhouse shall have either an attached garage, a detached garage, or there shall be a common non-commercial parking lot for the townhouse development. Parking shall not be required in an approved IDZ zoning district.

(9) A townhouse shall have a maximum of three (3) floors in any zoning district and shall have a maximum of four (4) floors where in an approved IDZ zoning district, or the Downtown (D) zoning district.

(10) Section 35-343(m) Urban Design does not apply to townhomes.

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Sec. 35-516. - Setback and Frontage Regulations.

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- (g) **Garages and Carports.** There shall be a minimum of twenty (20) feet between the back of a sidewalk or the property line and any garage entry accessed from a street right-of-way. The garage setback requirement for garages accessed from an alley shall be in accordance with section 35-370. Carports may be erected behind the minimum front setback required in the applicable zoning district, so long as twenty (20) feet of total parking area depth is maintained within the lot. The minimum twenty (20) feet between back of sidewalk or property line and any garage access does not apply to townhouses.

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Sec. 35-A101. - Definitions and Rules of Interpretation.

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- (b) **Definitions.** Words with specific defined meanings are as follows:

Dwelling, multi-family. A dwelling or group of dwellings on one (1) lot containing separate living units for five (5) or more families, but which may have joint services or facilities.

Dwelling, single-family attached (townhouse). ~~A building that has one family dwelling units erected in a row as a single building on adjoining lots, each being separated from the adjoining unit or units by a firewall (constructed in accordance with city codes and ordinances), along the dividing lot line, and each such building being separated from any other building by space on all sides. Each unit maintains a separate lot.~~ A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

Dwelling, single-family detached. A one-family dwelling that is not attached to any other dwelling by any means and is surrounded by open space or yards.

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Sec. 35-606. – Designation Process for Historic Landmarks.

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(a) **Authority.** ~~Requests for landmark designation may only be made by or with the concurrence of the property owner. In instances where a property owner does not consent to the landmark designation, the historic preservation officer shall request a resolution from city council to proceed with the designation process prior to any zoning commission hearing. Notwithstanding the foregoing, a request for landmark designation may be made and approved by the city council.~~ To the extent that this subsection conflicts with any other provisions of this chapter, this subsection paragraph shall control except for:

- (1) buildings, objects, sites, structures, or clusters heretofore designated as local landmarks or districts,
- (2) National Register landmarks or districts,
- (3) state historic landmarks or sites, or
- (4) state archaeological landmarks or sites.

~~buildings, objects, sites, structures, or clusters heretofore designated as local landmarks or districts, National Register landmarks or districts, state historic landmarks or sites, or state archaeological landmarks or sites. Additionally, requests for designation shall be made on a form obtained from the city historic preservation officer through the office of historic preservation. Completed request forms shall be returned to the office of historic preservation for processing.~~ All buildings, objects, sites, structures, or clusters heretofore designated by the city council as historic landmarks under any pre-existing ordinance of the City of San Antonio shall be accorded the protection of properties designated historic landmarks under this chapter and shall continue to bear the words "historic, exceptional" (HE) or "historic, significant" (HS) in their zoning designation.

(b) **Procedure. Designation of Historic Landmarks.**

~~(1) Initiation. Any person, the historic and design review commission, zoning commission, the historic preservation officer, or the city council may initiate a historic landmark designation by filing an application with the historic preservation officer. Requests for designation shall be made on a form obtained from the city historic preservation officer. Completed request forms shall be returned to the office of historic preservation for processing. Owner consent for historic landmark designation shall be required unless a city council resolution to proceed with the designation has been approved. Additionally, owners may submit with the application a written description and photographs or other visual material of any buildings or structures that they wish to be considered for designation as non-contributing to the historic landmark.~~

(1) **Format.** Requests for designation shall be made on forms obtained from the city through the office of historic preservation (OHP). Completed request forms shall be returned to the OHP for processing.

(2) Initiation.

(A) By Property Owner. A property owner may request consideration of their own property for designation as a historic landmark. Owners may submit a written description, photographs, or other visual material with their application, indicating any buildings or structures they wish to be excluded from the designation.

(B) By the City of San Antonio. The historic and design review commission (HDRC), the historic preservation officer (HPO), or the zoning commission may initiate a historic landmark designation by filing an application with the OHP. The HPO which shall then request a city council resolution to proceed with the designation prior to any zoning commission hearing. However, the city council may pass such a resolution even in the absence of such a request.

(C) By Others. Third parties may submit a non-owner request for review which shall be forwarded to the HDRC along with a recommendation by the HPO for or against designation.

(3)-(2) Completeness Review. See section 35-402 of this chapter. For purposes of this section and subsection 35-402(c), the historic preservation officer is the administrative official with original jurisdiction to review an application for completeness.

~~(3) **Decision.** The historic preservation officer shall refer a completed application for historic landmark designation to the historic and design review commission. Property owners of proposed historic landmarks shall be notified of the historic and design review commission hearing by the historic preservation officer by mail prior to a historic and design review commission hearing for historic landmark designation. Notice to property owners shall state the place, date, time and purpose of the historic and design review commission hearing. The historic preservation officer shall also send notice of the meeting to any registered neighborhood associations located within the proposed district boundary. The historic and design review commission shall make and forward its recommendation to the zoning commission within forty five (45) days from the date of submittal of the designation request by the historic preservation officer. Upon submittal of the historic and design review commission's recommendation, the proposed historic district or landmark designation shall be submitted to the zoning commission for its review recommendations along with its finding of historic significance. The zoning commission and the city council shall process the application as prescribed in section 35-421 of this chapter and this section. The zoning commission shall schedule a hearing on the historic and design review commission recommendation to be held within sixty (60) days of receipt of such recommendation and shall forward its recommendation to city council which shall~~

~~schedule a hearing to be held within sixty (60) days of council's receipt of such recommendation. Upon passage of any ordinance designating a historic landmark, or removing or upgrading the designation of historic, the city clerk shall send notice of the fact by mail to the owner or owners of affected property.~~

(4) Referral. The HPO shall refer a completed application for historic landmark designation to the HDRC for recommendation or findings.

(5) Prior Notice. Property owners of proposed historic landmarks shall be notified per Section 35-403 by mail prior to an HDRC hearing for historic landmark designation. Notice to property owners shall state the place, date, time and purpose of the HDRC hearing. The HPO shall also send notice of the meeting to any registered neighborhood associations of which the property is a part.

(6) Recommendation to Zoning. The HDRC shall make and forward its recommendation and findings of historic significance to the zoning commission within forty-five (45) days from the date of referral of the designation request by the HPO.

(7) Non-consenting Owner. Where the owner of property nominated for designation does not consent to such nomination, a resolution of the city council shall be required before such nomination is forwarded to the zoning commission. No application made under subsection (b)(2)(C), above, shall be forwarded to the city council without a recommendation in favor of approval from the HDRC and the HPO.

(8) Hearings. The zoning commission and the city council shall process the application as prescribed in this section and section 35-421 of this chapter. The zoning commission shall schedule a hearing on the HDRC recommendation to be held within sixty (60) days of receipt of such recommendation and shall forward its recommendation to city council which shall schedule a hearing to be held within sixty (60) days of council's receipt of such recommendation.

(9) Subsequent Notice. Upon passage of any ordinance designating a historic landmark, or removing the designation of "historic", the City Clerk shall send notice per Section 35-403 of the fact by mail to the owner or owners of affected property.

~~(10)~~(4) Criteria. Designations of exceptional and significant historic landmarks shall be made considering criteria enumerated in section 35-607 of this division.

~~(11)~~(5) Recordation. Upon designation of a building, object, site, structure, or cluster as an exceptional or significant historic landmark, the city council shall cause this designation to be recorded in the official public records of real property

of Bexar County, the tax records of the City of San Antonio and the Bexar Appraisal District, the house numbering section of the City of San Antonio's department of development services, and on the City of San Antonio's official zoning maps. Still further, for purposes of clarity in the zoning designation of property, all zoning maps shall reflect exceptional and significant historic landmarks or property in historic districts by inclusion of the words "historic, exceptional" (HE) or "historic, significant" (HS) as a prefix to its use designation as specified in accordance with the general zoning ordinance of the City of San Antonio.

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Sec. 35-614. – Demolition.

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(a) **Applicability.** The provisions of this section apply to any application for demolition of a historic landmark (including those previously designated as historic exceptional or historic significant) or a historic district.

(1) **Historic Landmark.** No certificate shall be issued for demolition of a historic landmark unless the applicant provides sufficient evidence to support a finding by the commission of ~~demonstrates clear and convincing evidence supporting an~~ unreasonable economic hardship on the applicant. In the case of a historic landmark, if an applicant fails to prove unreasonable economic hardship, the applicant may provide to the historic and design review commission additional information regarding loss of significance as provided is subsection (c)~~(3)~~ in order to receive a historic and design review commission recommendation for a certificate for demolition.

(2) **Entire Historic District.** If the applicant wishes to demolish an entire designated historic district, the applicant must provide sufficient evidence to support a finding by the commission ~~he has to provide clear and convincing evidence~~ of economic hardship on the applicant if the application for a certificate is to be approved.

(3) **Property Located in Historic District and Contributing to District Although Not Designated a Landmark.** No certificate shall be issued for property located in a historic district and contributing to the district although not designated a landmark unless the applicant provides sufficient evidence to support a finding by the commission ~~of demonstrates clear and convincing evidence supporting an~~ unreasonable economic hardship on the applicant if the application for a certificate is disapproved. When an applicant fails to prove unreasonable economic hardship in such cases, the applicant may provide additional information regarding loss of significance as provided is subsection (c)~~(3)~~ in order to receive a certificate for demolition of the property.

(b) Unreasonable Economic Hardship.

(1)**Generally.** The historic and design review commission shall be guided in its decision by balancing the historic, architectural, cultural and/or archaeological value of the particular landmark or eligible landmark against the special merit of the proposed replacement project. The historic and design review commission shall not consider or be persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

(2) **Burden of Proof.** The historic and design review commission shall not consider or be persuaded to find unreasonable economic hardship based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate). When a claim of unreasonable economic hardship is made, the owner must provide sufficient evidence to support a finding by the commission ~~prove by a preponderance of the evidence~~ that:

A. The owner cannot make reasonable beneficial use of or realize a reasonable rate of return on a structure or site, regardless of whether that return represents the most profitable return possible, unless the highly significant endangered, historic and cultural landmark, historic and cultural landmarks district or demolition delay designation, as applicable, is removed or the proposed demolition or relocation is allowed;

B. The structure and property cannot be reasonably adapted for any other feasible use, whether by the current owner or by a purchaser, which would result in a reasonable rate of return; and

C. The owner has failed to find a purchaser or tenant for the property during the previous two (2) years, despite having made substantial ongoing efforts during that period to do so. The evidence of unreasonable economic hardship introduced by the owner may, where applicable, include proof that the owner's affirmative obligations to maintain the structure or property make it impossible for the owner to realize a reasonable rate of return on the structure or property.

(3) **Criteria.** The public benefits obtained from retaining the cultural resource must be analyzed and duly considered by the historic and design review commission.

As evidence that an unreasonable economic hardship exists, the owner may submit the following information to the historic and design review commission by affidavit:

A. For all structures and property:

- i. The past and current use of the structures and property;
- ii. The name and legal status (e.g., partnership, corporation) of the owners;
- iii. The original purchase price of the structures and property;
- iv. The assessed value of the structures and property according to the two (2) most recent tax assessments;
- v. The amount of real estate taxes on the structures and property for the previous two (2) years;
- vi. The date of purchase or other acquisition of the structures and property;

- vii. Principal balance and interest rate on current mortgage and the annual debt service on the structures and property, if any, for the previous two (2) years;
- viii. All appraisals obtained by the owner or applicant within the previous two (2) years in connection with the owner's purchase, financing or ownership of the structures and property;
- ix. Any listing of the structures and property for sale or rent, price asked and offers received;
- x. Any consideration given by the owner to profitable adaptive uses for the structures and property;
- xi. Any replacement construction plans for proposed improvements on the site;
- xii. Financial proof of the owner's ability to complete any replacement project on the site, which may include but not be limited to a performance bond, a letter of credit, an irrevocable a trust for completion of improvements, or a letter of commitment from a financial institution; and
- xiii. The current fair market value of the structure and property as determined by a qualified appraiser.
- xiv. Any property tax exemptions claimed in the past five (5) years.

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(c) Loss of Significance. When an applicant fails to prove unreasonable economic hardship the applicant may provide to the historic and design review commission additional information which may show a loss of significance in regards to the subject of the application in order to receive historic and design review commission recommendation of approval of the demolition.

If, based on the evidence presented, the historic and design review commission finds that the structure or property is no longer historically, culturally, architecturally or archeologically significant it may make a recommendation for approval of the demolition. In making this determination, the historic and design review commission must find that the owner has provided sufficient evidence to support a finding by the commission ~~established by a preponderance of the evidence~~ that the structure or property has undergone significant and irreversible changes which have caused it to lose the historic, cultural, architectural or archeological significance, qualities or features which qualified the structure or property for such designation. Additionally, the historic and design review commission must find that such changes were not caused either directly or indirectly by the owner, and were not due to intentional or negligent destruction or a lack of maintenance rising to the level of a demolition by neglect.

The historic and design review commission shall not consider or be persuaded to find loss of significance based on the presentation of circumstances or items that are not unique to the property in question (i.e. the current economic climate).

For property located within a historic district, the historic and design review commission shall be guided in its decision by balancing the contribution of the property to the character of the historic district with the special merit of the proposed replacement project.

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Sec. 35-803. – Historic and Design Review Commission.

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(c) **Composition and Qualifications.** In appointing members of the commission, the city council shall make appointments that are sensitive to the preservation and development goals of the city and will enable the city to retain compliance as a certified local government under the rules incorporating the provisions of the U.S. Historic Preservation Act of 1966, as amended, and Title 13, Texas Historic Commission, chapter 15, ~~specifically 13 TAC 15.6(f)(3)(C)~~, so that all members shall have a demonstrated "interest, competence, or knowledge in historic preservation."

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(j) **Quorum.**

(1) A quorum of the commission shall require six (6) members present. The affirmative votes of a majority of the members present is required for action, except in the case of an application for demolition which shall require a two-thirds (2/3) majority of the members present for a recommendation of approval.

(2) Except when considering an application for demolition or a question of procedure or qualification, when a motion to approve, deny, or approve with conditions fails to pass with the requisite number of five votes, such outcome shall be deemed to be the approval of a motion to reconsider the question, and an automatic continuance to the next regularly scheduled meeting of the commission.

(3) Subpart (2) shall apply only when an application has been heard and the chair calls for motions, and so long as no subsequent motions on the application are made.

(k) **Conflicts of Interest.** No member of the commission shall vote or participate as a member in any matter that materially affects the property, income, or business interest of that member or in which the member holds a substantial interest. Such member shall refrain from all discussions of the matter with other commissioners, not be present when the matter is considered, and not vote on the matter, and file all required written recusal documents. ~~give notice of abstention from voting prior to the taking of a vote.~~

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Sec. 35-506. - Transportation and Street Design.

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(q) Sidewalk Standards.

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(2) **Sidewalk Exemptions.** Sidewalks shall not be required in the following situations:

A. When the director of planning and development services, in consultation with the director of public works, determines that the sidewalks will interfere with or disrupt existing drainage systems.

B. When the director of planning and development services, in consultation with the director of public works, determines that public construction which would require sidewalk replacement will take place on the street within three (3) years.

C. On local type A streets in single- or two-family residential subdivisions with a density less than 1.0 residential units per acre.

D. On streets in residential subdivisions where no adjacent lots are platted, if approved by the director of planning and development services, such as streets adjacent to walls or drainage ways.

E. Where the director of planning and development services determines that preservation of trees warrants the elimination, reduction in width, or modification to the sidewalk and curb requirements in accordance with the tree preservation standards.

F. In developed blocks, where the area is residentially zoned for single-family detached dwellings, and where both of the following conditions exist:

a. Seventy (70) percent or more of the improved lots fronting the street in any one (1) block face do not have sidewalks; and

b. A connecting sidewalk does not exist on both sides of the subject property for which construction permits are being sought.

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Sec. 35-506. - Transportation and Street Design.

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**Table 506-3
Conventional Street Design Standards**

<i>Street Type</i>	<i>Marginal Access</i>	<i>Alley</i>	<i>Access to Conservation Subdivision</i>	<i>Local Type A</i>	<i>Local Type B</i>	<i>Collector</i>	<i>Secondary Arterial¹</i>	<i>Primary Arterial²</i>
R.O.W. (min.) ^{1, 2, 10}	36'	24'	34'	50'	60'	70—90'	86—110'	120' ¹¹
Pavement Width	26'	18—24'	24' ⁷	28'	40'	44—55'	48—81'	48—81'
Design Speed (mph)	30	20	30	30	30—35	40—45	45	45
Grade (max.) ³ ICL	12%	12%	12%	12%	12%	7%	5%	5%
Grade (max.) ³ ETJ	10%	10%	10%	10%	10%	7%	5%	5%
Grade (min.) ⁴	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Centerline Radius (min.)	100'	50'	100'	100'	100'	400'	700'	1,200'
Curb	NR	NR	NR	Yes	Yes	Yes	Yes	Yes
Median	NR	NR	NR	NR	NR	NR	16' min.	16' min.
Sidewalk Width (see subsection (q)(5)) ⁵	NR	NR	4/6 ⁸ one side only	4' ⁸	4 ⁸ /6 ⁹ ¹²	4 ⁸ /6 ⁹	4 ⁸ /6 ⁹	4 ⁸ /6 ⁹
Bicycle Facilities ^{5, 6}	NR	NR	NR	NR	NR	Yes ⁵	Yes ⁵	Yes ⁵
Streetscape Planting	NR	NR	NR	NR	NR	Yes	Yes	Yes
Planting Strips	NR	NR	NR	NR	3' Min. ¹²	3' Min.	3' Min	3' Min.

Notes and Rules of Interpretation:

NR designates the item is "not required."

ICL designates inside city limits.

ETJ designates within the extraterritorial jurisdiction Table 506-3 is required for conventional option subdivisions (see section 35-202) or subdivisions not subject to Table 506-4, below, except for access to conservation subdivision (section 35-203).

¹For secondary arterial type B streets the minimum width of right-of-way shall be 70 feet and at intersections with other major arterials on the major thoroughfare plan 86 feet to 110 feet as determined by the director of development services.

²For primary arterial type B streets the minimum width of right-of-way shall be 70 feet and at intersections with other major arterials illustrated on the major thoroughfare plan the right-of way shall be 86 feet to 120 feet subject to the findings of the TIA as determined by the director of planning and development services.

³Refer to 35-506(d)(3) for grades exceeding maximum values specified in the table.

⁴0.4% Optional with concrete curb and gutter.

⁵Bicycle path and sidewalks can be combined. See subsection 35-506(d)(4).

⁶When designated on bicycle master plan as approved by city council.

⁷Entry portion without parking.

⁸In residential areas sidewalks shall be located to provide improved safety, to improve walkway intersection alignment and to reduce sidewalk conflicts with utility poles and mail boxes.

⁹Sidewalks shall be four (4) foot in width with a planting strip or six (6) foot in width without a planting strip.

¹⁰R.O.W. width and construction design of state maintained streets and certain inner-city streets and certain primary arterials (approved by city council ordinance) pertaining to R.O.W. dedication and design standards within the CRAG area boundary shall take precedence over the standard UDC street R.O.W. and design provisions outlined in Table 506-3 above.

¹¹120 feet is the maximum right-of-way width but may be varied in accordance with the adopted major thoroughfare plan.

¹²Sidewalks shall be six (6) foot in width, with or without a planting strip, along street type Local B where the residential lots do not front the street.

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Sec. 35-506. - Transportation and Street Design.

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(p) Pavement Standards.

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(5) **Roadbed Soil.** A soil investigation must be performed for the design of pavement structures by a qualified geotechnical engineer in accordance with the City's Design Guidance manual. The number of borings and locations shall be sufficient to accurately determine the stratum along the route. Any existing soil information that is available either from the city or from private sources will be evaluated and, if determined to be applicable and valid, will be allowed in place of new soil tests.

Roadbed soil having a plasticity index (P.I.) greater than twenty (20) shall be treated with lime to reduce the P.I. below twenty (20). Application rate of lime shall be determined based on laboratory testing. In no case shall the lime be less than fifteen (15) pounds/S.Y. for six (6) inches of lime treated subgrade. Lime treated subgrade will be included as a "structural layer" within the pavement design calculations. Proposals for stabilization alternatives in place of the use of lime will be considered upon submittal of an engineering report verifying adequate stabilization of the highly plastic soil.

Where the roadbed is in a rock excavation a "structural layer" within the pavement design calculations can be used that is equivalent to a structural layer for lime stabilized subgrade. If a roadbed structural layer is used in the pavement calculation for rock subgrade an engineering report will be provided to public works addressing the consistency of the subgrade prior to base placement.

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Sec. 35-506. - Transportation and Street Design.

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(j) Private Streets.

(1) Applicability.

A. Private streets are permitted within planned unit developments, the business park "BP" zoning district, and manufactured home/recreational vehicle parks subject to the design criteria and standards of this section.

B. Private streets are only allowed within an enclave subdivision subject to being designed and constructed to the standards of a public street.

C. Private streets shall be located within a private street lot identified as "Lot 999."

D. The subdivision plat name shall prominently indicate the type of private street development (e.g., "planned unit development", "PUD" "Enclave).

(2) Design Standards. With the exception of enclave subdivisions, ~~the~~ design standards and construction specifications of private streets shall be the same as for public streets except as noted below:

A. A right-of-way of fifty (50) feet for a local type A streets and sixty (60) feet for local type B streets shall not be required.

i. Private street lot should extend a minimum of two (2) feet outside of the face of curb.

ii. Regulatory sign easements shall be provided if regulatory and warning signs cannot be located within the private street lot.

B. The paved street width, exclusive of curb exposures, shall be a minimum of twenty-seven (27) feet for local type A streets and thirty (30) feet for local type B streets.

(3) Certification. Upon completion of construction, the director of ~~planning and~~ development services and county in the ETJ shall be provided with a written certification signed by a licensed professional engineer certifying that the private streets and sidewalks (as applicable) were designed and installed as required by the provisions of this chapter.

(4) Maintenance. Private streets and sidewalks shall be owned and maintained by a corporation, community association, or other legal entity established for this purpose.

A. Pavement Management. The applicant shall include with the homeowners' association (HOA) documents a forecast and schedule of street maintenance costs prepared by a licensed professional engineer, licensed as such by the State of Texas.

B. Maintenance Account. A maintenance account with seed money shall be established by the developer to enable the HOA to meet the maintenance schedule until the HOA is self-sufficient.

C. Maintenance Schedule. Any HOA requesting that the city acquire their private streets shall produce documentation that the maintenance schedule set forth in the HOA's original pavement management plan as part of the HOA documents has been followed.

* * * * *

(6) Parking on Private Streets. Parking shall be prohibited on any private street with pavement less than twenty-eight (28) feet in width and, if utilized on streets thirty (30) feet wide or wider, the parking area must be clearly distinguishable from the movement lanes. The HOA documents shall require the HOAs to identify and enforce a no parking restriction in fire lanes throughout the community.

(7) Gated Subdivision Streets. When a gate will be installed on a private street, the following provisions shall be met:

A. Master Key Security System. A master key security system shall be provided on all gates. The security system shall include the following for the specified type of gate:

i. Electric Operated Gates:

1. In the ETJ, a siren operated sensor in conformance with the "Bexar County Rules for the Regulation of Electric-Operated Gates" is required; and

2. A gate override in case of power failure; or

3. Inside the city limits,

a. A master key provided to the fire department, the school district, and police department; or

b. A Knox box.

ii. Non-electric Operated Gates:

1. A Knox box. In the ETJ, provide key or code of the knox box to Bexar County Office of Emergency Management.

B. Queuing. At gated entrances where traffic can queue into public streets, the gate and entrance design must provide for sufficient storage capacity so that no vehicles will queue into the public street. Queuing at a gated entrance shall be designed as follows:

i. The Poisson distributed probability model shows that no vehicles will queue into the public street with a ninety-five (95) percent confidence level. The minimum entryway vehicle storage length shall be forty (40) feet measured from the call box to the public right-of-way as shown in Figure 506-11.

- ii. The subdivider shall provide for vehicle turnaround capability based on the single unit design (SU-30) vehicle as provided in the 2011 AASHTO Green Book or latest revision thereof or be able to make a three-point turning movement to prevent a motorist from backing on to the public street.

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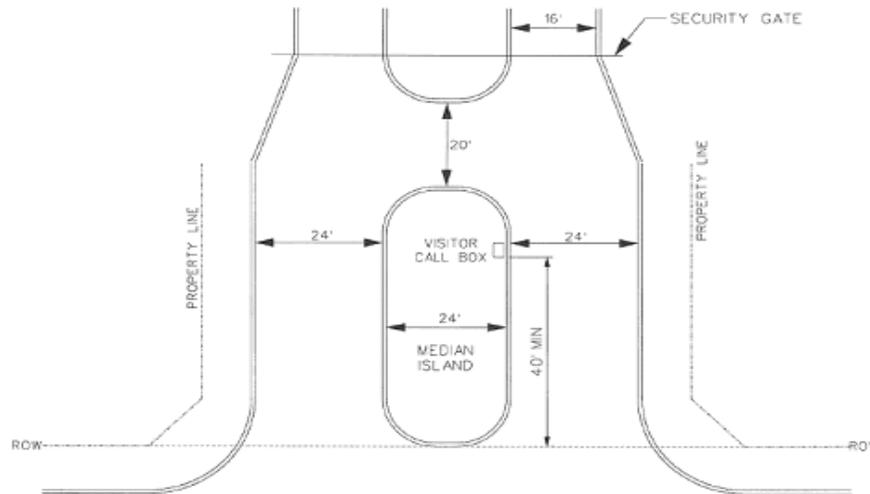


Figure 506-11. Standard Entryway Detail

C. Connectivity. The street system shall comply with the connectivity standards (subsection (e) of this section).

~~(s) Gated Subdivision Streets. Reserved~~

~~(1) Pavement Management. The applicant shall include with the homeowners' association (HOA) documents a forecast and schedule of street maintenance costs prepared by a licensed professional engineer, licensed as such by the State of Texas. A maintenance account with seed money shall be established by the developer to enable the HOA to meet the maintenance schedule until the HOA is self sufficient. Any HOA requesting that the city acquire their private streets shall produce documentation that the maintenance schedule set forth in the HOA's original pavement management plan as part of the HOA documents has been followed.~~

~~(2) Fire Lanes. The HOA documents shall require the HOAs to identify and enforce a no parking restriction in fire lanes throughout the community.~~

~~(3) Master Key Security System. A master key security system shall be provided on all gates. The security system shall include the following for the specified type of gate:~~

~~A. Electric Operated Gates:~~

- ~~(1) A gate override in case of power failure; and~~
- ~~(2) A siren operated sensor in conformance with the "Bexar County Rules for the Regulation of Electric Operated Gates"; or~~
- ~~(3) Inside the city limits,~~
- ~~(i) A master key provided to the fire department, the school district, and police department;~~

~~or~~

- ~~(ii) A Knox box.~~

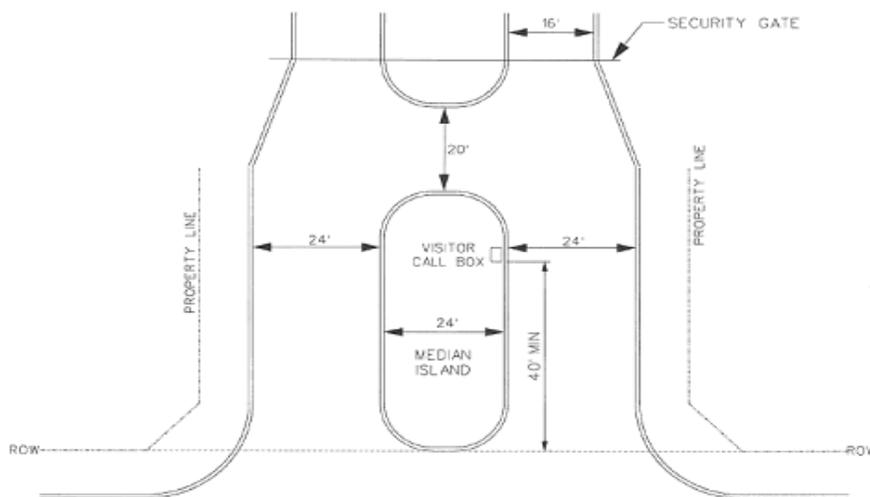
~~B. Non-electric Operated Gates:~~

- ~~(1) A Knox box.~~

~~(4) Queuing. At gated entrances where traffic can queue into public streets, the gate and entrance design must provide for sufficient storage capacity so that no vehicles will queue into the public street. Queuing at a gated entrance shall be designed as follows:~~

~~A. The Poisson distributed probability model shows that no vehicles will queue into the public street with a ninety five (95) percent confidence level. The minimum entryway vehicle storage length shall be forty (40) feet measured from the call box to the public right of way as shown in Figure 506-11.~~

~~B. The subdivider shall provide for vehicle turnaround capability based on the single unit design vehicle as provided in the 2004 AASHTO Green Book or latest revision thereof or be able to make a three point turning movement.~~



~~(5) Connectivity. The street system shall comply with the connectivity standards (subsection (e) of this section).~~

- (t) **Traffic Calming.** The purpose of this section, is to protect the public health, safety and general welfare by ensuring that speeds on local streets are suitable for their intended purpose. The city hereby finds and determines that long blocks, wide street cross sections and uninterrupted traffic flows can encourage speeding on local streets. Accordingly,

these design standards will slow traffic on local streets while allowing flexibility in design and offering applicants the choice of treatment that works best for the streets in a proposed development.

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Sec. 35-506. - Transportation and Street Design.

* * * * *

(1) Horizontal Curvature.

* * * * *

- (3) **"Elbow" Configurations.** An alternative design required by subsection (d) of this section may be used in lieu of the centerline radius of a Local Type street prescribed by subsection (d) of this section. The angle of the elbow configuration shall comply with subsection (f). The point of radius may be relocated along the lines indicated by letters on the figure below (lines AX, AY and AZ). The point of radius shall not exceed ~~fifteen (15) feet~~ distance of one-half of the typical pavement width from point A. The point of radius of the elbow shall be shown on the plat. The interior curve shall have a minimum property line radius of twenty-five (25) feet. The point of radius may be shifted along the street centerline (lines AX and AZ) see Figure 506-6.

35-506(l) continued

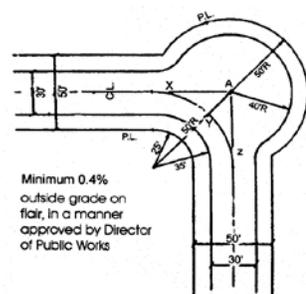


Figure 506-6

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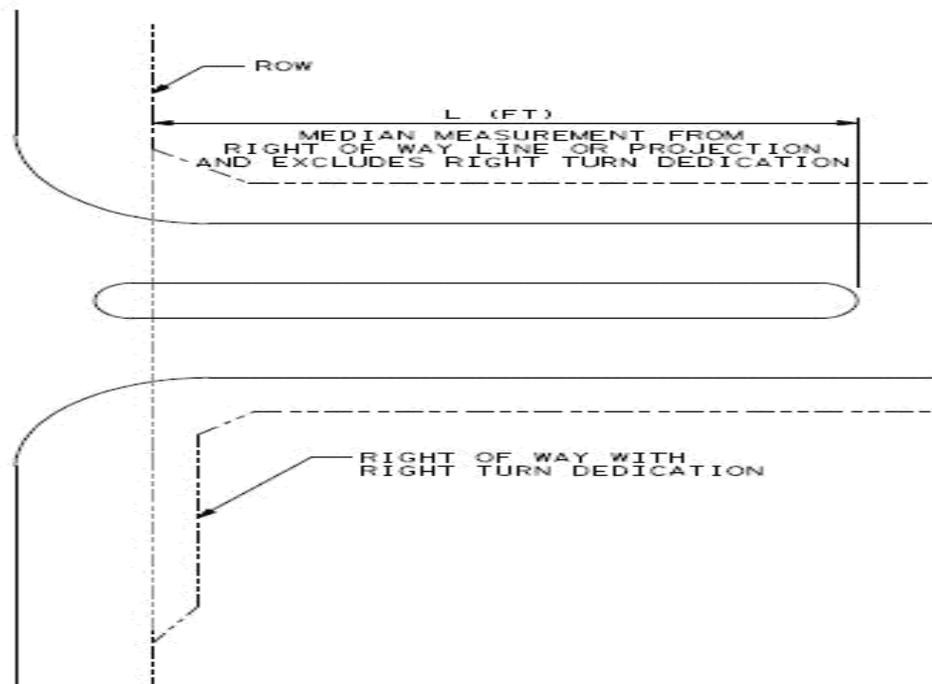
Sec. 35-506. - Transportation and Street Design.

(n) Medians.

- (1) **Openings.** Medians shall be continuous. Openings in the median may be provided for public streets or major driveways (having one hundred (100) peak hour trips (PHT) or more) provided the spacing between median openings is in accordance with table 506-5.1, will not obstruct an intersection clear vision easement or stopping sight line distance, meets the minimum spacing requirements, and will not impact an existing intersection as specified in 35-502(d). When medians are open, left turn bays and median radii shall be provided in accordance with subsection 35-502(e)(2) ~~and curbed~~. Existing medians shall be modified to conform to these requirements where necessitated by the traffic generated by the proposed development, as set forth in the traffic impact analysis (see subsection 35-502(e)(2) of this chapter). Where existing streets are improved, dual left turn lanes can be approved if supported by a TIA (see section 35-502).

In determining if a median opening request should be approved, the city will require a traffic engineering analysis by a licensed professional engineer. The median opening analysis shall be at the expense of the requestor.

Figure 506-6.1 Methodology to Measure Median Opening Distance from a Projected Right-of-way Line of an Intersecting Freeway or Arterial:



- (2) **Special Purpose Medians.** Dividers constructed for aesthetic purposes such as entrances for subdivisions or landscaping shall be permitted. The minimum width for such dividers is fourteen (14) feet with minimum twenty (20) feet of pavement width on either side of the median. The divider shall maintain the full width for a minimum twenty-five (25) feet but not more than fifty (50) feet after which an appropriate transition shall be provided in accordance with standards for pavement and median transition (subsection (m), above). The ~~twenty-five (25) feet~~length of the median shall be measured from the edge of pavement of the ultimate width of the intersecting roadway. The nose or rounded portion of the divider shall be placed a minimum of two (2) feet off the edge of the traveled roadway of the intersecting street unless the turning radius of vehicular traffic or conflicts with an ADA street crossing indicates other modifications to the median nose are required. No signs, walls or fences, trees, shrubs or other ground cover shall be placed in the median which will obstruct the driver's sight distance (See Figure 506-7). The median design and exceptions to pavement width adjacent to median must be approved by the director of ~~planning and~~ development services in consultation with the director of public works. In addition, the director shall seek concurrence from the applicable county authority for all proposed medians located in the ETJ.

Landscaping shall be in accordance with current landscaping standards (section 35-511) design standards. In addition, appropriate maintenance agreements shall be made with the director of ~~planning and~~ development services.

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Sec. 35-506. - Transportation and Street Design.

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(r) Access and Driveways.

(1) **Applicability.** The provisions of this section shall apply to all driveways. A lot which is a part of an approved plat which does not otherwise limit access and which was approved by the city and filed for record as of the effective date of this section, and which does not have sufficient frontage to meet the driveway approach spacing requirements in this section, shall be allowed one (1) driveway approach.

(2) Single-Family Residential Subdivisions.

A. **Frontage and Access off a Collector or Major Thoroughfare.** ~~Where a subdivision abuts a collector or major thoroughfare, lots for single-family residential use in the ETJ or in residential zoning districts shall not have direct access. The sole exception shall be lots~~ Residential lots having direct access on a Collector or Major Thoroughfare may be platted only if:

i. All lots are greater than one (1) acre in size, have a minimum lot frontage of one hundred (100) feet and ~~which~~ provide for permanent vehicular turn around on the lot to prevent backing onto the roadway. ~~and this restriction should be~~ A noted shall be on the plat stating a permanent vehicular turn around shall be provided on each lot to prevent a vehicle from backing onto the roadway.

ii. Access points which would permit vehicular access to ~~existing~~ lots less than one acre in size from the thoroughfare or collector shall ~~may be prohibited~~ allowed if: ~~However, if conditions are such that vehicular access to such lots cannot be provided other than from the roadway, the director of planning and development services may permit the creation of~~ a marginal access street or easement to serve two (2) or more lots spaced a minimum of two hundred (200) feet apart or 200 feet from an existing driveway or street is constructed. The marginal access street or easement shall be designed to permit entry to the roadway without requiring a motorist to execute a backing maneuver. Marginal access streets or easements shall be included on the subdivision plat and shall be constructed before recordation of the plat.

B. **Marginal Access Streets.** Where the subdivider furnishes a marginal access street on the subdivision side of an existing, improved primary or secondary arterial, the subdivider shall not be required to furnish any pavement, curbs, or sidewalks for the primary or secondary arterial. (see also: subsection 35-506(q)(5))

~~(C) Collector sections are required for a minimum of forty (40) feet off of an arterial to prevent construction of residential driveways closer than~~

~~forty (40) feet from the arterial's end of property line return, or if a local type B section is designed, a~~ A residential lot shall ~~not side the arterial for~~ be located a minimum of forty (40) feet from an arterial right-of-way.

- (3) **Commercial, Industrial and Medium or High Density Residential Developments.** Lots ~~in~~ proposed for commercial, industrial and ~~medium or high density multi-family~~ residential developments in the ETJ or in the "MF," "NC," "O," "C," "I-1," or "I-2" zoning districts may have vehicular access from a thoroughfare or collector. However, the number of access points permitted will be based on the following criteria and following the driveway spacing requirements in subsection (7) below, if applicable.:

~~(A)~~ For lots with less than two hundred (200) feet of unrestricted frontage, one (1) access point may be permitted;

~~(B)~~ ~~f~~For lots with ~~a frontage of~~ two hundred (200) feet or more of unrestricted frontage, one (1) access point for every two hundred (200) feet of unrestricted frontage ~~will~~ may be permitted.

C ~~Driveway spacing will be in accordance with subsection (7) below, if applicable.~~ All lots proposed for commercial, development in the ETJ or in "NC," "O," and "C" zoning districts with less than four hundred (400) feet fronting an arterial street shall provide for shared cross access with adjacent lots fronting the arterial, by means of platted common access easement across the lot or recorded deed covenant providing common access across the lot with adjacent lot(s).

- (4) **Additional Access Points.** The director of ~~planning and~~ development services (or the Texas Department of Transportation, or county authority, if appropriate) is authorized to permit additional access points under the following conditions:

(A) The additional land; and access points are necessary to ensure the property owner beneficial use of the land; and

(B) The resulting additional ingress and egress of vehicles will not seriously disrupt the flow of traffic on the thoroughfare.

- (5) **Location of Access Points.** The specific location of access points will be determined by the director of ~~planning and~~ development services (or by the Texas Department of Transportation or county authority, if appropriate) at such time as a site plan is reviewed prior to the issuance of a building permit. The location shall be based on the following criteria:

(A) The location shall minimize conflicts with vehicle turning movements;

(B) The location shall be located as far as practicable from intersections; and

(C) The location shall be not less than fifty (50) feet from another driveway location.

If this standard is not possible, based upon the frontage of the property, the location shall be directed as far as practicable from the other driveway locations. Driveways along an arterial within four hundred (400) feet of a major intersection, such as the intersection of two (2) arterial streets or the intersection of a collector and an arterial street, may be restricted to right turn movements.

(D) Not located within an auxiliary lane.

- (6) **Driveway Throat or Vehicle Storage Length.** For purposes of this subsection, "throat length" means the length of extending from the entry into the site at the property line, to the first conflict or intersection with a parking aisle. Vehicle storage length means the length of a driveway, service lane, bay, or other passageway for motor vehicles which is designed to minimize queuing onto surrounding streets. Throat length shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. Throat length and vehicle storage length shall not be less than the standards set forth in Table 506-7 unless approved by the director of development services. These measures generally are acceptable for the principal and secondary access to a property and are not intended for minor driveways such as residential driveways serving less than four (4) homes, or a commercial/industrial driveway with less than four hundred (400) ADT, or forty (40) average peak hour volume of vehicles, not located on a major roadway (see note under Table 506-7) or thoroughfare. The throat length may be reduced to no less than twenty (20) feet measured from the outside of the right-of-way by the director of development services by administrative exception. Throat lengths of less than twenty (20) feet from the outside of the right-of-way may be only be approved in accordance with section 35-482.

Table 506-7
Minimum Driveway Throat Lengths for Collectors and Arterials*

<i>Land Use</i>	<i>Throat Length or Vehicle Storage Length</i>
Shopping Centers > 200,000 GLA or nonresidential developments > 400 PHT per driveway	Throat length two hundred (200) feet or as required by the TIA
Nonresidential development between 200 and 400 PHT per driveway	Throat length seventy-five (75) feet or as required by the TIA

Nonresidential development less than 200 PHT per driveway or other major driveways not otherwise enumerated in this table	Throat length forty-foot minimum
Residential subdivision entryway (Private, gated entries)	Poisson distributed probability model at a ninety-five (95) percent confidence level. In addition, the subdivider shall provide for vehicle turnaround capability based on the single unit design vehicle as provided in the AASHTO Green Book, or latest revision thereof. The minimum entryway vehicle storage length shall be forty (40) feet measured from the call box to the public right-of-way. See Figure 506-11
Single-lane drive-in banks	Sufficient to accommodate minimum queue of six (6) vehicles
Drive-in banks with more than one (1) lane	Sufficient to accommodate minimum queue of four (4) vehicles per service lane
Single-lane drive-through car washes	Sufficient to accommodate minimum queue of twelve (12) vehicles
Automatic or self-serve car washes with more than one (1) bay	Vehicle storage of sixty (60) feet per bay
Fast-food restaurants with drive-through window service	Sufficient to accommodate minimum queue of eight (8) vehicles per service lane
Gasoline service stations with pump islands perpendicular to the pavement edge	Minimum thirty-five (35) feet between pump islands and right-of-way
Dry-cleaning establishments with drive-through window service	Sufficient to accommodate minimum queue of three (3) vehicles

* Note: May include local B roadways with traffic volumes above eight thousand (8,000) vpd where a major driveway (over 40 PHT) is being proposed that would affect exterior traffic.

Commentary: The throat lengths in Table 506-7 are provided to assure adequate stacking space within driveways for general land use intensities. This helps prevent vehicles from stacking into the thoroughfare as they attempt to access the site. High traffic generators, such as large shopping plazas, need much greater throat length than smaller developments or those with unsignalized driveways. These standards refer to the primary access drive.

- (7) **Spacing and Location on Major Thoroughfares.** This subsection applies to driveway approach spacing and location along or adjacent to major thoroughfares.
- A. Where a traffic impact analysis is required, driveways shall be spaced in such a manner as to avoid reducing the traffic LOS below that established in the section 35-502 traffic impact analysis. A subdivision of land into two (2) or more lots fronting a major thoroughfare may not automatically increase the number of driveway approaches allowed over those allowed prior to the subdivision.
- B. Along either side of any corner commercial or industrial property ~~the a~~ driveway approaches when allowed shall be located so as to maintain a minimum distance from the corner of the intersecting roadways. The minimum distance from the corner to the intersecting roadway is referred to as corner clearance. Corner clearance is measured along the property line from the property line return or flare. Corner clearance shall be established on a plat by providing a one (1) foot vehicular non-access easement. The easement shall extend a minimum of:
- i. one hundred twenty-five (125) feet; or
- ii. ~~equal to~~ ninety (90) percent of the length of the property along the roadway upon which the proposed driveway approach is to be located and restricted to a right in/out driveway and cannot be located within the limits of the right turn deceleration or acceleration lanes, ~~or one hundred twenty five (125) feet, whichever distance is less. Corner clearance is measured along the property line from the property line return or flare.~~
- iii. The corner clearance may be reduced by the director of development services to allow a driveway for development where a driveway may not otherwise be allowed.
- (8) **Alignment.** Major driveway approaches, with peak hour trips greater than one hundred (100) pht, accessing major thoroughfares shall attempt to meet the following guidelines:

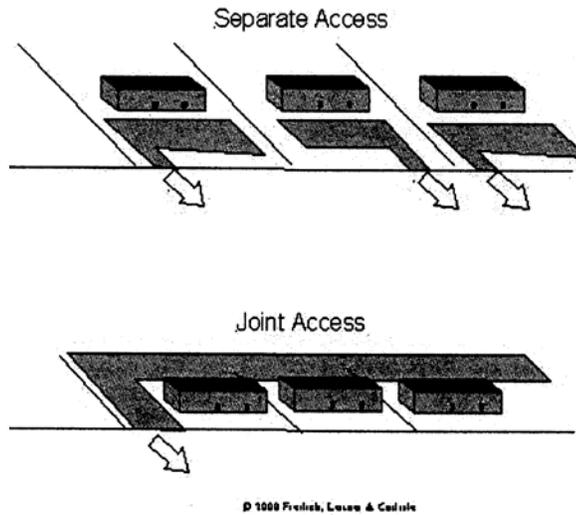


Figure 506-10

- A. Align with opposing driveway approaches if any, or shall be offset by one hundred seventy-five (175) feet or more to provide adequate left turn storage capacity in advance of each driveway approach and to avoid the overlap of left turn lanes.
 - B. Shared among different property owners or users when necessary to maintain minimum spacing requirements.
 - C. Planned, when possible, to match existing openings in medians. In addition, no cuts through the left turn reservoir of a median shall be permitted in order to provide left turn movements for driveway approaches accessing major thoroughfares or median divided roadways.
- (9) **Parking Approaches.** For minor driveways, parking aisles shall be located a minimum of twenty (20) feet from the intersection of the driveway approach and the thoroughfare property line.
- (10) **Driveway Approaches.** Driveway approach materials may be asphalt, concrete or other materials as approved by the development services director. Inside the city limits or when a curb is provided in the ETJ, Residential driveway approaches materials shall be concrete. Both residential and commercial driveway approaches shall conform to the latest edition of the City of San Antonio Sidewalk and Driveway Design and Construction Guidelines compiled by the department of public works. Commercial two-way driveways and residential driveway approaches may have a width greater than that specified by the guideline if approved by the development services director.

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Sec. 35-B101. - Specifications for Documents to be Submitted.

* * * * *

(c) **Information Required.** No application for development approval shall be accepted unless the following information and data required is included. The required information and data is set forth in Table B-1, below, and any specific regulations set forth in section 35-B102 et seq. An asterisk (*) indicates that the item listed in the row heading is required for the item listed in the column heading.

TABLE B101-1

A	B	C	D	E	F	G
<i>(A) Material/Information</i>	<i>Master Development Plan</i>	<i>PUD Plan</i>	<i>Major Plat Application</i>	<i>Minor Plat Application</i>	<i>Development Plat Application</i>	<i>Specific Use Authorization</i>
E. PROPERTY SURVEY AND TOPOGRAPHIC						
<p>(6) Existing topography with maximum contour interval of <u>ten (10) feet when ground slope exceeds ten (10) percent;</u> two (2) feet <u>for slopes between five (5) percent and up to ten (10) percent.</u> except and where existing ground is on a slope of less than five (5) percent then either one (1) foot contours or spot elevations shall be provided where necessary.</p>		*	*	*		

F. PLANNING						
(28) An exhibit indicating the area of each lot in square feet for all single-family lots (gross and net (excluding easements, flag poles)) using on-site sewage (septic tank) disposal			*	*		
G. DESIGN						
(17) Location and size in acres of school sites, amenity center areas, or non-single family lots as applicable.	*	*	*	*		
(20) Signage, Pavement Markings , Street, alley and cross walkway plans (section 35-B120)			*			

*1. Specific use permits shall only require a stormwater management plan when the site is located over the Edwards Recharge Zone (ERZD).

Sec. 35-B120. – [Signage, Pavement Markings](#), Street, Alley, and Cross Walkway Plans.

- (a) **Number of Copies.** The applicant shall provide three (3) sets of construction plans and two (2) sets of the pavement design report.
- (b) **Format.** Construction plans shall be twenty-four by thirty-six (24 x 36) inches with a margin of two and one-half (2½) inches on the left side of the sheet, and appropriate margins on the other three (3) sides. Construction plans shall be drawn at a scale of one (1) inch equal to fifty (50) feet.

Where more than one (1) sheet is necessary to accommodate the entire area to be subdivided, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the plat.

- (c) **Contents.** The plans and profiles for street, alley, cross walkway and drainage easement improvements submitted shall include the following information:

- (1) Typical sections showing the proposed pavement width, type, thickness and crown; the proposed curb and gutter type, location in relation to center line and exposure; the proposed parkway grading slopes; the proposed locations and type of wheelchair ramps; location of traffic signal conduit; and construction details of all drainage including dimensions, reinforcing and components such as grates and manhole covers. The information shall be given for each different type of streets and alleys in the subdivision.
- (2) Alignment of each street, alley, cross walkway and drainage easement showing a beginning and ending station; each deflection angle of the center line and the station of the point of intersection; the station of the point of curvature and the point of tangency of each curve; the station and angle of intersection of each intersection with another street, alley or drainage easement; the station and radius of each curb return; the location of adjacent right-of-way lines; location and station of city limit or county lines; the location and limits of sidewalks and curbs of each street; the location and size of existing trees to remain in ROW; the location of each drainage structure; the location and size of all storm sewers; and the length, width, and thickness of cement stabilized base.
- (3) The top of curb grade at each curb end, each fifty-foot station and each end of each curb return; the center line grade at each end and at each fifty-foot station of alleys and drainage ditches; the gradient of each tangent grade and the location and length of each vertical curve; the direction of storm drainage flow at each intersection; the flow line elevations of each drainage structure; the flow line elevation of each storm sewer at each point of change of grade, each end, and the intervening gradients. The profiles of streets, alleys and drainage ditches shall show the natural ground at adjacent property lines and the proposed center line.
- (4) Scale, north arrow, date and plat number of the associated plat. Plans and profiles shall be drawn to scales of one (1) inch equals fifty (50) feet horizontally and one (1) inch equals five (5) feet vertically, unless different scales are approved by the director of planning and development services.
- (5) Signage and pavement marking plans shall show the locations of street signs, warning, and regulatory signs, pavement markings and raised pavement markers and provide a summary table listing sign types, pavement markings types, and pavement marker types using TMUTCD designations with quantities.
- (6) All signage, pavement markings, street and alley plans and profiles shall bear the seal of a licensed professional engineer.

Sec. 35-B121. - Subdivision Plat Applications.

* * * * *

- (i) Military Overlay Area Limitations. Limitations on height, floor area ratios, land use, sound attenuation, and lighting shall be shown on the subdivision plat in cases where those limitations may affect the construction of a structure in this area. These limitations shall be shown in terms of height above ground elevations at appropriate

locations on the plat and shall also include existing or finished elevations at those points; level of sound attenuation to be achieved, and limits on outdoor lighting.

When the above limitations are determined to be in effect within the boundaries of the proposed subdivision, the owner's certification shall include the following statement: "I understand that this subdivision is subject to the restrictions of the military overlay district ordinance and the maximum height of any proposed structure or building, sound attention, and outdoor lighting within this subdivision will be limited in accordance with the provisions of that ordinance."

Sec. 35-B122. – Traffic Impact Analysis.

* * * * *

(b) Study level TIAs shall consist of the following:

(7) Conclusions and Recommendations.

- A. A summary of the conclusions and recommendations for the transportation network required to serve the proposed development.
- B. Identification of peak hour trip (PHT) levels that will trigger mitigation actions identified.
- C. A statement that each subsequent TIA submitted for the proposed development will be compared to the results of the Study Level TIA to determine if the overall roadway network remains adequate to serve the proposed development.

Sec. 35-B131. - Application for Plat Identification Number/Letters of Certification.

* * * * *

(b) **Data Required for Letters of Certification.** To obtain the required letters of certification, an applicant for plat approval shall submit the following data to the certifying agencies/departments. All data shall be annotated with the plat number of the associated plat.

* * * * *

(6) Bexar County.

- A. Digital copy of plat.
- B. Two (2) sets of storm water management plans.
- C. Two (2) copies of TIA and disk of analysis.
- D. Address plat.
- E. If applicable, the following item(s):
 - 1. Two (2) sets of utility plans.

2. One (1) copy of approved POADP, MDP, PUD.
3. Final Geotech report.
4. Three (3) sets of streets and drainage plans.
5. Two (2) copies of cost estimates streets and drainage.
6. One (1) digital copy of construction plans.
7. Site evaluation form with required soil analysis.
8. Water purveyor documentation/letter.
9. Plan showing the proposed on-site sewage facility (OSSF) on the property and supporting documents required under 30 TAC §285.4(c) detailing the site's suitability for on-site sewage facility systems.

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Section 35-526 – Parking and Loading Standards

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(b) Table of Off-Street Parking Requirements

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(8) Bicycle Parking Spaces. Bicycle spaces shall, at a minimum, equal ten (10) percent of the number of the minimum required vehicle spaces required for a given use, but not to exceed 24 total. Bicycle parking may be short or long term in nature, and shall not create any obstruction to public walkways, bus stops and/ or entrances and exits to buildings.

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Section 35-526 – Parking and Loading Standards

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**TABLE 526-3b
Parking in Nonresidential Use Districts**

	<i>Permitted Use</i>	<i>Minimum Vehicle Spaces</i>	<i>Maximum Vehicle Spaces</i>
RETAIL	GROCERY STORE – retail (limited to maximum 3000 sq. ft. total in "C-1")	1 per 300 sf GFA	1 per 200 <u>150</u> sf GFA

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Section 35-506 – Transportation and Street Design

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(q) Sidewalk Standards

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(1) Applicability

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(E) Expansion. When a building or parking lot is enlarged, the requirements of this section shall be applied incrementally such that sidewalks shall be required in the same proportion that the enlarged building area or off street parking area has to the existing development. For example, a ten (10) percent increase requires ten (10) percent of the required sidewalks along the site perimeter.

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Sec. 35-310.10. - "C-1," "C-2," "C-2P," and "C-3" Commercial Districts.

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(e) Noise Restricted Districts.

(1) The district regulations within the "C-2NR" district are the same as in the "C-2" districts, except that no external sound systems or live music shall be allowed.

(2) The district regulations within the "C-3NR" district are the same as in the "C-3" districts, except that no external sound systems or live music shall be allowed.

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Sec. 35-403. - Notice Provisions.

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(d) Minor Application and Zoning Site Plan Amendments Not Requiring Renotification.

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(4) Zoning Intensity. For purpose of notification the following table of intensity of zoning shall be used. The intensity ranges shall constitute all districts on the following table that lie between the existing zoning district of the subject property and the requested zoning district for the subject property. Consideration of such a recommendation shall not require renotification. Upon request of the property owner, imposition of a "NR", "NA" or "R" suffix on a request for a rezoning to the "C-2" or "C-3" districts shall not require renotification. An applicant may not amend a rezoning request to multi-family without renotification. Flex districts (UD, RD, FR MI-1 and MI-2), overlay districts and special districts shall require renotification.

Table 403-2

Intensity Ranges

- "RP"
- "RE"
- "R-20"
- "R-6"
- "R-5"
- "R-4"
- "R-3"
- "RM-6"
- "RM-5"
- "RM-4"
- "MF-18"
- "MF-25"
- "MF-33"
- "MF-40"
- "MF-50"
- "MF-65"

"NC"
"O-1"
"C-1"
"O-1.5"
"C-2NA," "C-2P", "C-2NR"
"C-2"
"O-2"
"C-3NA"
"C-3R", "C-3NR"
"C-3"
"D"
"L"
"I-1"
"I-2"

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Sec. 35-B121. – Subdivision Plat Applications.

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(b) **Format.** Plats shall be drawn in ink on Mylar on sheets eighteen (18) inches wide and twenty-four (24) inches long, with a margin of two and one-half (2½) inches on the left side of the sheet, and appropriate margins on the other three (3) sides. Plats shall be drawn at a standard engineering scale of 1 inch equals 10, 20, 30, 40, 50, 60 or 100 feet, dependent upon the size of the platted parcel(s) and availability of sheet space. When choosing drawing scale, the ultimate goal is ease of readability and clarity of reproduction. City staff may stipulate a change of drawing scale as deemed necessary. ~~Plats shall be drawn at a scale of one hundred (100) feet to one (1) inch unless the director of development services approves a smaller scale. Plats that include one half (½) acre or less in area shall be drawn at a scale of fifty (50) feet to one (1) inch.~~ The plat boundary line shall be a solid continuous line type with a heavy pen weight to distinguish said boundary line from all other lines. Where more than one (1) sheet is necessary to accommodate the entire area to be subdivided, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the plat.

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Sec. 35-431. Application for Plat Identification Number/Letters of Certification.

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- (c) **Completeness Review.** Upon receipt of a request for letters of certification, the director of planning and development services shall classify the request as a tentative major subdivision or a tentative minor subdivision. However, a plat that the director of planning and development services finds is for the sole purpose of amending one (1) or more building setback lines shall be submitted to the planning commission for consideration without review by any other agency. Such plat shall be referred to as a building setback line plat (BSL) and shall comply with all provisions of Chapter 212 of the Texas Local Government Code. It is noted that while the city has created an expedited review process and waived the public hearing notification fee, the proposed BSL plat will have to comply with the public hearing provisions noted in article IV.

The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the planning commission. When a certifying department determines that the proposed plat or any of the required accompanying data does not conform with the requirements of this chapter, the certifying department shall so notify the applicant and director of planning and development services. If the certifying department issues a letter of certification recommending disapproval of the proposed plat, the letter shall indicate the section and specific requirement of the regulations and the manner in which the request does not comply. The applicant may then revise the nonconforming aspects or may file the proposed request with the planning commission pursuant to section 35-432 of this chapter, with or without a request for a variance (section 35-483 of this article) provided, however, that if no variance request is submitted and approved and the application does not conform to this chapter, the application shall be denied. Requests submitted without variance shall not require additional application forms beyond a request letter from the applicant nor shall they incur additional fees to be heard before the planning commission.

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Sec. 35-431. Application for Plat Identification Number/Letters of Certification.

* * * *

(d) Decision.

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(4) **Appeal of respective certifying departments and agencies.** The applicant may appeal a LOC reflecting denial from any respective certifying departments and/or agencies to the planning commission at any time separate from the plat completeness application in a manner consistent to section 35-483 (as applicable) of this article if the applicant contends said denial is purely interpretive as opposed to specific non-compliance with a technical specification of the UDC or if the denial is based on a Rule Interpretation Determination or Information Bulletin not ratified by a public hearing. If successful, fees associated with said appeal shall be waived.

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Sec. 35-483. Subdivision Variances.

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(f) **Subsequent Applications.** The following time limitations shall be imposed so that no application for a variance shall be received or filed with the planning commission.

- If within the previous twelve (12) months an application for a variance or exception was received, considered and denied on the same lot, lots or blocks of land.
- If within the previous six-month period an application for a variance or exception was withdrawn from consideration by the applicant or his representative before the planning commission.

The aforementioned time limitations may be waived if new substantial evidence is presented to the ~~Planning Commission~~ ~~board of adjustment~~ and only after receiving five (5) affirmative votes shall the time limitation be waived. If granted, a new application shall be filed in the office of the director of planning and development services following the procedures outlined in section 35-403, notice provisions.

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Sec. 35-484. Development Plat Variances.

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(f) **Subsequent Applications.** The following time limitations shall be imposed so that no application for a variance shall be received or filed with the Director ~~planning commission~~.

- If within the previous twelve (12) months an application for a variance or exception was received, considered and denied on the same lot, lots or blocks of land.

- If within the previous six-month period an application for a variance or exception was withdrawn from consideration by the applicant or his representative to the Director, or in the case of appeal, before the planning commission.

The aforementioned time limitations may be waived if new substantial evidence is presented to the planning commission and only after receiving five (5) ~~nine (9)~~ affirmative votes shall the time limitation be waived. If granted, a new application shall be filed in the office of the director of planning and development services following the procedures outlined in section 35-403, notice provisions.

(g) **Scope of Approval.** Where a variance is granted by the Director, or in the case of appeal ~~the~~ planning commission and no building permit is granted within six (6) months after the date granted ~~of the hearing thereon~~, the variance becomes null and void and of no force or effect. The planning commission may extend this time period for successive six-month periods, for a total time period not exceeding two (2) years, if the applicant files a request for an extension prior to the expiration thereof.

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Sec. 35-504. Stormwater Management.

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(e) Site Design and Grading.

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(1) All land disturbing or land filling activities or soil storage shall be undertaken in a manner designed to minimize surface runoff, erosion and sedimentation, and to safeguard life, limb, property and the public welfare in accordance with the NPDES construction site regulation ordinance, Ordinance No. 94002, as amended, and the document entitled "Complying with the Edwards Aquifer Rules; Technical Guidance on Best Management Practices, " by Michael E. Barrett, Ph.D., P.E. Center for Research in Water Resources, Bureau of Engineering Research, University of Texas at Austin, (RG-348, June 1999), which documents are hereby incorporated by this reference.

(2) Erosion and sedimentation controls in accordance with the specifications established by the director of public works in compliance with the ~~National~~ Texas Pollution Discharge Elimination System (TPDES) (~~NPDES~~) permitting requirements for the city are required.

(3) Projects shall not be considered complete until restoration has been made in accordance with TPDES ~~NPDES~~ requirements.

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Sec. 35-506. Transportation and Street Design.

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(a) Applicability.

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(3) **Variance.** A variance to the requirements of this section may be granted by the planning commission if the commission finds that there are special circumstances or conditions, unique to the land involved, such that strict application of these requirements would be unreasonable and the granting of the variance would not be detrimental to the public health, safety, or welfare. No variance shall be granted that reduces the number of traffic lanes or waives the construction of any traffic lane required by the major thoroughfare plan. Application for a variance shall be submitted in writing to the development services director accompanied by the variance fee specified in Appendix "C" to this chapter and an eight and one-half by eleven ($8\frac{1}{2} \times 11$) inch site plan indicating the location of the variance request and the location of existing sidewalks and curbs within a ~~one~~ two thousand-foot radius.

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Sec. 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-18	MF-25	MF-33	MF-40	MF-50 & MF-65	ERZ D	LBCS FUNCTION
Recreation Facility, Neighborhood		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6340
School - Private (Includes Church Schools, Private Schools K-12, University)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6100
School - Public Includes All ISD Schools K-12, Open Enrollment Charter Schools, Public College or University	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6100
School- University Or College (Private)	S						P	6130											
Storage (moving pods) (see 35-A101)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

Sec. 35-311. Use Regulations.

TABLE 311-2 NONRESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1 & O-1.5	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
School	School - Private University Or College		S			S	P	P	P			P	6130
School	School - Public University Or College	P	P	P	P	P	P	P	P			P	6130
School	School - Montessori				S	P	P	P				P	6100
School	School - Nursery (Public And Private)		P	P	P	P	P	P				P	6110
School	School - Private Pre-Kindergarten Through 12th Grade and University	P	P	P	P	P	P	P				P	9900
School	School - Public Pre-Kindergarten Through 12th Grade	P	P	P	P	P	P	P				P	9900
School	Vocational Trade (No Outside Storage & Training Area Permitted)						P	P				S	6140
School	Vocational Trade (Outside Storage & Training Area Permitted)								P	P	P	S	6140

Sec. 35-A101. Definitions and Rules of Interpretation.

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(b) **Definitions.** Words with specific defined meanings are as follows:

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School, business or commercial trade. A profit or not for profit entity providing instruction and training in a office, clerical, managerial, sales, information technology, administrative skills or trades such as beauty school, barber college, beautician school.

School, public or private university. A building or structure, including accessory buildings, grounds, or areas, operated by a university that is accredited by the Southern Association of Colleges and Schools.

School, public. A building or structure, including accessory buildings, grounds, or areas, owned and operated by school or university which is part of a school district or system organized pursuant to Article VII of the Texas Constitution, including any public school organized under V.T.C.A. Education Code Titles 2, and any "General academic teaching institution" or "institution of higher education" as defined in V.T.C.A. Education Code § 61.003, and which are used for teaching, research, or the preservation of knowledge.