



DEVELOPMENT SERVICES

TO: Development Services Customers

SUBJECT: **INFORMATION BULLETIN # 558**
Unified Development Code (UDC) Amendment Process

DATE: February 25, 2016

CREATED BY: Policy Administration Section, Land Development Division

Purpose:

As a customer service initiative, the Department created this Information Bulletin (IB) to inform our customers of the UDC Amendment Process.

Scope:

Pursuant to 35-111 of the UDC, amendments to the UDC may come during either the once-every-five-year update process or through initiation of a City Council Consideration Request (CCR). Updates to the UDC are inherently of public interest, and the Development Services Department prides itself on having an extensive interaction with both the general public and the development community. This IB will guide both internal and external customers who submit UDC amendments during the 5-year update process.

Note: The term “Policy Administrator” shall mean the Development Services Policy Administrator or his/her designee.

1.) Amendment Submittal

The majority of UDC Amendments come during the once-every-five-years UDC update process outlined in Section 35-111 of the UDC.

- The update program occurs in years ending in “0” and “5”
- Amendments may be submitted either
 - internally (city or county staff)
 - externally (citizens, citizen groups, outside agencies)
- External amendments are limited to either editing, clarifying, or rule interpretation amendments
- All amendments must be submitted to the Policy Administrator by May 1 of the year of the update program (example May 1, 2015).



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During update program years, the Policy Administrator will coordinate with appropriate DSD staff to update documents to the DSD website, as well as coordinating informational meetings with stakeholder groups.

Additionally, UDC Amendments may be submitted outside of the 5-year update program at any time by a City Council Consideration Request (CCR). CCRs are specific policy requests made by members of the City Council and may be wide-ranging or limited in scope. Review of amendments resulting from CCRs shall follow the internal review process below.

2.) Review of Proposed Amendments

All external requests for UDC amendments shall be submitted to the Policy Administrator by email and shall include the following documents and shall comply with the following formatting:

- Completed UDC Update Request Application indicating the point of contact name, organization (if applicable), address, phone number, email, signature, date, the basis for update, the reason for the update, and a brief summary of the proposed amendment.
- Include the entire code section in your submittal. [Example: “35-378(a)(1)” instead of just “(a)(1)”]

Note: Only Chapter 35, the UDC, can be updated through the 5-year update process

- Language of the proposed changes to the UDC with added language underlined and in blue color ([example](#)) and stricken language struck through and in red color (~~example~~)
- When a portion of a word is proposed to be deleted, delete the entire word. (Example: “[example](#) ~~exempt~~” instead of “~~ex~~[empt](#)[ample](#)”)
- When a word or phrase is proposed to be deleted and replaced with another word or phrase, place the new word or phrase before the deleted word or phrase. (Example: “[example](#) ~~exempt~~”)

Once the request for amendment is received and verified to be complete, the Policy Administrator shall assign the amendment proposal an amendment number.

If the request is incomplete, the Policy Administrator will notify the person submitting the amendment by email of what is needed to make the submittal complete.



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If the amendment proposal is complete, the Policy Administrator will determine appropriate subject matter experts (SME) - i.e. zoning, platting, infrastructure, storm water, etc. - and forward the amendment to those parties for their review and to solicit any feedback or concerns.

At this time, an in-depth meeting with the applicant and city staff may be scheduled for clarification of amendment request, and to work out any differences in the amendments.

External Amendments

Because External Amendments (those submitted by parties other than City Departments or Bexar County) are limited in scope by the UDC, the Policy Administrator shall schedule external amendments for the first available Technical Advisory Committee (TAC) meeting so that the TAC may provide a recommendation to the Planning Commission. The first TAC meeting should be scheduled no later than the second week of July. The TAC will make one of the following recommendations regarding the external amendment:

- Editing
- Clarifying
- Not Editing or Clarifying, should be sponsored by the Planning Commission
- Not Editing or Clarifying, should not be sponsored by the Planning Commission
- No recommendation

After the TAC has made their initial recommendations, the Policy Administrator shall schedule the amendments to be heard at the next available Planning Commission meeting. The Planning Commission will determine if the external amendment is:

- Editing
- Clarifying
- Not editing or clarifying

Amendments which the Planning Commission determines are “editing” or “clarifying” shall automatically move forward in the process for technical review by the TAC. The Planning Commission, at its discretion, may choose to sponsor any amendment which it deems to be “not editing or clarifying” and that amendment will also move forward in the process for technical review. If the Planning Commission deems an external amendment “not editing or clarifying” and chooses not to sponsor the amendment, then the amendment will not move forward in the amendment process.



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Internal Amendments

Internal amendments (those submitted by City Departments or Bexar County) are not required to be evaluated in the same manner as external amendments, and will automatically move forward in the process for technical review.

The Policy Administrator will notify external and internal applicants of the dates and times of these meetings by email, and it is **required** that the applicant, or the applicant's representative be present at the meeting to answer any questions posed.

3.) Technical Review and Revision by the TAC

The Policy Administrator will schedule the first TAC meeting no earlier than July 2, and no later than the second full week of July. TAC meetings will occur July through September on a regular basis, and will typically be held on Mondays from 1:30 pm – 5:00 pm until all business related items have been considered. To accommodate workloads, individual TAC meetings may be extended, shortened, or additional meeting days may be added.

The Policy Administrator will all notify applicants by email of the date their submittal will be reviewed by the TAC, and it is **required** that the applicant, or the applicant's representative be present at the TAC meeting to present the amendment and to answer any questions posed by the TAC.

- All TAC meetings are public hearings, and the agenda for the TAC shall be posted with the City Clerk no later than 72 hours prior to the meeting time, in accordance with the state Open Meetings laws.
- The Policy Administrator will ensure that the agenda is posted in a timely manner on the UDC Update webpage.

The Policy Administrator may hold additional stakeholder meetings and revision meetings with applicants during the period that the TAC is meeting in order to clarify and/or consolidate amendment proposals.



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4.) Review and Recommendation by Boards and Commissions

The Policy Administrator shall schedule all amendments technically reviewed by TAC no later than October 30. The Policy Administrator shall schedule one or more briefing sessions and one or more consideration sessions with all of the following board or commissions:

- Historic and Design Review Commission (as applicable)
- Board of Zoning Adjustment
- Zoning Commission
- Planning Commission

At each board or commission meeting, the Policy Administrator shall give a brief overview of the UDC update process and highlight any significant amendments which may be relevant to that particular board or commission. Briefings may also be held at extended work sessions for each of the boards or commissions. Boards and Commissions must provide a recommendation no later than December 1.

All Board and Commission meetings are public hearings, and the agenda shall be posted with the City Clerk no later than 72 hours prior to the meeting time, in accordance with the state Open Meetings laws. Additionally, the Policy Administrator will notify all applicants by email of the dates and times of these meetings, and it is **required** that the applicant, or the applicant's representative be present at the meeting to answer any questions posed.

5.) Review by City Council

City Council, including the appropriate City Council Committee (currently the Neighborhoods and Livability Committee), shall be briefed on the amendments package. The Council will take final action in December so that the amendments will become effective on January 1. For example, amendments from the 2015 UDC Update Program became effective on January 1, 2016.

All City Council meetings are public hearings, and the agenda for the TAC shall be posted with the City Clerk no later than 72 hours prior to the meeting time, in accordance with the state Open Meetings laws. Additionally, the Policy Administrator will notify all applicants by email of the dates and times of these meetings, and it is **required** that the applicant, or the applicant's representative be present at the meeting to answer any questions posed.



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Special Circumstances

It should be noted that there may be special circumstances were the technical review of an amendment takes longer than the timeframes allowed in the UDC. Technical review delays may occur at any point in the amendment review process. Such delays should be limited and should not be the normal course of business.

In the event of a delay, review of the affected amendment will proceed as expeditiously as possible. The Policy Administrator will notify applicants and stakeholders of the delay as soon as it is realized. The Policy Administrator will continue providing communications updates to the interested parties until the delay has been resolved or the amendment has been finally passed.

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