



# CITY OF SAN ANTONIO

DEVELOPMENT SERVICES AND FIRE DEPARTMENT  
PO BOX 839966 SAN ANTONIO TEXAS 78283-3966



TO: Development Services and Fire Department Customers

SUBJECT: **INFORMATION BULLETIN 114**  
Code Modification Request Procedures

DATE: October 31, 2006  
*Revised February 20, 2012/August 1, 2014/January 18, 2018 /August 1, 2019*

CREATED BY: Plan Review Division and Fire Department

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## **Purpose:**

As a customer service initiative, Development Services Department (DSD) and San Antonio Fire Department (SAFD) created this **revised** bulletin to update IB 114 for code modification request procedures. This bulletin has been updated to indicate the types of submittal documents accepted, when those documents are to be submitted for review and the schedule of the review committee meetings.

DSD and SAFD have developed a formal Code Modification Request (CMR) process to allow the owner and/or owner's agent to apply for an alternative material, design and/or method of construction or other modification to any provision of the City's building construction codes. These codes include the City's *Building, Existing Building, Fire, Residential, Energy Conservation, Mechanical, Electrical and Plumbing* codes. The current list of adopted codes can be found at <http://www.sanantonio.gov/dsd/resources/ordinances.aspx>.

## **Scope:**

The CMR is required to show that the spirit, intent and minimum acceptable level of public health, welfare and safety are observed per the applicable code. Through this process, the City is attempting to resolve issues before appeals to the Board of Appeals become necessary. This process has been introduced to help expedite and evaluate your requests in a timely manner and will apply to all aspects of the applicable codes listed above.

Any modification request to the Unified Development Code (UDC) should be processed through an Administrative Exception/Variance Request (AEVR) (use [IB 124](#)). All non-zoning UDC modifications being requested are defined by the UDC as either administrative exceptions reviewed by the department, or as variance requests reviewed by Planning Commission. Zoning variances to the Board of Adjustments are handled through [Zoning staff](#).

## CMR Procedures

The following procedures are to be followed to help expedite the review of your CMR.

1. CMRs are reviewed the 1<sup>st</sup>, 3<sup>rd</sup> and 5<sup>th</sup> Wednesday of the month and the CMR is to be submitted no later than noon the Friday before the CMR review.
2. The CMR is to be submitted to DSD using the attached application, request letter (sample attached) and supporting documentation provided in the recommended format. The CMR will be logged-in with copies routed to the appropriate staff for review/recommendations.
3. One CMR is required for each item/code issue under consideration.
4. The supporting documentation for the CMR is to be prepared on company letterhead, signed and dated. See example provided.
5. The CMR must be signed and sealed by the Texas registered architect or licensed professional engineer of record when the modification request applies to a building or system that is required to be designed and sealed by the Texas Architectural Board Statute or Texas Engineering Practice Act.
6. The CMR must be signed by the Owner if administrative controls are included in the CMR. Examples include limitations on use of the building, space or material proposed; security measures; operational procedures; etc.
7. Applicant is required to provide six (6) hard copies of each CMR (the application and the request letter itself). At least one (1) hard copy of any supporting documentation (specifications, binders with product literature, full size plans, sample products, etc.) must be submitted. Additional copies of supporting documentation may be submitted but not required.
8. There is a \$350.00 fee for each CMR submitted for review and consideration. Applicant is to pay fee at the time of submission. If submitted by e-mail, the Applicant will be contacted for payment.
9. The applicant can deliver or mail CMR packages to:  

City of San Antonio  
Development Services Department  
Building Development Division  
Major Plans Section – Attn: Plans Management Staff  
1901 S. Alamo St.  
San Antonio, TX 78204
10. The CMR will be routed to the appropriate staff for review. After staff review of the CMR, COSA DSD or SAFD will respond to your CMR by approving your request, approving your request with additional requirements, or denying your request. In all cases, the ruling will be made in written form and the applicant will receive a copy of the ruling. If the CMR is approved, the applicant will be advised whether to submit revised building plans for approval and/or to attach a copy of the CMR form to the approved plans on the job site.
11. The estimated turnaround time for CMR review and action is ten (10) business days.

## Records

Your CMR application and the final decision of the Building or Fire Official shall be officially recorded in the permanent records of this department. You will receive a CMR number for future reference.

We hope that this customer service initiative will help you complete your project or address your special situation. Should you have any questions regarding the Code Modification Request process, please contact Development Services at [DSDPlansManagement@sanantonio.gov](mailto:DSDPlansManagement@sanantonio.gov).

Should you be dissatisfied with the action/ruling taken on your CMR, you have the right to appeal the ruling to the appropriate Board of Appeals in accordance with the applicable codes listed above.

### Attachments:

1. CMR Application Form
2. Example format for CMR Letter to be submitted with CMR application

## Summary:

This Information Bulletin is for informational purposes only.

**Prepared by:** Richard Chamberlin, PE, Development Services Engineer

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**Authorized by:** Carl Wedige, Deputy Fire Chief/Fire Marshal  
Michael Shannon, PE, CBO, Development Services Director



**CITY OF SAN ANTONIO**  
**DEVELOPMENT SERVICES DEPARTMENT**  
**and FIRE DEPARTMENT**



**CODE MODIFICATION REQUEST APPLICATION**

<b>Project:</b>	
<b>Address:</b>	
<b>Owner's Name:</b>	
<b>A/P # (if applicable):</b>	
<b>Issue:</b>	
<b>Applicable Code:</b>	
<b>Code Sections:</b>	

<b><u>For Office Use Only:</u></b>		
CMR #:	Date Received:	Receipt #:

<b><u>Submitted by:</u></b>	
<b>Name:</b>	<input type="checkbox"/> Owner <input type="checkbox"/> Owners Agent
<b>Company:</b>	
<b>Address:</b>	
<b>City, State, Zip:</b>	
<b>Tel #:</b>	<b>Fax #:</b>
<b>Email:</b>	
<b>Signature:</b>	

<b><u>Building or Fire Code Official Action</u></b>	
<input type="checkbox"/> APPROVED	<input type="checkbox"/> APPROVED W/ COMMENTS
<input type="checkbox"/> DENIED	
Signature: _____	Date: _____
Printed Name: _____	
Title: _____	
Comments: _____	
_____	

# CUSTOMER'S CO. LETTERHEAD

Date

Code Modification Request Review<sup>1,2</sup>  
City of San Antonio  
Development Services Department  
Building Development Division  
Major Plans Section – Attn: Plans Management Staff  
1901 S. Alamo St.  
San Antonio, TX 78204

Re: Project Name  
A/P or Project Number (if applicable)  
Code Issue

Dear COSA Building or Fire Official,

*At a minimum, provide the following information in your code modification request letter:*

- Introduction: Identify the project and state that you are requesting consideration of a modification or an alternate method of construction or materials.*
- Code Issue: Identify the specific code section for which the Code Modification Request / Alternative Methods & Materials is proposed.*
- Discussion / Justification: Provide rationale and supporting information, such as technical data, engineering calculations, results of actual field tests, requirements or allowances in other model codes, etc. that provide the basis for the City to accept the request. Proposed design documents (i.e., architectural or engineering plans) and supporting information listed above should be attached to the request as needed to clarify proposed request.*
- Conclusion: Provide a summary statement such as “In my/our professional opinion, the proposed code modification / alternate method of construction / materials meets the intent of the Code and provides a level of safety equivalent to, or better than, that required by the Code”.*

Sincerely,

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Signature and Title Block of Applicant

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Signature of Owner (if applicable)

Attachment(s)

<sup>1</sup> Example format for Code Modification Request Letter

<sup>2</sup> To be provided with application form upon submittal of CMR to COSA