

# City of San Antonio



## Minutes

### Planning and Community Development Committee

#### 2021 – 2023 Council Members

Dr. Adriana Rocha Garcia, Dist. 4

Mario Bravo, Dist. 1 | Phyllis Viagran, Dist. 3

Teri Castillo, Dist. 5 | John Courage, Dist. 9

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**Thursday, August 25, 2022**

**10:00 AM**

**Council Briefing Room**

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The Planning and Community Development Council Committee convened a regular meeting in City Hall beginning at 10:02 AM. Deputy City Clerk Aurora Perkins took the Roll Call noting a quorum with the following Committee Members present:

**Members Present:** Dr. Adriana Rocha Garcia, Chair  
Mario Bravo, Member  
Phyllis Viagran, Member  
Teri Castillo, Member  
John Courage, Member

**Members Absent:** None

#### Approval of Minutes

#### 1. Approval of minutes from August 1, 2022 Planning and Community Development Committee Meeting

Councilmember Courage moved to Approve the minutes of the August 1, 2022 Planning and Community Development Committee meeting. Councilmember Viagran seconded the motion. The motion carried by the following vote:

**Aye:** Rocha Garcia, Bravo, Viagran, Castillo, Courage

#### PUBLIC COMMENT

Chair Rocha Garcia called upon the citizens registered to speak.

Bianca Maldonado stated that the Tier 1 Neighborhood Coalition had concerns regarding

allowing a single-family residential property to have two meters, a provision in the amendment to remove the covenant disclosing an owner occupancy requirement when the unit was sold and the setback of three feet. She asked for the City Council's support for Unified Development Code (UDC) amendments 16-8 and 16-10 proposed by the Tier 1 Neighborhood Coalition.

Cynthia Spielman stated that 36 Neighborhood Associations, coalitions and individuals supported 21 amendments and opposed three amendments, with serious concerns about two more to the UDC. She noted that UDC amendment 22-21 codified the corridor plans and amendment 23-6 was made without public input.

Ross Laughead expressed concern that UDC amendment 22-21 that corridor plan provisions could be used to override the land use requirements of all other adopted plans.

D'ette Cole asked for the City Council's support of UDC amendment 26-1 to provide reasonable spacing between the intensity of use of new gas stations and existing residential neighbors and neighborhoods.

Maria Greene urged the City Council to vote against eliminating the existing city neighborhood registry, authorizing neighborhood groups with overlapping boundaries and establishment of a new neighborhood group inside the boundaries of an existing neighborhood.

Oscar Vicks stated that the City was trying to run neighborhoods when it should be left up to the residents.

Rose Hill spoke in opposition to proposed UDC amendment 29-1.

Pete Alanis expressed his support for the proposed UDC amendments.

Sylvia Alaniz spoke in opposition to proposed UDC amendments 16-8 and 16-10.

Barbara Rankins spoke in support of the neighborhood association registry.

Phyllis Newman spoke in opposition to proposed UDC amendments 29-1, 16-8 and 16-10.

Marlene Hawkins spoke against limiting one neighborhood association on the registry.

Celine Williams asked that, as the City Council decided who to appoint to the stakeholder group, that they appoint a balanced group of solution oriented and consensus building experts to provide tangible results.

Bianca Maldonado spoke of the disconnect in what the State and City licensing and this would directly impact apartment complexes.

Uel Trejo-Rivera spoke in support for the three proposed policies recommended by staff.

Item 6 was addressed at this time.

## **Consent Agenda**

- 6. Briefing and possible action on allocating FY 2023 SAWS fee waiver funding for two (2) affordable housing projects.** [Lori Houston, Assistant City Manager; Veronica Garcia, Interim Director, Neighborhood & Housing Services Department]

Councilmember Courage moved to Approve. Councilmember Viagran seconded the motion. The motion carried by the following vote:

**Aye:** Rocha Garcia, Bravo, Viagran, Castillo, Courage

## **Briefing and Possible Action on**

- 2. Briefing and possible action on the progress of the City's Strategic Housing Implementation Plan (SHIP)** [Lori Houston, Assistant City Manager; Mark Carmona, Chief Housing Officer, City Manager's Office]

Chair Rocha Garcia stated that Item 2 would be brought back to a later meeting for presentation.

- 3. Briefing and possible action on amendments to Chapter 35 of the Municipal Code, the Unified Development Code (UDC), affecting all Articles and Appendices. These amendments are part of the 2021 UDC update program.** [Roderick Sanchez, Assistant City Manager; Michael Shannon, PE, CBO, Director, Development Services Department]

Melissa Ramirez, Development Services Assistant Director, spoke on the Unified Development Code (UDC) Amendment Process update and noted that UDC amendments were made every five years. She noted that 233 amendments were submitted for review. Ramirez stated that the UDC amendment process included review by the Planning Commission technical Advisory Committee (PCTAC) which began the technical review process. She provided an overview of community and stakeholder meetings which totaled 171 meetings. She reviewed the timeline of the UDC approval process and provided an overview of the board and commission final actions. She reviewed the internal and external submitted amendments brought forth to the City. Ramirez provided an overview of amendments associated with accessory dwelling units and community organization registrations (neighborhood associations).

## **DISCUSSION**

Chair Rocha Garcia thanked the team for their work but expressed concern on moving forward the Item to City Council since she needed more time to review the proposed amendments.

Councilmember Courage stated that the City Council had a seat on the Planning

Commission and felt that the process in place was good and good public engagement was conducted. He stated that he supported the amendments brought forward but respected the concerns of the Chair for more time to review. He stated that he supported the Item moving forward to B Session for additional discussion.

Councilmember Viagran stated that she supported this Item moving forward to a B Session meeting for additional comment by the entire City Council. She asked what departments would be overseeing the neighborhood association process/registry and spoke of concerns of other groups wanting to represent for neighborhood residents.

Councilmember Castillo spoke in support of water drainage amendments addressing run-off issues. She noted concerns associated with the Tree Ordinance and that additional work was needed on the topic.

Councilmember Castillo noted her concerns associated with accessory dwelling units (ADU) and the need for affordable housing. Councilmember Castillo asked if the city had the ability to exclude shipping containers being used as ADUs. Ramirez stated that the city did not have the ability to exclude them but regulations were in place to address that if they became a short-term rental that they would have to comply with Short Term Rental regulations. Ramirez added that Neighborhood Conservation Districts (NCDs) would be one way to not allow shipping containers to be used as ADUs.

Councilmember Bravo stated that he was very interested in removing barriers for ADU and associated incentives for affordable housing. He noted residents' concerns of property setbacks and associated fire codes, and stated that he was concerned on the need to further address amendments and if the item should be moved to B Session.

Councilmember Courage expressed concerns of ADU amendments and owner occupancy requirements removal. Ramirez stated that an affidavit is required for property owners to reside in the property.

Councilmember Bravo expressed concerns of short term rental requirements for property owners when seeking to develop an ADU.

Chair Rocha Garcia recognized Councilmember Perry in the audience.

Councilmember Castillo asked for additional information on affidavit requirements.

Councilmember Viagran moved to recommend and forward the Item to B Session for full City Council consideration. Councilmember Courage seconded the motion. The motion carried by the following vote:

<b>Aye:</b>	Rocha Garcia, Viagran, Castillo, Courage
<b>Abstain:</b>	Bravo

#### **4. A briefing and possible action on developing a policy to proactively inspect multi-family**

**residential properties, or apartment complexes, for compliance with minimum health and safety housing standards.** [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Development Services Assistant Director Amin Tomas provided an overview of the current code process for apartment complexes and associated compliance actions. He reviewed the number of properties inspected by City staff associated with multi-tenant inspections and grants monitoring and administration projects. Tomas reviewed the background of the annual proactive inspection and registration process and noted that the current process was looking to be updated in 2017 but delayed due to COVID. He spoke on the next steps and three options for the inspection item which included: 1) the creation of a code enforcement apartment inspection team within the current Budget process; 2) “Bad Actor” registration program for repeat offender owners; and 3) City-wide apartment registration and inspection program. Tomas stated that staff recommended the creation of the “Bad Actor” Apartment Registration Program and committee include representative of City, County and stakeholders.

Chair Rocha Garcia stated that the three options were all good and that she supported a phased in approach to apartment inspections. She noted comments submitted by Councilmember Sandoval.

Councilmember Castillo thanked staff for being available to meet with apartment resident groups but expressed concern of need to further review all options. She made a motion to delay the item for later committee meeting.

Councilmember Viagran stated that she supported option 1 but did not support Item 3. She also stated that she supported the addition of more code enforcement officers and asked staff to provide information on who would be included on proposed task force. She reiterated that she supported the delay.

Councilmember Bravo stated that it was important to gain stakeholder input and needed more time to discuss with his residents and stakeholders.

Councilmember Courage support bringing the Item back to the Committee for additional review. He stated that the Planning Commission already had a strong stakeholder representation and

Councilmember Bravo stated that it was important to address predatory landlords’ concerns.

Chair Rocha Garcia asked how many apartment housing complaints were received annually. Tomas stated that he would provide the data to the Committee. She stated that she supported a working group to address these issues but wanted to make sure that the Item was not largely delayed. She requested a one page follow up in the work of the Renter Solution Subcommittee.

Councilmember Castillo asked that information be provided to the Committee of a phased approach to all three options.

Councilmember Castillo moved to delay the Item and bring back to the September 2022 Planning and Community Development Meeting. Councilmember Bravo seconded the motion. The motion carried by the following vote:

**Aye:** Rocha Garcia, Bravo, Viagran, Castillo, Courage

- 5. Briefing and possible action on the City's Housing Assistance Program** [Lori Houston, Assistant City Manager; Veronica Garcia, Interim Director, Neighborhood & Housing Services Department]

Chair Rocha Garcia stated that Item 6 would not be addressed today and would be addressed at a later meeting.

### **Adjournment**

There being no further discussion, the meeting was adjourned at 11:44 AM.

**Approved**

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*Adriana Rocha Garcia, Chair*

**Respectfully Submitted**

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*Debbie Racca-Sittre, City Clerk*