

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.

AN ORDINANCE

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, PURSUANT TO SECTION 35-111 OF THE UNIFIED DEVELOPMENT CODE BY CORRECTING CLERICAL AND FORMATTING ITEMS; MAKING MAJOR AMENDMENTS; MAKING MINOR AMENDMENTS; CLARIFYING ITEMS; AND AMENDING DEFINITIONS; PROVIDING FOR PUBLICATION; AND DIRECTING THE INTITATION OF THE REZONING PROCESS FOR CERTAIN PROPERTIES PURSUANT TO AMENDMENTS.

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WHEREAS, the San Antonio City Council adopted the revised Unified Development Code on May 3, 2001 and reenacted the Unified Development Code, 2005 Edition on September 22, 2005; and

WHEREAS, Section 35-111 requires that requests for amendments to the Unified Development Code be submitted every five years to the Zoning Commission and the Planning Commission; and

WHEREAS, the Unified Development Code amendment program was suspended in 2020 as a result of the COVID-19 pandemic and resumed in October 2021; and

WHEREAS, public hearings were held after notice and publication regarding these amendments to the Unified Development Code at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, on July 5, 2022 the Zoning Commission held a public hearing and made recommendations pertaining to these amendments; and

WHEREAS, on July 18, 2022 the Board of Adjustments held a public hearing and made recommendations pertaining to these amendments; and

WHEREAS, on July 20, 2022 the Historic and Design Review Commission held a public hearing and made recommendations pertaining to these amendments; and

WHEREAS, on July 27, 2022 the Planning Commission held a public hearing and made recommendations pertaining to these amendments; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35 of the City Code of San Antonio, Texas is hereby amended by adding language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text as set forth in this Ordinance.

SECTION 2. Chapter 35 of the City Code of San Antonio, Texas is hereby amended as follows:

Chapter 35, Article I, Section 35-102 is amended as follows:

'Sec. 35-102. – General Purpose and Intent.'

The Unified Development Code as established in this chapter has been made in accordance with a comprehensive plan for the purpose of promoting health, [equity, community food security](#), safety, morals, and the general welfare of the community. It is intended to consolidate in one (1) place and in logical order without unnecessary duplication all of the regulations pertaining to land use and development. It is designed to make it possible for all of those concerned with land use and development to have access to all city legislation with respect thereto in one (1) convenient chapter which is capable of being published and distributed as a separate and comprehensive segment of the City Code as a whole.

- (a) The zoning and land use regulations set forth in articles II and III are designed to promote the public health, [equity, community food security](#), safety, morals, or general welfare and to protect and preserve places and areas of historical, cultural, or architectural importance and significance.

Chapter 35, Article I, Section 35-105 is amended as follows:

'Sec. 35-105. – Consistency with Master Plan.'

- (b) Any neighborhood, community, ~~or~~ perimeter, [sector, or sub-area](#) plan adopted pursuant to section 35-420 of this chapter.

An amendment to the text of the ordinance is consistent with and in accordance with the master plan if it complies with the goals and policies stated in the master plan, as it may be amended from time to time.

Master plan elements are authorized under Article IX of the City Charter, Section 121. The master plan: "The commission may adopt the master plan as a whole or in parts, and may adopt any amendments thereto." Currently adopted master plan elements include those listed below as such elements may be amended from time to time.

[\(9\) SA Tomorrow Comprehensive Plan, Multimodal Transportation Plan, and Sustainability Plan. The SA Tomorrow plans were adopted by Ordinance No. 2016-08-11-0590 by the city council on August 11, 2016. The SA Tomorrow Plans develop a long-range plan for development of the City.](#)

[\(10\) SA Climate Ready Plan. Adopted October 17, 2019 by Ordinance No. 2019-10-17-0840. San Antonio Climate Ready is San Antonio's Climate Action and Adaptation Plan to meet the present and future challenges of climate change.](#)

Chapter 35, Article II, Section 35-204 is amended as follows:

'Sec. 35-204. – Commercial Center.'

- (c) **Size and Location of Site.**

- (2) Notwithstanding the provisions of Table 204-1, a commercial center may not be established as a matter of right at a location permitted in Table 204-1 which is outside of an area designated for commercial uses in a neighborhood, [community, perimeter, sector, or sub-area](#) plan. A commercial center in such areas may be established upon the approval of a specific use permit.

Chapter 35, Article II, Section 35-210 is amended as follows:

'Sec. 35-210. - Low Impact Development and Natural Channel Design Protocol (LID/NCDP).'

Table 210-2

Credit/Offset	Percent of Water Quality Volume (WQV) Managed				
	60%	70%	80%	90%	100%
FILO Reduction	5%	10%	20%	25%	30%
Storm Water Utility Fee (SWUF) Reduction	30%				
<p>Note: LID designed to manage runoff above the required WQV, or Natural Channel Design (NCDP) that increases channel storage to the point of decreasing runoff may result in further reduction or elimination of FILO and SWUF. Reference 210(i)(1)(B).</p>					

	Percent of Water Quality Volume Managed ⁽¹⁾				
	60%	70%	80%	90%	100%
Credit/Offset					
FILO Fee Discount					
Meets LID Performance Standard	5%	10%	20%	25%	30%
Meets Detention Requirements or Increases Channel Storage through NCDP	Cumulative Reduction in Flow Sliding Scale — see 210(i)(1)(B)				

(1) Water quality volume is defined as the runoff volume resulting from the first 1.5 inches of rainfall falling in twenty-four (24) hours on the developed portions of the site

- (g) **Stormwater Management.** An LID/NCDP application shall comply with the stormwater management standards of appendix H of this chapter, except as follows:

(2) **LID Performance Standards.**

- D. **Redevelopment Standards.** A redevelopment site shall be subject to a reduced LID performance standard: the stormwater management system will be sized and designed based on the runoff volume resulting from the first 1.18 inches (equivalent to the ninetieth (90th) percentile storm calculated using the methodology developed by the EPA in report 841-B-09-001. The daily rainfall total for the period of record at the San Antonio International Airport was used to calculate the ninetieth (90th) and eighty-fifth (85th) percentile storms referenced in this section.) of rainfall in twenty-four (24) hours from rebuilt areas and newly developed areas on the site. The applicant shall be eligible for incentives to treat stormwater from the redevelopment site according to Tables 210-1 and 210-2.

Water Quality Volume (WQV) for redevelopment projects shall be calculated based on the total post-project impervious cover within the limits of construction.

1. Examples of construction or reconstruction that are generally considered redevelopment for the purposes of determining WQV include, but may not be limited to:
 - a. New buildings, parking lots, hardscape, or other impervious cover constructed on an already developed lot;
 - b. Additions to or expansion of existing buildings, parking lots, hardscape, or other impervious cover;
 - c. Demolition and reconstruction of an existing building or construction of a new building in its place;
 - d. Reconstruction of a paved surface (involves regrading or reconstruction of base material);
 - e. Removal of a paved surface to build a new structure or other impervious cover in its place; and
 - f. Removal of a building to construct new pavement or an otherwise impervious surface.
2. These types of construction are generally not considered redevelopment in terms of determining WQV:
 - a. Construction staging or lay down areas that are not within the limits of new or reconstructed impervious cover;
 - b. Temporary increases in impervious cover due to phasing (at the discretion of Public Works);
 - c. Renovation of an existing building without an addition;
 - d. Repairing pavement (i.e., mill and overlay, but not reconstruction of base);
 - e. Repair or replacement of canopies; and
 - f. Untouched impervious areas on a site that is being redeveloped (i.e., existing impervious cover outside the limits of construction).

E. Treatment of Offsite Runoff. Runoff from the developed or redeveloped site should generally be given preference for treatment. However, the director of Public Works or designee may, on a case by case basis, approve treatment of offsite runoff instead of or in combination with onsite runoff. In this case, the design rainfall depth is increased by 10% for all offsite runoff. Public Works may require that some onsite runoff is treated, especially if there are potentially acute sources of pollutants (i.e., dogparks, dumpster pads, and oil/grease containers).

(5) **Manufactured Products for Stormwater Management.** In addition to the BMPs included in the San Antonio River Basin LID Technical Guidance Manual, several proprietary manufactured products have been adopted by the Texas Commission on Environmental Quality (TCEQ) to meet a minimum of eighty (80) percent TSS removal. These devices shall not be accepted to meet the volume reduction requirement of subsection 35-210(g)(2), but will be allowed for pre-treatment, filtering, trash removal and oil and grease removal as the first structural BMP in a treatment train. Devices that have not been approved by TCEQ may be acceptable to the Director of the transportation and capital improvements department or designee only if they meet the Technology Assessment Protocol - Ecology (TAPE) guidelines.

E. Automated Drainage System Components. BMPs may include drainage system components with digital or automated controls. Provide sufficient manufacturer's documentation to show how the components function and how the system is programmed for specific site. Maintenance plans shall include all pertinent information to ensure future owners or operators can maintain the automated system (see also Section 35-210 (I)(1) & (2). Applicant is responsible for all permitting associated with these systems (plumbing, electrical, SAWS, etc.).

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(I) **Maintenance.**

(1) **Maintenance Required.** Structural stormwater management practices must be privately owned and shall be maintained by the property owner, unless the practices are part of a capital improvement project managed by a public agency. An operation and maintenance schedule shall be submitted to the director of ~~Public Works transportation and capital improvements department~~ or designee prior to approval of construction plans. Maintenance of potentially acute sources of pollution (i.e., dog parks, dumpster pads, and oil/grease containers) and the associated BMPs must be specifically included in the maintenance and operation plan

Chapter 35, Article III, Section 35-301 is amended as follows:

'Sec. 35-301. - Purpose.'

STATEMENT OF PURPOSE

Pursuant to V.T.C.A. Local Government Code § 211.001, the purpose of this article is to promote the public health, safety, morals, or general welfare and to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Pursuant to V.T.C.A. Local Government Code § 211.004, these regulations are adopted in accordance with the master plan and are designed to:

Consistent with the master plan, these regulations are designed to foster the following subsidiary purposes:

- *Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations; and*

- Ensure that new development is compatible with surrounding development in use, character and size; and
- Provide for land uses which serve important public needs, such as affordable housing and employment generators, including community gardens and urban farms; and
- Promote mixed-use buildings and mixed-use neighborhoods; and
- Promote infill housing and downtown retail and residential development; and
- Integrate civic uses into neighborhoods; and
- Protect natural resources; and
- Encourage retail development downtown; and
- Promote equity and community food security; and
- Promote urban farming as means to achieve food security and crop diversification; promote environmental awareness and repair including soil enhancement, reduction of urban heat island, and alternative stormwater management; and promote economic generation and community building. Urban farming has also been shown to lead to healthier food choices and extend life expectancy.

Chapter 35, Article III, Section 35-310 is amended as follows:

‘Sec. 35-310.01- Generally.’

Table 310-1
Lot and Building Dimensions Table

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)
		LOT DIMENSIONS					BUILDING ON LOT				BUILDING		
Zoning District	Lot Size (min)	Lot Size(max)	Density(max) (units/acre)	Street Frontage (min)	Width (min)	Width (max)	Front Setback (min) ****	FrontSetback (max)	Side Setback (min)	Rear Setback (min)	Height (max) (feet/#ofstories) ^{11, 14}	Size - Individual Building Size (max)	Size - Aggregate Size Building Size (max)
RP	10-acres		0.1	—	—	—	15	—	5	—	35/2-½	—	—
RE	43,560		1	100	120	—	15	—	5	30	35/2-½	—	—
R-20	20,000		2	65	90	—	10	—	5	30	35/2-½	—	—
R-6 ¹	6,000		7	30	50	150	10	—	5	20	35/2-½	—	—

R-5 ¹	5,000		9	30	45	150	10	—	5	20	35/2-½	—	—
R-4 ¹	4,000		11	20	35	150	—	5	20	35/2-½	—	R-4 ¹	4,000
R-3 ¹	3,000 ⁷		—	15	20	—	10	35	5	10	35/2-½ 35/3	70% of lot area	—
R-2 ¹	2,000	2.999	—	15	20	—	10	—	5	5	25/1-½ 35/3	50% of lot area	—
R-1 ^{1,15}	1,250	1.999	—	15	20	—	10	—	5	5	25/1-½ 35/3	45% of lot area	—
RM-6 ¹	6,000		7	15	15	150	10	—	5	20	35/3	65% of lot area	—
RM-5 ¹	5,000		9	15	15	100	10	—	5	10	35/3	65% of lot area	—
RM-4 ¹	4,000		11	15	15	80	10	—	5	10	35/3	65% of lot area	—

Note (14) Half story. An uppermost story containing space completely within a sloping roof (between a three in twelve slope and a twelve in twelve slope) springing from the top plate of the story below and broken only by dormers of total (sum) width less than 25% of the horizontal length of the facade which the dormers face, in which a sloping roof replaces two opposing exterior walls, or a flat roof where the half story is setback 20% of the depth from all opposing walls. Total floor area on the uppermost story shall not exceed a floor area derived by multiplying the floor area of the story directly below by fifty (50) percent. Open decks, or porches, are not allowed. A basement as defined in the International Building Code or International Residential Code shall not be included in the maximum number of stories in Table 310-1

Note (15) The off-street parking requirement is waived in the "R-1" Residential Single-Family District.

- (c) Unless expressly permitted as an accessory use, a use permitted in the "RE," "R-20," "R-6," "R-5," "R-4," "RM-6," "RM-5," "RM-4," "MF-18," "MF-25," "MF-33," "MF-40," or "MF-50" districts must occur within a completely enclosed structure.

'Sec. 35-310.06- "RM-6", "RM-5", and "RM-4" Mixed Residential.'

(a) Lot and Building Specifications.

(1) **Density Allowances for RM-Development.** For lots zoned "RM-4," "RM-5" or "RM-6", the maximum density requirements (units per acre) of Table 310-1 may be exceeded provided:

- a. The minimum lot size for the district is met, and
- b. The maximum number of dwellings is limited to two (2) units for RM-6, three (3) units for RM-5, and four (4) units for RM-4. [Multi-unit construction on lots one-third \(1/3\) of an acre in size or smaller, shall be within a single structure.](#)

'Sec. 35-310.07. - "MF-18," "MF-25," "MF-33," "MF-40," "MF-50" and "MF-65" Multi-Family.'

"MF-33" Multi-Family.

STATEMENT OF PURPOSE

Multi-family residence medium density "MF-33" district is the designation for multi-family use with a maximum density of up to thirty-three (33) units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

- (a) [Lot and Building Specifications. Multi-unit construction on lots one-third \(1/3\) of an acre in size or smaller, and zoned MF-33, shall be within a single structure.](#)

Chapter 35, Article III, Section 35-311 is amended as follows:

'Sec. 35-311 – Use Regulations.'

(b) **Uses Not Mentioned.**

- (1) **Uses Not Permitted Unless Specifically Enumerated.** No building permit shall be issued for a use not specifically mentioned or described by category in the Use Matrix. Evaluation of these uses shall be as set forth in subsection (3), below.
- (2) **Uses Preempted by State Statute.** Notwithstanding any provision of this section to the contrary, uses which are required to be permitted in any zoning district by state statute may be permitted in accordance with state law whether or not the use is included in the Use Matrix.

Example: NAICS 5413 (Architectural Engineering, and Related Services) is coded under "Office, ~~Professional~~ General." Assume that the Use Matrix sets out a classification for "Laboratories, Testing," which is NAICS 54138 (a subheading of 5413). The latter 5-digit number is more specific than the 4-digit code. Accordingly, testing laboratories are not included within the same classification as general offices. However, if testing laboratories had not been separately listed, they would be permitted in all districts where general offices are permitted.

'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	R-3, R-2, R-1	MF-18	MF-25	MF-33	MF-40	MF-50 & MF-65	ERZD	LCBS ELIMINATION	LCBS STRUCTURE	
Assisted Living Facility, Boarding Home Facility or Community Home with six (6) or fewer residents		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		123 0	
Assisted Living Facility, Boarding Home Facility or Community Home with seven (7) or more residents														P	P	P	P	P	P			
Athletic Fields (Noncommercial And Supplemental To The Residential Use)	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		537 0	
Automobile Non-Commercial Parking																			NA		211 0	
Automobile Commercial Parking	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA			

Bed and Breakfast, see § 35-374			S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	131 0
Bus Shelter (Max Size 6'x13')	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P		
Bus Stop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Cemetery, Columbarium Or Mausoleum	S	S	S			S		S		S		S	S					S	670 0		
Child Care Facility (1-6 Children)	<u>P</u>	656 2																			
Child Care Facility (7-12 Children)	<u>S</u>	656 2																			
Childcare Daycare Center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	656 2		
Child Care, Licensed-Child Care	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	656 2		
Child Care-Registered-Child Care Home	S	P	P	P	P	P	P	P	S	S	S	S	S	S	S	S	S	P	656 2		
Child Care Institution (Basic)	S	S	S	S	S		S		S	S	S	S	S	S	S	S	P	P	656 1		
Church, Temple, Mosque (facilities that are for worship)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	660 0		

Amusement	Live Entertainment Without Cover Charge 3 or More Days Per Week (Not Including Food Service Establishments)							S	P				P	5300
Amusement	Live Entertainment With Cover Charge 3 or More Days Per Week (Not Including Food Service Establishments)							S	P				P	5300
Amusement	Racing - Motor Vehicle										S		S	
Amusement	Theater - Indoor Permitting Over 2 Screens And/Or Stages							P	P				P	5110
Amusement	Theater - Indoor With 2 Or Less Screens And/Or Stages				S	P	P	P					P	
Amusement	Theater - Outdoor Including Drive-In And Amphitheaters											P	P	5110
Amusement	Video Games - Coin Or Token Operated				S	P	P	P	P				P	5320
Animal	Animal Clinic				P	P	P	P	P	P			S	2418
Animal	Animal and pet services (no outdoor training, boarding, runs, pens or paddocks)				P	P	P	P	P	P			P	2720
Animal	Animal and pet services (outdoor training, boarding, runs, pens or paddocks permitted)									P	P		S	2720
Animal	Animal - Equestrian Center and Riding Trails (see also 35-348)							S		S			S	
Animal	Animal - Pound Or Shelter									P	P		S	
Animal	Breeder - Small Animal Only									S	P		NA	
Animal	Cemetery - Pets (Limited To Small Animals)							P	P	P			S	6730
Animal	Stockyard											S	NA	9300
Animal	Veterinary Hospital - Large And Small Animal										P		S	2418
Animal	Veterinary Hospital - Small Animal									P	P		S	2418

Auto	Auto and Light Truck Repair (includes motorized vehicles such as motorcycles and all-terrain vehicles)						P	P		NA	2110	
Auto	Truck And Heavy Equipment - Auction								P	S		
Auto	Ambulance Service						S	P	P	P	4150	
Auto	Auto - Glass Tinting						P	P	P	P	2115	
Auto	Auto - Manufacture									P	NA	3770
Auto	Auto And Light Truck - Oil, Lube And Tune Up						P	P	P		NA	2110
Auto	Auto And Light Truck Auction								S	P	P	2110
Auto	Auto And Light Truck Repair						P	P			NA	
Auto	Motor Vehicle Sales (full service)						P	P			NA	
Auto	Motor Vehicle Sales						P	P			S	2110
Auto	Auto - Rental						P	P	P	P	NA	
Auto	Auto - Rental (Pick Up And Drop Off Only in "C-2," "D" and "ERZD")						P	P	P	P	P	
Auto	Auto Alarm And Radio - Retail (Install. Incidental To Sales In "C-2")						P	P			P	2115
Auto	Auto Alarm And Radio - Retail (Sales And Installation As A Primary Use)						S	P			P	
Auto	Auto Glass Sales - Installation Permitted						P	P	P		P	2110
Auto	Auto Muffler - Installation And Sales Only						P	P	P		S	2115
Auto	Auto Paint And Body - Repair With Outside Storage Of Vehicles And Parts Permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways						S	P	P		NA	
Auto	Auto Parts Retail - No Outside Storage In "C-2"						P	P	P		P	2115

Auto	Auto State Vehicle Inspection Station					P	P	P	P	P	P	P	2100	
Auto	Auto Upholstery - Sales And Installation Completely Enclosed						P		P			P	2100	
Auto	Carwash - see supplemental use regulations					S	P		P	S		S	2110	
Auto	Limousine Service - Dispatch And Office Use Only No Servicing Of Vehicles Onsite					P	P	P	P	P		S	4155	
Auto	Parking And Transient Vehicle Storage - Related To A Delivery (Auto, Truck, Trailer And Marine)(Each Vehicle Limited To 24 Hours Maximum Parking Time Within Any 48 Hour Period In "C3," "D" And "L")							S	S	P	P	P	S	9900
Auto	Parking And/Or Storage - Long Term									P	P	P	NA	
Auto	Parking Lot - Commercial, Subject to 35-384(b) (Parking Lots Requiring Demolition of Dwelling Units) and (d) (Surface Parking Design Standards)	S	P	S	S	P	P	P	P	P	P	P	NA	2110
Auto	Parking Lot - Noncommercial, Subject to 35-384(b) (Parking Lots Requiring Demolition of Dwelling Units)	P	P		S	P	P	P	P	P	P	S	2100	
Auto	Parking Garage - Commercial or Noncommercial, Subject to 35-384(c) (Parking Structure Design Standards)	S	P				P	P	P	P	P	P	S	
Auto	Taxi Service - Parking And Dispatch (No Washing Or Mechanical Service Permitted)							P	P	P	P	S	4155	
Auto	Taxi Service - Parking And Dispatch (Washing Or Mechanical Service Permitted)									P	P	S		
Auto	Tire Repair - Auto And Small Truck (Sale And Installation Only, No Mechanical Service Permitted)						P	P	S	P		S	2100	
Auto	Truck Repair And Maintenance						S		S	P	P	NA	2000	
Auto	Truck Stop Or Laundry - Full Mechanical Service And Repair Permitted									P	P	NA		
Auto	Truck Stop Or Laundry - Tire Repair Permitted								S	P	P	S	2000	

Auto	Vehicle Storage - See "Auto Parking And/Or Storage Long Term"	-	-	-	-	-	-	-	-	-	-	-	-	2110
Auto	Wrecker Service									P	P		NA	2100
Beverage	Beverage Manufacture - Non-Alcohol										P		S	
Church Temple, Mosque	Church Temple, Mosque (facilities that are for worship or study of religion)	P	P	P	P	P	P	P	P	P	P	P	P	6600
Dry Goods - Wholesale	Dry Goods - Wholesale									S	P	P	P	3510
Dwelling	Dwelling - 1 Family (Single-family)									P			P	1100
Dwelling	Dwelling - 1 Family Attached (townhome), see 35-373									P			P	1100
Dwelling	Dwelling - Attached Apartments/Condominiums With Maximum Density Of 6 Dwellings Per Gross Acre, see also 35-381				P	P	P	P					P	
Dwelling	Dwelling - Attached Apartments/Condominiums With Maximum Density Of 10 Dwellings Per Gross Acre, see also 35-381						P	P					P	
Dwelling	Dwelling - Attached Apartments/Condominiums With Maximum Density Of 20 Dwellings Per Gross Acre, see also 35-381											P	P	
Dwelling	Dwelling - Attached Apartments/Condominiums									P				
Dwelling	Live-Work Units, subject to 35-381				P	P	P	P					P	
Dwelling	Loft (see definition of Dwelling, Loft 35-A101)	S	S		P	P	P	P	S	S				
Dwelling	Housing (Temporary Or Permanent) For On-Premises Caretaker				S	P	P	P	P	P	P	P	P	
Government	Armory								S	S	S	S	S	6300
Government	Correction Institution								S	S	S	S	P	6222

<u>Government</u>	<u>Library (Public)</u>	<u>P</u>												
Government	Public Safety Facilities	P	P	P	P	P	P	P	P	P	P	P	P	6400
Housing	Bed and Breakfast, Boarding Home, Hotel (see Service Category)													
Industrial	Batching Plant									P	P		S	
Industrial	Batching Plant - Temporary In "C-3" And "L" (6 Months Maximum)							S	S	S	P	P	S	3330
Industrial	Bookbinder							P		P	P		P	2135
Industrial	Cabinet Or Carpenter Shop							S		P	P		S	3210
Industrial	Can Recycle Collection Station - No Shredding							S		P	P	P	P	3600
Industrial	Coffee Roasting									P	P		P	3110
Industrial	Construction Contractor Facility - screening required for outdoor storage from public ROWs and adjacent property except in "I-2" (see also Service category, construction trades contractors)							S		S	P	P	S	7100
Industrial	Creamery									S	P		S	3110
Industrial	Dry Cleaning - Plant							P		P	P	P	NA	2600
Industrial	Electronic Component - Fabrication									P	P		S	3360
Industrial	Laundry - Plant							P		P	P		S	2600
Industrial	Lumber Yard And Building Materials							S		P	P	P	S	2126
Industrial	Machine Shop							S		P	P	P	S	7200
Industrial	Pecan Shelling									S	P	P	P	3110
Industrial	Printer - Large Scale							S		P	P		S	2400
Industrial	Rock Crusher									S	P		S	2120

Industrial	Rug Cleaning									P	P	P	S	2120
Industrial	Water Well Drilling Contractor										S	P	S	7230
Industrial	Welding Shop - Limited To Three Employees And Screening Of Outside Storage In "C-3"							S		S	P	P	P	2100
Manufacturing	Abrasive - Manufacturing										P	P	NA	2610
Manufacturing	Acetylene Gas - Manufacturing And Storage											P	S	2613
Manufacturing	Air Products - Manufacturing										S	P	S	3400
Manufacturing	Artificial Limb Assembly							P	P	S	P	P	P	3400
Manufacturing	Asbestos Products - Manufacturing											P	NA	3330
Manufacturing	Asphalt Products - Manufacturing											P	NA	3330
Manufacturing	Bag Cleaning										P	P	S	2100
Manufacturing	Battery - Manufacturing											P	NA	3360
Manufacturing	Beverage - Manufacturing Or Processing										S	P	S	3110
Manufacturing	Biomedical Products - Manufacturing											S	NA	3000
Manufacturing	Boat And Marine - Manufacturing											P	S	2600
Manufacturing	Boiler And Tank Works											P	S	3350
Manufacturing	Broom, Brush - Manufacturing										P	P	S	3400
Manufacturing	Building Specialties - Wholesale Outside Storage Permitted										S	P	S	3510
Manufacturing	Bulk Plant Or Terminal (Includes Bulk Storage of Petro Chemicals)											S		
Manufacturing	Can Manufacture											P	NA	
Manufacturing	Candle - Manufacturing										S	P	S	3400

Manufacturing	Candy - Manufacturing									S	P		S	3110	
Manufacturing	Canvas Products - Manufacturing									S	P	P	S	3400	
Manufacturing	Chemical - Manufacturing Or Processing									S	S		NA	3320	
Manufacturing	Chemical/Drug - Wholesale And Storage									P	P		NA	3600	
Manufacturing	Clothing Manufacture - Chemical Process											P	NA	3130	
Manufacturing	Clothing Manufacture - Non-Chemical Process									P	P	P	S	3130	
Manufacturing	Concrete Products - Manufacturing									S	P		S	3330	
Manufacturing	Cotton Compress, Ginning And Bailing											P	NA	9510	
Manufacturing	Drug - Manufacturing									P	P		S	3000	
Manufacturing	Electronic Component - Manufacturing									S	P		NA	3360	
Manufacturing	Electroplating											P	S	3400	
Manufacturing	Felt Products - Manufacturing											P	S	3400	
Manufacturing	Glass Manufacture											P	S	3330	
Manufacturing	Grain - Drying											P	S	3600	
Manufacturing	Grain - Milling											P	S	3100	
Manufacturing	Hatchery											P	S	9240	
Manufacturing	Hazardous Materials Storage											S	NA	4000	
Manufacturing	Hosiery - Manufacturing											P	P	S	3320
Manufacturing	Ice Cream - Manufacturing									P	P	P	P	3110	
Manufacturing	Ice Plant - Manufacturing And Processing											P	P	P	3100
Manufacturing	Insulation Products - Manufacturing And Processing											P	NA	3330	

Manufacturing	Mattress - Manufacturing And Rebuilding									P	P	P	S	3340
Manufacturing	Metal Forging Or Rolling Mill											S	NA	3340
Manufacturing	Metal Products - Fabrication									S	P	S		2140
Manufacturing	Millinery - Manufacturing									P	P		P	3400
Manufacturing	Millwork And Wood Products - Manufacturing									S	P	S		3210
Manufacturing	Moving And Transfer Company - With Trucks Attached To Trailers For A Total Exceeding 24 Feet In Length									P	P	P	S	4141
Manufacturing	Novelty And Souvenir - Manufacture									S	P	P	S	3400
Manufacturing	Nuclear Or Radioactive Instrumentation - Manufacturing										S	S	NA	3360
Manufacturing	Office Equipment, Furniture - Manufacture									P	P	P	S	2120
Manufacturing	Oil Well Supplies And Machinery - Manufacturing.										P		NA	3350
Manufacturing	Packing And Gasket - Manufacturing										P		NA	3000
Manufacturing	Packing Plant - No Rendering										P		NA	9200
Manufacturing	Paints, Etc. - Manufacturing And Processing										P		NA	3320
Manufacturing	Paper Products - Manufacturing										P		NA	3200
Manufacturing	Petroleum - Manufacturing Or Processing										S		NA	3310
Manufacturing	Planing Mill											S	S	2120
Manufacturing	Plastic / Vinyl - Manufacturing Or Processing									S	P		NA	3220
Manufacturing	Playground Equipment - Manufacturing									P	P	P	S	3400
Manufacturing	Poultry Processing - Caged Hen Operation										P		NA	9240

Manufacturing	Poultry Processing And Live Poultry Storage - Completely Enclosed											P	NA	9240			
Manufacturing	Processing - Other Than Food											S	P	S	3000		
Manufacturing	Refrigeration Equipment - Manufacturing											S	P	NA	3360		
Manufacturing	Rendering Plant											S	NA	9200			
Manufacturing	Sand Or Gravel - Storage And Sales											P	P	P	8000		
Manufacturing	Shoe - Manufacturing											S	P	P	S	3140	
Manufacturing	Shoe - Wholesale (Manufacturing Permitted)											S	P	S			
Manufacturing	Shoe Polish - Manufacturing												P	NA	3320		
Manufacturing	Sign Manufacture											S	P	P	S	3440	
Manufacturing	Stone Curing, Monument - Manufacturing												P	P	P	3330	
Manufacturing	Textile - Manufacturing												P	S	3130		
Manufacturing	Tile - Manufacturing												P	NA	3330		
Manufacturing	Tile, Roofing And Waterproofing Products - Manufacturing												P	NA	3330		
Manufacturing	Tobacco - Processing												P	S	3120		
Manufacturing	Tool - Manufacturing												S	P	S	3400	
Manufacturing	Toy - Manufacturing												P	P	S	3420	
Manufacturing	Trailer - Manufacturing												P	P	S	3400	
Manufacturing	Venetian Blind - Cleaning And Fabrication												S	P	P	S	2100
Manufacturing	Vulcanizing, Recapping												S	P	NA	3320	
Manufacturing	Water Distillation												S	P	S	3110	

Manufacturing	Wire Products - Manufacturing											P	P	S	3400	
Manufacturing	Wood Processing By Creosoting Or Other Preserving Treatment												P	NA	3210	
Manufacturing	Wool Pulling And Scouring												P	NA	3000	
Medical	Medical - Surgical Supplies Wholesale								P	S	P	P		P	3510	
Processing	Cosmetics - Manufacturing Or Processing											P		S	2600	
Processing	Food And Food Products - Processing										S	P	P	S	3110	
Processing	Punch Concentrate - Processing And Mixing										S	P	P	P	3110	
Processing	Punch Concentrate Products - Mixing Only						S	P			P	P	P	P	3110	
Processing	Used Automotive Parts Recycler												S	NA		
Processing	Recycling Facility Without Outside Storage And/Or Processing (Excluding Metal Recycling Entity)												P	P	S	
Processing	Recycling Facility With Outside Storage And/Or Processing (Excluding Metal Recycling Entity)													P	NA	
Processing	Metal Recycling Entity Without Outside Storage and/or Processing												S	S	S	
Processing	Metal Recycling Entity With Outside Storage and/or Processing													S	NA	
Recreation	Archery Range - Outdoor Permitted											S	P	P	P	5300
Recreation	Archery Range - Indoor Only							P	P	P	P	P	P	P	P	5300
Recreation	Athletic Fields - Indoor Only	S	P	P	P	P	P	P	P	P	P			P	5370	
Recreation	Athletic Fields - Outdoor Permitted	S	P	S	S	S	P	P	P	P				P	5370	
Recreation	Bowling Alley								P	P	P			P	5380	
Recreation	Fitness Center/Health Club, Gymnasium, Natatorium, Sport Court - Indoor Only		P	P	P	P	P	P	P	P	P			P	5370	

Recreation	Fitness Center/Health Club, Gymnasium, Natatorium, Sport Court - Outdoor Uses Permitted		P	S	S	S	P	P	P	P		P	5370
Recreation	Golf Course (See § 35-346 "G" District)											S	5370
Recreation	Golf Driving Range					S	P		P	S		S	5370
Recreation	Gun Range - Indoor Only						S	S	P	P	P	P	5300
Recreation	Gun Range - Outdoor Permitted								S	S	S	S	5300
Recreation	Park - Public Or Private	P	P	P	P	P	P	P	P	P	P	P	5500
Recreation	Performing Art Center - Digital Display Monitor							S					
Recreation	Recreational Facility - Neighborhood (see Definition in Appendix A)			P	P	P	P					P	5370
Recreation	Stable And Equestrian Center								P			S	5300
Recreation	Recreational Vehicle Park						S		P			P	
Retail	Air Conditioners - Retail (Incidental To Other Onsite Retail Items In "D")						P	P	P			P	2120
Retail	Antique Store - Retail			P	P	P	P	P	P			P	2145
Retail	Apothecary - See (Drugstore - Apothecary)												
Retail	Apparel And Accessory Store - Retail			P	P	P	P	P				P	2133
Retail	Appliance and Electronics - Retail (Appliance Sales Incidental To Other Onsite Retail Items in "C-1" and "D")				P	P	P	P				P	2125
Retail	Art Gallery		P	P	P	P	P	P				P	2142
Retail	Bakery - Retail			P	P	P	P	P				P	2151
Retail	Bookstore		P	P	P	P	P	P				P	2135
Retail	Business Machines - Retail		P		S	P	P	P				P	2130

Retail	Camera, Photographic Equipment And Supplies - Retail			P	P	P	P	P				P	2132
Retail	Candy, Nut And Confectionery - Retail			P	P	P	P	P				P	2153
Retail	Computer and Software- Retail			P	P	P	P	P				P	2131
Retail	Convenience Store - Limited to Maximum 3,000 Square Foot Total Floor Area in "I-1"			P	P	P	P	P	P	P		P	2152
Retail	Convenience Store (With Carwash)						S	P		P	P	S	2152
Retail	Convenience Store (With Gasoline) See Section 35-397.01						P	P	S	P	P	NA	2152
Retail	Convenience Store (With Gasoline And Carwash) See Section 35-397.01						S	P		P	P	NA	2152
Retail	Dairy Products - Retail			P	P	P	P	P				P	2150
Retail	Drugstore - Apothecary		P	P	P	P	P	P				P	2161
Retail	Dry Goods - Retail			P	P	P	P	P	P			P	2133
Retail	Farm Supplies							S		P	P	P	2140
Retail	Feed, Seed, Fertilizer Sales - No Outside Storage In "C-3"								P		P	P	2140
Retail	Fish Market - Retail			P	P	P	P	P				P	2153
Retail	Flea Market - Indoor							P		P		P	2100
Retail	Flea Market - Outdoor								S	P		P	2100
Retail	Floor Covering - Retail (Incidental To Other Onsite Retail Items In "D")							P	P	P	P	P	2120
Retail	Florist - Retail		S	P	P	P	P	P	P	P		P	2141
Retail	Food Locker Plant - Retail								S	P		S	2120
Retail	Fruit And Produce - Retail			P	P	P	P	P				P	2154

Retail	Furniture Sales - Retail		S	P	P	P	P			P	2121	
Retail	Gift Shop - Retail		S	P	P	P	P	P		P	2140	
Retail	Glass - Retail				P	P	P	P		P	2120	
Retail	Grocery Store - Limited to Maximum 3,000 Square Foot Total Floor Area in "NC"			P	P	P	P	P		P	2151	
Retail	Hardware Sales - Retail (Limited to Maximum 3,000 Square Foot Total Floor Area in "NC")			P	P	P	P	P		P	2122	
Retail	Headshop, see also Section 35-377						S			P	2143	
Retail	Hobby Store - Retail (Limited to Maximum 3,000 Square Foot Total Floor Area in "NC")			P	P	P	P	P		P	2134	
Retail	Home Improvement Center						P	S	P	P		
Retail	Jewelry Store - Retail		S	P	P	P	P	P		P	2140	
Retail	Landscaping Materials - Sales And Storage							P	P	S	2123	
Retail	Leather Goods Or Luggage Store - Retail			P	P	P	P	P		P	2130	
Retail	Medical - Surgical Supplies Retail					P	P	P	P	P	2130	
Retail	Milliner - Custom			P	P	P	P	P	P	P	3400	
Retail	Music Store			P	P	P	P	P		P	2135	
Retail	Newsstand		P	P	P	P	P	P		P	2140	
Retail	Nursery - Retail (Growing Plants On-Site Permitted)					P	P	P		S		
Retail	Nursery - Retail (No Growing Plants On-site Permitted)				P	P	P	P		S	2100	
Retail	Office Equipment And Supply - Retail		S		P	P	P	P	P	P	2120	
Retail	Paint And Wallpaper Store - Retail And Wholesale					P	P	P	P	S	P	2120

Retail	Pet or pet supply store			P	P	P	P	P	P			P	2110
Retail	Plumbing Fixtures - Retail (Incidental To Other Onsite Retail Items In "D")					P	P	P	P			P	2120
Retail	Rug Or Carpet - Retail					P	P	P	P	P		P	2120
Retail	Secondhand Merchandise - Retail No Outside Storage Or Display Of Inventory Permitted)						P	P	P	P		P	2145
Retail	Shoe - Retail			P	P	P	P	P				P	2140
Retail	Silk Screening - Retail						P	P	P			P	2140
Retail	Sporting Goods - Retail			P	P	P	P	P				P	2134
Retail	Stamps And Coin Sales - Retail			P	P	P	P	P				P	2140
Retail	Stationary Products - Retail	S	P	P	P	P	P	P				P	2140
Retail	Tamale - Preparation Retail (Less Than 2,000 Square Feet In "C-1" And "C-2")			S	S	P	P	P	P			P	2153
Retail	Thrift Store - Retail See (Secondhand Merchandise)												2145
Retail	Tobacco Store – Retail/ Hookah Lounge or Smoking Room			P	P	P	P	P	P			P	2143
Retail	Toy Store - Retail					P	P	P	P	P		P	2130
Retail	Trophy Sales, Engraving And Assembly					P	P	P	P	P		P	2140
Retail	Variety Store - Retail						P	P	P	P		P	2130
Sales	Boat - Sales And Service								P	P		S	
Sales	Machinery, Tools And Construction Equipment Sales And Service							S	P	P	P	S	2120
Sales	Farm Equipment Sales, Service Or Storage									P	P	P	2120
Sales	Oil Well Supplies And Machinery Sales - Used											P	NA 2120

Sales	Portable Building Sales					S	S		P	P	P	P	2120
School	School - Business or Commercial Trade		P			P	P	P				P	6142
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 College or 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
Service	Air Conditioning/Refrigeration - Service And Repair						S		P	P		P	2120
Service	Altering/Repairing Of Apparel			P	P	P	P	P				P	2600
Service	Ammunition - Manufacturing, Loading And Storage										S	S	2100
Service	Appliance - Repair Major						P	P		P		P	
Service	Appliance - Repair Small			P	P	P	P					P	2125
Service	Assisted Living Facility, Boarding Home Facility, or Community Home with no more than sixteen (16) residents			P	P	P	S	P				P	1230
Service	Auditorium		P				P	P	P			P	5110
Service	Bail Bond Agency						S	S		S	S	P	2220
Service	Bank, Credit Union	P	P	S	S	P	P	P	P			P	2210
Service	Barber or Beauty Shop		P	P	P	P	P	P				P	2600

Service	Bed And Breakfast, see § 35-374	S	P	S	P	P		P				P	1310			
Service	Bicycle - Repair			P	P	P	P	P				P	2113			
Service	Boat And Marine - Storage (Outside Permitted)							S	P			S				
Service	Body Piercing							P				P	2600			
Service	Caterers and Catering Shop (No On-Premises Food Services)					P	P	P	P	P	P					
Service	Cemetery Or Mausoleum					S	S	S	S			NA	6700			
Service	Charitable - food and/or clothing bank							P	P	P	P		P			
Service	Charitable - food service establishment (no charge for meals)							P	P	P	P		P			
Service	Construction Trades Contractors-screening required for outdoor storage from public ROWs and adjacent property except in "I-2" (see also Industrial category, contractor facility use)											P	P	S	S	7300
Service	Copy Service - Blueprinting And Photocopying	P	P	P	P	P	P	P	P				S	2414		
Service	Cosmetics - Permanent				P	P	P	P	P				P	2600		
Service	Day Care Center - Child And/Or Adult Care		S	P	P	P	P	P	P	S			P	6562		
Service	Dry Cleaning - Limited To Five Employees							P	P	P	P		S	2600		
Service	Dry Cleaning - Pickup Station Only		P	P	P	P	P	P	P				P	2600		
Service	Electric Repair - Heavy Equipment									P	P		P	7330		
Service	Electric Repair - Light Equipment							S		P	P		P	7330		
Service	Electronic Equipment - Repair				P	P	P	P	P	P			S	2125		
Service	Elevator Maintenance - Service								P	P	P		S	2450		
Service	Employment Agency	P	P			S	P	P	P				P	2423		

Service	Extended Stay Hotel /Motel, Timeshares, Or Corporate Apartment						S	P	P	P			P	
Service	Exterminators									S	P		S	2451
Service	Food Service Establishment Without Cover Charge 3 or More Days Per Week (With or Without Accessory Live Entertainment)	P	P	P	P	P	P	P	P	P			P	2150
Service	Food Service Establishment With Cover Charge 3 or More Days Per Week (With or Without Accessory Live Entertainment)							S	P				P	2150
Service	Food, Mobile Food Court (subject to 35-399)						P	P	S	P			S	2550
Service	Food, Mobile Vending (Base Operations)									P	P	P	S	
Service	Funeral Home Or Undertaking Parlor							P	P	P			S	6710
Service	Furniture Repair/Upholstering		P	P	P	P	P	P	P				S	2121
Service	Gasoline Filling Station (Without Repair Or Carwash) See Section 35-397.01						P	P	S	P	P	P	NA	2116
Service	Gasoline Filling Station (With Repair) See Section 35-397.01							P		P	P	P	NA	
Service	Gasoline Filling Station (With Repair And/Or Carwash) See Section 35-397.01						S	P	S	P	P	P	NA	
Service	Gasoline Filling Station – Fleet See Section 35-397.01							S		P	P	P	NA	
Service	Group Day Care Limited To 12 Individuals	P	P	P	P	P	P	P	P	P			P	6562
Service	Gunsmith						P	P	P	P			S	2134
Service	Hotel						S	P	P	P			P	
Service	Hotel taller than 35 feet when unable to achieve additional height pursuant to § 35-517(d) Setbacks for Height Increases							S	P				P	6500

Service	Human Services Campus							S	S					P	6500
Service	Ice Machine (over 120 square feet)							P	P		P	P		P	
Service	Janitorial/Cleaning Service							P	P	P	P	P		S	2452
Service	Laboratory - Research Or Testing	P	P					P	P	P	P			S	2416
Service	Laundry And Dry Cleaning - Self Service			P	P	P	P	P	P					S	2600
Service	Laundry- Limited To Max Of Five Employees							P	P	P	P	P		S	2600
Service	Laundry Or Dry Cleaning - Pickup Station Only		P	P	P	P	P	P	P	P				P	2600
Service	Lawnmower Repair And Service - No Outside Storage In "C-2"							P	P		P			S	2100
Service	Library	P	P	P	P	P	P	P	P					P	4242
Service	Linen Or Uniform Supply, Diaper Service (Pickup And Supply Only)								P		P	P		S	2100
Service	Loan Office	P	P		P	P	P	P	P					P	
Service	Locksmith		P	P	P	P	P	P	P					P	2100
Service	Manufactured Home / Oversize Vehicle Sales, Service Or Storage										S	P		S	2100
Service	Massage - Parlor								P	P				P	6520
Service	Massage - Therapeutic	S	P	P	P	P	P	P	P	P				P	3400
Service	Medical - Chiropractor Office	P	P	S	S	P	P	P						P	6511
Service	Medical - Clinic (Physician And/Or Dentist)	P	P	S	S	P	P	P						P	6511 6512 6514
Service	Medical - Clinic Physical Therapist	S	P	P	P	P	P	P						P	6520
Service	Medical - Hospital Or Sanitarium							S	P	P	S			S	6530

Service	Medical - Hospital taller than 35 feet when unable to achieve additional height pursuant to § 35-517(d) Setbacks for Height Increases						S	S	P	S			S	6530
Service	Medical - Laboratory Dental Or Medical		S	S	S	P	P	P	P				S	6513
Service	Medical - Optical Goods Retail	S	P	P	P	P	P	P					P	2163
Service	Medical - Optical Goods Wholesale						P	P	P	P			P	3510
Service	Medical - Optometry Office	P	P	P	P	P	P	P					P	2410
Service	Mortuary - Preparation Only						S	P					S	6700
Service	Movie and/or Game Rentals			P	P	P	P	P					P	2336
Service	Nursing Facility				P	P	P						P	1250
Service	Office Call Center	P	P				P	P	P	P	P		P	
Service	Office Data Processing & Management	P	P				P	P	P	P	P		P	
Service	Office Professional	P	P	P	P	P	P	P	P	P			P	2400
Service	Palm Reading			P	P	P	P	P					P	2600
Service	Party House, Reception Hall, Meeting Facilities						S	P	P	P	S		P	
Service	Pawn Shop							P	P	P			P	2140
Service	Picture Framing			P	P	P	P	P					P	2140
Service	Post Office	P	P	P	P	P	P	P	P	P			P	6310
Service	Radio or Television Station Studio	P	P		P	P	P	P	P	P			P	
Service	Reading Room	P	P	P	P	P	P	P					P	5300
Service	Record Storage Facility (electronic and/or paper)		P				P	P	P	P	P		P	
Service	Reducing Salon					S	P	P	P				P	6511

Service	Rental - Event Specialties (no outside storage and or display allowed)							P	P	S	P				S	
Service	Rental - Tool, Equipment and Event Specialties (fenced & screened outside storage and display permitted)								P	S	P	P	S		S	2140
Service	Rooming House							P	P	P	P				P	
Service	Self-Defense Instruction				P	P	P	P	P	P					P	6140
Service	Shoe - Repair				P	P	P	P	P						P	2600
Service	Short Term Rental (Type 1) and (Type 2) See Section 35-374.01 for Supplemental Requirements related to Short Term Rentals (Type 1) and (Type 2)	P	P	P	P	P				P					P	
Service	Sign Shop - No Outside Storage							P	P	P	P				P	3440
Service	Specified Financial Institution (see § 35-394)							S	S	S					P	
Service	Stand-alone Personal Hygiene Facilities (Permanent) This entry is for primary use for the property only. 100-foot separation from any single-family residential structure required.									P	P	P	P	P	P	
Service	Studio - Fine Or Performing Arts	S	P	P	P	P	P	P	P						P	6145
Service	Studio - Interior Decorating	P	P	P	P	P	P	P	P						P	2413
Service	Studio - Photographic				P	P	P	P	P						P	
Service	Studio - Sound And Recording								P	P	P				P	
Service	Supportive Housing Campus							S	S	P	S				P	
Service	Tailor Shop							P	P	P	P	P			P	2600

Service	Tattoo Parlor/Studio								P					P	2600
Service	Taxidermist									P	P			S	2140
Service	Temporary Common Worker Employer								S	P		P		P	
Service	Transitional Home								S	S	S	S	S	P	
Service	Tree Cut And Trim Service								S		P	P		S	2000
Service	Watch Repair		P	P	P	P	P	P						P	2140
Social	Club - Private (see definition "Club" in 35-A101)								S	P	P			P	6830
Social	Clubhouse - Civic And Fraternal Organizations. Including Lodges And Meeting Halls						P	P	P	P				P	6830
Storage	Carting, Crating, Hauling, Storage											P	P	S	3600
Storage	Cold Storage											P	P	S	3600
Storage	Fur Dyeing, Finishing And Storing									S	P	P		S	3600
Storage	Moving Company											P	P	P	4140
Storage	Pipe Storage												P	P	P
Storage	Self Service Storage	S	S					P	P	P	P	P	P	P	2321
Storage	Storage, Moving Pod (see definition in Appendix A)	P	P	P	P	P	P	P	P	P	P	P	P	S	
Storage	Storage - Outside (Screening From Public ROWs And Adjacent Property Required)								S		S	S	P	S	
Storage	Storage - Outside (Open With No Screening Required)										S	S	P	S	
Storage	Storage - Outside (Under Roof and Screened)											P	P	S	9900
Storage	Storage Shipping Container (see definition in Appendix A. Requires registration affidavit with Development Services Dept.)	S	S	S	S	S	S	S	S	P	P	P		S	

Transportation	Airport - Non-Governmental											S	S	S	4113	
Transportation	Bus Shelter (Max size 6'x13')	P	P	P	P	P	P	P	P	P	P	P	P	P		
Transportation	Bus Stop	P	P	P	P	P	P	P	P	P	P	P	P	P		
Transportation	Freight Depot											S	P	P	S	4140
Transportation	Heliport (see also Chapter 3 City Code)		S						S		S	S	S	S	4110	
Transportation	Helistop (see also Chapter 3 City Code)		S			S	S	S		S	S		P		4110	
Transportation	Horse-Drawn Carriage (Base Operations) - Indoor Carriage Storage and/or Animal Boarding only (see also Chapters 5 and 33 of the City Code)								P	P	P	P		P	9372	
Transportation	Horse-Drawn Carriage (Base Operations) - Outdoor Carriage Storage and/or Animal Boarding allowed (see also Chapters 5 and 33 of the City Code)								S	S	P	P		S	9372	
Transportation	Passenger Depot								S	S	P	P	P	P	4120	
Transportation	Transit Bus Maintenance Facility										S	P		NA		
Transportation	Transit Bus Storage Facility										S	P		NA		
Transportation	Transit Center	P	P	P	P	P	P	P	P	P	P	P	P	S	4133	
Transportation	Transit Park & Ride	S	S	P	P	P	P	P	P	P	P	P	P	S	4133	
Transportation	Transit Station	S	S	S	S	S	S	S	S	S	S	S	S	S	4133	
Transportation	Transit Transfer Center (Max Size 14'x33' and total footprint no larger than 30'x40')	P	P	P	P	P	P	P	P	P	P	P	P	S	4133	
Utilities	Radio/Television Antenna, subject to § 35-385(b)	P	P	P	P	P	P	P	P	P	P	P	P	S		
Utilities	Radio/Television Antenna, unable to comply with § 35-385(b)	S	S	S	S	S	S	S	S	S	S	S	S	S		
Utilities	Small Wind Energy Systems, subject to § 35-398(a)	S	P	S	S	S	P	P	P	P	P	P	P	S		

Utilities	Solar Farm, Photovoltaic, subject to § 35-398(b)	S	S	S	S	S	S	S	S	P	P	P	S	
Utilities	Telephone Equipment Infrastructure	S	S	S	S	S	S	S	P	P	P	P	P	4234
Utilities	Wireless Communication System, subject to § 35-385(e)	P	P	P	P	P	P	P	P	P	P	P	S	4233
Utilities	Wireless Communication System, subject to § 35-385(d)	S	S	S	S	S	S	S	S	S	S	S	S	4233
Utility	Sanitary Landfill, Solid Waste Facility											S	NA	4345
Warehouse	Office Warehouse (Flex Space) - Outside Storage Not Permitted except in the I-2 district							P		P	P	P	S	3600
Warehousing	Warehousing								S	P	P	P	S	3600
Wholesale	Bakery - Wholesale									S	P		P	3520
Wholesale	Barber And Beauty Equipment - Wholesale							P	P	P			P	3510
Wholesale	Camera, Photographic Equipment And Supplies - Wholesale							S	P	P	P		S	3510
Wholesale	Dairy Equipment Sales - Wholesale										P	P	P	3510
Wholesale	Dairy Products - Wholesale								<u>S</u>	P	<u>P</u>		P	3520
Wholesale	Drug Sales - Wholesale									P	P		P	3520
Wholesale	Fish Market - Wholesale									P	P		P	3520
Wholesale	Florist - Wholesale							P	P	P	P		P	3520
Wholesale	Food Products - Wholesale And Storage									P	P		P	3520
Wholesale	Fruit And Produce - Wholesale									S	P	<u>P</u>	P	3520
Wholesale	Furniture Sales - Wholesale							P		P	P		P	3510
Wholesale	Glass - Wholesale							P		P	P		P	2120

Wholesale	Grocery - Wholesale									S	P	P	P	3520
Wholesale	Hardware Sales - Wholesale										P	P	P	3510
Wholesale	Office Equipment And Supply - Wholesale (Incidental To Other Onsite Retail Items In "D")									P	P	P	P	3520
Wholesale	Paper Supplies - Wholesale (Incidental To Onsite Retail Items In "C-3" And "D")									P	P	P	P	3520
Wholesale	Nursery - Plant Wholesale Onsite Growing Permitted									P	P		S	9140
Wholesale	Plumbing Fixtures - Wholesale									S	S	P	P	3510
Wholesale	Shoe - Wholesale No Manufacturing									P	P	P	P	3520
Wholesale	Sporting Goods - Wholesale (Incidental To Onsite Retail Items In "D")										P	P	P	3510
Wholesale	Stone Monument - Retail And Wholesale											P	P	2130
Wholesale	Tamale - Preparation Wholesale (Less Than 2,000 Square Foot In "C-1" And C-2)							S	S	P	P	P	P	3520

TABLE 311-2a NONRESIDENTIAL USE MATRIX													
PERMITTED USE	Urban		Rural		Farm		Mixed Industrial						
	UD Major Node	UD Minor Node	RD Major Node	RD Minor Node	FR Ag Node	Village Center FR/FR Minor Node	MI-1	MI-1 Minor Node	Village Center- M1	MI-2	MI-2 Minor Code	Village Center-M2	

Dwelling	Dwelling- Attached Apartments/Condominiums With Maximum Density Of 6 Dwellings Per Gross Acre, see also 35-384	P	P										
Dwelling	Dwelling- Attached Apartments/Condominiums With Maximum Density Of 10 Dwellings Per Gross Acre, see also 35-384	P	P										
Dwelling	Dwelling- Attached Apartments/Condominiums With Maximum Density Of 20 Dwellings Per Gross Acre, see also 35-381	P	P										
Dwelling	Dwelling- Attached Apartments/Condominiums With Maximum Density Of 50 Dwellings Per Gross Acre, see also 35-381												
*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****	*****

Retail	Convenience Store (With Gasoline) See Section 35-397.01	P		P		P	P		P	P		P	P
Retail	Convenience Store (With Gasoline And Carwash) See Section 35-397.01	P		P		P	P		P	P		P	P
Service	Gasoline Filling Station (Without Repair Or	P		P		P	P		P	P		P	P

	Carwash) See Section 35-397.01												
Service	Gasoline Filling Station (With Repair) See Section 35-397.01	P		P		P	P		P	P		P	P
Service	Gasoline Filling Station (With Repair And/Or Carwash) See Section 35-397.01	P		P		P	P		P	P		P	P
Service	Gasoline Filling Station - Fleet See Section 35-397.01							P				P	

Chapter 35, Article III, Section 35-335 is amended as follows:

'Sec. 35-335. - "NCD" Neighborhood Conservation District.'

- (c) **Zoning Authority.** Separate ordinances are required to designate each "NCD" neighborhood conservation district. Ordinances designating each district shall identify the designated boundaries, applicable designation criteria and design standards for that district, and be consistent with any existing neighborhood and/or community plans. Adopted neighborhood conservation district plans referenced herein by their title, ~~and~~ date of adoption, and adopting ordinance are:
 - A. South Presa/South St. Mary's Sts. "NCD-1," November 14, 2002, [Ordinance # 96732](#).
 - B. Alta Vista "NCD-2," May 8, 2003, [Ordinance # 97590](#).
 - C. Ingram Hills "NCD-3," September 9, 2004, [Ordinance # 99689](#).
 - D. Whispering Oaks "NCD-4," February 24, 2005, [Ordinance # 100480](#).
 - E. Beacon Hill Area "NCD-5," December 15, 2005, [Ordinance # 101890](#), Amended and Restated June 22, 2017, [Ordinance # 2017-06-22-0497](#).
 - F. Mahncke Park "NCD-6," January 17, 2008, [Ordinance 2008-01-17-0050](#).
 - G. Jefferson "NCD-7," ~~April~~ ~~August~~ 16, 2009, [Ordinance # 2009-04-16-0308](#).
 - H. Woodlawn Lake Area "NCD-8," November 18, 2010, [Ordinance # 2010-11-18-1006](#).
 - I. Westfort Alliance "NCD-9," October ~~20-6~~, 2011, [Ordinance # 2011-10-20-0881](#).
 - J. Monte Vista Terrace "NCD-10," May ~~6-16~~, 2021, [Ordinance # 2021-05-06-0309](#).

(d) **Initiation Procedures.**

- (1) A zoning change application for designation as a neighborhood conservation district shall be initiated at the direction of the:
 - A. A request of owners representing fifty-one (51) percent of the land area within the proposed district, or
 - B. Request of fifty-one (51) percent of property owners within the proposed district, or
 - C. Development services ~~Planning and community development~~ director, pursuant to a neighborhood, ~~or~~ community, perimeter, sector, or sub-area plan adopted by city council, or city or community revitalization program.

- (2) Following initiation for designation of a neighborhood conservation district, the development services department ~~of planning and community development~~ shall develop a neighborhood conservation plan for the proposed district that follows subsection 35-335(b)(3) and includes:

(e) **Design Standards for Neighborhood Conservation Districts Established Prior to April 1, 2019.**

- (1) The neighborhood conservation plan approved as part of the zoning ordinance creating a neighborhood conservation district prior to April 1, 2019, shall include design standards for new construction of any building or structure, or the relocation or rehabilitation to the street facade of an existing building or structure.
- (2) Existing neighborhood conservation plans shall not be modified after April 1, 2019, with respect to building materials or methods.

(f) **Design Standards for Neighborhood Conservation Districts Established On or After April 1, 2019.**

- (1) The neighborhood conservation plan approved on or after April 1, 2019, as part of the zoning ordinance creating a neighborhood conservation district shall include design standards for new construction of any building or structure, or the relocation or rehabilitation to the street facade of an existing building or structure, but in accordance with state law, shall not include any standards or requirements relating to building materials or methods.
- (2) The neighborhood conservation plan, and requisite design standards shall not apply to those activities which constitute ordinary repair and maintenance, i.e., using the same or similar design.
- (3) The design standards for the neighborhood conservation district must include at a minimum (or note the inapplicability), the following elements governing the physical characteristics and features of all property (public or private) within the proposed district:
 - A. Building height, number of stories;
 - B. Building size, massing;
 - C. Principal elevation features;
 - D. Lot size, coverage;
 - E. Front and side setbacks;
 - F. Off-street parking and loading requirements;
 - G. Roof line and pitch;
 - H. Paving, hardscape covering.
- (4) In addition, the design standards may include, but shall not be limited to, the following elements:
 - A. Building orientation;

- B. General site planning (primary, ancillary structures);
- C. Density;
- D. Floor area ratio;
- E. Signage;
- F. Architectural style and details;
- G. Garage entrance location;
- H. Window/dormer size and location;
- I. Landscaping;
- J. Fences and walls;
- K. Entrance lighting;
- L. Driveways, curbs and sidewalks;
- M. Utility boxes, trash receptacles;
- N. Street furniture;
- O. Building relocation;
- P. Right-of-way (exceeding public works standards).

(5) The design standards in a neighborhood conservation plan adopted on or after April 1, 2019, shall not include elements related to build materials or methods.

(g)(f) Neighborhood Ordinance Administration.

~~(1) No building permit shall be issued by development services for new construction or an alteration or addition to the street facade of an existing building or structure within a designated neighborhood conservation district without the submission and approval of design plans and the issuance of a certificate of compliance by development services ~~planning and community development~~ director.~~

~~(2) The director of planning and community development shall forward a copy of a building permit application to the director of development services for review and comment.~~

(h)(g) Violation of Provisions.

Chapter 35, Article III, Section 35-338 is amended as follows:

'Sec. 35-338. - "RIO" River Improvement Overlay Districts.'

STATEMENT OF PURPOSE

The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River, ~~and San Pedro Creek, Woodlawn Lake area,~~ and their improvements by establishing design standards and guidelines for properties located near the river or creek. ~~The San Antonio River and San Pedro creek~~ San Antonio's waterways are a unique and precious natural, cultural and historic resource that provides a physical connection through San Antonio by linking a variety of neighborhoods, cultural sites, public parks and destinations. The districts cover a total of seven (7) geographic areas.

Specific purposes of the river improvement overlay are as follows:

- *Protect and enhance the overall character of the San Antonio River, ~~and~~ San Pedro Creek, and Woodlawn Lake area.*
- *Protect and enhance the unique experiences along the length of the river or creek as well as define development nodes of greater activity.*
- *Preserve and protect the distinctive historic character of the Riverwalk and the Hugman features.*
- *Promote the integration of the street and river or creek levels.*
- *Prevent the negative impacts caused by incompatible and insensitive development and promote new compatible development.*
- *Maintain the openness and natural habitat of the river or creek, access to its trails and provide safety for its users.*
- *Assure that development near the river or creek is compatible with a future vision of a series of mixed-use neighborhoods with commercial and residential nodes that orient to the river or creek and/or stimulate redevelopment of existing commercial corridors.*
- *Preserve the scenic and natural qualities of Woodlawn Lake including existing outward views from Woodlawn Lake Park.*

(b) Zoning Classification.

- (3) **Development Nodes.** It is the intent of this section that a river improvement overlay district development node shall be restricted to areas lying fully within a river improvement overlay district that are located at 1) the intersection of a major thoroughfare and the San Antonio River or 2) the intersection of two (2) major thoroughfares or 3) if not located at an above mentioned intersection, abut the San Antonio River and be a minimum of twelve (12) acres. Development nodes must range in size from three (3) to twenty (20) acres and shall be located a minimum of one-half (½) mile apart. A development node must include property located on both sides of the street and/or river. A development node must provide at least two (2) of the following uses: office, retail and multi-family residential. Designation of a development node provides for a minimum setback of zero (0) feet from all property lines including riverside and the ability to increase the building height by fifty (50) percent from the requirements set out in article VI. Adoption of a new Development Node within a RIO district requires review and recommendation by the Historic and Design Review Commission and Zoning Commission.

Chapter 35, Article III, Section 35-339 is amended as follows:

'Sec. 35-339.04. - Military Lighting Overlay Districts.'

STATEMENT OF PURPOSE

The purpose of this section is to establish regulations for outdoor lighting impacting military operations five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, and Lackland Air Force Base.

Specific purposes of these lighting districts are as follows:

- *To reduce glare and potential distractions to night time training exercises occurring within this area.*
- *To balance the needs of the military, the City of San Antonio, and property owners regarding responsible development including outdoor lighting within this area.*
- *To permit the use of outdoor lighting that does not exceed the minimum level as guided by Illuminating Engineering Society (IES) recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.*
- *Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.*
- *To restore and preserve our heritage of a clear, dark night-sky.*

Designation Criteria. To be designated as a military lighting overlay district, an area must be five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, or Lackland Air Force Base; provided, however, that if a Joint Land Use Study determines that lighting regulations are required in a smaller area than those required in a designated district, the City may initiate a rezoning to remove properties from a military lighting overlay district. If a Joint Land Use Study determines that different regulations are required or recommended, the City may modify the district regulations accordingly.

- (b) **Military Lighting Regions (MLRs) within Military Lighting Overlay Districts (MLODs).** Overall geographic areas shall be known as Military Lighting Regions within the Military Lighting Overlay District and shall be specified as described below.

- (3) This will ensure the following:
- A. Consistent color temperature of the lights.
 - B. Color temperatures do not exceed 3000K ~~4100K~~ (white light or warm light) depending on MLR.
 - C. Fully shielded lights.
 - D. No light emitted above ninety (90) degrees.
 - E. Appropriate amount of light where needed.
 - F. Glare restrictions are in place.

- (f) **District Standards.**

- (2) All public and private outdoor lighting installed after the effective date(s) of an MLOD district designation shall conform to the requirements established by this section.

- (3) Any luminaire in a new development that is aimed, directed, or focused so as to cause direct light from the luminaire to be directed toward an adjacent military base, camp or installation is prohibited. Such luminaire must be redirected or its light output controlled to eliminate such conditions.
- (4) For new development properties situated at or above one thousand two hundred (1,200) feet in elevation (above sea level), and which are situated within one (1) mile from the perimeter of the affected military installation, all lighting shall be fully screened from the affected military installation(s). Methods of screening can include, but are not limited to, fencing and landscaping.

(5) Wwithin MLR-1:

A. Maximum CCT of 3000K for all outdoor light sources.

B. All Night Security Lighting (ANSL) installed by CPS Energy and used to light private property areas and/or non-dedicated streets shall be a maximum CCT of 3000K and contain a full cut-off.

(6) Wwithin MLR-2:

A. Maximum CCT of 3000K ~~4100K~~ for all outdoor light sources.

B. All Night Security Lighting (ANSL) installed by CPS Energy and used to light private property areas and/or non-dedicated streets shall be a maximum CCT of 4000K and contain a full cut-off.

'Sec. 35-339.06. - "MPOD" Mission Protection Overlay Districts.'

(b) **Boundaries.**

- (1) **Boundaries established for MPOD-1, MPOD-2, MPOD-3 and MPOD-4.** Typically, Mission Protection Districts shall encompass all areas that are visible or potentially visible from a disc. This shall be defined as the area which falls within a 1,800-foot ~~1,500-feet~~ radius originating from a point located exactly one hundred twenty-five (125) feet from the front door of each Mission chapel, as marked by the disc.

Chapter 35, Article III, Section 35-343 is amended as follows:

'Sec. 35-343. - "IDZ" Infill Development Zone Complete Change of Zoning Applications submitted prior to November 1, 2018.'

Amendment Language:

(a) **Locational Criteria.**

(1) **Generally.**

- C. An "IDZ" may also be designated for a location inside of Interstate Loop 410 that meets one (1) of the following:

- 2. Within the boundaries of a neighborhood ~~or~~ community, perimeter, sector, or sub-area plan adopted by city council at a location designated by the plan that is suitable for "IDZ" designation;

'Sec. 35-343.01 - "IDZ" Infill Development Zone: Complete Change of Zoning Applications submitted after November 1, 2018.'

(a) **Locational Criteria.**

(1) **Generally.**

C. An "IDZ" may also be designated for a location inside of Interstate Loop 410 that meets one (1) of the following:

2. Within the boundaries of a neighborhood, ~~or~~ community, perimeter, sector, or sub-area plan adopted by city council at a location designated by the plan that is suitable for "IDZ" designation;

(b) **Use Regulations.** The "IDZ" may be approved as an overlay district. The "IDZ" may be approved as a base zoning district and must specify if the request is for "IDZ-1" Limited Intensity Infill Development Zone, "IDZ-2" Mid Intensity Infill Development Zone, or "IDZ-3" High Intensity Infill Development Zone, and the ordinance shall include an indication of gross density for all residential uses in units per acre, the list of zoning districts and/or permitted uses.

(8) **Amendments to "IDZ" Site Plan.**

C. **Major Amendments for all "IDZ-1" site plans, of any acreage, and all "IDZ-2" and "IDZ-3" site plans less than or equal to one (1) acre.** A major amendment shall require a new application for rezoning pursuant to the procedures of section 35-421. A major amendment to an "IDZ" site plan shall include:

8. Any increase above 10% in the total floor area shown on the approved site plan.

9. Any removal of a requirement restriction or prohibition set forth on a site plan as approved by City Council.

D. **Major Amendments for all "IDZ-2" and "IDZ-3" site plans greater than one (1) acre.** A major amendment shall require a new application for rezoning pursuant to the procedures of section 35-421. A major amendment to an "IDZ" site plan shall include:

6. Any increase above 15% in the total buildable area shown on the approved site plan.

7. Any removal of a requirement restriction or prohibition set forth on a site plan as approved by City Council.

(f) **Stormwater Management.** Infill development shall comply with the stormwater management standards, section 35-504 of this chapter, except as otherwise provided herein. The stormwater

management standards shall not apply to the following:

- (1) The reuse of an existing building where there is not an increase in impervious cover; or
- (2) The development of an existing parcel or lot of less than ten thousand (10,000) square feet.

The stormwater management standards and engineering report shall apply to all other infill development not listed above.

Chapter 35, Article III, Section 35-344 is amended as follows:

'Sec. 35-344.02. - "PUD" Planned Unit Development Districts Established Subsequent to January 1, 2016.'

(j) Infrastructure Requirements.

(4) Solid Waste Collection Services ~~Garbage Collection~~. If in the opinion of the solid waste management director, private streets in a PUD are arranged so that solid waste garbage may be collected without creating a safety hazard and the city has the capacity to provide services, the city will provide collection services, as determined by the solid waste management director, ~~collect the garbage~~ provided proper indemnification is received from the community association or individual property owners. Solid waste Garbage collection locations shall be subject to the approval of the solid waste management director. In the event the city does not provide services collect garbage within a PUD, all units within the PUD may be exempted from payment of the city's solid waste fee garbage fees upon furnishing of evidence ensuring acceptable removal of all garbage and refuse by private means. To receive such exemption, written application must be submitted to and approved by the solid waste management finance director. Units may still be required to pay any other fees, including the environmental fee, as described in Chapter 14 (Solid Waste) of the City Code.

'Sec. 35-345.01 - "MPCD" Master Planned Community Districts adopted prior to January 1, 2023.'

The master planned community district is a special district established to encourage the development of areas of mixed uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses building and circulation systems.

'Sec. 35-345.02 - "MPCD" Master Planned Community Districts established subsequent to January 1, 2023.'

The master planned community district is a special district established to encourage the development of areas of mixed uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses, building and circulation systems.

(a) Uses.

- (1) An "MPCD" may include both residential and commercial uses. In particular, all residential single- family (including gated communities) and multi-family uses; "O-1" and "O-2" office uses; and "NC," "C-1," "C-2," and "C-3" commercial uses as defined in this chapter, are specifically permitted in the "MPCD" zoning base district.

(2) In addition, business park uses shall be permitted in an "MPCD" zoning base district, subject to the performance standards established in subsection (l) of this section, as follows:

- Wholesaling,
- Research and development,
- Manufacturing,
- Processing,
- Fabrication, and assembly,
- Testing,
- Repair,
- Servicing,
- Storage,
- Laboratory,
- Warehousing,
- Displaying, or
- Distribution of goods, materials or products.

(3) Vehicular access to a business park use shall be permitted only from a freeway, arterial, principal arterial, or non-residential collector street.

(4) The location of all land use categories shall be designated on the "MPCD" site plan as residential (single-family), attached residential (multi-family), office, commercial or light industry.

(b) Size. An "MPCD" shall consist of at least twenty-five (25) contiguous acres.

(c) Initiation. A proceeding for approval of a master planned community zoning district shall be initiated by filing an application with the director of development services. The application must meet the following minimum criteria:

- (1) The application shall include a site plan that is prepared to scale. The site plan must be drawn with dimensions and a graphic scale must be provided.
- (2) "MPCD" site plans shall be reviewed by the zoning commission and approved by the city council concurrent with the application for rezoning to an "MPCD." The zoning ordinance shall provide that adherence to the "MPCD" site plan, or the amended "MPCD" site plan is required within the "MPCD" provided, however, that a rezoning shall not be required for the approval of a minor change to the "MPCD" site plan as defined in subsection (e)(3) of this section. The site plan shall include the proposed land uses by location, type (single-family, multi-family, office or commercial), density and size. Where single-family uses are designated, minimum lot size shall be included.
- (3) If a master planned community is proposed outside of the city's zoning jurisdiction, but within the city's extraterritorial jurisdiction, then the property owner may submit a master site plan that conforms with the provisions contained within this section. In addition, the property owner upon submittal of the master site plan may designate such site plan as a master planned community site plan. If the property which is the subject of the master planned community site plan is subsequently annexed into the city's zoning jurisdiction, then the city shall initiate a rezoning application for the subject tract to rezone the property to "MPCD." The rezoning request and the previously approved master site plan with master planned community designation shall then be reviewed for approval pursuant to the procedures contained herein.

(d) Coordination with Independent School Districts. A copy of the site plan shall be provided to the independent school district or districts in which the "MPCD" is proposed to be located. The applicant shall coordinate with the independent school district(s) in order to address the educational needs that may arise with the development of the "MPCD."

(e) Amendments to "MPCD" Master Site Plan.

- (1) Alterations to a MPCD plan shall be classified as either minor or major amendments. Minor amendments

may be approved by the development services director. Major amendments shall be considered by the zoning commission and city council following the same procedure required for the initial approval of the plan, including payment of the application fee. The following criteria shall be used to identify a major amendment:

- (2) A major amendment to an "MPCD" site plan shall include:
- A. Any increase in the total number of residential units for the entire "MPCD."
 - B. Any increase in the total commercial acreage within the "MPCD."
 - C. Any increase in the total industrial acreage within the "MPCD."
 - D. Any increase in the cumulative traffic impacts of the entire "MPCD" upon outlying transportation infrastructure.
 - E. Any increase in the total sewer capacity required for the "MPCD" as measured in equivalent dwelling units.
 - F. Any increase in the total water capacity required for the "MPCD" as measured in equivalent dwelling units.
 - G. Any decrease above ten (10) percent in the total open space acreage within the "MPCD."
 - H. Any decrease in perimeter buffers between the "MPCD" and adjacent properties.
 - I. Any change in a proposed land use node from residential to an office, commercial or light industrial use, if the property where the proposed change is to occur abuts existing property in which the principal use is a single-family residence.
- (3) Any other revision to an "MPCD" site plan not described in subsection (2), above, shall be deemed a minor change.

(f) Height and Yard Requirements.

- (1) **Height Limitation.** The maximum height of structures shall be governed by the MPCD site plan, however uses subject to subsection (k)(1) of this section shall comply with the compatibility standards set forth in subsection (k).
- (2) **Minimum Yard.** Single-family lots shall comply with the lot requirements of the base zoning district that requires a minimum lot square footage that is less than or equal to the lot square footage shown on the "MPCD" site plan. Multi-family, office and commercial shall comply with the setback requirements of the International Building Code.
- (3) **Fences.** Along collector and arterial streets, fences within an "MPCD" may extend to a height of eight (8) feet subject to the clear vision area requirements of subsection 35-505(f) of this chapter.

(g) Required Natural Buffer. Unless the perimeter of the "MPCD" is bound by a street or roadway, any property located on the boundary of the "MPCD" shall maintain a twenty-foot natural buffer (trees, grass or other vegetation) when:

- The "MPCD" property, used (or proposed for use) for other than single-family purposes, abuts property outside the "MPCD" that is used (or is vacant and zoned) for single-family purposes; or
- The "MPCD" property, used (or proposed for use) for single-family purposes, abuts property outside the "MPCD" that is used (or is vacant and zoned) for other than single-family purposes.

(h) Infrastructure Requirements.

(1) Streets and Sidewalks.

- A. Streets within an "MPCD" may be public or private.
- B. The entrance to private streets may provide controlled access by gates or other means permitted by this chapter (see subsection 35-505(s)).
- C. Alternative street and sidewalk standards may be applied within an "MPCD." In order to be applicable to a particular "MPCD" the alternative street and sidewalk standards must be submitted as part of the "MPCD"

site plan and the site plan must be approved by the city council. For purposes of this subsection, an "alternative street and sidewalk standard" means a standard which varies from the requirements of subsection 35-506(d) of this chapter.

D. Whether public or private, streets and sidewalks shall conform to the transportation standards of this chapter, as applicable to streets, or alternative street and sidewalk standards" approved as part of an "MPCD" site plan.

(2) **Utilities.** All utility systems shall comply with the utilities standards (section 35-506) of this chapter.

(3) **Easements.** Publicly owned and/or maintained utilities shall be placed in public streets or easements which are a minimum of sixteen (16) feet in width unless a narrower width is approved by the applicable utility. Dead-end easements shall not be permitted unless a city approved vehicular turnaround is provided at the end of each such easement.

(i) **Open Space.** Each "MPCD" plan shall provide for a minimum amount of parks/open space as required by subsection (1) below. Open space shall include yards, as well as any parks or open space areas which conform to the parks/open space standards of this chapter. Up to twenty (20) percent of the total open space requirement may be met by including one-half (½) of any accessible and contiguous parkland, unimproved floodplain, cemetery, or other beneficial open area which has a reasonable expectancy of perpetuity.

(1) **Open Space Percentages.** The minimum open space percentage requirements are as indicated in the table below. They are calculated by dividing the total open space within the MPCD boundary by the gross site area. The land use category shall be determined by the base zoning district. For "MPCDs" which include both residential and nonresidential uses, the required open space shall be calculated by multiplying the open space percentage times the area of each use and adding the products thus obtained.

<u>Land Use Category</u>	<u>Required Open Space (in percent)</u>
<u>Residential</u>	<u>35%</u>
<u>Nonresidential</u>	<u>20%</u>
<u>Mixed Use</u>	<u>20%</u>

(2) **Reduction in Open Space.** At its discretion, the zoning commission may recommend a decrease in the amount of required open space within the "MPCD" when the "MPCD" plan includes amenities in accordance with Table 503-4 Parks Facilities Credit of article V. The parks and recreation department may make a recommendation to the zoning commission and such amenities shall be clearly identified on the "MPCD" plan and the amount of credit given for each one.

(3) All open space areas, boundaries and credit shall be identified within the "MPCD" plan boundary.

(j) **Parking Requirements.** Off-street parking and truck loading facilities shall be provided in accordance with parking standards of this chapter.

(k) Compatibility Standards.

(1) **Applicability.** This section applies to any use within an "MPCD" which abuts property on which a single-family residential use is located. In this section, a "single-family residential use" includes any single-family dwelling, duplex, triplex, fourplex, townhome, or residential condominium. The abutting property on which a "single-family residential use" which is established, or is to be used, as evidence by notation on the "MPCD"

site plan, is referred to in this subsection (k) as a "single- family area."

(2) Height Limitations. A structure subject to subsection (k)(1) of this section:

- A. Shall be located at least twenty-five (25) feet from a single-family area;
- B. Shall not exceed two (2) stories or thirty (30) feet in height if the structure is fifty (50) feet or less from a single-family area;
- C. May exceed two (2) stories or thirty (30) feet in height, but shall not exceed three (3) stories or forty (40) feet in height, if the structure is one hundred (100) feet or less from a single-family area.

(3) Increase in Height Limitations. The height of a structure subject to subsection (k)(1) of this section may increase by:

- A. One (1) foot for each foot of distance from property that triggers the compatibility standards if the structure is at least one hundred (100) feet but not more than three hundred (300) feet from an abutting tract which is used or is to be used, as evidenced by a notation on the "MPCD" site plan, for single-family residential purposes, and the increased height is permitted by in an "MPCD"; or
- B. One (1) foot for each four (4) feet of distance from property that triggers the compatibility standards if the structure is at least three hundred (300) feet, but not more than five hundred forty (540) feet, from property in an abutting tract which is being used or is to be used, as evidence by notation on the "MPCD" site plan, for single-family residential purposes; and the increased height is permitted by the applicable zoning district regulation.

(4) Scale and Clustering Requirements. The massing of buildings and the appropriate scale relationship of a building to another building may be accomplished by:

- Avoiding the use of a continuous or unbroken wall plane; and
- Using an architectural feature or element that creates a variety of scale relationships, creates the appearance of a residential structure, or is consistent with the exterior form and materials of a structure on an adjoining property; and
- Using similar materials for all buildings within the designated land use category; and
- Using a design technique or element that creates a building scale which does not exceed single-family residential uses within the "MPCD," prevents the construction of a structure in close proximity to a single-family residence zoning district that is significantly more massive than a structure in a single-family residence zoning district; and allows the construction of a structure, including a multi-family structure, that exhibits a scale and massing that is consistent with a single-family residential use.

Except where the "MPCD" site plan specifically provides otherwise, the first block of buildings subject to this subsection must be clustered in a group that is not more than fifty (50) feet wide, as measured along the side of the buildings that are most parallel to the property line of the site. The depth of the first tier of buildings described under subsection (B) may not exceed:

- Two (2) units; or
- Sixty (60) feet.

A building must be at least ten (10) feet apart from another building, as measured from wall face to wall face.

(5) Screening Requirements. Buildings shall be screened from the view of adjacent property with single-family land use category if the use for the building to be constructed is intended for off-street parking, the placement of mechanical equipment, storage, refuse collection or any business park use. A person may comply with this subsection by providing a yard, fence, berm, or vegetation. If a fence is provided, the height of the fence may not exceed six (6) feet, except as provided within this chapter. The owner must maintain a fence, berm, or vegetation provided under this section.

(6) Design Regulations.

- A. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property which is being utilized for single-family residential purposes.
- B. The noise level of mechanical equipment may not exceed seventy (70) db at the property line.

- C. A permanently placed refuse receptacle, including a dumpster, shall not be located within twenty (20) feet of a single-family land use area.
- D. A highly reflective surface, including reflective glass and a reflective metal roof with a pitch that exceeds a run of seven (6) to a rise of twelve (12), may not be used, unless the reflective surface is a solar panel or copper or painted metal roof.
- E. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed fifty (50) feet or less from a single-family area.

(l) **Business Park Uses Performance Standards.** In addition to this section's compatibility standards, set out in subsection (k) immediately above, business park uses shall conform to performance standards as follows:

- (1) **Air Pollution.** All uses within a business park district shall operate in compliance with the most current revision of the regulations of the Texas Air Control Board pertaining to the control of air pollution. The city hereby adopts by reference these regulations, a copy of which is on file in the offices of the city clerk and the department of planning and development services.
- (2) **Noise.** All uses shall comply with the provisions of chapter 21, article III of the City Code, Noise, and shall not create a noise nuisance as defined in said article III of chapter 21.
- (3) **Glare and Heat.** No direct or sky-reflected glare so as to be visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this chapter. There shall be no emission or transmission of heat or heated air so as to be discernible at the boundary of the lot line.
- (4) **Vibration.** All machines shall be so mounted as to minimize vibration and no vibration shall be produced which is discernible without the aid of instruments at the boundary of the business park district.
- (5) **Noxious Odors.** The emission of any odors which are discernible without the aid of instruments shall be prohibited beyond the boundaries of the business park district.
- (6) **Toxic and Liquid Wastes.** The discharge of any toxic or liquid waste material into any outdoor watercourse or drainageway shall be prohibited.
- (7) **Fire and Explosion.** All activities and all storage of flammable and explosive materials shall be provided with adequate safety and fire fighting devices in accordance with the Uniform Fire Code as adopted by the city. The storage of petroleum and other flammable products is permitted only as an incidental use and is prohibited in aboveground tanks.
- (8) **Radioactivity.** No operation shall cause radioactivity at any lot line in violation of the regulations of the Nuclear Regulatory Commission as set forth in Title 10, Chapter 1, Part 20 of the Code of Federal Regulations, and all applicable regulations of the State of Texas.
- (9) **Electromagnetic Radiation.** No operation shall be conducted which shall adversely effect the performance of electromagnetic radiators or receptors other than those of the creator of the radiation.
- (10) **Outside Storage.** Outside storage shall be enclosed within a solid masonry wall or solid heavy timber fence (two (2) inches thick or greater) so as to completely screen all operations conducted within such wall from observation outside the business park district. The wall shall be at least six (6) feet, but not more than twelve (12) feet in height. No storage shall be higher than the height of the screening which shall be maintained in a safe and sightly condition at all times.
- (11) **Other Structures.** Structures other than buildings which are visible from view outside of the business park district shall be screened by plantings, landscaping, and/or a solid wall/fence at least six (6) feet in height.

Upon application for a certificate of occupancy for any use in a business park district, the director of planning and development services may require such evidence as may be necessary to determine whether or not the proposed use will conform to the performance standards set forth above in this section. The director of planning and development services shall provide verification of the proposed use(s) upon request from the director of planning and development services.

(m) **Rezoning of Property Within an "MPCD."** No property within the boundaries of an "MPCD" may be rezoned unless and until the "MPCD" site plan is amended pursuant to the provisions contained herein. In particular, any

such amendment or rezoning application must be justified in terms of impact to utility infrastructure, roadway infrastructure and goals and purposes of the original master planned community.

(n) **Development of an "MPCD" Within the City's Extraterritorial Jurisdiction.** An "MPCD" may be developed within the city's extraterritorial jurisdiction provided that the "MPCD" is developed pursuant to an approved master site plan as provided in section 35-412 of this chapter and the "MPCD" is designated as such on the master site plan. The permanent zoning of any "MPCD," that is initially located within the extraterritorial jurisdiction and later becomes part of an annexation, shall be consistent with the "MPCD" master plan governing the "MPCD" as provided in section 35-307 of this chapter.

(o) **Copy of "MPCD" Shall be Made Available to the Public.** The developer or landowner of an approved "MPCD" shall maintain a copy of the "MPCD" site plan within sales office(s) located within the "MPCD." The site plan shall be displayed in a prominent location within the office so that it is easily viewable by the public. In addition copies of the site plan shall be made available to members of the public upon request. This requirement shall continue until all single-family residential property within the "MPCD" is developed.

(p) **Rights Granted or Recognized by V.T.C.A. Local Government Code Ch. 245 and Ordinance No. 86715 Shall Benefit an Approved "MPCD."**

(1) It is hereby found and determined that V.T.C.A. Local Government Code Ch. 245 and City of San Antonio Ordinance No. 86715, passed and approved September 25, 1997 are applicable to an "MPCD" site plan which complies with this section. An "MPCD" site plan shall enjoy the protection afforded by the aforementioned provisions of state and municipal law any exception in such laws to zoning notwithstanding.

(2) In each instance when an "MPCD" site plan obtains final approval from city council the director of planning and development services shall change the zoning records and maps in accordance with the provisions of the ordinance approving a master plan community.

(3) Thereafter, staff review of subdivision plat applications, building permit applications or other permit applications necessary for the development of the "MPCD" shall be reviewed in context of the "MPCD" site plan. Should there be a conflict between the requirements of the City Code (excluding the city building code) and the particular "MPCD" site plan as to landscaping, buffering, open space or any other matter addressed in the "MPCD" site plans, the "MPCD" site plan shall control.

(Ord. No. 95236 § 1) (Ord. No. 98697 § 1, 4 and 6) (Ord. No. 2008-04-03-0266, § 2, 4-3-08) (Ord. No. 2009-01-15-0001, § 2, 1-15-09) (Ord. No. 2010-11-18-0985, § 2, 11-18-10; Ord. No. 2015-12-17-1077, § 2, 12-17-15)

Chapter 35, Article III, Section 35-357 is amended as follows:

'Sec. 35-357. - "FBZD" Form Based Zoning Development District.'

(e) Completeness Review.

(2) An application for "FBZD" zoning for an area that lies within the boundaries of an adopted neighborhood, community, ~~or~~ perimeter, sector, or sub-area plan, or any other plan adopted pursuant to section 35-420 ~~comprehensive, neighborhood, community and perimeter plans~~, shall be subject to the completeness review criteria in subsection 35-421(c) completeness review. If the zoning commission makes a determination that the zoning request is inconsistent with the master plan policies or the land use element of the applicable neighborhood, community, ~~or~~ perimeter, sector, or sub-area plan, then the application for rezoning shall not be deemed complete until a completed application for a master plan amendment is filed.

Chapter 35, Article III, Section 35-371 is amended as follows:

'Sec. 35-371. – Accessory Dwellings.'

(a) **Generally.**

- (1) The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the accessory dwelling as their permanent residence, and shall at no time receive rent for the owner-occupied unit. "Owner occupancy" means a property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means. The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the main building or the accessory dwelling. The applicant shall provide a covenant suitable for recording with the county recorder, providing notice to future owners or long term leases of the subject lot that the occupancy existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling or the principal dwelling by the owner of the property. ~~The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this section and to provide for the removal of improvements added to convert the premises to an accessory dwelling and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.~~
- (2) No accessory dwelling shall be constructed, used or occupied unless and until an accessory dwelling permit is issued.
- ~~(3) The accessory dwelling shall be connected to the central electrical, water and sewer system of the principal structure. This provision does not apply to the electrical service if the distance between the primary structure and the accessory dwelling is greater than one hundred (100) lineal feet.~~
- ~~(4) The total number of occupants in the accessory dwelling unit combined shall not exceed three (3) persons.~~
- ~~(3)~~(5) The accessory dwelling shall not exceed eight hundred (800) square feet or 50% of the gross floor area (excluding covered porches) of the primary structure up to a maximum of sixteen hundred (1,600) square feet, in any single-family residential zoning district other than the "FR" zoning district, or one thousand two hundred (1,200) square feet in the "RE" zoning district (excluding covered porches). This restriction applies only to that portion of a structure that constitutes living area for an accessory dwelling.

(4) Accessory dwelling units used as short-term rentals must comply with Section 35-374.01.

(b) **Accessory Detached Dwelling Units.** Where permitted pursuant to section 35-311 of this chapter, an accessory detached dwelling unit (ADDU) shall not be established except in accordance with the following criteria:

- ~~(1) The building footprint for the ADDU shall not exceed forty (40) percent of the building footprint of the principal residence. The "building footprint" shall include porches, but shall not include patios.~~
- ~~(2) Total floor area of the ADDU shall not exceed eight hundred (800) square feet or be less than three hundred (300) square feet.~~
- ~~(3) An ADDU shall not contain more than one (1) bedroom.~~
- ~~(1)~~(4) Only one (1) accessory unit shall be permitted per lot and it shall be located in the rear yard.
- ~~(2)~~(5) An ADDU that exceeds eight hundred (800) square feet gross floor area shall provide one parking space. Parking areas shall be located behind the front yard.
- ~~(6) In order to maintain the architectural design, style, appearance and character of the main building as a single-family residence, the ADDU shall have a roof pitch, siding and window proportions identical to that of the principal residence.~~
- ~~(3)~~(7) An ADDU Accessory detached dwelling unit shall require a minimum setback from the rear and side property lines of five (5) feet. If the structure has no overhang the accessory unit may be three (3) feet from the rear and side property lines.
- (4) An ADDU may not exceed twenty-five (25) feet or two stories in height.

(c) **Attached Accessory Dwelling Units.**

- ~~(1) The gross floor area of the accessory apartment shall not exceed thirty-five (35) percent of the total living area of the principal dwelling unit.~~

~~(2) Occupancy of the accessory apartment shall not exceed one (1) person per two hundred (200) square feet of gross floor area.~~

~~(1)-(3)~~ Attached accessory dwelling units shall be in compliance with the required setbacks of the primary structure required by the underlying zoning district.

Chapter 35, Article III, Section 35-372 is amended as follows:

'Sec. 35-372.- Affordable Dwelling Units.

(a) **Applicability.**

(1) **Generally.** The provisions of this section shall apply to any application for development approval, as set forth in subsection (2) below, which include affordable dwelling units with the maximum ratio specified in column (B) of Table 372-1, below. For purposes of this section, an "affordable dwelling unit" means any dwelling unit restricted as affordable ~~low-income~~ housing or deeply affordable ~~very low-income~~ housing.

(c) **Density Bonus and Set-Aside Requirements.**

(2) Table 372-1 shall be construed as follows:

- A. Determine the category of housing as set forth in column (A).
- B. Determine the required set-aside for the application category by referring to column (B). For purposes of this subsection, the number of affordable dwelling units required is determined by multiplying the total number of dwelling units permissible on the site as set forth in Table 310-1 by the percentage prescribed in column (B) of Table 372-1, below.
- C. Determine the density increase that may be awarded by referring to column (C). For purposes of this subsection, the additional density that may be awarded is determined by multiplying the total number of dwelling units permissible for the site as set forth in Table 310-1 by the percentage prescribed in column (C) of Table 372-1, below. The city shall not require the additional dwelling units to be restricted as to income.

Example: A twenty-acre parcel is zoned "R-6" (seven (7) ~~six (6)~~ dwelling units per acre in Table 310-1). Thirty (30) percent of the parcel is devoted to right-of-way and open space, leaving fourteen (14) acres developable for lots. The developer can subdivide the tract into one hundred one (101) lots as a conventional subdivision (fourteen (14) acres (six thousand (6,000) square feet per lot). The applicant agrees to restrict ten (10) percent of the units, or ten (10) units (one hundred one (101) units by ten (10) percent (column (B) of Table 372-1, below), as low income housing. The developer may construct an additional twenty (20) dwelling units (one hundred one (101) by twenty (20) percent (column (C)), or a total of one hundred twenty-one (121) dwelling units.

TABLE 372-1

(A) APPLICATION CATEGORY	(B) SET-ASIDE	(C) DENSITY BONUS
<u>Affordable</u> Low-Income Housing	10%	20%

Deeply Affordable Very-Low Income Housing	5%	10%
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(f) **Administration.**

- (1) Affordable dwelling units shall be offered for sale or rent exclusively to persons, households or families who meet the income criteria for "[Affordable low-income](#) housing" or "[Deeply Affordable very-low](#) income housing," as defined in Appendix "A" of this chapter, hereinafter target households.
- (2) The provisions of this section may be administered by the City of San Antonio [Neighborhood & Housing Services Department Grants Monitoring and Administration](#). The City of San Antonio or a community housing development organization (CHDO) shall have an exclusive right to purchase any units be offered for sale to target households but not purchased or rented within a time period mutually agreed upon between the applicant and the City of San Antonio or a CHDO.

Chapter 35, Article III, Section 35-373 is amended as follows:

'Sec. 35-373. - Attached Dwellings.'

- (a) **Applicability.** The provisions of this section apply to any single-family attached dwelling, duplex, townhouse, zero-lot line house, cottage, or housing facility for older persons.

(b) **Townhouse Development.**

- (4) The minimum lot [area shall be 1,200 sq. ft](#) ~~depth shall be eighty (80) feet.~~

Chapter 35, Article III, Section 35-374 is amended as follows:

'Sec. 35-374.01 – Short Term Rentals'

- (c) **Density Limitations for Short Term Rentals (Type 2) in Residential Areas.** In order to preserve the essential character of residential areas, the following density limitations are established. [The permitted number of STR's in any block face, or within any multi-family structure, shall not round up.](#)

[Example: 14 dwelling units on a residential block face x 12.5% = 1.75 STR's \(1 Short Term Rental is permitted\).](#)

- (1) Short term rentals (type 2) shall be limited to no more than one-eighth (12.5 percent) of the total number of single-family, duplex, triplex, or quadraplex units on the block face, as defined in Appendix A of this chapter, in residential zoning districts. At least one (type 2) short term rental shall be permitted per block face, regardless of density. Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.

[On or after January 1, 2023, renewal applications formerly administratively approved by means of rounding will be eligible for renewal without acquiring a special exception from the Board of Adjustment. New applications will be required to obtain a special exception, in accordance with Section 35-399.03, if the density exceeds 12.5% of the units on the block face.](#)

- (2) Short term rentals (type 2) within multi-family (e.g. five (5) or more units) buildings or groups of buildings on the same land, lot or parcel, regardless of zoning district, shall be limited to the density requirements

in table 374.01-1. Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.

Chapter 35, Article III, Section 35-378 is amended as follows:

'Sec. 35-378. - Home Occupations.'

(a) **General Requirements.** Home occupations are permitted in any dwelling unit subject to the following provisions:

(8) No direct on-premises selling or transfer of goods shall be allowed; however, telephone, internet, or mail order soliciting and sales is permitted. Direct on-premises selling is defined as the sales, exchange or transfer of products with direct contact on the premises with a buyer. ~~of cottage foods and whole, non-cut produce is permitted~~

(b) **Prohibited Uses.** The following uses are prohibited as home occupations:

(2) Barber and beauty shops with more than one salon station at any one time. ~~Barber and beauty shops; however, both beauty shops and barber shops are permitted as a specific use permit.~~

(7) Non-state licensed therapy services (masseuses, massagers, etc.)

'Sec. 35-381. – Mixed Use Buildings and Live-Work Units.'

(b) The density of mixed-use buildings or live-work units shall not exceed the following, at locations where the building is listed as a permitted use in the Nonresidential Use Matrix (Table 311-2 - see listing under category "dwelling" and permitted use "dwelling - attached apartments"):

Maximum Density (dwelling units per gross acre)	Zoning Districts
6	NC, C-1, C-2, D, UD, ERZD
10	C-2, D, UD, ERZD
20	D, UD, ERZD

50	D, UD-major nodes only, ERZD
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Chapter 35, Article III, Section 35-383 is amended as follows:

'Sec. 35-383. - Oversized Vehicles.'

- (c) **Parking of Oversized Vehicles in Residential Districts.** Oversized Vehicles, as defined in this Chapter, shall not be allowed in restricted parking areas. For lots or parcels one-half acre or less in area, the restricted parking area includes the entire area of the lot. For lots or parcels greater than one-half acre in area, the restricted parking area includes the entire front yard, and areas of the side yard and back yard within 15 feet of the property line.

The following regulations apply to the parking of oversized vehicles in residential lots:

- (1) The parking of an oversized vehicle within the restricted parking area or the parking so that any portion of the vehicle extends into the restricted parking area is prohibited in any residential district, and in of the following zoning districts "R-4," "RM-4," "R-5," "RM-5," "R-6," "RM-6," "R-20," "RE," "RP," "NP-8," "NP-10," "NP-15," "MH," "MF-18," "MF-25," "MF-33," "MF-40," "MF-50," "RD" and "UD" districts. except as permitted in subsection (d) below:

- (2) For those residential lots over one-half of an acre in area, where parking of oversized vehicles is allowed on a portion of the lot, all oversized vehicles must be screened from adjacent residential properties with a solid screen fence at least 6 feet in height.

- (d) **Residential Recreational Vehicle Parking.** Recreational Vehicles may be parked in the restricted parking area provided that

- (1) No Recreational Vehicle may be parked within 15 feet from the front curb or the front yard;
(2) Recreational vehicles parked within 15 feet of a side or rear property line must be screened from view with a solid screen fence at least 6 feet in height; and
(3) Recreational Vehicles shall under no circumstances be utilized for habitation;
(4) Recreational Vehicles may not be connected to water, sewer, or power service, except for trip preparation as defined in subsection (e) below.

- (e) ~~(d)~~ **Residential Oversized Vehicle and Recreational Vehicle Parking Exceptions.** Oversized vehicles may be parked in a driveway or other permanently maintained parking area as specified by section 19-194 of the City Code within the restricted parking area in the residential districts specified in subsection (c) above under the following conditions:

- (3) **Accessible Areas. Handicapped Areas.** An oversized vehicle of any type may be parked in the restricted parking area at any time if it bears a special handicapped parking permit (~~decal~~) issued by the Disability Access Office Manager or designee ~~handicapped access officer~~ of the City of San Antonio.
- A. A disabled person with a disability who owns an oversized vehicle may apply to the city's Disability Access Office Manager or designee ~~handicapped access officer~~ for such a permit if the person has a mobility impairment, uses the vehicle as a primary means of transportation or livelihood, and the vehicle is specially equipped or modified to accommodate the disability.
- B. The Disability Access Office Manager or designee ~~handicapped access officer~~ may issue such a permit after inquiring into the facts and giving the applicant an opportunity to be heard, if the officer finds that

- (1) without the vehicle the applicant would be substantially limited in life's activities, (2) the physical handicap is permanent or long term in duration, (3) use of the oversized vehicle is necessary to provide reasonable mobility, (4) parking within the restricted parking area facilitates mobility, and (5) the vehicle has a disabled license plate issued by the state.
- C. A permit issued by the [Disability Access Office Manager or designee](#) ~~handicapped-access-officer~~ shall be valid for a period of two (2) years. Renewal of the permit shall require re-examination of the facts.
- D. If a permit is denied by the [Disability Access Office Manager or designee](#) ~~handicapped-access-officer~~, the applicant may appeal to the board of adjustment in accordance with section 35-482 of this chapter. The board shall have the authority to reverse or affirm, in whole or in part, the decision of the [Disability Access Office Manager](#) ~~handicapped-access-officer~~.
- E. It shall be a violation hereof for the holder of a permit issued hereunder to transfer title to the oversized vehicle without contacting the [Disability Access Office Manager or designee](#) ~~handicapped-access-officer~~ for cancellation and removing the permit from the vehicle.
- (f) ~~(e)~~ **Definitions.** In this section, the terms truck-tractor, ~~road-tractor~~, semi-trailer, ~~trailer~~ and commercial motor vehicle shall have the same definitions as set out in V.T.C.A. Transportation Code § 502.001 (Vernon's Pam. 1996). However, such terms shall not mean "recreational vehicle" as that term is defined in [Texas V.T.C.A.](#) Transportation Code § 522.004(b).
- (g) ~~(f)~~ **Penalties.** The penalty for violation of any portion of this section is hereby established so that the minimum fine shall be one hundred dollars (\$100.00) and the maximum fine shall be two thousand dollars (\$2,000.00), provided, however, in the event a defendant has once previously been convicted under this Ordinance No. 84874, the defendant, upon conviction, shall be fined an amount no less than two hundred dollars (\$200.00) and not more than two thousand dollars (\$2,000.00) and upon third and subsequent convictions, the penalty shall be a fine of not less than three hundred dollars (\$300.00) nor more than two thousand dollars (\$2,000.00).([Sec. 35-491 Enforcement – Zoning Violations](#)).

Chapter 35, Article III, Section 35-391 is amended as follows:

'Sec. 35-391. –"Temporary Uses.'

- (i) [Stand-alone Personal Hygiene Facilities \(Temporary\).](#) Temporary Stand-alone Personal Hygiene Facilities are Facilities for personal hygiene such as public showers or public restrooms which are independent of any other use and constitute the primary use of the property. These facilities are usually temporarily attached to utility services.

The director may permit temporary Stand-alone Personal Hygiene Facilities in any zoning district provided that these facilities have a 100-foot separation distance requirement from Single-Family Structure as measured from structure to structure.

- (j) ~~(i)~~ **Event Parking.** The director may permit temporary event surface parking in nonresidential zoning districts and special zoning districts in accordance with the following criteria:

Chapter 35, Article III, Section 35-392 is amended as follows:

'35-392. – Illumination of Uses.'

- (a) Lighting facilities used to light signs, parking areas, or for other purposes, including high intensity residential lighting and light from residentially used properties, shall be so arranged that the source if light is concealed from adjacent residential properties. It shall be arranged so that it ~~and~~ does not interfere with traffic.

Chapter 35, Article III, Section 35-396 is amended as follows:

‘Sec. 35-396. –Funeral Homes.’

- a) Purpose: The purpose of this section is to regulate funeral home establishments within the city. Such establishments are permitted as designated in the Use Matrix (section 3-311, Tables 311-1 and 311-2.)
- b) License and Registration. All funeral homes must be properly licensed as determined by the Texas Funeral Service Commission.
- c) ~~Definitions. Definitions that appear below apply only to this division and shall prevail if in conflict with the definitions found elsewhere within this chapter.~~

~~Funeral home service(s) means those services provided by a funeral home establishment including but not limited to: directing funeral services; coordination of traditional burial or entombment; bereavement counseling; selection and supply of casket or urn; transportation services; filing of legal documents; selection, planning, and coordination of ceremonies; flower arrangements; providing of facilities for funerals and wakes; and short term storing of the dead. A funeral home may also provide cremation services and/or embalming services auxiliary to the services listed above. In such cases a single certificate of occupancy shall be required for all uses.~~

Chapter 35, Article III, Section 35-397 is amended as follows:

‘Sec. 35-397.01 – Gasoline Stations.’

- (a) Spacing. Notwithstanding any other provisions of this chapter, any use in Table 397.01-1 listed as permitted in Table 311-2 and 311-2a shall require Specific Use Authorization Zoning approval within the distances in Table 397.01-1 from any of the following uses:
 - (1) Single family or multi-family residences.
 - (2) Schools.
 - (3) Day Care Facilities.
 - (4) Assisted Living Facilities, Boarding Homes and Community Homes.

Table 397.01-1

Use	Minimum distance (feet) from the nearest structure of the gasoline storage or dispensary to the property line of any designated property uses specified above*
<u>Gasoline Filling Station or use with gasoline having 50,000 gallons or less total tank capacity</u>	<u>100 feet</u>

<u>Gasoline Filling Station or use with gasoline having over 50,000 gallons</u>	<u>200 feet</u>
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*The distance shall be inclusive of setbacks, buffers, and intervening property.

- (b) The installation of gasoline stations within the required distance shall require specific use authorization in accordance with Sec. 35-423.

Chapter 35, Article III, Section 35-398 is amended as follows:

'Sec. 35-398. – Renewable Energy Systems.'

STATEMENT OF PURPOSE

Renewable energy systems provide regulations for wind and solar energy generation uses and operations. The regulations codified herein are intended to provide an efficient way of producing renewable energy sources and balancing those against appropriate regulations for safety.

Wherever possible, renewable energy installations, including solar installations, should consider the placement, height, and design of solar panels, solar arrays, and solar farms to ensure that the systems do not reasonably interfere with other activities and uses.

(b) **Solar Farms:**

1. **Applicability.** The purpose of this subsection is to provide standards for fixed-panel photovoltaic solar farms consisting of ground-mounted solar panels that capture energy from the sun and convert it to electricity. This includes, but is not limited to, solar farms sited on closed landfills and other brownfield sites (also known as “brightfields”), pollinator-friendly solar, and solar farms co-located with productive agricultural land (also known as “agrivoltaics”). The provisions of this section are based on a ground-mounted photovoltaic facility using a rammed post construction technique and panels that support the flow of rainwater between each module and the growth of vegetation beneath the arrays and limiting the impacts of stormwater runoff. The rammed post construction technique allows for minimal disturbance to the existing ground and grading of the site. Based on the assumed solar farm design, the City of San Antonio finds the use to be low intensity with minimal trip generation, low amounts of impervious cover, and low emission thus the use is compatible in non-urbanized, low-density areas with other agricultural and scattered industrial uses.
2. **Site Development Standards:**

~~c.—Height: The average height of the solar panel arrays shall not exceed twelve (12) feet. The height regulations for all other structures are included in the Unified Development Code, Article III Zoning, Table 310-1.~~

- ~~c.~~ ~~d.~~ **Landscaping Buffer:** The primary use of the property shall determine the buffer requirement. Where a ground-mounted photovoltaic solar farm is the primary use the property shall be considered agricultural for the purposes of buffer requirements. There is no requirement for screening from public streets.
- ~~d.~~ ~~e.~~ **Stormwater Management:** Fixed panel solar arrays shall be considered pervious and any fee in lieu of detention shall be considered based on impervious cover. The impervious cover calculation shall include the support posts of the panels, any roads or impervious driveway surfaces, parking areas and buildings on the site.
- ~~e.~~ ~~f.~~ **Subdivision:** A property developed pursuant to this subsection shall be required to plat however water and sewer connections shall not be required. Suitable fire department access shall be required. Outside of the city limits the county fire marshal shall make the determination of required fire access.
- ~~f.~~ ~~g.~~ **Signage:** Signage shall conform to Chapter 28 of the Municipal Code as well as any sign limitations of the zoning district.
- ~~g.~~ ~~h.~~ On-site power lines shall be buried except when connecting to existing overhead utility lines and solar infrastructure, including, but not limited to, panels, inverters, and distribution boards, or any other infrastructure at utility voltage. Customer-owned on-site power lines shall be buried except where connecting to existing overhead utility lines. This requirement shall not apply to fiber optic connections.
- ~~h.~~ ~~i.~~ **Fencing:** Due the unique security requirements of this land use, and to facilitate the educational value of seeing this land use, fencing up to eight (8) feet in height is permitted provided the fencing material is predominantly open as defined in Appendix A.
- ~~i.~~ ~~j.~~ All Municipal Code provisions not specified in this subsection are required including but not limited to tree preservation, traffic impact analysis and historic preservation.

4. **Submittal Requirements:** Building permits are required for solar farms. Plans shall contain the following:

- ~~d.~~ A description of the electrical generating capacity ~~and~~ means of interconnecting with the electrical grid, and energy storage capabilities, if applicable, as coordinated and pre-approved with CPS Energy.

- ~~g.~~ Plan for systems performance monitoring, either physically on-site or virtually online, including the controls, monitors, and instrument to be used.

- 6. **Discontinuation.** A solar farm shall be considered abandoned after three (3)~~one (1)~~ years without energy production. The solar facility ~~property~~ owner shall remove all solar farm equipment and appurtenances within ninety (90) days of abandonment. Decommissioning must comply with Texas SB 760.
- 7. Design Exceptions for Solar Farms on Closed Landfills and Other Brownfield Sites. A solar farm located on a closed landfill that is properly capped in accordance with local and state law or on other brownfield sites shall not be required to adhere to the rammed post construction technique. Solar farms on these sites shall be permitted to be designed and built with structures that are ballasted and do not penetrate the surface.

(c) Rooftop Solar Arrays

1. Applicability. The purpose of this subsection is to provide standards for photovoltaic solar arrays consisting of rooftop-mounted panels that capture energy from the sun and convert it to electricity.
2. Site Development Standards:
 - a. All solar installations shall be in compliance with Texas Local Government Cod Sec. 229.101.
 - b. All Municipal Code provisions not specified in this subsection are required including but not limited to tree preservation, traffic impact analysis and historic preservation.
3. Permitted Use. Rooftop solar arrays shall be permitted ("P") by right on any viable structure, pending approval from CPS Energy.
4. Submittal Requirements: Building permits are required for rooftop solar arrays. Plans shall contain the following:
 - a. A plot plan, drawn to scale, of the property indicating the total site acreage, tree preservation, location of all structures, the proposed location of the solar panels, the distances of the solar panels to structures and equipment on the building rooftop as well as distances to the property lines, as applicable. The plot plan shall include any electric lines and/ or overhead utility lines.
 - b. A description of the electrical generating capacity means of interconnecting with the electrical grid, and energy storage capabilities, if applicable, as coordinated and pre-approved with CPS Energy.
 - c. Drawings or blueprints of solar panels and arrays in conjunction with the application for a building permit for a rooftop solar array.
 - d. Structural engineering analysis for a solar panel, array and its foundation, as applicable.
 - e. Manufacturer's recommended installations, if any.
 - f. Documentation of land ownership and/or legal authority to construct on the property.
 - g. Plan for system performance monitoring, either physically on-site or virtually online, including the controls, monitors, and instrumentation to be used.
5. Compliance With Other Regulations:
 1. Building permit applications for rooftop solar arrays shall be accompanied by a line drawing of electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the city's adopted electrical code and that has been pre-approved by CPS Energy as meeting their Distribution Generation Requirements and Guidelines.
 2. Within the city limits, an executed interconnection agreement with CPS Energy is required prior to certificate of occupancy. In the ETJ the interconnection agreement shall be provided prior to utility connection. This subsection does not waive any requirements of the city's building code, electrical code or other technical codes as applicable.
6. Discontinuation. A rooftop solar array shall be considered abandoned after three (3) years without energy production. The property owner shall remove all solar equipment and appurtenances within ninety (90) days of abandonment. Decommissioning must comply with Texas SB 760.

(d) Solar Canopies

1. Applicability. The purpose of this subsection is to provide standards for photovoltaic solar arrays consisting of raised or lofted panels that capture energy from the sun and convert it to electricity. A raised or lofted "canopy" system may be deployed over parking facilities, grounds, and surfaces. Such systems should not substantially impact or interfere with operations and activities beneath the canopies once the solar canopy system is operational.
2. Site Development Standards:
 - a. All solar installations shall be in compliance with Texas Local Government Cod Sec. 229.101.
 - c. All Municipal Code provisions not specified in this subsection are required including but not limited to tree preservation, traffic impact analysis and historic preservation.

3. Permitted Use. Solar canopies shall be permitted ("P") by right on any viable facilities, grounds, and surfaces, pending approval from CPS Energy.
4. Submittal Requirements: Building permits are required for solar canopies. Plans shall contain the following:
 - a. A plot plan, drawn to scale, of the property indicating the total site acreage, landscape and buffer areas, tree preservation, location of all structures, the proposed location of the solar panels, the distances of the solar panels to structures on the property as well as distances to the property lines, as applicable. The plot plan shall include any roads, electric lines and/ or overhead utility lines.
 - b. A description of the electrical generating capacity means of interconnecting with the electrical grid, and energy storage capabilities, if applicable, as coordinated and pre-approved with CPS Energy.
 - c. Drawings or blueprints of solar panels and arrays in conjunction with the application for a building permit for a solar canopy.
 - d. Structural engineering analysis for a solar panel, array and its foundation, as applicable.
 - e. Manufacturer's recommended installations, if any.
 - f. Documentation of land ownership and/or legal authority to construct on the property.
 - g. Plan for system performance monitoring, either physically on-site or virtually online, including the controls, monitors, and instrumentation to be used.
5. Compliance With Other Regulations:
 1. Building permit applications for solar canopies shall be accompanied by a line drawing of electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the city's adopted electrical code and that has been pre-approved by CPS Energy as meeting their Distribution Generation Requirements and Guidelines.
 2. Within the city limits, a submitted interconnection agreement with CPS Energy is required prior to certificate of occupancy. In the ETJ the interconnection agreement shall be provided prior to utility connection. This subsection does not waive any requirements of the city's building code, electrical code or other technical codes as applicable.
6. Discontinuation. A solar canopy shall be considered abandoned after three (3) years without energy production. The property owner shall remove all solar canopy equipment and appurtenances within ninety (90) days of abandonment. Decommissioning must comply with Texas SB 760.

Chapter 35, Article III, Section 35-399 is amended as follows:

~~'Sec. 35-399.01. – RESERVED. One Operator Beauty Shops and Barber Shops.~~

~~Beauty shops and barber shops may be permitted in all residential zones established by this chapter subject to the following limitations, conditions and restrictions:~~

- ~~(a) A site plan shall be submitted indicating the size and location of all structures on the property. In addition, photographs of the structure in which the beauty shop or barber shop is to be located shall be submitted.~~
- ~~(b) The residential architectural appearance of the structure shall not be changed to that of commercial, although a separate entry for the beauty shop or barber shop shall be permitted.~~
- ~~(c) Signs advertising the beauty shop or barber shop are not permitted, but a name plate not exceeding one (1) square foot is permitted when attached flat to the main structure.~~
- ~~(d) The beauty shop or barber shop shall be located within the main structure on the lot and shall not utilize more than twenty five (25) percent of the gross floor area of the first floor. In the case of a beauty shop in a duplex, the twenty five (25) percent gross floor area shall be calculated on one (1) living unit of the~~

~~duplex. In the case of a beauty shop in an apartment unit the board of adjustment shall determine the area to be used for said operation.~~

~~(e) The beauty shop or barber shop shall be limited to a one (1) operator shop.~~

~~(f) No person not residing on the premises may be employed in the operation of the beauty shop or barber shop.~~

~~(g) Hours of operation shall be regulated by the board of adjustment and shall be specified in the minutes of the case.~~

~~(h) That such use will not be contrary to the public interest.~~

~~(i) Granting of the permit for a beauty shop or barber shop in conjunction with a residential use is to be for a definite period of time not to exceed four (4) years and only after notice and hearings as provided in this chapter for appeals to the board of adjustment. Applications for subsequent permits must be submitted prior to the expiration of the previous permit.~~

~~(Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2010-11-18-0985, § 2, 11-18-10)~~

'Sec. 35-399.06 – West Side Creeks Water Quality Protection Area.'

(a) Abrogation and Greater Restrictions. This division is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where the language of this division conflicts with language used elsewhere in this chapter, that which imposes the more stringent restrictions shall prevail.

(b) Purpose. The West Side Creeks Water Quality (WSC WQ) Protection Area has been established for locations along the Martinez Creek, Zarzamora Creek, Alazan Creek, San Pedro Creek and Apache Creek, collectively, the "West Side Creeks" as identified in the map attached as . In the mandatory WSC WQ Protection Area, water run-off from some land uses may be hazardous to the water quality of the West Side Creeks and its ecosystem. Thus, the Protection Area is designed to ensure adequate treatment of storm water runoff that may potentially produce toxic, corrosive, polluted, poisonous, radioactive, unpalatable, or otherwise dangerous substances injurious to the public health or which could otherwise adversely affect the water quality or supply, and thereby minimizing the risk of potential occurrences wherein such substances could enter the water of the West Side Creeks.

The WSC WQ Protection Area further seeks to:

(i) prevent the negative impacts caused by incompatible and insensitive development and promote new compatible development;

(ii) Maintain the natural habitat of the West Side Creeks, access to its trails and provide safety for its users; and

(iii) Ensure that development near the creek is compatible with a future vision of a series of mixed-use neighborhoods with commercial and residential nodes that orient to the West Side Creeks and/or stimulate redevelopment of existing commercial corridors.

(c) Boundaries. The limits of the West Side Creeks Water Quality Protection Area are shown on the City of San Antonio's Official Zoning Map. The boundaries of the Protection Area are determined to be the legal parcel boundaries of any parcel of land that is wholly or partially within 100 ft from the boundary of the San Antonio Capital Improvement Projects Boundary of the West Side Creeks.

Any parcel that is wholly or partially within the boundaries of the Protection Area shall not be removed from the WSC WQ Protection Area through replatting.

(d) **Protection Area.** The WSC WQ Protection Area is designated as an overlay to all zoning districts. Property located within this area must also be designated as being within the regular zoning districts. Authorized uses must be permitted in both the base zoning district and the Protection Area.

(e) **Uses.**

A. Prohibited Uses. To protect the water quality of the WSC from operations, production, or storage of hazardous materials that could contribute contaminants to water supply and the West Side Creeks, the following uses are prohibited within the WSC WQ Protection Area:

1. Truck and heavy equipment - auction.
2. Auto - manufacture.
3. Auto and light truck auction.
4. Storage - outside.
5. Batching plant.
6. Stockyard.
7. Used automotive parts recycler.
8. Abrasive manufacturing.
9. Acetylene gas - manufacturing and storage.
10. Hazardous materials hauling or storage.
11. Petro chemicals bulk storage.
12. Metal forging or rolling mill.
13. Packing plant.
14. Petroleum - manufacturing or processing.
15. Poultry processing.
16. Rendering plant.
17. Sand or gravel - storage or sales.
18. Vulcanizing, recapping.
19. Wood processing by creosoting or other preservation treatment.
20. Commercial surface parking lots as primary use.
21. Construction staging area.
22. Gas stations
23. Parking and transient vehicle storage - related to delivery.
24. Parking and/or storage - long term.
25. Tire repair - auto and small truck.
26. Truck repair and maintenance.
27. Truck stop.
28. Dry cleaner, laundry, or laundromat.
29. Can recycle collection station.

B. Nonconforming Uses. Any use prohibited by section A which is designated as non-conforming shall be subject to the same rules and conditions found in Article VII, Division 1 (Nonconforming Uses) of this code. Redevelopment is defined in Appendix H of the UDC. All single-family residential lots are exempt from the LID requirements.

- (f) **San Antonio River Authority Consultation.** Consultation with the San Antonio River Authority is required regarding direct access, landscaping, and maintenance boundaries; and storm water control measures prior to storm water permit approvals or plat approval, to allow for review and comment by the River Authority for properties that fall within the WSC WQ Protection Area. This section shall apply to newly developed and redeveloped properties.
- A. Coordination with the River Authority shall include a binding commitment letter signed by the property owner and the River Authority specifying the property owner's commitment to coordinate regarding access to the West Side Creeks, landscape and maintenance boundaries, and storm water control matters when applying for stormwater and drainage permit.
- B. Access to the West Side Creeks within the WSC WQ Protection Area shall comply with the following:
- (i) Property owners shall provide plans for review by the River Authority when proposing to construct any tie-in points to the West Side Creeks project trail, and such plans shall show materials and grading for review
 - (ii) Removal of existing park trail hardscape shall require the River Authority approval.
 - (iii) Development shall make it clear for users of the park to discern public access points from private access points.
 - (iv) If during construction the park trail must be temporarily closed, an alternative engineered route shall be identified and temporary signage in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) provided and maintained for the duration of the project.
 - (v) Acceptance of park trail access point(s) shall be the responsibility of the River Authority.
- C. Landscaping and maintenance boundaries shall be recorded under the notice to the title and are defined in accordance with a final maintenance agreement (the "Maintenance Agreement") entered between the developer/property owner and the City of San Antonio. The maintenance agreement will set out the respective rights and responsibilities of the parties and an executed copy will be provided to the River Authority upon request. The purpose of the maintenance agreement is to protect the public investment that has been made in the WSC WQ Protection Area. The maintenance agreement will be designed to maintain the function of the hydrology, ecological restoration and storm water run-off mitigation in keeping with this chapter and shall generally conform to best management practices as documented in Appendix E Recommended Plant List and section 35-210 of this chapter.
- D. In the WSC WQ Protection Area, developments shall be processed in accordance with LID/NCDP use patterns, requiring an LID/NCDP plan, as specified in UDC 35-210. Developments shall manage site storm water through LID components consistent with section 35-210 of this chapter and shall also comply with the following:
- (i) Storm water runoff shall pass to the creek through discharge pipes or outfalls that are below water level or normal depth or through an approved LID feature. Overland flow onto public land is discouraged and shall be reviewed on a case-by-case basis. Overland flow onto public land requires approval of the public land property owner. Existing concrete chutes are considered as overland flow and consultation and concurrence of the River Authority is required where a USACE 408 permit is needed. Modification of this subsection shall require approval by the River Authority and the director of public works, or their designee.
 - (ii) Open concrete chutes shall be prohibited.
 - (iii) Installations and/or modifications of drainage outfalls require consultation with the River Authority.
 - (iv) Runoff from swimming pools or other non-storm water producing sources shall be treated prior to discharging into the creek.
 - (v) The Stormwater Pollution Prevention Plan (SWP3) on development/redevelopments within the WSC WQ Protection Area must be maintained onsite in accordance with Sec. 34-853 and made readily available for review by SAWS upon request, a copy of which must be provided to the River Authority.

- (vi) New and replacement storm drain inlets that tie directly into the WSC require storm water mitigation practices and consultation with the River Authority.
 - (vii) Runoff from potentially acute sources of pollutants, such as dog parks, dumpster pads, and oil/grease containers shall be treated for total suspended solids (TSS), pathogens, oil/grease, and heavy metals appropriate for the pollutant source prior to discharging into the river or creek, or prior to discharging into a storm drainage system.
 - (viii) Where the project ties into the WSC access, slopes shall be graded at a stable angle not to exceed four to one (4:1) and plant material that will stabilize the soil shall be used such as vigorous ground covers, vines or turf planting that are native and noninvasive species as found in San Antonio River Basin Low Impact Development Technical Design Guidance Manual Plant List. Terraced walls shall be installed when there is a slope of more than four to one (4:1).
 - (ix) To enhance on-site storm water mitigation through use of open space, saw-tooth curbs and gutter shall be used along the street edge of open space at the time of improving a parcel.
 - (x) LID components for managing site stormwater may be constructed in the adjacent public street ROW in accordance with 35-399.07(i) Off-Site Treatment below.
- (g) **Creekside Setbacks.** Creekside setbacks from top of bank for both buildings and accessory structures are established to reinforce storm water control within the WSC WQ Protection Area. Refer to sec. 35-210(i) on stream network buffering. For developments where setback requirements exceed 10% of the total area of the individual lot, a reduced setback of minimum 25ft from top of bank is required. Stormwater BMP footprints are allowed within the setback areas.
- (h) **Landscape Best Management Practices for Water Quality.** Ecological restoration is essential to the water quality mitigation of storm water runoff in the WSC WQ Protection Area. These standards apply to landscaping within an individual site. Additional standards follow that provide more specific standards for the public pathway along the creek and street edges.
- A. **Provide Variety of Plant Species in Landscape.** To enhance mitigation of storm water runoff, provide ecological variety in the landscape plantings along the creek by including a variety of species compatible with site conditions for long-term resiliency and stability.
 - B. **Planting Requirements in Open Space Abutting the Creek.** On publicly owned land leased by the adjoining property owner, if applicable, and/or within privately owned setbacks adjacent to the creek, a minimum sixty (60) percentage of the open space, excluding building footprint, lease space under bridges and parking requirements is required.
 - (i) Planting requirements in WSC WQ Protection Area should continue the restoration landscape efforts along the creek banks.
 - C. **Plant Materials.** Several soil conditions converge along the West Side Creeks area to create unique vegetation ecosystems that mitigate storm water runoff. Soil conditions vary greatly along these waterways and therefore native and indigenous plants will vary accordingly. Landscaping should reflect the unique soil characteristics of the specific site.
 - (i) **Incorporate Existing Native Vegetation.** Extend the use of native landscape materials, including plants, shrubs and trees that are used in the public areas of the creek onto adjacent private areas to extend ecological mitigation of storm water runoff.
 - (ii) Use indigenous and noninvasive species characteristic of the specific site as found on the permissible plant list maintained by the parks and recreation department or the Unified Development Code Plant List found in San Antonio River Basin Low Impact Development Technical Design Guidance Manual Plant List
 - (iii) **Install Trees to Provide Shade.** To mitigate storm water thermal pollution, install street trees along the property line or in the ROW abutting all streets according to minimum requirement standards established in subsection 35-512(b), and consider incorporating storm water bump-outs where feasible.

- (i) **Offsite Treatment.** The director of the Public Works or his designee may, on a case-by-case basis, approve treatment of offsite runoff instead of or in combination with onsite runoff. In this case, the design rainfall depth is increased by 10% for all offsite runoff. Public Works may require that some onsite runoff is treated, especially if there are potentially acute sources of pollutants (dog parks, dumpster pads, etc.). Concurrence of the River Authority is required for neighborhood scale water quality mitigation projects through developer agreements.
- (j) **Top of bank.** "The "top of bank" is defined in Appendix A of the UDC. Contact the COSA PWD for a verification of the "top of bank."

Chapter 35, Article IV, Section 35-403 is amended as follows:

‘Sec. 35-403 – Notice Provisions.’

Table 403-1

Notice Requirements

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)
Type of Notice	Amendments to Master Plan	Amendments to future land use or text changes to the Community, Neighborhood, Perimeter, or Sector, or Sub-Area Plans	Rezoning	Master Development Plan	Items Requiring Public Hearing Before the Board of Adjustments	Subdivision Plat, Major	Subdivision Plat, Minor	Certificate of Appropriateness Requiring a Public Hearing (Not Including Administrative Approval Certificates)	Permits, Ordinance Approvals Not Mentioned Requiring Public Hearing	Report for Demolition of a Historic Landmark or Contributing Property Requiring a Historic Landmark	Historic Designation Application Approved by Historic Preservation Officer	Applications within Neighborhood Conservation Districts	Finding of Historic Significance Requiring a Public Hearing
Publication: Publication in an official newspaper of general circulation before the 15th day before the date of the hearing.	*	*	*	—	*	*(6)	*(6)	—	*	—	—	—	—
Mail: Written notice of the public hearing shall be sent.	—	*(1)(2)	*(1)(2)	—	*(1)(2)	*(6)	*(6)	—	*(1)	*(1)(2)	*(2)(8)(10)	—	*(2)
Internet: Post notice on the city's Internet website until the process has been completed.	*(7)	*	*	*(7)	*	*(7)	*(7)	*	*	*	—	—	—
Signage: Post a sign on the property subject to the application.	—	—	*(4)(5)	—	—	—	—	*	—	*	—	—	—

Signs to be installed and provided by the city													
E-Mail: Courtesy Reports of Applications shall be sent.												*(9)	

Notes:

- (1) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property, within two hundred (200) feet of the property. Notice for zoning cases shall be sent prior to the tenth day before the date of the public hearing at the zoning commission. Notice for demolition applications shall be sent prior to the seventh day before the date of the public hearing at the historic design and review commission. Notice shall not be required for text amendments to the Community, Neighborhood, Perimeter ~~or~~ Sector, or Sub-Area Plans.

- (2) Notices shall be sent to registered neighborhood associations and registered community organizations, per Sec. 35-408, within two hundred (200) feet of the project.

- (3) The sign shall measure not less than eighteen by twenty-four inches and shall contain:

City's Name

Address of subject property

Description of request

~~HDRC Case # _____,~~

~~Name of Case Manager,~~ and

Contact Telephone Number

The sign shall be constructed of corrugated plastic sign stock and shall be in a highly visible fluorescent style color with contrasting colors. Lettering shall be a block font in as large a type as permitted by the sign size.

- (10) No later than the 15th day before the date of the initial hearing on historic designation of a property as an individual landmark, the historic preservation officer shall provide the property owner a historic designation impact statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property. The historic designation impact statements shall include the:

- a. Regulations that may be applied to any structure on the property after designation;
- b. Procedures for the designation;
- c. Tax benefits that may be applied to the property after the designation; and
- d. Rehabilitation or repair programs that the municipality offers for a property designated as historic.

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

(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.

A. The following requests for zoning shall require renotification:

- i. Amending a zoning request to increase the density of a ~~or from any~~ multi-family district;

B. The following requests for zoning shall not require renotification:

- i. Amending a zoning request to decrease the density of a multi-family district, notwithstanding subsection (d)(4)A.i. above,
- ii. Amending a zoning request to change a use in an IDZ base or overlay district that will decrease density or intensity consistent with Table 403-2; or
- iii. Request of the property owner for imposition of "NA" ", "NR" or "R" suffix for "C-2" or "C-3" districts.
- iv. Amending a zoning request to decrease the density of a single-family or multi-family district.

Chapter 35, Article IV, Section 35-408 is amended as follows:

'Sec. 35-408. - Neighborhood and Community Organization Registration.'

(a) **Applicability.** Neighborhood and community organization registration is established in order to provide notification ~~of neighborhoods~~ for purposes of zoning cases, neighborhood plans, community plans, ~~and~~ perimeter plans, sector plans, and sub-area plans as provided in other sections of this chapter. The purpose of this section is to establish procedures for the registration of neighborhoods ~~s~~ associations and community organizations.

(b) **Contents.** A neighborhood registry shall be maintained by the communications and engagement department ~~of planning and community development~~. In order to be included within the neighborhood and community organization registry, the neighborhood association or community organization shall provide the following information:

- A map or written description of the boundaries for which notice should be provided ~~neighborhood~~.
- A primary and alternate contact ~~list of the officers in the association~~, including their mailing address, email address, and textable cell phone number (as applicable).
- A signed copy of the adopted by-laws.
- A regular meeting location and a regular meeting date.
- Date the association or organization was founded.
- Number of association or organization members.
- Approximate number of housing units in the area.
- ~~Approximate population of neighborhood.~~

The neighborhood association or community organization shall contact the communications and engagement department ~~of planning and development services~~ in the event of a change in the above-referenced information. An applicant shall be entitled to rely on the

above-referenced information for purposes of preparing any notices or otherwise contacting neighborhood associations or community organizations where required by this chapter.

- (c) **Effect of the Neighborhood Registry.** When a neighborhood association and/or community organization has been registered as provided herein, the department of development services shall notify the neighborhood association and/or community organization of any application for rezoning or planned unit development plan filed within the boundaries requested for notification of a registered neighborhood association or within two hundred (200) feet of the site boundary of a neighborhood association and/or community organization. Individuals ~~citizens~~ who reside outside the two hundred-foot notice required by this chapter, but within the boundaries of a registered neighborhood association are considered notified when any such notification is sent to the neighborhood association within two hundred (200) feet of the subject site. This notice is a courtesy and hearings may proceed despite claims of a lack of notice.

Chapter 35, Article IV, Section 35-409 is amended as follows:

'Sec. 35-409. – Citizen Participation Plan'

- (a) **Applicability.** It is the policy of the city to encourage applicants to meet with surrounding neighborhoods prior to filing an application for a permit requiring review and a public hearing. The applicant at his or her option may elect to include citizen participation as a preparatory step in the development process. Inclusion of citizen participation prior to required public hearings will be noted by the governing body when considering the need for a continuance in a given application. It is not the intent of this section to require neighborhood meetings, but rather to encourage meetings prior to the submission of an application for approval and documentation of efforts which have been made to resolve any potential concerns prior to the formal application process.

For Change of Zoning and Future Land Use Plan Amendment applications, the applicant shall provide proof of a meeting with all registered neighborhood associations within 200 feet of the subject property, or proof of an attempt to meet with all registered neighborhood associations within 200 feet with the application.

- (b) **Recommended Procedures.**

- (2) **Target Area.** The target area shall include the following:

- B. A neighborhood association which includes the subject property and/or is within two hundred (200) feet of the subject property and is registered communications and engagement department ~~of planning and community development~~ in accordance with the requirements of section 35-~~408 420~~ of this chapter

Chapter 35, Article IV, Section 35-420 is amended as follows:

'Sec. 35-420. - Comprehensive Planning Program, ~~Neighborhood, Community, Perimeter and Sector Plans.~~'

STATEMENT OF PURPOSE

The Comprehensive Planning Program is the city's coordinated approach and process for long-range planning. It provides the rationale and goals for the city's long-range development efforts. The Comprehensive Planning Program was updated through the adoption of the 2016 SA Tomorrow Comprehensive Plan. The new hierarchy of plan types and geographies are intended to provide a more coordinated, efficient, and effective structure for planning at various levels. Previously adopted neighborhood and community plans were developed with extensive input from local stakeholders within the individual plan geographies. These previous planning efforts, including future land use, remain an important aspect of the current and future planning programs throughout the city. Existing and future neighborhood-scaled planning will be integrated into the planning for regional centers and community planning areas. ~~Neighborhoods are an essential building block of local planning. The master plan provides strong policies~~

~~encouraging neighborhood participation in the planning and land development process. Neighborhood planning is an important process when it is participatory and inclusive. At the same time, the master plan requires development approval processes to be fair and equitable, and for permitting to be streamlined.~~

- (a) **Applicability.** The provisions of this section govern the hierarchy and development of plans under the Comprehensive Planning Program. ~~neighborhood, community, perimeter, and sector plans. There are four (4) categories of plans that may be adopted pursuant to this section, as set forth in subsections (1) through (4) below.~~ For purposes of this section, a "plan" shall mean and refer to any ~~neighborhood plan, community plan, perimeter plan, sector plan or any~~ plan adopted pursuant to V.T.C.A. Local Government Code ch. 213, unless otherwise indicated.
- (1) **Regional Plans.** Regional Plans are developed in collaboration with partner agencies to guide regional and multi-jurisdictional services and/or infrastructure investments. Not all plans at the Regional Plan level of the Comprehensive Planning Program necessarily address a full regional geography, as many regional planning efforts coordinate interjurisdictional strategies, policies, and investments with neighboring cities and counties at a smaller geographic scale. This level includes topics such as perimeter plans, annexation strategy, Joint Land Use Plans, and similar regional scaled efforts. ~~**Neighborhood Plans.** Neighborhood plans may include at least one (1) neighborhood unit. A neighborhood unit may encompass an area which includes residences, businesses, parks, schools, undeveloped land, and other community facilities. Populations should generally range from four thousand (4,000) to ten thousand (10,000) people depending on the geographic area and boundaries. A neighborhood unit usually contains at least one thousand five hundred (1,500) housing units. Neighborhood plans may be incorporated into community plans and shall function as building blocks in the development of community plans.~~
 - (2) **Citywide Functional Plans.** Citywide Functional Plans direct specialized components of city planning such as transportation, economic development, housing, natural resources, and sustainability. Examples include the SA Tomorrow Multimodal Transportation Plan, Major Thoroughfare Plan, SA Tomorrow Sustainability Plan, and similar plans. ~~**Community Plans.** Based on the master plan policy for sector planning, the community building and neighborhood planning program includes a citywide system of community areas in order to develop community plans. The objective of dividing the entire city into community areas is to establish a framework for: developing community plans that impact and service all citizens of San Antonio; creating a citywide service system that fosters community based partnerships and civic awareness that improves neighborhoods; and providing a means for articulating community values that is readily available to public and private entities which shape the future development of the community. The proposed community areas shall be identified by the department of planning and community development based on the city's current population, and boundaries based on community association areas, the parks and recreation system plan service areas, creeks, freeways, major arterials, and census tracts.~~
 - (3) **Sub-Area Plans.** Sub-area plans provide detailed strategies regarding land use, transportation, infrastructure, and facilities for specific geographies, such as regional centers, corridors, and neighborhood groupings, aligning them with higher level plans and policies. Sub-area plans integrate key elements of existing neighborhood and community plans while promoting citywide policy consistency and providing key recommendations and strategies for neighborhoods without a previously adopted plan. Goals, objectives, and future land use from adopted neighborhood and community plans shall be reviewed and serve as a foundational element, informing discussion and analysis throughout development of sub-area plans. Neighborhoods are integral sub-geographies of the sub-areas and will receive special attention through chapters or sections in each sub-area plan reflecting specific opportunities, challenges, recommendations, and priorities from each participating neighborhood. The planning director shall monitor and evaluate implementation of sub-area plans, and initiate plan updates as necessary.

A. **Regional Center Plans.** Regional centers are the major activity and employment centers in San Antonio. The SA Tomorrow Comprehensive Plan identified 13 regional centers based on the following parameters:

- 1.5 to 15 square miles in size;
- Currently have or are planned to have a total employment of at least 15,000 jobs;
- Contain significant economic assets and/or major employers; and
- Major city-initiated redevelopment or specific project plans.

B. **Corridor Plans.** Major transportation corridors are key areas to attract new jobs and households, specifically higher-density development. As VIA Metropolitan Transit and the City of San Antonio provide more frequent and high-capacity transit options, these corridors will increasingly connect employment centers to residential and recreation areas. Many of the city's major arterials will benefit from corridor plans, especially those with existing or planned high-frequency transit service. The study areas of a corridor plan should include area within one-quarter (1/4) mile of the arterial, expanding to one-half (1/2) mile around high-frequency transit stops or stations. Prioritization criteria and major components of a Corridor Plan are described by Chapter 17 of the SA Tomorrow Comprehensive Plan.

C. **Community Plans.** Community plan areas include all parts of the city not located within a regional center. These plans are intended to provide detailed strategies for land use, transportation, infrastructure, and community facilities and amenities. Community plans should generally cover areas including at least two or three large neighborhoods and as many as ten or more smaller neighborhoods. Most will generally include five to eight neighborhoods and areas of five or more square miles.

~~Perimeter Plans. Perimeter plans are similar to community plans but may cover land areas that lie within the corporate limits, the city's ETJ and that portion of the county outside of the city's present ETJ. Perimeter plans shall serve as amendments to the city's master plan for those areas lying within the city limits and shall be subject under state law to the zoning ordinances of the City of San Antonio. All other areas covered by the perimeter plan outside of the corporate limits of the city shall be for general guidance for the subdivision of land and implementation of the major thoroughfare plan.~~

(4) **Specific Plans.** Specific Plans address smaller scale geographies and are focused on implementation. Examples of these types of plans include Airport Plans, Station Area Plans, Area Reinvestment Plans and special-purpose places and facilities such as Hemisfair. ~~Sector Plans. Sector plans are components of the city's master plan polices, but also provide appropriate guidance for land use, transportation, and public facilities planning in each of the city's sector areas. Sector plans shall serve as amendments to the city's master plan for those areas lying within the city limits and shall be subject under state law to the zoning ordinances of the City of San Antonio. All other areas covered by the sector plan outside of the corporate limits of the city shall be for general guidance for the subdivision of land and implementation of the major thoroughfare plan.~~

(5) **Neighborhood, Community, Perimeter, and Sector Plans Adopted Under Previous Planning Programs.** Previous planning programs were adopted and/or updated by City Council in 1983, 1989, 1998, 2001, and 2009. Neighborhood, community, perimeter, and sector plans developed and adopted under the previous programs were adopted as components of the City's master plan, giving the plans the legal effect of the master plan unless and until such plans are repealed or superseded by an amendment or a new plan developed and adopted as a master plan component under the City's most recently adopted Comprehensive Planning Program. See 35-420(h) for consistency requirements related to rezoning requests.

(b) **Initiation of Sub-Area Plans.**

(1) **Generally.** The planning process shall be initiated by the director of planning and community development and shall include other city departments and partner agencies, including the office of historic preservation.

- (2) **Stakeholder Participation.** The process of developing and adopting a plan shall involve key stakeholders including residents, neighborhood associations, community organizations, non-profits, area institutions, universities, school districts, chambers of commerce, property owners, major employers, and businesses. Stakeholders shall form a planning team to assist with plan development. Plans will undergo continuing city departmental review to clarify and identify any program or policy inconsistencies. When a proposed sub-area plan includes geographies in a previously adopted neighborhood or community plan, the planning department shall invite previous planning team members as available, registered neighborhood associations, and registered community organizations with boundaries within the previous plan area to review, discuss, and provide input related to the following topics prior to related discussions with the sub-area planning team:

- the goals and objectives of the neighborhood or community plan;
- the current strengths, opportunities, and challenges of the neighborhood or community plan area; and
- the future land use map and element within the neighborhood or community plan.

Comments, concerns, and specific input gathered from these meetings shall be presented to the sub-area planning team to inform the development of the proposed sub-area plan.

- (3) **Planning Team.** The planning ~~and community development~~ director shall appoint the members of the planning team. ~~The planning team shall execute a memorandum of understanding which outlines each group's responsibilities and a work program which outlines timelines for plan development.~~ The planning team shall include, to the extent practicable, a cross section of the land area to be included in the plan including but not limited to residents (both renters and owners), business persons (both renters and owners), property owners of developed and unimproved properties, and institutional organizations such as school districts and churches. It is recognized that the composition of the planning team shall vary ~~among the neighborhoods~~ according to the land use and development character of each planning area.
- (c) ~~Reserved. Completeness Review. Not applicable.~~
- (d) **Decision on Sub-Area Plans.** The department of planning ~~and community development~~ shall forward the plan to the planning commission and city council for adoption as a component of the comprehensive master plan as provided by article IX, section 122 of the City Charter.
- (1) **Type of Hearing.** The public hearing before the planning commission and the city council shall be conducted as a legislative hearing in accordance with subsection 35-404(d), above.
- (2) **Planning Commission.** The planning commission, after public notice in accordance with V.T.C.A. Local Government Code § ~~213249~~.003 shall hold at least one (1) public hearing on such application and as a result thereof shall transmit its report to the city council. A public hearing shall be conducted, and a recommendation shall be submitted, by the planning commission in accordance with the requirements of V.T.C.A. Local Government Code § ~~213249~~.003. Following a briefing from the planning ~~and community development~~ director and consideration of public comments, the planning commission shall recommend to the city council approval of the plan, disapproval of the plan, or approval with changes as necessary to comply with subsection (e) of this section. ~~Sub-area Neighborhood~~ plans not acted on after two (2) hearings before the planning commission shall at the discretion of the director of planning be forwarded to the city council for consideration without a recommendation by the commission.
- (3) **City Council.** The city council shall consider the proposed plan at a legislative hearing (see subsection 35-404(d), above). Following a briefing from the planning ~~and community development~~ director, review of the recommendations of the planning commission, and consideration of public comments, the city council shall approve the plan or disapprove the plan. The city council may overrule a disapproval of the proposed plan by the planning commission.

(e) **Approval Criteria for Sub-Area Plans.**

- (1) **Contents.** All plans shall include ~~the following~~ elements addressing the following topics, at minimum: future land use, infrastructure and amenities, housing and economic development strategies, and mobility, community facilities, and transportation networks. The plan shall contain an existing conditions atlas land use map and a future land use map. ~~The plan shall include cross references comparing future land use categories to comparable zoning districts established by article III of this chapter.~~ Pursuant to V.T.C.A. Local Government Code § ~~213~~219.005 (notation on map of comprehensive plan), a map of a plan illustrating future land use shall contain the following clearly visible statement: "A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries." The plans shall include goals and recommendations, ~~objectives and policies~~ for each element. The plans shall be consistent with the comprehensive master plan. ~~The plans will suggest time frames, responsible parties, and potential funding sources for implementation of the plan.~~
- (2) **General Criteria.** Before adopting a sub-area neighborhood, community, or perimeter plan, the planning commission shall determine that the plan:
 - Identifies goals that are consistent with adopted city policies, plans, and regulations.
 - Was developed in an inclusive manner to provide opportunities for all interest groups to participate.
 - Is ~~a definitive statement of the neighborhood or community, as applicable, and is~~ appropriate for consultation and reference as a guide by the city council, departments, and commissions for decision-making processes.
- (3) **Planning Process.** The planning commission shall also evaluate the planning process to determine if the following criteria are met:
 - ~~i.~~ Meetings were open to the public;
 - ~~ii.~~ Planning Schedules and planning teams were approved by the planning ~~and community development~~ director;
 - ~~iii.~~ Appropriate departments, boards, and commissions reviewed the plan; and
 - ~~iv.~~ That proper notification was given to nonresidential property owners and the owners of undeveloped property.
- (4) **Plan Contents.** The planning commission will evaluate the plan's contents to determine if the following criteria are met:
 - The plan contents are consistent with city policies, plans, and regulations;
 - Comments and recommendations from the pertinent city departments have been considered;
 - The elements of the plan will implement the plan's goals and objectives; and
 - Issues raised by the stakeholders which are outside the city's jurisdiction are identified.
- (5) **Interpretation—Materially Similar Uses and Densities.** The director of the planning department shall make a determination if a use not included in the definition of "Comprehensive land use category" in section 35-A101 can reasonably be interpreted to fit into a category where similar uses are described. Interpretations may be ratified by the city council upon recommendation by the planning commission at a regularly scheduled meeting. It is the intent of this article to group similar or compatible land uses into specific land use categories. The director's decision shall be recorded in writing. Should the director of the planning department determine that a materially similar category does not exist, the matter may be referred to the planning commission for consideration for amendment to this chapter to establish a specific listing for the category in question. Unless an appeal is timely filed pursuant to this chapter, a decision of the director

of the planning department pursuant to this section is deemed to be valid. If the director's interpretation is denied by city council, then decisions prior to the denial made in reliance on the director's interpretation shall be deemed to be nonconforming categories or uses. Certain special districts shall require a finding of consistency for specific project requests based on the adopted land use plan.

(f) **Comprehensive, Neighborhood, Community, Perimeter, ~~and Sector,~~ and Sub-Area Plan Amendments.**

- (1) **Applicability.** The provisions of this section apply to any application for a change to the future land use component of adopted plans or for changes to the text of community, neighborhood, perimeter, ~~or sector,~~ or sub-area plans. The comprehensive master plan is the city's long-range approved plan. The neighborhood, community, perimeter, ~~and sector,~~ and sub-area plans are elements of the comprehensive plan. An amendment to the master plan should demonstrate that a substantial public need exists and the amendatory ordinance must bear a substantial relationship to the public health, safety, morals, or general welfare or protect and preserve historical and cultural places and areas. Each application for a change to the city's ~~long-range~~ long-range plan must follow the city's comprehensive plan and should not redetermine as an original matter the city's master plan policies.
- (2) **Initiation.** Plans are prepared to address needs of the planning area, existing development patterns, and opportunities for growth ~~over the next five (5) or more years.~~ As such, physical, market and development conditions will continue to evolve within the planning areas. These variables can result in necessary changes to an adopted plan. All petitions, recommendations or proposals for changes in the future land use component of adopted plans or changes to the text of the plan shall be filed with the planning commission. Text amendments may be proposed by any person. A proposed amendment may be initiated by:
 - A. The city council by resolution; or
 - B. An application properly signed and filed by the owner or, with the owner's specific written consent, a contract purchaser or owner's agent of a property included within the boundaries of a proposed amendment, unless otherwise provided for by this chapter. ~~When an amendment is initiated, an application for such amendment shall be submitted to the director. The applicant may file an application for subdivision plat approval concurrent with an application for an amendment.~~
 - C. The director of ~~planning development services~~ pursuant to an annexation service plan or the director of development services to correct an administrative error in the rezoning or amendment of a tract of land pursuant to this chapter.

- (7) **Amendments.** Any subsequent amendments to future land use or text changes to the community, neighborhood, perimeter, ~~or sector,~~ or sub-area plan plans requires a new application and shall be processed as set forth in subsections (2) through (4) of this section.
- (g) **Reserved. Monitoring and Amendments.**

- ~~(1) **Urban Indicators and Report.** Urban indicators shall be developed as each neighborhood, community, and perimeter plan is produced. Urban indicators are qualitative or quantitative measures that assess progress towards the goals identified in the plan. A report to measure the success of plan implementation shall be prepared every two (2) years, based on the urban indicators found in each specific plan, by a coordinating group appointed by the planning and community development director consistent with the criteria established in subsection (b)(2), above, in order to implement the plan. The planning and community development director shall distribute the report to the city council and city departments. The report shall not constitute a plan amendment, but shall be considered in updating and amending the plan pursuant to subsection (2), below.~~

~~(2) **Amendments Required.** Each plan shall be subject to continuing evaluation and review by the planning and community development director and the planning commission. The planning and community development director shall establish and broadly disseminate to the public a public participation program identifying procedures whereby proposed amendments or revisions of the comprehensive plan are considered. The plan shall be reviewed by the planning commission at least once every five (5) years and if necessary amended by the city council. If the review is not performed, any property owner in the planning area may file a petition with the director of planning and development services to amend the plan. If the planning and community development director finds that the review has not been performed, he shall initiate the referenced public participation program regarding the proposed amendment and may set a schedule or deadline for the completion of the review. If the plan is not updated pursuant to a petition filed pursuant to this subsection, then subsection (h) shall not apply until such time as the plan is updated.~~

(h) **Consistency Requirements. Scope of Adopted Plan.**

(1) Adoption as a component of the city's master plan gives neighborhood plans, community plans, ~~and~~ perimeter plans, sector plans, and sub-area plans the legal effect of the master plan (unless and until such plans are repealed or superseded by an amendment or a new plan adopted pursuant to this section as master plan component). For previously adopted plans ~~referenced herein by their title and date of adoption~~ and plans adopted pursuant to this section (all referenced herein by their title, date of adoption, and adopting resolution or ordinance), the recommended comprehensive rezoning of an area and the evaluation of rezoning requests for individual parcels shall be consistent with the most recently adopted ~~neighborhood plan, community plan or perimeter~~ plan. Where plan boundaries overlap, the most recently adopted plan's land use element and future land use map shall control. The provisions of this subsection shall apply only to neighborhood ~~plans~~, community ~~plans~~, ~~and~~ perimeter, sector, and sub-area plans adopted by the city council as amendments to the city's master plan. ~~Previously adopted master plan component plans are:~~

A. Plans adopted pursuant to this section as master plan components and control for consistency determinations are:

- Brooks Area Regional Center Plan (May 2, 2019, Ordinance # 2019-05-02-0363)
- Midtown Area Regional Center Plan (June 6, 2019, Ordinance # 2019-06-06-0457)
- Medical Center Area Regional Center Plan (October 3, 2019, Ordinance # 2019-10-03-0814)
- UTSA Area Regional Center Plan (October 3, 2019, Ordinance # 2019-10-13-0815)
- Downtown Area Regional Center Plan (December 5, 2019, Ordinance # 2019-12-05-0998)
- Port San Antonio Area Regional Center Plan (December 2, 2021, Ordinance # 2021-12-02-0923)
- Highway 151 and Loop 1604 Area Regional Center Plan (April 14, 2022, Ordinance # 2022-04-14-0275)

B. Previously adopted master plan component plans that may control for consistency determinations until a sub-area plan is adopted pursuant to this section are:

- Downtown Neighborhood Plan (May 13, 1999, Ordinance # 89770), Downtown East Neighborhood Plan Update (December 4, 2008, Ordinance # 2008-12-04-1126), and Downtown West Neighborhood Plan (January 15, 2009, Ordinance # 2009-01-15-0034)
- South Central San Antonio Community Plan (August 19, 1999, Ordinance # 90309) and Update (November 10, 2005, Ordinance # 101664)
- Camelot 1 Neighborhood Plan Update (September 23, 1999, Ordinance # 90553), Update (August 26, 2004, Ordinance # 99619), and Update (February 18, 2010, Ordinance # 2010-02-18-0158)

- [River Road Neighborhood Plan \(August 17, 2000, Ordinance # 92344\) and Update \(March 23, 2006, Ordinance # 2006-03-23-0405\)](#)
 - [Oakland Estates Neighborhood Plan \(August 31, 2000, Ordinance # 92440\) and Update \(April 19, 2007, Ordinance # 2007-04-19-0460\)](#)
 - [Midtown Neighborhoods Neighborhood Plan \(October 12, 2000, Ordinance # 92700\)](#)
 - [IH-10 East Corridor Perimeter Plan \(February 22, 2001, Ordinance # 93493\) and Update \(March 20, 2008, Ordinance # 2008-03-20-0231\)](#)
 - [Northeast Inner Loop Neighborhood Plan \(March 22, 2001, Ordinance # 93626\) and Update \(August 7, 2008, Ordinance # 2008-08-07-0677\)](#)
 - [Government Hill Neighborhood Plan \(September 20, 2001, Ordinance # 94594\), Update \(October 16, 2008, Ordinance # 2008-10-16-0954\), and Update \(November 4, 2010, Ordinance # 2010-11-04-0970\)](#)
 - [North Central Community Plan \(February 14, 2002, Ordinance # 95324\)](#)
 - [Near Northwest Community Plan \(February 14, 2002, Ordinance # 95325\)](#)
 - [Highlands Community Plan \(April 4, 2002, Ordinance # 95578\)](#)
 - [Huebner/ Leon Creeks Community Plan \(August 21, 2003, Ordinance # 98049\) and Update \(August 20, 2009, Ordinance # 2009-08-20-0665\)](#)
 - [Arena District/ Eastside Community Plan \(December 4, 2003, Ordinance # 98562\)](#)
 - [Nogalitos/ South Zarzamora Community Plan \(September 30, 2004, Ordinance # 99820\) and Update \(June 18, 2009, Ordinance # 2009-06-18-0537\)](#)
 - [Greater Dellview Area Community Plan \(September 29, 2005, Ordinance # 101499\)](#)
 - [Kelly / South San PUEBLO Community Plan \(February 15, 2007, Ordinance # 2007-02-15-0190\), Update \(June 18, 2009, Ordinance # 2009-06-18-0538\) and Update \(February 18, 2010, Ordinance # 2010-02-18-0153\)](#)
 - [Guadalupe/ Westside Community Plan \(May 3, 2007, Ordinance # 2007-05-03-0508\)](#)
 - [Stinson Airport Vicinity Land Use Plan \(April 2, 2009, Ordinance # 2009-04-02-0252\)](#)
 - [Eastern Triangle Community Plan \(May 21, 2009, Ordinance # 2009-05-21-0436\)](#)
 - [Ingram Hills Neighborhood Plan \(May 21, 2009, Ordinance # 2009-05-21-0442\)](#)
 - [Dignowity Hill Neighborhood Plan/ Eastside Reinvestment Plan \(December 3, 2009, Ordinance # 2009-12-03-0991\)](#)
 - [San Antonio International Airport Vicinity Land Use Plan \(May 20, 2010, Ordinance # 2010-05-20-0453\)](#)
 - [North Sector Plan \(August 5, 2010, Ordinance # 2010-08-05-0672\)](#)
 - [Heritage South Sector Plan \(September 16, 2010, Ordinance # 2010-09-16-0811\)](#)
 - [West/ Southwest Sector Plan \(April 21, 2011, Ordinance # 2011-04-21-0331\)](#)
 - [United Southwest Communities Plan Update \(June 16, 2011, Ordinance # 2011-06-16-0526\)](#)
 - [Northwest Community Plan Update \(June 16, 2011, Ordinance # 2011-06-16-0528\)](#)
 - [Lone Star Community Plan \(March 21, 2013, Ordinance # 2013-03-21-0214\)](#)
- ~~A. Camelot 1 Update neighborhood plan (September 23, 1999).~~
- ~~B. Downtown neighborhood plan (May 13, 1999).~~

- ~~C.—Five Points neighborhood plan (February 3, 2000).~~
- ~~D.—IH-10 East Corridor perimeter plan (February 22, 2001).~~
- ~~E.—Midtown neighborhoods plan (October 12, 2000).~~
- ~~F.—Northwest community plan (September 24, 1998).~~
- ~~G.—Northeast Inner Loop neighborhood plan (March 22, 2001).~~
- ~~H.—Oakland Estates neighborhood plan (August 31, 2000).~~
- ~~I.—River Road neighborhood plan update (August 17, 2000).~~
- ~~J.—South Central San Antonio community plan (August 19, 1999).~~
- ~~K.—Westfort Alliance neighborhood plan (September 25, 1997).~~

- (2) Some previous plans were adopted as components of the city's master plan and have been partially superseded by the adoption of a more recent plan or update. The most recently adopted plan shall control over any conflict where plan boundaries overlap. The older plan remains in effect for elements not addressed in the more recent plan or update, and ~~in addition to the plans adopted pursuant to this section, the following plans referenced herein by their title and date of adoption~~ may be considered as a guide ~~in evaluating a comprehensive rezoning or a rezoning request (see subsection 35-421(e)(1) of this article)~~ unless and until such plans are repealed or superseded by an amendment or a new plan adopted pursuant to this section. Previously adopted plans that no longer require consistency determinations for comprehensive rezoning or rezoning requests are:

- [Monte Vista Neighborhood Plan \(July 7, 1988, Resolution # 88-29-35\)](#)
- [Meadow Village Neighborhood Plan \(February 25, 1993, Resolution # 93-09-12\)](#)
- [Tanglewoodridge Neighborhood Plan \(April 28, 1994, Resolution # 94-21-21\)](#)
- [Westfort Alliance Neighborhood Plan \(September 25, 1997, Resolution # 97-40-34\)](#)
- [Five Points Neighborhood Plan \(February 3, 2000, Ordinance # 91227\) and Update \(August 6, 2009, Ordinance # 2009-08-06-0621\)](#)
- [Lavaca Neighborhood Plan \(September 27, 2001, Ordinance # 94640\)](#)
- [Mahncke Park Neighborhood Plan \(September 27, 2001, Ordinance # 94641\)](#)
- [Westfort Alliance Neighborhood Plan \(May 29, 2003, Ordinance # 97713\)](#)
- [HemisFair Park Area Master Plan \(March 25, 2004, Ordinance # 99009\)](#)
- [Highlands Community Plan Update \(December 6, 2007, Ordinance # 2007-12-06-1276\)](#)
- [South Central San Antonio Community Plan Update \(December 6, 2007, Ordinance # 2007-12-06-1276\)](#)
- [Tobin Hill Neighborhood Plan \(February 21, 2008, Ordinance # 2008-02-21-0146\)](#)
- [River North Master Plan \(March 19, 2009, Ordinance # 2009-03-19-0224\)](#)

- ~~A.—Alamo Farmsteads neighborhood plan (December 22, 1994).².~~
- ~~B.—Alamedome neighborhood plan (May 13, 1993).~~
- ~~C.—Jefferson neighborhood plan update (November 20, 1997).~~
- ~~D.—Mahncke Park/Narcissa Place neighborhood plan (August 11, 1983).~~
- ~~E.—Meadow Village neighborhood plan (February 25, 1993).~~

- ~~F. Monte Vista neighborhood plan (July 7, 1988).~~
- ~~G. North Shearer Hills neighborhood plan (April 8, 1993).~~
- ~~H. South Riverbend neighborhood plan (January 21, 1988).~~
- ~~I. Tanglewoodridge neighborhood plan (April 28, 1994).~~
- ~~J. Tobin Hill neighborhood plan (September 24, 1987).~~
- ~~K. Woodlawn Hills/Ingram Hills neighborhood plan (June 4, 1992).~~

~~(Ord. No. 95573 § 8, Amendment "H") (Ord. No. 98697 § 1 and 6) (Ord. No. 98698 § 3) (Ord. No. 2010-11-18-0985, § 2, 11-18-10; Ord. No. 2015-12-17-1077, § 2, 12-17-15; Ord. No. 2018-10-11-0815, § 2, 10-11-18)~~

~~²The Alamo Farmsteads neighborhood plan shall qualify as a guide for rezoning requests only if the neighborhood files a valid application for a new plan pursuant to this section by the effective date of this chapter.~~

~~**Editor's note** — Ord. No. 2015-12-17-1077, § 2, adopted Dec. 17, 2015, changed the title of § 35-420 from "Comprehensive, neighborhood, community and perimeter plans" to "Comprehensive, neighborhood, community, perimeter and sector plans." This historical notation has been preserved for reference purposes.~~

Chapter 35, Article IV, Section 35-421 is amended as follows:

'Sec. 35-421. – Zoning Amendments.'

- (d) **Consistency.** For all applications for rezoning, the development services department, based on the information provided by the applicant, shall make a determination regarding consistency with the policies contained in the master plan of the city or if applicable the land use element of a neighborhood, community, perimeter, ~~or sector,~~ or sub-area plan adopted pursuant to section 35-420 of this chapter, within five (5) working days.
- (1) If the development services department makes a determination that the requested rezoning is inconsistent with the master plan policies or the land use element of the applicable neighborhood, community, ~~or sector plan~~ perimeter, sector, or sub-area plan, then the application for rezoning shall not be deemed complete until a completed application for a master plan amendment is filed with the development services department. The requested rezoning shall not be considered by the city council until the planning commission has considered the master plan amendment request.
 - (2) If the development services department determines that the requested change is consistent with the master plan policies or the land use element of the applicable neighborhood, community, ~~or perimeter,~~ sector, or sub-area plan, then the zoning case may be deemed complete without an amendment to the master plan of the city.
 - (3) The appellate agency for purposes of consistency determination shall be the planning commission.
Commentary: The master plan is the comprehensive plan for the physical development of the city, as prescribed in the City Charter. The master plan includes any unit or part of such plan separately adopted and any amendment to such plan or part thereof. Neighborhood, community, perimeter, ~~and sector,~~ and sub-area plans are components of the master plan (see Sec. 35-420).
- (e) **Decision.** Upon certification by the director that the application is complete and required fees have been paid, the application shall be deemed complete and referred to the zoning commission for its review and recommendation as provided by V.T.C.A. Local Government Code § 211.007.

- (3) **City Council.** After the final report of the zoning commission is submitted to the city council as provided in subsection (2) above the council shall consider a zoning change after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Before the fifteenth day prior to the date of the hearing, notice of the time and place of the hearing shall be published in an official newspaper or a newspaper of general circulation in the city. After the receipt of the final report of the zoning commission, the city council shall approve or deny the rezoning or text amendment in accordance with V.T.C.A. Local Government Code § 211.007.

If the proposed rezoning is inconsistent with the land use plan of a neighborhood plan, community plan, perimeter plan, ~~or~~ sector plan, or sub-area plan, an application for an amendment to the controlling neighborhood plan, community plan, perimeter plan, or sector plan, shall be submitted by the applicant.

Amendments to both the official zoning map and the neighborhood plan, community, perimeter plan, ~~or~~ sector, or sub-area plan, may be considered concurrently.

Chapter 35, Article IV, Section 35-430 is amended as follows:

‘Sec. 35-430. – Applicability and General Rules.’

- (c) **Plat Exceptions.** In accordance with V.T.C.A. Local Government Code §§ 212.004 and 212.0045 the platting exceptions set forth below are established. Applicants exempt from subdivision plat approval may be subject to development plat approval requirements pursuant to section 35-432 of this article. Habitable uses within the regulatory floodplain shall always require platting. The applicant for plat exception shall provide proof of ownership in the form of a warranty deed and a current tax certificate with indication of no taxes due. The department of development services may issue building permits, and public utility providers may provide utility service, on any unplatted parcel otherwise subject to this section for the following activities:

- (11) Nonhabitable uses as defined by the International Building Code or Residential Code and accessory uses that are subordinate to another use shall not require a subdivision plat. Nonhabitable uses may include: pumps, oil wells, sheds, security lights, traffic devices, monuments, signs/billboards, utility equipment huts, ~~communication towers, public infrastructure, or utility-related infrastructure including but not limited to: electrical substations, water towers, and communication towers~~ ~~or public infrastructure~~ shall not require a subdivision plat. This shall also include fences as well as unenclosed structures such as porches, carports, decks, gazebos and pavilions.
- (12) Public parks and golf courses owned, operated, or maintained by a governmental entity shall not require a subdivision plat. This exception shall not include athletic facilities such as stadiums, natatoriums, ~~concession facilities~~ or similar improvements within park facilities.

- (17) A commercial and/or multi family lot is located within the original thirty-six (36) square mile area of San Antonio, and the boundaries of the lot were recorded in the Deed and Plat Records of Bexar County prior to June 14, 1927 and the lot remains in its original configuration. It shall be the obligation of the applicant for plat exception to provide documentation of the lot's recording prior to June 14, 1927.
- (18) An Urban Farm or Greenhouse as each is described in this chapter so long as each of the following criteria are met:
- The division does not create a lot smaller than 5,000 square feet in area except where the substandard parcel to be developed under this subsection is pre-existing;
 - There are no habitable structures on site (habitable does not include a utility shed);

c. [There are no permanent toilets on site;](#)

Chapter 35, Article IV, Section 35-431 is amended as follows:

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

(h) Scope of Approval. A letter of certification does not authorize the development or subdivision of land. Upon receipt of all letters of certification, the applicant may submit an application for subdivision plat approval.

Letters of certification shall remain valid ~~until expiration of the application for nine (9) months~~ from the date of issuance by the certifying department/agency, unless the project incurs any of the following changes: increasing the size of the plat, increases in the number of dwelling units, decrease in open space, or the addition/deletion/modification of easements. If any of these changes do occur after the Letter of Certification (LOC) was issued ~~After that time period~~, new or updated letters of certification shall be required to file a proposed plat with the planning commission.

The director's decision to classify a subdivision as major or minor is based upon information provided by the applicant. If the conditions relating to the classification of a subdivision as major or minor change (such as an increase in the number of lots or a subsequent application for a subdivision variance), the letters of certification shall become null and void and the applicant shall refile the request for letters of certification.

Chapter 35, Article IV, Section 35-432 is amended as follows:

'Sec. 35-432. – Procedures for Subdivision Plat Approval.'

(i) Recording Procedures.

- (1) **Fees.** At the time an application for a plat located within the city limits is submitted to the director of development services, the applicant shall deposit fees covering the cost of recording the plat. Such fees shall be in the form of a check made payable to the City of San Antonio.
- (2) **Recordation.** The director of development services shall release for recordation an approved plat in the deed and plat records of the county within which the plat is located, provided the property owner consents in writing, outstanding liens imposed by the city (on sites cleared of debris, removal of health hazards, over growth and/or the razing of unsafe building(s)) is resolved and approved by the director of finance, and the plat meets applicable conditions:
 - A. No site improvements are required;
 - B. All required site improvements have been completed and accepted by the director of development services;
 - C. A performance agreement and a guarantee of performance as described in section 35-437 have been filed with and approved by the director of development services and the city attorney's office as to form; and/or
 - D. All required impact and drainage fees have been paid. For residential subdivisions with detention, detention ponds must be completed prior to plat recordation.

Chapter 35, Article IV, Section 35-441 is amended as follows:

'Sec. 35-441. - Amending Plats.'

The purpose of this section is to provide a streamlined and efficient process for the combination of parcels or the replat of parcels. Pursuant to V.T.C.A. Local Government Code § 212.0045, a municipality need not require platting for every division of land otherwise within the scope of the state subdivision enabling legislation. V.T.C.A. Local Government Code § 212.0065 authorizes the city to authorize amending plats to be approved administratively.

- (b) **Initiation.** A subdivider wishing to amend an approved plat shall file with the department of planning and development services the amending plat, together with a copy of the plat being amended and a statement detailing the amendments being proposed. The director of planning and development services will determine the extent to which the amending plat will require review by the various departments and agencies of the city. ~~It is noted, however, if the request is to add, relocate or delete an easement or restriction, with the exception of a no-build or conservation easement; then limited circulation shall not apply.~~ If the plat being amended has been recorded, the additional recordation fee shall be deposited with the city at the time of plat filing.

'DIVISION 5. - HISTORIC AND DESIGN REVIEW'

[Procedures related to Historic Preservation and Urban Design are located in Article VI of this chapter –Historic Preservation and Urban Design.](#)

STATEMENT OF PURPOSE

~~This division implements the following policy of the master plan:~~

- ~~•Urban Design, Policy 1b: Adopt an urban design review process for giving physical design direction to urban growth, conservation and character.~~
- ~~•Goal 2: Preserve and enhance the city's historic resources.~~

~~'Sec. 35-450. – General Rules.'~~

- ~~(a) **Area of Jurisdiction.** A certificate of appropriateness is required and shall be secured by a party prior to the issuance of a permit from the department of development services before said party will be allowed to undertake activities affecting a designated historic landmark, property within a designated historic district, a state archaeological landmark, a recorded Texas historical landmark, property within a National Register Historic District, property listed on the National Register of Historic Places, a National Historic Landmark, property within the river improvement overlay district, property within a mission protection overlay district, public property, public rights-of-way, or public art.~~

- ~~(b) **"Commission" Defined.** For purposes of this division, the term "commission" refers to the historic and design review commission.~~

~~(Ord. No. 2014-10-02-0742, § 2, 10-2-14)~~

~~'Sec. 35-451. – Certificate of Appropriateness.'~~

- ~~(a) Applications proposing work or changes to the exterior of a landmark, in a historic district, in a river improvement overlay district, viewshed protection or mission protection overlay district, or a property identified as an eligible resource or recommended for historic designation in accordance [with] subsection 35-453(a) shall require review for appropriateness with the provisions of this article, and any adopted design guidelines. In addition, the demolition or relocation of any structure designated historic shall also require review for appropriateness in the same manner. Such applications may include, but are not limited to:~~

- ~~(1) Construction and reconstruction,~~
- ~~(2) Alteration, additions, restoration and rehabilitation,~~

- ~~(3) Relocation,~~
 - ~~(4) Stabilization,~~
 - ~~(5) Signage,~~
 - ~~(6) Landscaping,~~
 - ~~(7) Construction or reconstruction of a parking lot,~~
 - ~~(8) Construction or reconstruction of an appurtenance,~~
 - ~~(9) Acquisition or deaccessioning of artwork,~~
 - ~~(10) Demolition, and~~
 - ~~(11) Lighting, furniture and seating plan, and awnings and umbrellas within the Riverwalk area and in the public right-of-way.~~
- ~~(b) **Initiation.** Applications for certificates of appropriateness shall be referred to the historic preservation officer. In the case of an application for new infill development or redevelopment of property zoned "D" Downtown, the application shall be referred to the commission by the director of the planning and community development department and shall be guided by procedures specified in the Downtown Design Guide in Appendix G of this chapter (35-G104). In the case of an application for demolition, the commission shall be guided by procedures specified in sections 35-614 to 35-617 of this chapter.~~
- ~~(c) **Completeness Review.** The historic preservation officer shall review an application for a certificate of appropriateness in accordance with section 35-402 of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission.~~
- ~~(d) **Decision.**~~
- ~~(1) **Commission Review.** The commission shall make its written final recommendation to either approve, deny, or approve with stipulations the application within sixty (60) days after the historic preservation officer's receipt of the completed application. Applications forwarded to the commission shall include all required materials and documents from the applicant. If the commission does not make its final recommendation within a sixty-day period, the application shall be deemed recommended by the commission for approval and the city manager or her designee shall either approve, deny or approve with conditions the application within five (5) days of the applicant's demand. The sixty-day time period may be extended up to three additional times, with each time not exceeding thirty (30) days, with the concurrence of the applicant if additional time is required for the preparation of information or for research required by the commission. In cases involving demolition applications, the Historic Preservation Officer may extend this timeline consistent with subsection 35-455(d).~~
 - ~~(2) **City Manager Review.** Upon receipt of the recommendation by the commission, or on their own initiative, the city manager or designee may implement such recommendation by notifying the applicant within ten (10) business days from receipt of such recommendation that the application has been approved, conditionally approved, or disapproved. The city manager designee for this purpose shall be the historic preservation officer, unless the city manager chooses to designate otherwise. The city manager or designee shall also submit a copy of the decision to the commission for its information, to the department of planning and development services for issuance of permits, and to other departments, as applicable. The city manager or designee shall assure the decision is based on the criteria established by the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, and was considered by the commission in the determination as to issuance or denial of any certificate.~~
 - ~~(3) **Appeal.** An applicant for a certificate may appeal the decision of the city manager or designee to the board of adjustment within thirty (30) days after receipt of notification of the city manager's action. The applicant shall be advised by the city manager or designee of the time and place of the hearing at which the appeal will be considered and shall have the right to attend and be heard as to the reasons for filing the appeal. In determining whether or not to grant the appeal, the board of adjustment shall consider the same factors as the commission and the report of the commission. If the board of adjustment approves the application, it shall direct the city manager or designee to issue a certificate for the work covered. If~~

~~the board of adjustment disapproves the application, it shall direct the city manager or designee not to issue such certificate. Such disapproval may indicate what changes in the plans and specifications would meet the conditions. Upon receipt of the written disapproval of the board of adjustment, the city manager or designee shall immediately advise the applicant and the commission in writing.~~

~~(e) **Approval Criteria** (See article VI of this chapter.)~~

~~(f) **Subsequent Applications.** In the case of disapproval of an application by the board of adjustment, a new application for the same work shall not be resubmitted for consideration until one (1) year has elapsed from the date of disapproval unless the indicated changes in the plans and specifications required to meet the conditions have been incorporated into the new application. The commission, by a majority of its membership, may waive the aforementioned time frame if the application presents new substantial evidence. If such waiver is granted, a new application shall be filed with the historic preservation officer.~~

~~(g) **Amendments.** A certificate of appropriateness shall be amended in the same manner as the approval of the original application.~~

~~(h) **Scope of Approval.** A certificate of appropriateness shall authorize only those modifications to a building or structure requested in the application and approved as provided herein. The historic and design review commission shall recommend approval, denial, or approval with conditions for the application before it, unless said application is revised with the consent of the applicant. Following commission approval of final design, defined as eighty (80) percent working drawings, and issuance of a certificate, an applicant must secure permits within one hundred eighty (180) days and start work within one hundred eighty (180) days of issuance of permits or the certificate becomes null and void and of no force or effect. Thereafter, the applicant must reapply for reissuance of a certificate to the historic preservation officer. The historic preservation officer will determine whether significant changes have occurred to the final design. If the historic preservation officer determines that significant changes have occurred, then plans must be resubmitted to the commission for rehearing and action.~~

~~(i) **Recording Procedures.** A certificate of appropriateness need not be recorded, but shall be maintained and displayed by the applicant on the premises. The historic preservation officer shall also retain a copy of the certificate of appropriateness for public inspection.~~

~~(Ord. No. 95352 § 4) (Ord. No. 98697 § 1, 4 and 6) (Ord. No. 2009-01-15-0001, § 2, 1-15-09) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2011-03-31-0240, § 2, 3-31-11) (Ord. No. 2014-04-03-0206, § 6, 4-3-14; Ord. No. 2015-12-17-1077, § 2, 12-17-15; Ord. No. 2017-10-05-0756, § 1 (Att. A), 10-5-17; Ord. No. 2017-12-14-1010, § 2, 12-14-17)~~

~~‘Sec. 35-452. Certificate of Appropriateness for Administrative Approval.’~~

~~(a) **Applicability.** The provisions of this section apply to a certificate of appropriateness requesting ordinary repair and maintenance and certain minor alterations or additions reviewed and approved~~

~~(b) **Initiation.** Applications for a certificate of appropriateness to authorize ordinary maintenance and repair or certain minor alterations or additions reviewed and approved administratively shall be submitted to the historic preservation officer.~~

~~(c) **Completeness Review.** The historic preservation officer shall review an application for a certificate of appropriateness in accordance with section 35-402 of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission.~~

~~(d) **Decision.** Applications for ordinary repair and maintenance may be approved by the city manager or their designee. The decision may be appealed in the same manner as set forth in section 35-481.~~

~~(e) **Approval Criteria.** (See article VI, section 35-611 of this chapter.)~~

~~(f) **Subsequent Applications.** (See subsection 35-451(f) of this chapter.)~~

~~(g) **Amendments.** (See subsection 35-451(g) of this chapter.)~~

~~(h) **Scope of Approval.** (See subsection 35-451(h) of this chapter.)~~

~~(i) **Recording Procedures.** (See subsection 35-451(i) of this chapter.)~~

~~(Ord. No. 98697 § 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10; Ord. No. 2015-12-17-1077, § 2, 12-17-15)~~

~~'Sec. 35-453. — Permits Affecting Properties Identified as Eligible Resources or Recommended by the Historic Design and Review Commission for Historic Designation.'~~

~~(a) **Applicability.**~~

~~(1) When an application is made on a building, object, site or structure that has been determined by the historic preservation officer to be an eligible resource for historic designation in accordance with this section, and when written notice informing the property owner of such a determination has been provided, then the provisions of this division shall apply to the property until the lesser of one hundred eighty (180) days of the notification or action by city council on the recommendation for designation.~~

~~(2) When an application is made on a building, object, site or structure recommended by the commission for designation as a historic landmark or of a building, object, site, structure or unimproved land located within an area recommended by the commission for designation as a historic district, then the provisions of this division shall apply to the property until action by city council on the recommendation for designation.~~

~~(b) **Initiation.** The applicant may apply to the commission for review of a proposed project prior to final city council action on the designation request.~~

~~(c) **Completeness Review.** The historic preservation officer shall review the application in accordance with section 35-402 of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(e) of this chapter) shall be the historic and design review commission.~~

~~(d) **Decision.** The commission shall review the application using criteria set forth in this section and shall follow all regulations and procedures used to review historic landmarks and properties in historic districts. Certificates may be issued following commission approval. Should the commission deny the applicant's request, the applicant may appeal to city council following procedures in this subdivision.~~

~~(e) **Approval Criteria.** The city council may authorize issuance of a certificate on a resource recommended by the commission for designation if, by formal resolution, it deems the certificate necessary for public health, welfare, or safety.~~

~~(f) **Subsequent Applications.** (Not applicable.)~~

~~(g) **Amendments.** (Not applicable.)~~

~~(h) **Scope of Approval.** Should the city council fail to designate the recommended building, object, site, structure or cluster as a historic landmark or the recommended area as a historic district, the director of planning and development services shall issue permits requested providing all City Code requirements are met.~~

~~(i) **Recording Procedures.** See subsection 35-451(i) of this chapter.~~

~~(Ord. No. 98697 § 1, 4 and 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-~~

~~0985, § 2, 11-18-10; Ord. No. 2017-10-05-0756, § 1(Att. A), 10-5-17)~~

~~'Sec. 35-454. — Review of Plans for City-Owned Properties.'~~

~~(a) **Applicability.** The City of San Antonio and all of its boards, agencies and utilities and those corporations, firms or individuals engaged in the furnishing of telephone service, cable television, wireless service, or other public utilities to the public, shall submit plans for any construction, reconstruction, alteration, restoration, rehabilitation, relocation, stabilization, or demolition affecting any public building, object, site, structure, accessory building,~~

~~fence, or other appurtenance in any city owned property or any activity which may upon completion obstruct any designated vista for review according to procedures set forth by this article, Notwithstanding the provisions of section 35-104 of this chapter.~~

~~(b) **Initiation.** Prior to accepting construction bids on work to be done on public property, the commission, agency, utility, corporation, firm or individual shall submit to the commission project designs for review and recommendation.~~

~~(c) **Completeness Review.** The historic preservation officer shall review the plan review application for completeness in accordance with subsection 35-451(e) of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(e) of this chapter) shall be the historic and design review commission.~~

~~(d) **Decision.** (See subsection 35-451(d) of this chapter.)~~

~~(e) **Approval Criteria.** (See article VI, division 2 of this chapter.)~~

~~(f) **Subsequent Applications.** (See subsection 35-451(f) of this chapter.)~~

~~(g) **Amendments.** (See subsection 35-451(g) of this chapter.)~~

~~(h) **Scope of Approval.** (See subsection 35-451(h) of this chapter.)~~

~~(i) **Recording Procedures.** (See subsection 35-451(i) of this chapter.)~~

~~(Ord. No. 98697 § 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10)~~

~~*****~~

~~'Sec. 35-455. Demolition Permit Applications.'~~

~~(a) **Applicability.** The provisions of this section apply to any application for demolition of a historic landmark (section 35-614 of this chapter). The provisions of this section apply to any historic landmark or any property located within a historic district~~

~~(b) **Initiation.**~~

~~(1) **Historic Landmarks and Contributing Properties.** The applicant shall submit all necessary materials to the historic preservation officer, hereafter referred to as the HPO, at least fifteen (15) days prior to the HPO hearing in order that staff may review and comment and/or consult on the case. Staff and/or professional comments shall be forwarded to the HPO for consideration and review and made available to the applicant for consideration prior to the hearing. The HPO may require that an applicant furnish such additional information that is relevant to its determination of unreasonable economic hardship and may require that such additional information be furnished under seal. The HPO or its agent may also furnish additional information as the HPO believes is relevant. The HPO shall also state which form of financial proof it deems relevant and necessary to a particular case. In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.~~

~~(2) **Other Demolition Permits.** All applications for permits to demolish buildings, objects, sites, or structures which are not historic landmarks, contributing properties, or an intrusion in the district shall be referred to the city HPO for the purpose of determining whether or not the building, object, site, or structure may have historical, cultural, architectural, or archaeological significance.~~

~~(c) **Completeness Review.** The historic preservation officer shall review the demolition permit application for completeness in accordance with subsection 35-451(e) of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(e) of this chapter) shall be the historic and design review commission.~~

~~(d) **Decision.**~~

~~(1) **Historic Landmarks.** Whenever an application for a certificate regarding the demolition of a landmark is submitted to the historic and design review commission, the historic and design review commission shall not hold a public hearing on the application for sixty (60) days from the date the application is received by the~~

~~office of historic preservation. This time period is intended to permit the city historic preservation officer to discuss the proposed demolition informally with the property owner, other city officials, registered neighborhood associations, and local preservation organizations, to see if an alternative to demolition can be found before a formal consideration of the application by the historic and design review commission. At least one meeting with the registered neighborhood association shall occur within this period if the proposed demolition is located within a historic district. The historic preservation officer shall prepare, as a part of the submission, a report to the historic and design review commission analyzing alternatives to demolition, and request from other city departments or agencies information necessary for the preparation of this report.~~

~~If within this sixty-day period any one (1) of the following three (3) events shall occur, the historic and design review commission may defer hearing the application for six (6) months and it shall be considered to have been withdrawn by the applicant during such six-month period:~~

- ~~•The owner shall enter into a binding contract for the sale of the property,~~
- ~~•Approved arrangements shall be made for the structure to be moved to an approved new location, or~~
- ~~•The City of San Antonio shall determine to condemn the property and take it by the power of eminent domain for rehabilitation or reuse by the city or other disposition with appropriate preservation restrictions in order to promote the historic preservation purposes of this chapter to maintain the structure and protect it from demolition.~~

~~If within the sixty-day period none of the three (3) events summarized above shall have occurred, the historic and design review commission shall schedule a hearing on the demolition application at its next regularly scheduled meeting following the expiration of the sixty-day period, shall request all knowledgeable parties to comment at the hearing on the proposed demolition, and shall make its written recommendation within thirty (30) days after hearing the request for demolition. The historic and design review commission shall also request the city engineer or a third-party consultant to prepare a report on the state of repair and structural stability of the structure for which an application to demolish has been filed. This report shall be presented to the city HPO prior to the date of the historic and design review commission's hearing on the demolition permit application, and shall become part of the administrative record on the application.~~

- ~~(2) **Other Demolition Permits.** If the property is not a historic landmark, contributing property, or an intrusion in the district, the historic preservation officer shall determine whether or not the building, object, site, or structure may have historic, cultural, architectural, or archaeological significance within thirty (30) days after receipt of the completed application. In making this determination, the historic preservation officer shall apply the appropriate definitions in appendix A of this chapter, as well as any applicable standards or guidelines adopted by the city council. If the building, object, site, or structure is determined to have no cultural, historical, architectural, or archaeological significance, a demolition permit may be issued immediately, provided such application otherwise complies with the provisions of the demolition ordinance and all city code requirements. If the building, object, site, or structure is found to have significance and is determined to an eligible resource for historic designation in accordance with this section, the historic preservation officer shall notify the owner of the property in writing of such determination in accordance with this division. The historic preservation officer shall retain a written statement summarizing the reasons for their determination for such period as required under applicable record retention laws as followed by the city clerk's office. The historic preservation officer shall make such information available to the historic and design review commission for review and recommendation as to significance. If the historic and design review commission concurs in the significance, the historic and design review commission shall recommend that the building, object, site, or structure be designated as a historic landmark. Following such determination, the applicant may request a demolition permit by following the procedures for historic landmarks or properties within a historic district as prescribed in this section.~~

~~(e) **Approval Criteria.** See article VI, section 35-614 of this chapter.~~

- ~~(1) **Historic Landmark.** Should the applicant for a certificate regarding demolition of a historic landmark satisfy the historic and design review commission that he will suffer an unreasonable economic hardship if a~~

~~demolition permit is not issued, or, in failing to demonstrate unreasonable economic hardship, the applicant demonstrates loss of significance which dictates demolition of the significant historic landmark, the historic and design review commission shall recommend approval of a certificate for the issuance of a demolition permit.~~

~~(2) **Contributing Property.** Should the applicant for certificate regarding demolition of a contributing property in a historic district satisfy the historic and design review commission that he will suffer an unreasonable economic hardship if a demolition permit is not issued, or, in failing to demonstrate unreasonable economic hardship, the applicant demonstrates loss of significance which dictates demolition of the property, the historic and design review commission shall recommend approval of a certificate for the issuance of a demolition permit.~~

~~(3) **Property Deemed to be an Intrusion into the District.** In those cases in which the historic and design review commission finds that a building, object, or structure proposed for demolition is located in a historic district, but is considered an intrusion in the district, the historic and design review commission shall reaffirm the evaluation of the resource as an intrusion using criteria set forth in this article prior to recommending approval of a certificate regarding demolition. When the resource is determined to be an intrusion, the historic and design review commission shall not recommend approval of a certificate regarding demolition unless the property owner agrees to minimum landscape and maintenance requirements as specified under sections 35-615 through 35-616 and all other city ordinances and codes. In any event, when the historic and design review commission recommends approval of such certificate, demolition permits for buildings, objects, sites, or structures in historic districts shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies.~~

~~(f) **Subsequent Applications.** (See subsection 35-451(f) of this chapter.)~~

~~(g) **Amendments.** (See subsection 35-451(g) of this chapter.)~~

~~(h) **Scope of Approval.**~~

~~(1) **Other Agency Approval Required.** When the historic and design review commission recommends approval of a certificate regarding demolition of buildings, objects, sites, or structures in historic districts, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies.~~

~~(2) **Replacement Plans.** Following recommendation for approval of demolition, the applicant must seek approval of replacement plans consistent with the criteria set forth in sections 35-609 to 35-613 prior to receiving a demolition permit and other permits. Replacement plans for this purpose shall include, but shall not be restricted to, project concept, preliminary elevations and master development plans, and completed working drawings for at least the foundation plan which will enable the applicant to receive a permit for foundation construction. Applicants that have received a recommendation for a certificate and approval of required replacement plans shall be permitted to receive such demolition permit without additional historic and design review commission action on demolition, following the posting by the applicant of a performance bond and a payment bond in an amount sufficient to cover all construction costs and to inure to the benefit of the City of San Antonio. If a contractor has been selected, then the bonds may come from the contractor and shall inure first to the benefit of the City of San Antonio, second to the benefit of the developer.~~

~~(3) **Certificate for New Construction.** Applicants that have received an approval of a certificate regarding demolition shall be permitted to receive a demolition permit without additional historic and design review commission action on demolition, following the historic and design review commission's recommendation of a certificate for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of section 35-609, new construction, are met, and the property owner provides financial proof of his ability to complete the project.~~

~~(j) **Recording Procedures.** (See subsection 35-451(i) of this chapter.) Applicants that have received a recommendation for a certificate for demolition of a historic landmark shall document buildings, objects, sites or structures which are intended to be demolished with 35mm slides or prints, preferably in black and white, and supply a set of slides or prints to the historic preservation officer. Applicants shall also prepare for the historic preservation officer a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer for other preservation and restoration activities.~~

~~(Ord. No. 98697 § 4 and 6) (Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10; Ord. No. 2015-12-17-1077, § 2, 12-17-15; Ord. No. 2017-10-05-0756, §1(Att. A), 10-5-17; Ord. No. 2017-12-14-1010, § 2, 12-14-17)~~

~~'Sec. 35-456. Certificate of Appropriateness for "D" Downtown Zoning District.'~~

- ~~(a) Applications proposing infill development projects or redevelopment projects on property zoned "D" Downtown Zoning District shall require review for appropriateness with the provisions of section 35-G101 (Downtown Design Guide).~~
- ~~(b) Initiation. Applications for certificates of appropriateness for projects in the "D" Downtown Zoning District shall be referred to the historic and design review commission by the director of the planning and community development department.~~
- ~~(c) Review Process. The review process shall be as specified in the Downtown Design Guide in Appendix G of this chapter (35-G101).~~

~~(Ord. No. 2014-04-03-0206, § 6, 4-3-14)~~

~~'Secs. 35-457 to 35-469. Reserved.'~~

Chapter 35, Article IV, Section 35-481 is amended as follows:

'Sec. 35-481. -Appeals to Board of Adjustment.'

(a) Applicability.

- (1) **Generally.** Pursuant to Section 211.010 of the Texas Local Government Code, there are hereby established two separate tiers of appeals to the Board of Adjustment. ~~Except as provided by subsection (2), any of the following persons may appeal to the board of adjustment a decision made by an administrative official:~~

(A) Tier One Appeal. A Tier One appeal is an appeal of a decision by an administrative official that is not related to a specific application, address, or project.

Because a Tier One appeal is not related to a specific application, address, or project, Tier One appeals will not automatically stay any project. A Tier One appeal may be filed by any of the following persons:

1. a person aggrieved by the decision; or
2. any officer, department, board, or bureau of the City of San Antonio affected by the decision.

(B) Tier Two Appeal. A Tier Two appeal is an appeal that is related to a specific application, address, or project. A Tier Two appeal may be filed by any of the following persons:

1. a person who filed the application that is the subject of the decision;
2. a person who is the owner or representative of the owner of the property that is the subject of the decision;
3. a person who is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or
4. any officer, department, board, or bureau of the City of San Antonio affected by the decision.

~~• A person aggrieved by the decision; or~~

~~• Any officer, department, board, or bureau of the city affected by the decision.~~

(b) Initiation.

- (1) **Application.** ~~An~~ ~~Such~~ appeal shall be ~~made taken~~ by filing with the director of ~~planning and~~ development services and ~~with~~ the board of adjustment, ~~within the time provided by this chapter,~~ a notice of appeal specifying the particular grounds upon which the appeal is ~~made taken~~ and the payment of the fee specified in Appendix "C." The appeal must be filed no later than the 20th day after the date the decision is made. Upon receipt of a notice of appeal and after the appeal tier and standing review in Subsection (2) below, the director of ~~planning and~~ development services shall transmit to the board of adjustment all of the original documents and materials, or true copies thereof, constituting the record upon which the ~~order or~~ decision appealed from was based.
- (2) **Review for Appeal Tier and Standing.** Upon receipt of a complete appeal submittal, the director of development services shall make an initial determination as to the appropriate tier of the appeal as defined in Subsection (1) above. Upon determination of the appropriate tier, the director of development services shall also make a determination as to whether the appellant has standing to bring the appeal filed.
- (3) **Automatic Stay for Tier Two Appeals.** An appeal from ~~an a decision order~~ of the director of ~~planning and~~ development services to the board of adjustment for a Tier Two appeal shall stay all proceedings unless the director of development services certifies that, by reason of the facts stated in the certificate, a stay in his opinion would cause imminent peril to life or property. When such a certificate is filed, proceedings shall not be stayed except by a restraining order granted by the board of adjustment or a court of proper jurisdiction.
- ~~(3) **Time Limit for Appeal.** The board of adjustment shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. Appeals to the zoning board of adjustment from any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter shall be made within thirty (30) days after such order, requirement, decision or determination by filing with the director of the department of planning and development services and with the board of adjustment a notice of appeal.~~
- (4) **Deadline for Filing an Appeal.** Appeals to the zoning board of adjustment from any decision made by an administrative official in the enforcement of this chapter shall be made by filing a notice of appeal with the director of the department of development services and with the board of adjustment no later than the twentieth (20th) day after the decision was made.
- (5) **Time Limit for Board of Adjustment to make an Appeal Decision.** The board of adjustment shall hear and decide any appeal for which the appellant has standing at the next meeting for which public notice can be provided. In no case shall any such hearing or decision occur later than the 60th day after the date the appeal is filed. Public notice of the hearing and due notice to the parties in interest shall be provided in accordance with this Chapter and the Texas Local Government Code. Appeals to the zoning board of adjustment from any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter shall be made not later than the twentieth (20th) day after such order, requirement, decision or determination by filing with the director of the department of development services and with the board of adjustment a notice of appeal.

(g) Decision.

- (2) **Hearing.** The board of adjustment shall consider the appeal at a quasi-judicial public hearing pursuant to section 35-404. Pursuant to ~~Texas V.T.C.A.~~ Local Government Code §211.009(b), the board may reverse or affirm, in whole or in part, or modify the administrative official's ~~order, requirement, decision, or determination~~ from which an appeal is taken and make the correct ~~order, requirement, decision, or determination,~~ and for that purpose the board has the same authority as the administrative official. Pursuant to ~~Texas V.T.C.A.~~ Local Government Code § 211.009(b), the concurring vote of seventy-five

(75) percent of the members of the board is necessary to reverse ~~a an o order, requirement,~~ decision, ~~or determination~~ of an administrative official.

- (3) **Time Limit for Decision.** The board shall decide the appeal at the next meeting for which public notice in accordance with the Texas Local Government Code and this Chapter can be provided after the filing of a complete appeal, but such decision shall not be later than the 60th day after the date the appeal is filed. ~~within a reasonable time.~~

Chapter 35, Article V, Section 35-501 is amended as follows:

'Sec.35-501 – General Provisions'

(g) Americans With Disabilities Act.

- (1) **Infrastructure.** Infrastructure construction and improvements of facilities shall comply with the Americans with Disabilities Act of 1990 (42 U.S.C. subsection 12181 et seq., Pub. L 101-336 and implementing regulations at 28 C.F.R. parts 35 and 36) and the latest version of the Texas Accessibility Standards of the Texas Department of Licensing and Regulation. Applicants should consult the ADA Technical Assistance Manual from the U.S. Department of Justice on the Internet at <http://www.usdoj.gov/crt/ada/taman3.html>, and Technical Assistance Manual for State and Local Governments @ <http://www.usdoj.gov/crt/ada/taman2.html> and the latest version of the Texas Accessibility Standards available at [tdlr.texas.gov/ab/abtas.htm](http://www.tdlr.texas.gov/ab/abtas.htm) ~~<http://www.tdlr.texas.gov/ab/abtas.html>~~.
- (2) **Public Right-of-Way.** As established by the Texas Administrative Code, RULE §68.102 Public Right-of-Way Projects. For public right-of-way projects, including those funded in whole or in part with private funds, in addition to accepting compliance with applicable Texas Accessibility Standards (TAS) requirements, the City will also accept compliance with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way Accessibility Guidelines (PROWAG), published by the Architectural and Transportation Compliance Board (U.S. Access Board). Applicants shall consult the PROWAG Manual from the U.S. Access Board at <https://www.access-board.gov/prowag/>.
- (3) **Multi-Family Housing.** Multi-family housing development shall comply with section 804 (f)(5)(C) Fair Housing Amendments Act of 1988 and the implementing regulations codified at 24 CFR 100.205. Applicants should consult the Fair Housing Accessibility Guidelines from the U.S. Department of Housing and Urban development on the Internet at <http://www.hud.gov/fhefhag.html>. See also HUD Fair Housing Assistance Providers Web site: <http://www.hud.gov/fairhsg1.html>.

Chapter 35, Article V, Section 35-502 is amended as follows:

'Sec. 35-502. - Traffic Impact Analysis and Roughly Proportionate Determination Study.'

(b) Traffic Generation Reports.

(2) Trip Analysis.

C. Traffic Impact Analysis and Proportional Mitigation Determination Report. A traffic impact analysis (TIA) and a proportional mitigation determination report shall be required when the property is subject to master development planning, development permitting, or rezoning; and

- vii. A traffic circulation study for ~~renovation of~~ existing schools (public, private) is required when renovations add additional permanent classrooms or office spaces, or when site access locations or on-site traffic operations are modified.

(e) Roadway Classification Turn Lanes and New Traffic Signal Construction.

- (1) **Roadway Classification.** ~~The following vehicles per day (vpd) will provide clarification to the~~ Roadway classification ~~system~~ for streets within ~~conventional~~ subdivisions ~~exclusive of traditional neighborhood developments (TND)~~ as related to master development plans, plats, zoning and building permits ~~shall be sized consistent with the function of roadway and daily traffic volumes from UDC 35-506 (Table 506-1: Functional Classification System Description and Table 506-3: Street Design Standards):~~
- ~~A. Local A Street: Function of roadway UDC 35-506 (Table 506-1: Functional Classification System Description) and Appendix "A" (Definitions). Daily traffic volumes shall range between five hundred (500) to one thousand (1,000) vehicles per day vpd.~~
 - ~~B. Local B Street: Function of roadway UDC 35-506 (Table 506-1: Functional Classification System Description) and Appendix A (Definitions). Daily traffic volumes range from one thousand (1,000) to four thousand (4,000) vpd (houses fronting) and four thousand (4,000) to eight thousand (8,000) vpd (no houses fronting).~~
 - ~~C. Collector: Function of roadway UDC 35-506 (Table 506-1: Functional Classification System Description) and Appendix "A" (Definitions). Daily traffic volumes shall range from eight thousand (8,000) to ten thousand (10,000) vpd.~~
 - ~~D. Secondary arterial shall follow UDC 35-506 (Transportation and Street Design) and the City of San Antonio Major Thoroughfare plan, Ord. No. 98282. Daily traffic volumes shall range from fourteen thousand (14,000) to sixteen thousand (16,000) vpd for a two-lane road and thirty thousand (30,000) to thirty-four thousand (34,000) vpd for a four-lane.~~
 - ~~E. Primary arterial shall follow UDC 35-506 (Transportation and Street Design) and the City of San Antonio Major Thoroughfare Plan, Ord. No. 98282. Daily traffic volumes shall range from fourteen thousand (14,000) to sixteen thousand (16,000) vpd for a two-lane road, thirty thousand (30,000) to thirty-four thousand (34,000) vpd for a four-lane and six (6) lanes for greater than forty-six thousand (46,000) vpd.~~

(2) Turn Lane Requirements at Site Access Locations.

- D. Where a right or left-turn lane at a driveway or street will define the minimum spacing between the next adjacent driveway or street. A driveway shall not be located within an existing or proposed right-turn lane or in such a way to limit a left-turn lane in a median opening. The minimum right and left-turn lane lengths are provided in Table 506-4C assuming a 20-mph speed differential using TxDOT Roadway Design Manual.

Chapter 35, Article V, Section 35-503 is amended as follows:

'Sec. 35-503. - Parkland Dedication Requirement.'

Parks and open space provide a valuable asset to the urban form of the city, its historical development, and the general welfare of its residents. Parks and open space have provided a significant role in the history of the City of San Antonio. The Laws of the Indies provided that the size of the parks and open spaces, such as plazas, shall be proportioned to the number of inhabitants and should take into consideration the growth of the community. Consistent with the historical development of the city, it is the intent of this section that parks and open space, including community gardens and urban farms, should provide focal points for new communities. A central square or green, for example, may comprise a majority of the area required for dedication.

(c) **Parkland Characteristics.**

(3) **Parks and Open Space.**

- A. Applicants may set aside parkland as parks or open space to be maintained privately by an approved organization that meets the requirements of subsection (e) and the minimum size requirements stated below:

Table 503-2

Zoning District	Minimum Dedication Size (in sq. ft.)	Minimum Area (Length times Width)
ETJ	10,000	100' x 100'
"RE", "R20"	20,000	100' x 100'
"NP-15", "NP-10", "NP-8", "R-6", "RM-6"	10,000	100' x 100'
"R-5", "RM-5"	10,000	100' x 100'
"R-4", "RM-4", "R-3"	10,000	100' x 100'
"MH", "MHP"	10,000	100' x 100'
"MF-18", "MF-25", "MF-33", "MF-40", "MF-50", "MF-65"	10,000	100' x 100'

1. Planned unit developments will abide by the minimum requirements set forth in Table 503-2 based on the underlying zoning.
 2. If several areas are proposed for park dedication credit, the sites shall be physically linked together by pedestrian access (sidewalks or trails) to form a network of recreational opportunities; however each individual area should meet the minimum size requirement set forth in Table 503-2.
- B. The use of the parkland shall be restricted for park and recreation purposes by recorded covenant which runs with the land in favor of future owners of the property and which cannot be defeated or eliminated without the written consent of the city or its successors;
- C. The proposed private parkland shall be reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access and location.
- [D. Affordable housing developments, projects providing at least 50% affordable housing units, may use the Trust for Public Land park score as an alternate method of providing parkland dedication. If the project is located within a ten minute walk of an existing park, no additional parkland shall be required. A ten minute walk shall be without barriers such as highways, train tracks, and roads without sidewalks.](#)

- (g) **Fee in Lieu of Land Dedication (Optional)** The intent of the park dedication requirement is to provide parks in neighborhoods. However, circumstances may arise that do not allow parkland dedication.

- (6) All fees collected shall be used for the acquisition of land for a public park and/or development or construction of improvements to existing public parkland, ~~within one (1) miles of the periphery of the proposed development. However, if [1] such acquisition opportunities are not available or [2] existing parkland is already developed or improved within one (1) mile of the proposed subdivision or development, then areas within two (2) miles of the periphery of the proposed subdivision or development may be considered. For fees collected that do not exceed fifteen thousand dollars (\$15,000.00), and there are no available properties within two (2) miles, then areas within four (4) miles of the periphery of the proposed subdivision or development may be considered for the acquisition and development of public parkland and/or construction of improvements to existing public parkland within such periphery.~~

Chapter 35, Article V, Section 35-504 is amended as follows:

Sec. 35-504. – Solid Waste Reserved.

Chapter 14 of the City of San Antonio Code (Solid Waste) sets requirements for: use of City-provided solid waste services; commercial solid waste collection service; and provision of recycling collection at residential multi-family facilities. The provisions of Chapter 14 and any applicable Information Bulletins released by the Development Services Department in conjunction with the Solid Waste Management Department related to solid waste requirements or collection should be reviewed and followed to ensure developments conform with applicable rules and regulations.

Chapter 35, Article V, Section 35-506 is amended as follows:

‘Sec.35-506 – Transportation and Street Design.’

STATEMENT OF PURPOSE

The purpose of this section is to prescribe minimum design standards for streets within new subdivisions, developments requiring site plan approval, and for developments requiring a zoning permit. Unlike the situation in traditional subdivision regulations, one (1) intent of this section is to permit narrower street widths while requiring greater connectivity in order to more efficiently disperse traffic, accommodate bicyclists, protect pedestrians from high vehicular speeds, and to enhance the streetscape. For conventional subdivisions, commercial centers, and applications for development approval within conventional zoning district, the existing street widths and design standards are retained in order to accommodate the heavier traffic levels and greater reliance on vehicular travel.

- *Urban Design, Policy 5f: Consider the use of alternative surface materials to increase durability, as well as increasing reflectivity as a means to reduce Urban Heat Island (UHI) impacts.*
- *Urban Design, Policy 5f: Consider the use of low-carbon materials, as these materials are less carbon intensive than conventional materials and can be identified by evaluating Environmental Product Declarations (EPDs) for construction materials.*
- *Urban Design, Policy 5f: Work with the county to establish design requirements for streets and road construction so that streets have a lifetime expectancy of at least twenty (20) years.*

(c) **Classification.**

- (1) **Conventional Classification System.** Classification of an existing or proposed street not already identified on the major thoroughfare plan, for the purpose of determining the appropriate design of a roadway or development, or for the purpose of determining the appropriateness of a location for a

proposed use, shall be done by the director of ~~planning and~~ development services in consultation with the director of public works. Pursuant to the major thoroughfare plan, the following classification system is hereby adopted:

Table 506-1 Functional Classification System Description

Functional Class	Level of Mobility	System Access	Level of Accessibility
Freeway ¹	Connects all urban sub regions together, connects urban and rural service areas with metro major activity centers; connection to outside cities.	To other freeways, principal arterial, and selected arterial; no direct land access.	Long trips at high speed within and through the metro area; express transit trips.
Primary Arterial	Connects two (2) or more sub regions; provides secondary connections outside cities; complements freeway in high volume corridors.	To freeways, other principal arterial, and high volume collectors; no direct land access except major traffic generators.	Medium distance to long trips at high to moderate speeds within the urban area; express transit trips.
Secondary Arterial	Connects adjacent sub regions and activity centers within sub regions.	To freeways, principal arterial, other arterial, and collectors; restricted direct land access.	Medium to short trips at moderate to low speeds; local transit trips.
Collector	Connects neighborhoods within and between sub regions.	To arterial, and other collectors while providing access to local streets and direct land access for commercial development.	Primarily serves collection and distribution function for the arterial system at low speeds; local transit trips. Ideal spacing would be one-half (½) mile.
Local (includes Conservation Access, Local Type A, Local Type B,)	Connects blocks within neighborhoods and specific activities within homogeneous land use areas.	To collectors and other local streets; direct land access <u>as indicated in Table 506-3.</u>	Almost exclusively collection and distribution; short trips at low speeds. Ideal spacing would be one hundred seventy-five (175) feet to seven hundred (700) feet (see subsection 35-515(b)) and <u>35-506(r)(2).</u>

¹ A "Freeway" classification is to conform with TxDOT requirements or any interlocal agreement in effect with the City and TxDOT and not subject to the requirements of Table 506-3 or Table 506-4A.1.

Table 506-2-Functional Classification System Description – Traditional Design

(3) **Classification Factors.** In determining the classification of a street, factors to be considered include the following existing or proposed features:

E. Major Thoroughfare Plan designation

(d) **Cross-Section and Construction Standards.**

(1) **Streets.**

- A. Tables 506-3 and 506-4 provide the standards for all existing and future streets.
- B. The subdivider shall dedicate and construct all interior streets within the subdivision plat and shall provide dedication and construction for exterior streets based upon tables 506-3 and 506-4.
- C. The director of development services shall include the dedication and construction of rights-of-way for exterior streets in the roughly proportionate determination as described in subsection 35-501(b).

Table 506-3
Conventional Street Design Standards

<u>Street Type & Context</u>	<u>Alley</u>	<u>Local A</u>	<u>Local B</u>	<u>Local C</u>	<u>Collector A</u>	<u>Collector B</u>	<u>Collector C</u>	<u>Secondary Arterial ¹</u>	<u>Primary Arterial ¹</u>
<u>Design ADT (vpd)</u>	-	<u>< 1,000</u>	<u>1,000-4,000 Houses Fronting</u> <u>4,000-8,000 No Houses Fronting</u>	<u>4,000-10,000</u>	<u>8,000-10,000</u>	<u>8,000-10,000</u>	<u>10,000 - 30,000</u>	<u>4 Lanes: 30,000-34,000</u>	<u>4 Lanes: > 34,000</u>
<u>Land Use Context (Adjacent Uses)</u>	-	<u>Single Family Residential</u>	<u>Single Family Residential, Multi-Family Permitted ⁹</u>	<u>Mixed</u>	<u>Residential: Single Family Non-Fronting or Multi-Family Land Uses Only</u>	<u>All Land Use Types Except Single Family Residential Fronting or Loading</u>	<u>All Land Use Types Except Single Family Residential Fronting or Loading</u>	<u>All Land Use Types Except Single Family Residential Fronting or Loading</u>	<u>All Land Use Types Except Single Family Residential Fronting or Loading</u>
<u>Max. Unimpeded Block Length (feet) (see also 35-515)</u>	-	<u>1,200'</u>	<u>700' Houses Fronting</u> <u>1,400' No Houses Fronting ¹⁰</u>	<u>700' Houses Fronting</u> <u>1,400' No Houses Fronting ¹⁰</u>	<u>1,400' ¹⁰</u>	<u>3,600' ¹⁰</u>	<u>3,600' ¹⁰</u>	-	-

<u>Street Type & Context</u>	<u>Alley</u>	<u>Local A</u>	<u>Local B</u>	<u>Local C</u>	<u>Collector A</u>	<u>Collector B</u>	<u>Collector C</u>	<u>Secondary Arterial ¹</u>	<u>Primary Arterial ¹</u>
<u>R.O.W. (feet) ²</u>	<u>24'</u>	<u>50'</u>	<u>60'</u>	<u>60'</u>	<u>70'</u>	<u>80'</u>	<u>100'</u>	<u>86'-110'</u>	<u>120'</u>
<u>Pavement Width (feet)</u>	<u>20'</u>	<u>30' ¹¹</u>	<u>34'</u>	<u>36'</u>	<u>30' ¹²</u>	<u>34' ¹²</u>	<u>44' ¹²</u>	<u>48—81'</u>	<u>48—81'</u>
<u>Design Speed (mph)</u>	<u>20</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30¹⁸</u>	<u>35</u>	<u>35</u>	<u>40</u>	<u>45</u>
<u>Max. Grade ³</u>	<u>10%</u>	<u>12% (10% ETJ)</u>	<u>12% (10% ETJ)</u>	<u>12% (10% ETJ)</u>	<u>7%</u>	<u>7%</u>	<u>7%</u>	<u>5%</u>	<u>5%</u>
<u>Min. Grade ⁴</u>	<u>0.5%</u>	<u>0.5%</u>	<u>0.5%</u>	<u>0.5%</u>	<u>0.5%</u>	<u>0.5%</u>	<u>0.5%</u>	<u>0.5%</u>	<u>0.5%</u>
<u>Centerline Radius (min. for normal crown)</u>	<u>50'</u>	<u>100'</u>	<u>100'</u>	<u>200'</u>	<u>200'</u>	<u>400'</u>	<u>400'</u>	<u>700'</u>	<u>1,100'</u>
<u>Curb</u>	<u>NR</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Median</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>16'</u>	<u>16' min.</u>	<u>16' min.</u>
<u>Sidewalk Width (min.) ^{5 6 7}</u>	<u>NR</u>	<u>4'</u>	<u>4' Houses Fronting</u> <u>6' No Houses Fronting</u>	<u>6'</u>	<u>6' ¹³</u>	<u>6'</u>	<u>6'</u>	<u>6'</u>	<u>6'</u>
<u>Bicycle Facilities ⁸</u>	<u>NR</u>	<u>NR</u>	<u>Allowed¹⁷</u>	<u>Allowed¹⁷</u>	<u>Required ¹³</u>	<u>Required ¹⁴</u>	<u>Required ¹⁴</u>	<u>Required ¹⁴</u>	<u>Required ¹⁴</u>
<u>On Street Parking</u>	<u>None</u>	<u>Allowed ¹¹</u>	<u>Allowed</u>	<u>Allowed</u>	<u>Not Permitted</u>	<u>Not Permitted ¹⁵</u>	<u>Not Permitted ¹⁵</u>	<u>Not Permitted ¹⁵</u>	<u>Not Permitted ¹⁵</u>
<u>Street Lighting (except ETJ)</u>	<u>NR</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>

<u>Street Type & Context</u>	<u>Alley</u>	<u>Local A</u>	<u>Local B</u>	<u>Local C</u>	<u>Collector A</u>	<u>Collector B</u>	<u>Collector C</u>	<u>Secondary Arterial ¹</u>	<u>Primary Arterial ¹</u>
<u>Streetscape Planting</u>	<u>NR</u>	<u>NR</u>	<u>NR</u>	<u>NR ¹⁶</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>
<u>Planting Strips/ Sidewalk Buffer (min.)</u>	<u>NR</u>	<u>NR, 3' min.</u>	<u>NR, 3' min.</u>	<u>NR, 3' min.</u>	<u>5' min.</u>	<u>5' min.</u>	<u>5' min.</u>	<u>5' min.</u>	<u>5' min.</u>

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).

¹ Right-of-way 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 street right-of-way and design provisions outlined in Table 506-2. 3 A width of 12 foot behind the curb allows for flexibility in design. Illustrated cross sections are provided as examples of potential combinations only and do not take precedent over the requirements in Table 506-2.

² Additional right-of-way and alternate design standards may be required on designated advanced rapid transit corridors as identified in the Major Thoroughfare Plan.

³ Refer to 35-506(d)(3) for grades exceeding maximum values specified in Table 506-2.

⁴ A minimum grade of 0.4% is optional with concrete curb and gutter.

⁵ In residential areas, sidewalks shall be located to improve walkway intersection alignment and to reduce sidewalk conflicts with utility poles and mailboxes.

⁶ Meandering sidewalks may have up to twenty-five (25) percent of the total block length of the sidewalk within the minimum planting strip area. This does not apply to multi-use or bicycle facilities.

⁷ Stamped concrete, painted buffer, or other permeable material as shown on the approved detail, may be used to satisfy the sidewalk buffer width requirement. Alternative materials may be approved by the director of public works.

⁸ Where bicycle facilities are required, within the city limits or ETJ, accommodations outside of the right-of-way for a shared use path or cycle track may be requested by the developer and will be subject to approval.

⁹ Multi-family uses will be permitted if demonstrated that projected turning movement volumes will not necessitate turn lanes consistent with 35-502(e)(2) and that the roadway capacity is sufficient.

¹⁰ Maximum Unimpeded Block Length is as defined in 35-506(t)(3).

¹¹ A minimum pavement width of 28 foot is permitted if the adjacent lots are equal to or greater than 1/2 acre OR if parking is restricted to one-side of the street and signage installed to indicate parking restrictions as part of the project.

¹² Pavement width shown is the minimum and assumes bicycle facilities (multi-use path, elevated bike lanes, or cycle track) will be accommodated outside of the roadway.

¹³ Where a multi-use path is permitted to accommodate bicycles, the design shared use facility width is 12 feet. Where constraints are present, the multiuse path can be reduced to 6 feet subject to approval from the governing authority.

¹⁴ Where the roadway design speed is greater than 30 mph, bicycle facilities shall be separated or protected. The minimum pavement widths shown assume bicycle facilities will be accommodated behind the curb. If bicycle facilities are proposed in the street, wider pavement and protection is required.

¹⁵ Parking will only be permitted if bulb outs are provided, additional pavement width and right-of-way may be required.

¹⁶ The 12-foot area behind curb provides for flexibility in design. Illustrated cross sections provided are examples only.

¹⁷ Shall be required if identified on adopted Bike Master Plan.

¹⁸ If street has a median, the design speed shall be thirty-five (35) miles per hour.

Street Type	Marginal Access	Alley	Access to Conservation Subdivision	Local Type-A	Local Type-B	Collector	Secondary Arterial ¹	Primary Arterial ²
R.O.W. (min.) ^{1,2,9}	36'	24'	34'	50'	60'	70—90'	86—110'	120' ¹⁰
Pavement Width	26'	18— 24'	24' ⁷	28'—34'	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 ⁹ one side only	4' ⁸	4 ⁸ /6' ¹²	4 ⁸ /6' ⁹	4 ⁸ /6' ⁹	4 ⁸ /6' ⁹
Bicycle Facilities ⁵	NR	NR	NR	NR	NR	Yes ⁵	Yes ⁵	Yes ⁵

Streetscape Planting	NR	NR	NR	NR	NR	Yes	Yes	Yes
Planting Strips or Sidewalk Buffer ^{8, 11, 12}	NR	NR	NR	NR	3' Min. ¹³	3' Min.	3' Min.	3' Min.

Notes and Rules of Interpretation:

NR designates the item is "not required."

IGL 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 seventy (70) feet and at intersections with other major arterials illustrated on the major thoroughfare plan the right of way shall be eighty-six (86) feet to one hundred twenty (120) feet subject to the findings of the TIA as determined by the director of 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 facilities are required on all collector and arterial roadways. Bicycle path and sidewalks can be combined to provide for a multi-use path. See subsection 35-506(d)(4). Selection as to the type of facility to be constructed will need to be coordinated with the transportation and capital improvements (TCI) traffic and transportation planning division—traffic engineering group.

⁶Entry portion without parking.

⁷In residential areas sidewalks shall be located to provide improved safety, to improve walkway intersection alignment and to reduce sidewalk conflicts with utility poles and mailboxes.

⁸Sidewalks shall be four (4) feet in width with a planting strip or six (6) feet in width without a planting strip. Sidewalks may be four (4) feet in width without a planting strip when houses are fronting on a local type B street.

⁹R.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.

¹⁰One hundred twenty (120) feet is the maximum right-of-way width but may be varied in accordance with the adopted major thoroughfare plan.

¹¹Meandering sidewalks may have up to twenty-five (25) percent of the total block length of the sidewalk within the minimum planting strip area. This does not apply to multi-use or bicycle facilities.

¹²Stamped concrete, painted buffer, or other permeable material as shown on the approved city detail, may be used to satisfy the sidewalk buffer width requirement. Alternative materials may be approved by the director of TCI.

¹³Sidewalks shall be six (6) feet in width, with or without a planting strip, along street type local B where the residential lots do not front the street.

- (4) **Bicycle Facilities.** ~~Bicycle-Bike~~ facilities are required on all collector and Secondary and Primary arterial roadways, when required within the city limits and ETJ or those facilities identified on the Bike Master Plan; ~~may be constructed with development of the abutting property at the time building permit acquired.~~

~~Bicycle~~ ~~When identified on the city council approved bike master plan roadways requiring bicycle~~ facilities shall be constructed in accordance with the American Association of State Highway and Transportation Officials (AASHTO) "Guide for the Development of Bicycle Facilities" ~~or and with additional guidance from~~ the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide.

(9) **Substandard Existing Streets.**

- B. **Sidewalks, Curbs and Pavement Construction.** For purposes of this section, pavement cross-section includes the following: width of ROW, sidewalks, curbs, bicycle facilities, streetlights, and the pavement structural section.

3. If a property in the ETJ and outside the City Limits is being platted adjacent or contiguous to an existing privately maintained street or paper street and is using the street for access, the property owner must coordinate with the entity responsible for maintaining the street to access the street for daily access. A note on the plat shall be added to the plat informing the public that the development has access to a street that is privately maintained or not maintained.

4. If a property is located inside the City Limits and is adjacent or contiguous to an existing paper street that is proposed for site access, then the minimum pavement requirements under this division will be required when the property is being platted or is requesting an application for a building permit.

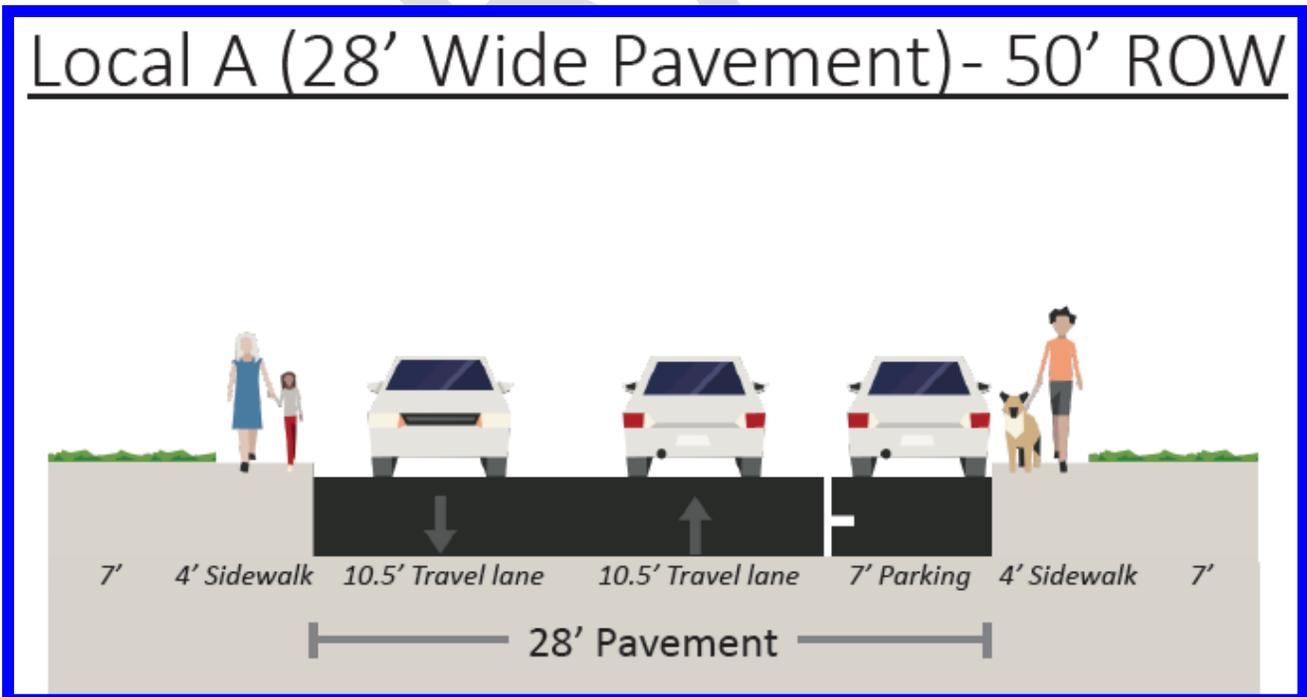
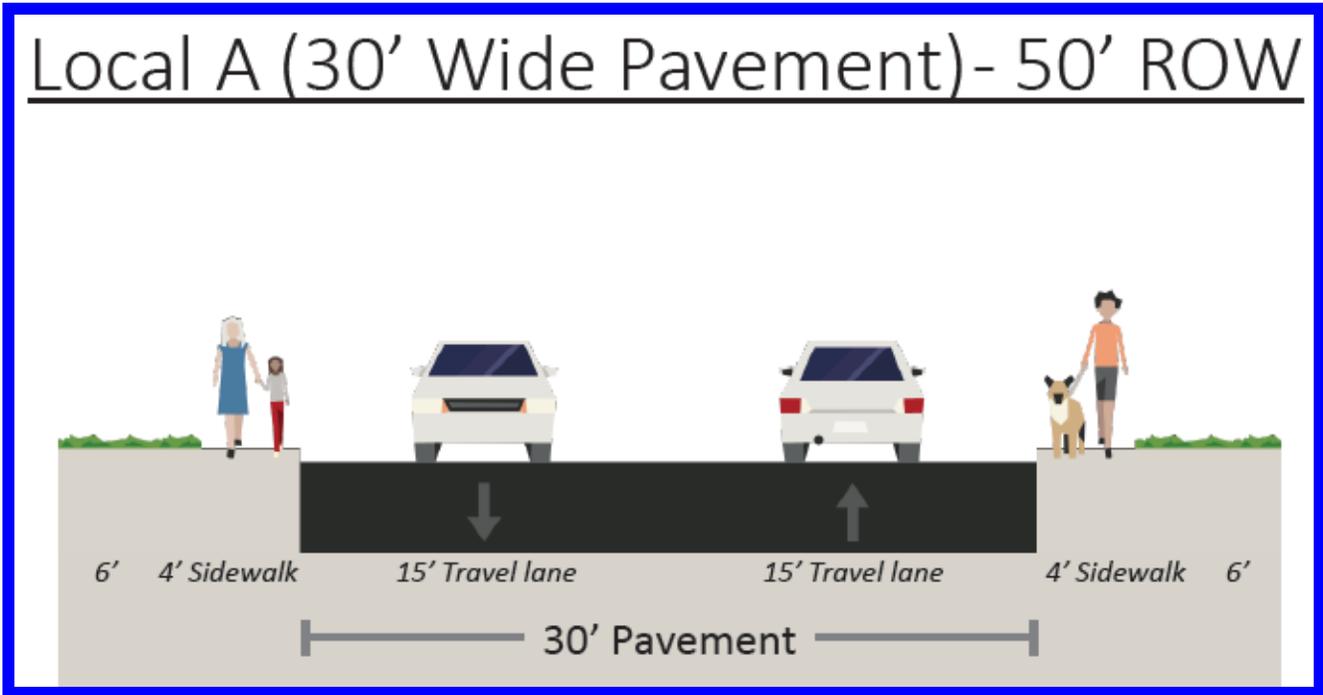
4. 4 Minimum Construction Required. Where the roughly proportionate determination (determination study under section 35-502) has determined that the applicant's development would not generate enough traffic to require mitigation for right-of-way dedication or improvements to the pavement cross-section, the provisions of this subsection shall not apply. In such cases, the safety lane requirements of subsection 35-506(d)(11) shall be met.

C. **Exceptions.**

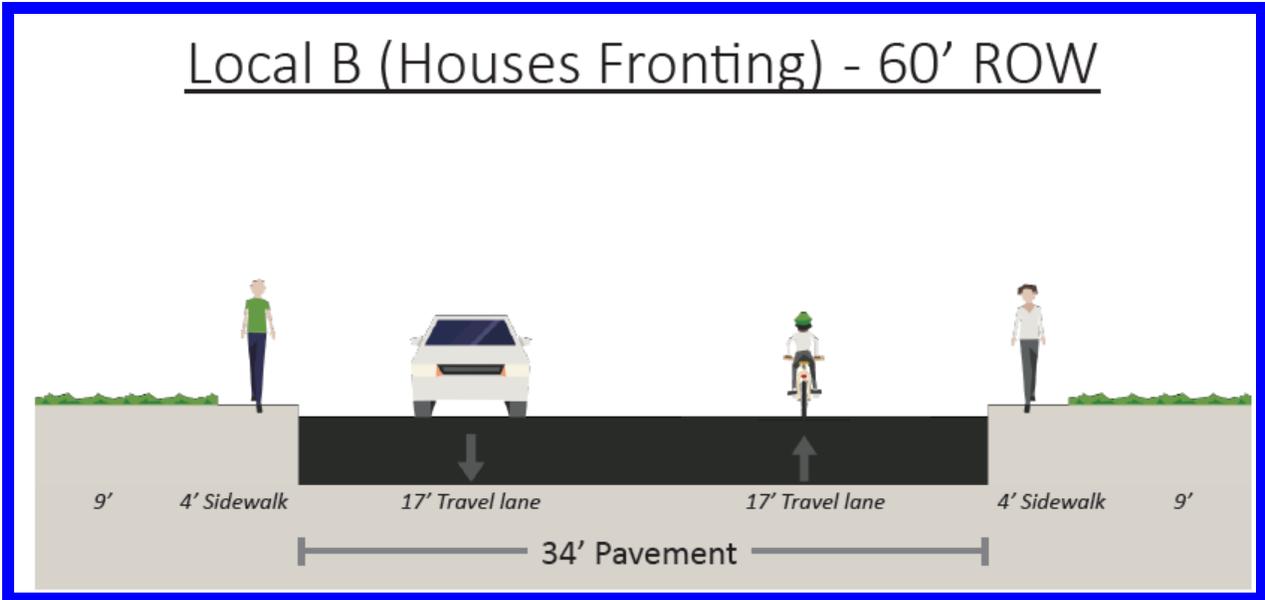
1. In cases where an existing fence and landscaping is present, the planning and development services director shall require dedication of the additional right-of-way but may allow existing landscaping and fences to remain until such time as construction is required in accordance with subsection B. The director shall evaluate the condition of the existing fencing and the character of the landscaping and may direct additional reconstruction of the fence or new plantings. In such cases the landscaping required by the director shall not be greater than that required by this chapter for new projects.
2. The provisions of this subsection shall not apply within the infill development zone "IDZ" as stated in subsection 35-343(e) provided that ADA standards are met.
3. CRAG Area. Right-of-way and pavement width requirements in established neighborhoods within the CRAG area may be reduced by the director of development services based on existing encroachments.
4. The provisions of this subsection shall not apply to affordable housing developments, providing at least 50% affordable units, on lots under 20,000 square feet.

(11) **Safety Lanes.**

D. The visual cross sections provided below are intended to provide a visual representation of the cross sections outlined in Table 506-3 and are provided for convenience only. In some cases, examples are provided for more than one potential configuration and the configurations shown are not intended to be exhaustive of all possible options. The values presented in Table 506-3 govern when determining minimum requirements.



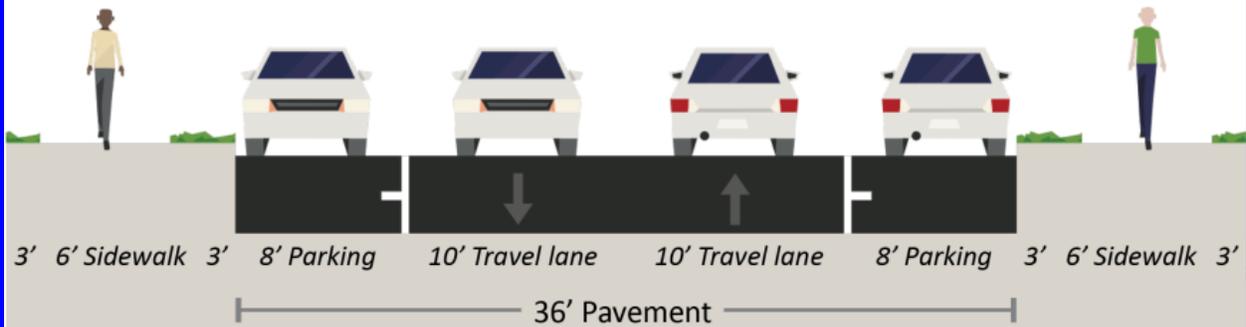
Local B (Houses Fronting) - 60' ROW

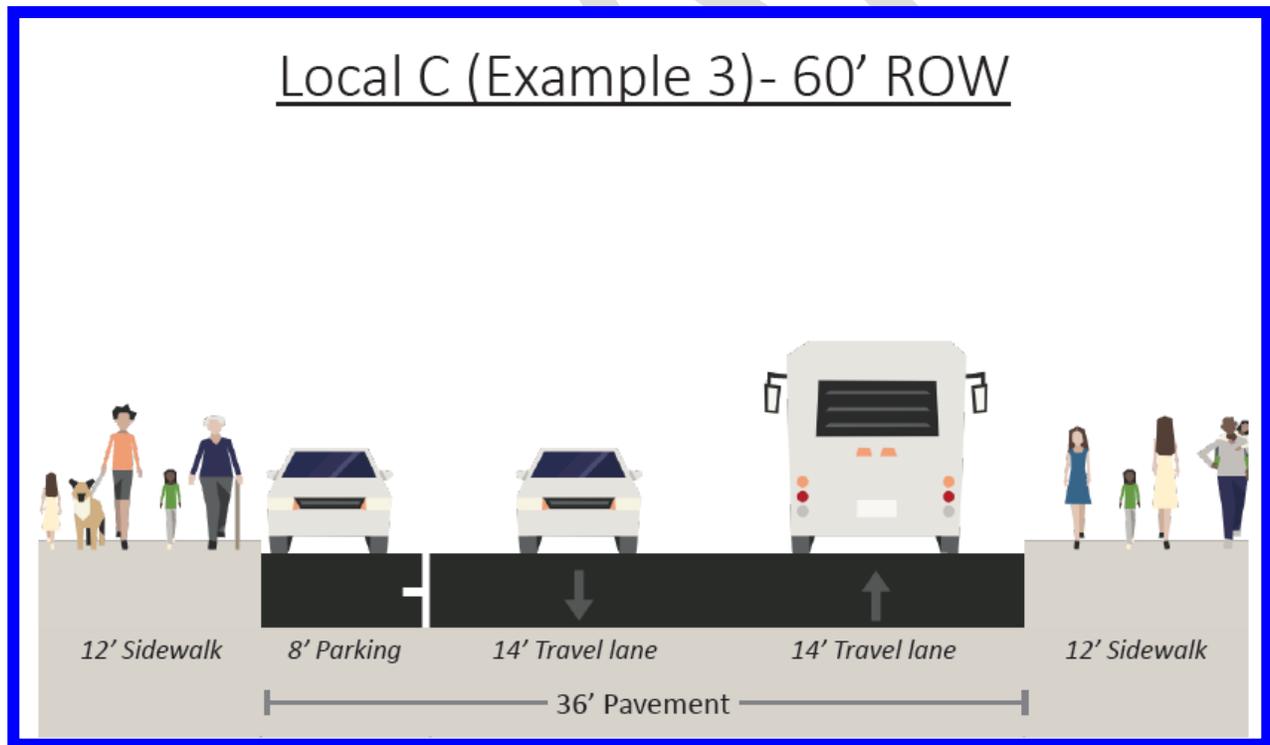
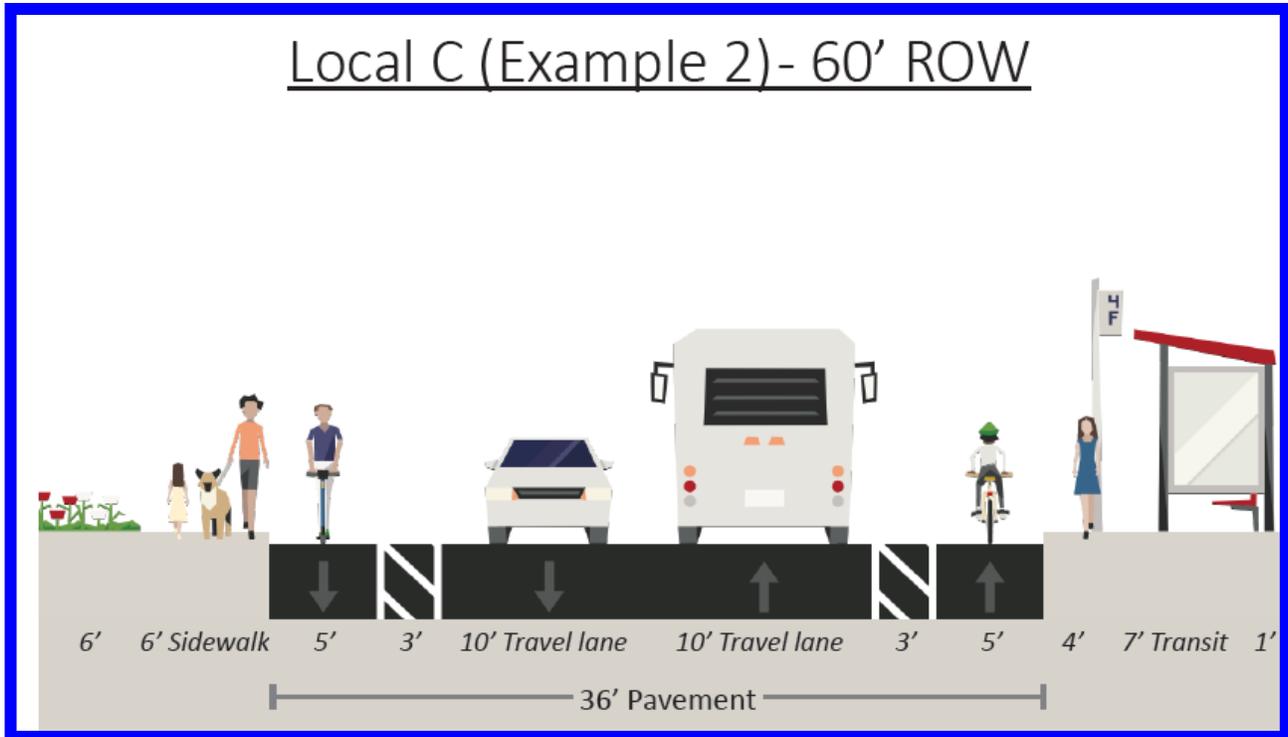


Local B (No Houses Fronting)- 60' ROW

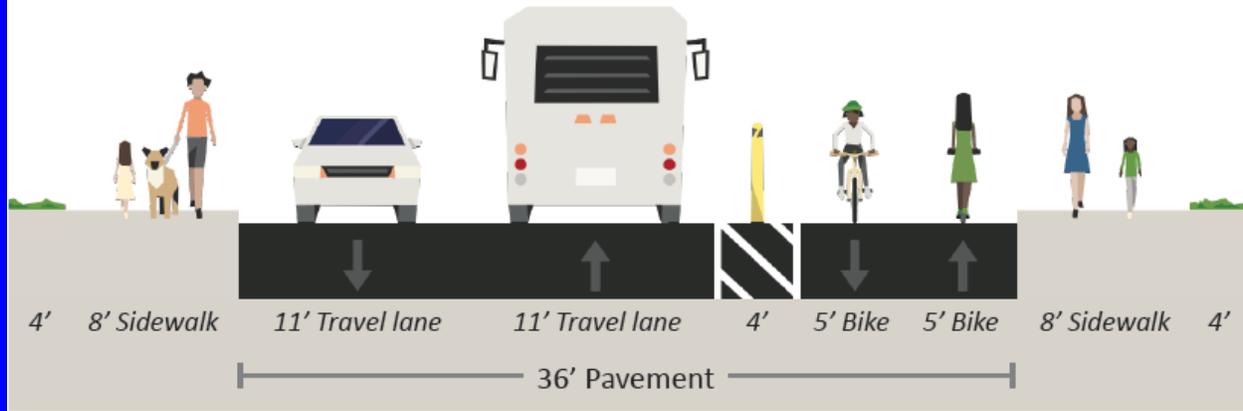


Local C (Example 1)- 60' ROW

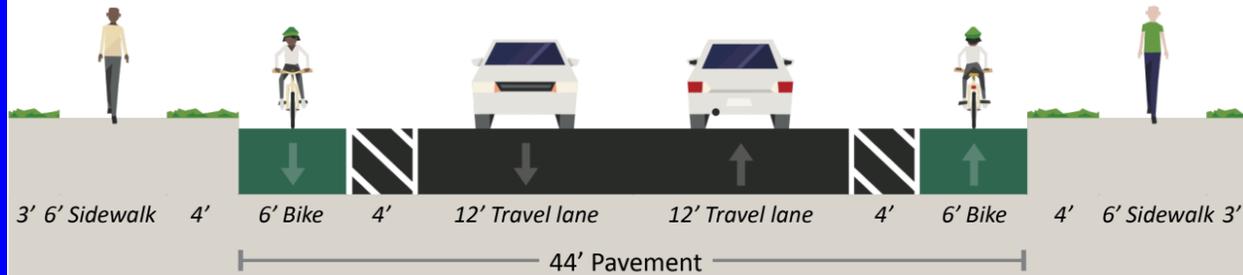




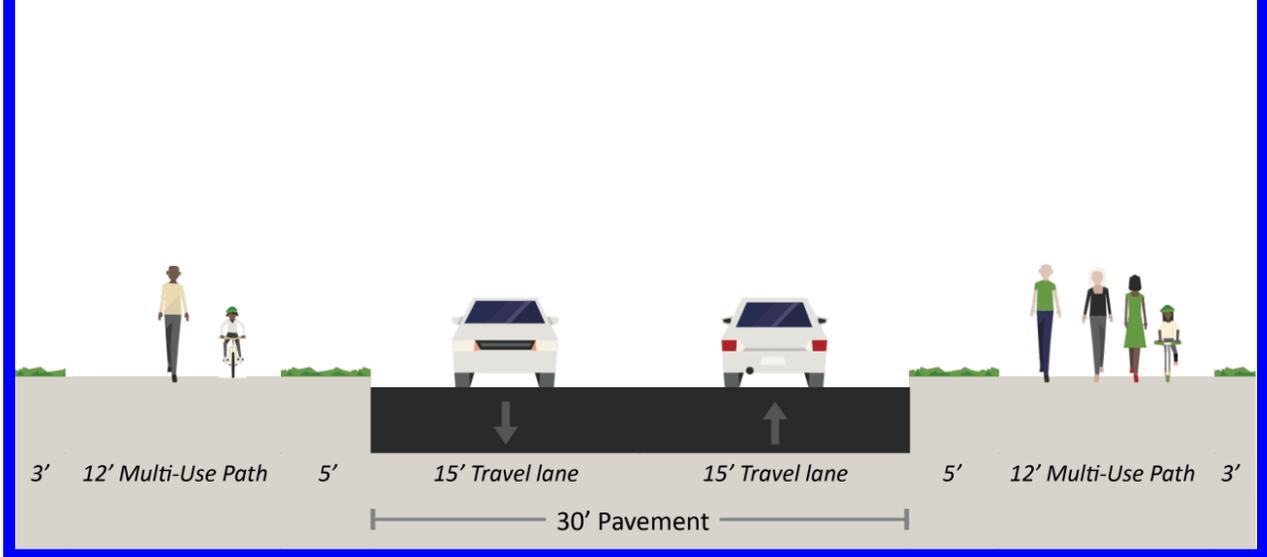
Local C (Example 4)- 60' ROW



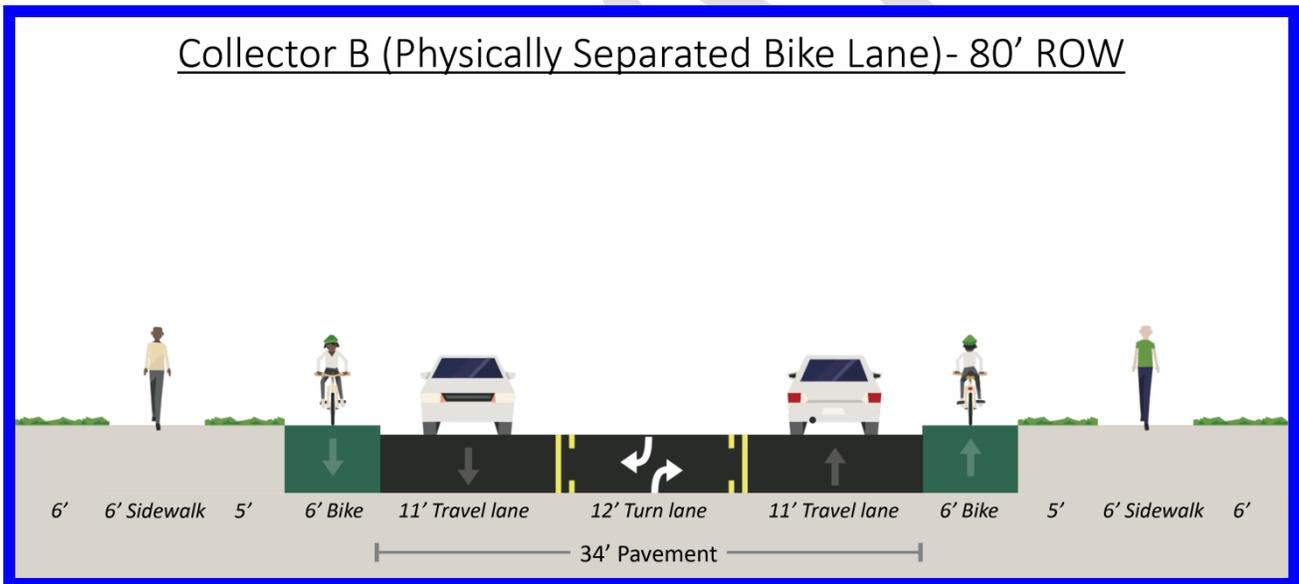
Collector A (Bike Lane in Street)- 70' ROW

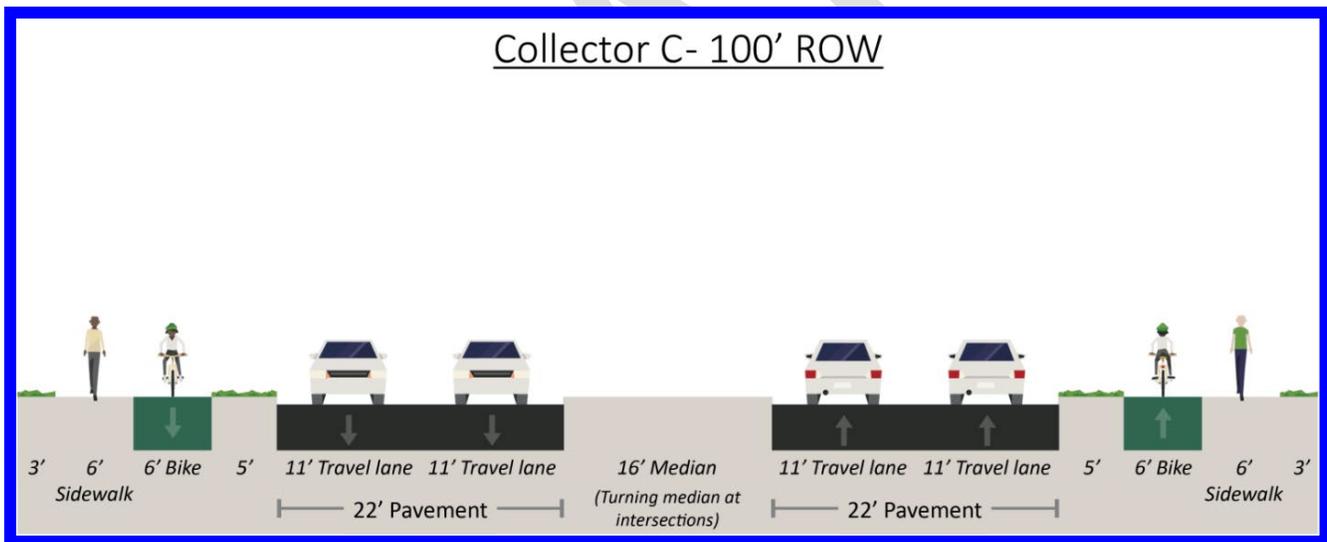
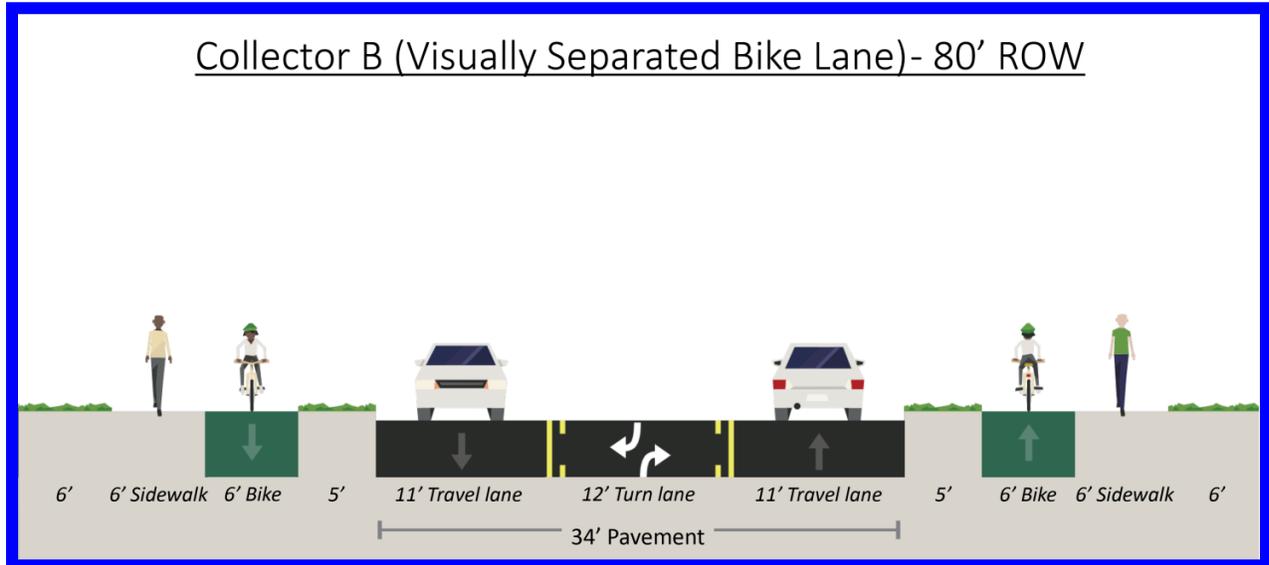


Collector A (Multi-Use Path)- 70' ROW



Collector B (Physically Separated Bike Lane)- 80' ROW





12) **Design Speed.**

A. **Applicability.**

B. **Special Considerations.** The following minimum design speeds shall be used for the following street types or specified condition:

1. Local Type B:

- i. If houses are fronting this street, the design speed shall be thirty (30) miles per hour.

- ii. If no houses are fronting this street, the design speed shall be thirty (30) ~~thirty-five (35)~~ miles per hour.
 - iii. If street has a median, the design speed shall be thirty (30) ~~forty (40)~~ miles per hour.
2. Collector A:
- i. If street has a median, the design speed shall be thirty-five (35) ~~forty-five (45)~~ miles per hour.
 - ii. If street does not have a median, the design speed shall be thirty (30) ~~miles forty (40)~~ per hour.
3. Turn bay design. Turn bays shall be designed in accordance with the TxDOT design manual for the minimum taper and storage lengths. The deceleration length shall be determined using one of the following:
- i. Using a differential speed of twenty (20) miles per hour from the street's posted design speed if using the TxDOT Design Manual tables; or
 - ii. Using a differential speed of ten (10) miles per hour from the street's posted design speed if the stopping sight distance is calculated based on the design topographic conditions.

Table 506-4C Minimum Turn lane lengths per the TxDOT Roadway Design Manual (20 MPH Speed Differential)

<u>Posted Speed</u> <u>(MPH)</u>	<u>Minimum Left-turn</u>	<u>Minimum Right-</u>	<u>Taper (Feet)</u>
	<u>Lane Length</u>	<u>turn Lane Length</u>	
	<u>Including Taper</u> <u>(Feet)</u>	<u>Including Taper</u> <u>(Feet)</u>	
<u>30</u>	<u>175</u>	<u>105</u>	<u>50</u>
<u>35</u>	<u>210</u>	<u>140</u>	<u>50</u>
<u>40</u>	<u>260</u>	<u>190</u>	<u>50</u>
<u>45</u>	<u>315</u>	<u>245</u>	<u>100</u>
<u>50</u>	<u>375</u>	<u>305</u>	<u>100</u>
<u>55</u>	<u>445</u>	<u>375</u>	<u>100</u>

(e) Connectivity.

- (7) **Secondary/Additional Access.** Where a single-family residential or multi-family subdivision exceeds one hundred twenty-five (125) dwelling units ~~and has a minimum of four hundred (400) feet of frontage,~~ additional access points to an existing ~~and/or~~ proposed collector ~~and/or~~ Arterial Street shall be required. In cases of limited frontage and/or where no additional access may be obtained despite reasonable efforts, the following options may be considered by the applicant:
- An administrative exception in accordance with Section 35-506(e)(7)(E) may be granted to allow a proposed collector or arterial street to be extended into and across the proposed development in order to provide for additional street capacity and as a means for access.
 - The use of an existing or proposed dead-end collector or arterial shall be allowed to meet secondary access by making multiple connections to it, but for dead-end collectors the number of units to be served shall be limited to 500 dwelling units with an approved AEVR by the Director.

The applicant may also provide a traffic analysis to show that more dwelling units can have access to the collector through the intersection and maintain a level of service "C". Development Services Department must review and approve the traffic analysis to allow more than 500 dwelling units.

When a new subdivision is proposed as part of a phased development which requires an MDP or PUD that will exceed one hundred twenty five (125) buildable lots or units and where the proposed phase is connecting only to prior phases of the overall development and not to any collector or arterial, then the proposed phase or new unit of the subdivision will be required to have a secondary access for connectivity in accordance with Section 35-506(e)(7)(A).

All new collectors or arterials not extended for secondary access requirements shall be extended to a point where it is required for street capacity at which point a street meeting the necessary traffic demands may be extended to the adjoining properties. When connecting to existing adjacent dead end streets the same section shall be extended into the proposed development to a point where traffic demands dictate or allow for a different street classification. In the case where dead-end streets cannot be extended, but the right-of-way associated with the remaining extension can be dedicated, then the right-of-way shall be platted at the request of the City or County in the ETJ with no street plans or fiscal guarantee to ensure access for future build-out of the roadway extension.

In the case where a development is required to extend a collector or arterial street into the proposed subdivision in order to provide sufficient capacity, connectivity or hierarchy requirements, the proposed collector or arterial will not be immediately required to be fully extended as shown and approved by the respective MDP or PUD, but instead extend the collector or arterial street in accordance with the MDP or PUD phasing as approved.

(i) **Street Lights.**

- (1) Streetlights shall be provided in all subdivisions within the city. Streetlights are not required in the ETJ. However, if proposed by the applicant, all installation, operational and maintenance cost shall be borne by the developer. Streetlights shall be installed by CPS Energy at all public street intersections with other public streets, at the end of cul-de-sacs longer than two hundred (200) feet, crosswalks, at safety lane intersections with public streets, midblock areas placed such that streetlights are a minimum of three hundred (300) feet apart for residential streets with houses fronting, or service areas as determined by CPS Energy. Streetlight fixtures shall be Dark-Sky-compliant and conform with Section 35-339.04(f)(15).

(j) **Private Streets.**

- (6) **Parking on Private Streets.** Parking shall be limited to one (1) designated side of the street on any private street with pavement less than ~~thirty (30) twenty-eight (28)~~ feet in width in accordance with Table ~~506-3 unless table 506-4a of this chapter is applicable. A minimum pavement width of 28 feet with no parking restrictions will be permitted if the adjacent lots are equal to or greater than ½ acre.~~ The HOA documents may require the HOAs to identify and enforce a no parking restriction in fire lanes throughout the community.

(n) **Medians.**

- (1) **Openings.** - Medians shall be continuous. Access oOpenings in the median may be provided for public streets or major driveways (having one hundred (100) peak hour trips (PHT) or more (sum of entering and exiting left turn vehicles) provided the spacing between median openings is in accordance with Table 506-5.1 and Figure 506-10A, 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 subsection 35-502(d). When medians are open, left turn bays and median radii shall be provided in accordance with subsection 35-502(e)(2). 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.

Table 506-5.1 Guidelines for Full Access ~~Spacing Median~~ Openings

Functional Classification (Divided roadway subject to the requested median opening):	Minimum Spacing Between Access Median Openings:
Arterial	From Freeway <u>or Frontage Road</u> : Outside of the Functional area ¹ or 660 feet, whichever is less, as measured from the projected right-of-way line of the intersecting freeway as illustrated in Figure 506-6.1.
	From another Arterial: Outside of the functional area' or 500 feet, whichever is less, as measured from the projected right-of-way line of the intersecting arterial as illustrated in Figure 506-6.1.
	Elsewhere along Arterial: Outside the functional area ¹ or 400 feet, whichever is less, as measured between the nose of the median opening and the nose of the next median opening as illustrated in Figure 506-6.2.
Collector/Local (including Modified Collectors)	From Freeway or Arterial: 400 feet or outside the functional area ¹ , whichever is less, as measured from the projected right-of-way line of the intersecting freeway or arterial as illustrated in Figure 506-6.1.
	Elsewhere along the Collector or Local Street: Outside the functional area' or 400 feet, whichever is less, as measured between the nose of the median opening and the nose of the next median opening as illustrated in Figure 506-6.2.

¹ Functional Area Definition - The area beyond the physical intersection of two roadways that comprises decision and maneuvering distance, plus any required vehicle storage length. The functional area includes the length of road upstream from an oncoming intersection needed by motorists to perceive the intersection and begin maneuvers to negotiate it. (ITE. "Access Management", April 2004)

A. Access spacing along roadways shall be based on functional classification in accordance with the table shown below and Figure 506-10A.

Table 506-5.2 Access Spacing by Road Type

<u>Street A Type</u>	<u>Street B Type</u>	<u>Distance A ⁽¹⁾</u> <u>(Feet)</u>	<u>Distance B ⁽²⁾</u> <u>(Feet)</u>
<u>Collector</u>	<u>Collector</u>	<u>125</u>	<u>400</u>
<u>Arterial</u>	<u>Collector</u>	<u>125</u>	<u>400</u>
	<u>Arterial</u>	<u>245</u>	<u>500</u>
<u>Frontage Road</u>	<u>Collector</u>	<u>125</u>	<u>400</u>
	<u>Arterial</u>	<u>245</u>	<u>660</u>

⁽¹⁾ [35-506 \(r\)\(7\)\(B\)](#)

⁽²⁾ [35-506 \(n\)\(1\) Table 506-5.1](#)

(p) Pavement Standards.

- (1) **Pavement Structure.** The design of pavement structures shall be in accordance with the American Association of State Highway and Transportation officials (AASHTO) Guide for Design of Pavement Structures, 1993 or latest approved edition. The pavement design report shall be prepared and signed by, or under the supervision of, a professional engineer registered in the State of Texas. The design requirements in Table 506-6 shall be used for pavement design. [Permeable pavement is encouraged where soils are appropriate, and cool pavement asphalt treatments or concrete with a solar reflectivity of at least 33% are encouraged for residential streets to mitigate Urban Heat Island \(UHI\) impacts. Low carbon materials are also encouraged and can be identified by evaluating material Environmental Product Declarations \(EPDs\).](#)

(q) Sidewalk Standards.

- (1) **Applicability.**

[F. Low carbon concrete is encouraged and can be identified by evaluating material Environmental Product Declarations \(EPDs\).](#)

(r) Access and Driveways.

- (3) **Commercial, Industrial and Medium or High Density Residential Developments.** Lots proposed for commercial, industrial and 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 ~~shall~~ **may** be permitted if shared cross access cannot be obtained through adjacent parcels. This may be granted provided efforts to obtain access have been documented and provided to City Staff ;
- B. For lots with two hundred (200) feet or more of unrestricted frontage, one (1) access point will be permitted for every two hundred (200) feet of unrestricted frontage ~~may be permitted.~~
- C. .All lots proposed for commercial development in the ETJ or in "NC," "O," and "C" zoning districts with less than two hundred (200) feet of unrestricted frontage ~~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).
- D. For conditions A and B above, each driveway location must meet the subsequent sections of the code 35-506(n)(1), (r)(5)(C), (r)(7)(B), and (r)(8)(A) &(B).

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

- C. Driveways shall not be less than fifty (50) feet from another driveway location which is intended to only apply to driveways located on separate properties. Access spacing along roadways shall be based on functional classification in accordance with Table 506-5.1. ~~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.~~

- (7) **Spacing and Location on Major Thoroughfares.** This subsection applies to driveway approach spacing and location along or adjacent to major thoroughfares.

- B. Driveways shall not be located within two hundred forty-five feet (245) of frontage road-to-arterial and arterial-to-arterial intersections or one hundred twenty-five feet (125) feet for all other intersections, measured from the curb return of the intersecting street along the roadway perpendicular to the right-of-way of the intersecting street and cannot be located within the limits of the right-turn deceleration or acceleration lanes. ~~Along either side of any corner commercial or industrial property a driveway approach 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-foot vehicular non-access easement. ~~The easement shall extend a minimum of:~~

~~1. One hundred twenty-five (125) feet; or~~

~~2. 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.~~

1. ~~3.~~ 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.

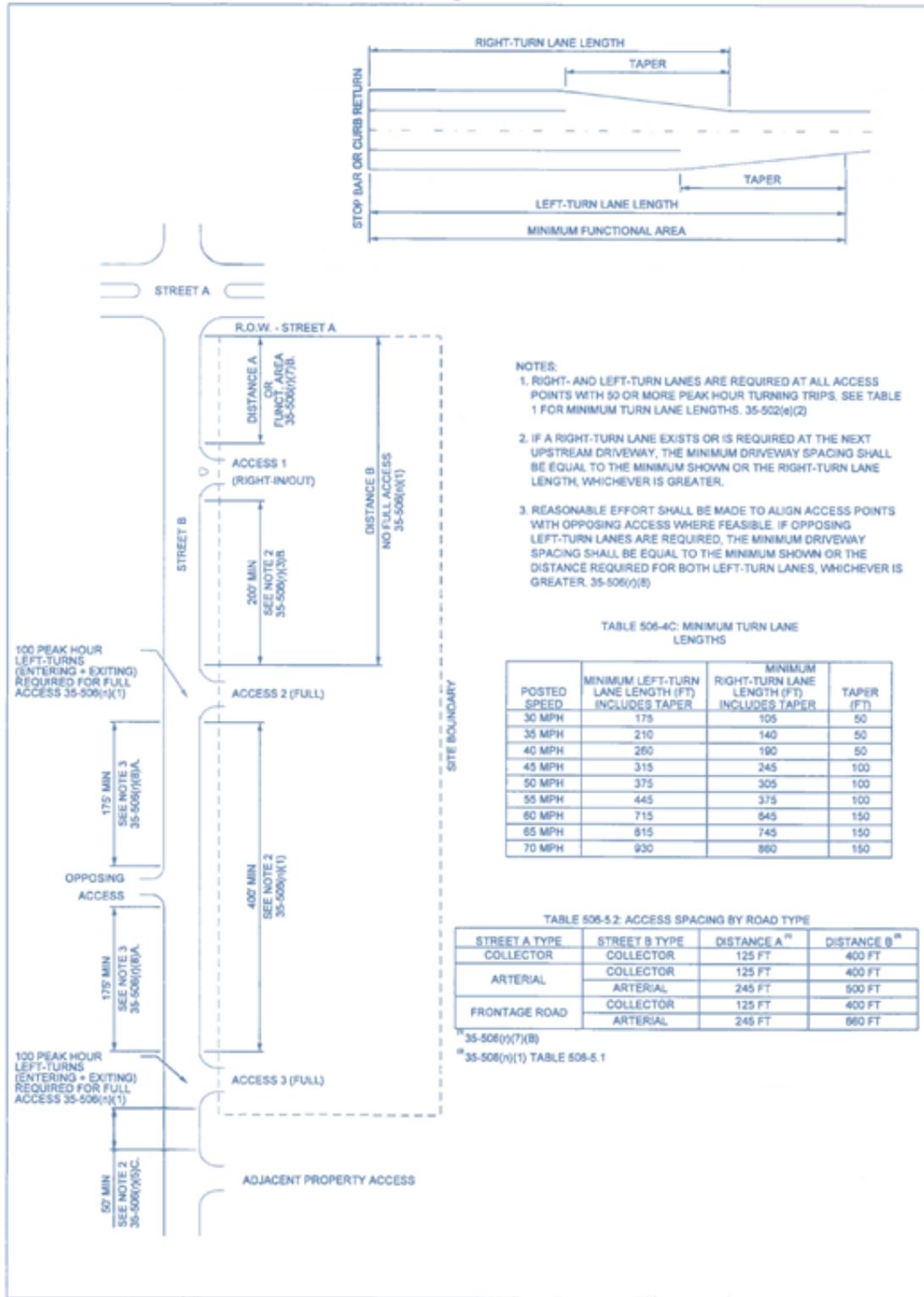
(8) **Alignment. Driveway** Major driveway approaches, ~~with peak hour trips greater than one hundred (100) pht,~~ accessing major thoroughfares shall attempt to meet the following guidelines:

B. Shared cross access 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.

(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.

Figure 506-10A



- NOTES:
1. RIGHT- AND LEFT-TURN LANES ARE REQUIRED AT ALL ACCESS POINTS WITH 50 OR MORE PEAK HOUR TURNING TRIPS. SEE TABLE 1 FOR MINIMUM TURN LANE LENGTHS. 35-502(e)(2)
 2. IF A RIGHT-TURN LANE EXISTS OR IS REQUIRED AT THE NEXT UPSTREAM DRIVEWAY, THE MINIMUM DRIVEWAY SPACING SHALL BE EQUAL TO THE MINIMUM SHOWN OR THE RIGHT-TURN LANE LENGTH, WHICHEVER IS GREATER.
 3. REASONABLE EFFORT SHALL BE MADE TO ALIGN ACCESS POINTS WITH OPPOSING ACCESS WHERE FEASIBLE. IF OPPOSING LEFT-TURN LANES ARE REQUIRED, THE MINIMUM DRIVEWAY SPACING SHALL BE EQUAL TO THE MINIMUM SHOWN OR THE DISTANCE REQUIRED FOR BOTH LEFT-TURN LANES, WHICHEVER IS GREATER. 35-506(i)(8)

TABLE 506-4C: MINIMUM TURN LANE LENGTHS

POSTED SPEED	MINIMUM LEFT-TURN LANE LENGTH (FT) INCLUDES TAPER	MINIMUM RIGHT-TURN LANE LENGTH (FT) INCLUDES TAPER	TAPER (FT)
30 MPH	175	105	50
35 MPH	210	140	50
40 MPH	260	190	50
45 MPH	315	245	100
50 MPH	375	305	100
55 MPH	445	375	100
60 MPH	715	645	150
65 MPH	815	745	150
70 MPH	930	860	150

TABLE 506-5.2: ACCESS SPACING BY ROAD TYPE

STREET A TYPE	STREET B TYPE	DISTANCE A ^m	DISTANCE B ^m
COLLECTOR	COLLECTOR	125 FT	400 FT
	ARTERIAL	245 FT	500 FT
FRONTAGE ROAD	COLLECTOR	125 FT	400 FT
	ARTERIAL	245 FT	660 FT

^m 35-506(i)(7)(B)
ⁿ 35-506(i)(1) TABLE 506-5.1

(t) **Traffic Calming.**

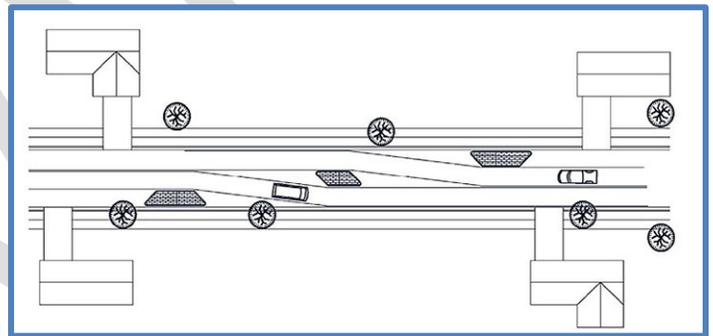
- (3) **Traffic Control Calming Features.** A longer street length may be allowed through the placement of an approved traffic calming feature at a location which produces an unimpeded length of the street link which does not exceed the block length standards (subsection 35-515(b)(3 4)).

Table 506-8 provisions describe and establish standards for permitted traffic calming devices where traffic calming measures are permitted as part of the roadway design elements in subsection B, above. ~~The descriptions in Table 506-8 are described in the document entitled R. Ewing, traffic calming: State of the Practice (Institute of Transportation engineers (ITE) and the Federal Highway Administration (FHWA) Traffic Calming ePrimer (last updated 2017), 1999), which document is hereby incorporated by this reference.~~ In addition, the director of ~~planning and~~ development services shall seek concurrence from the Bexar County engineer for any type of traffic calming feature proposed on residential roadways located in the ETJ as detailed in Table 506-8. Traffic calming options for locals and collector streets are noted below:

Table 506-8

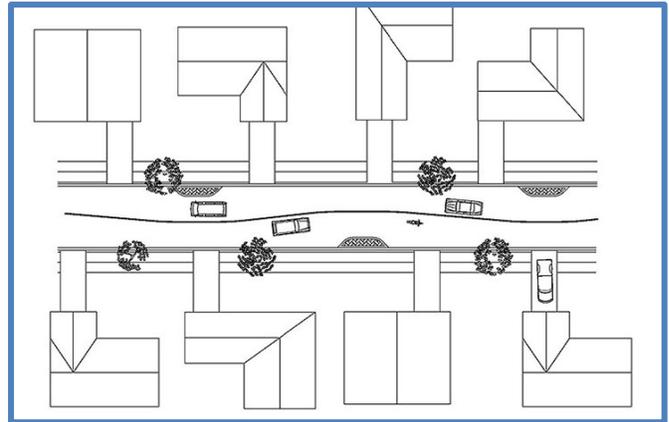
APPROVED TRAFFIC CONTROL DEVICES AND DESCRIPTION

Lateral Shift. A realignment of an otherwise straight street that causes travel lanes to shift in one direction. The primary purpose of a lateral shift is to reduce motor vehicle speed along the street. A typical lateral shift separates opposing traffic through the shift with the aid of a median island. Without the island, a motorist could cross the centerline in order to drive the straightest path possible, thereby reducing the speed reduction effectiveness of the lateral shift. In addition, a median island reduces the likelihood a motorist will veer into the path of opposing traffic, further improving the safety of the roadway for motorists.



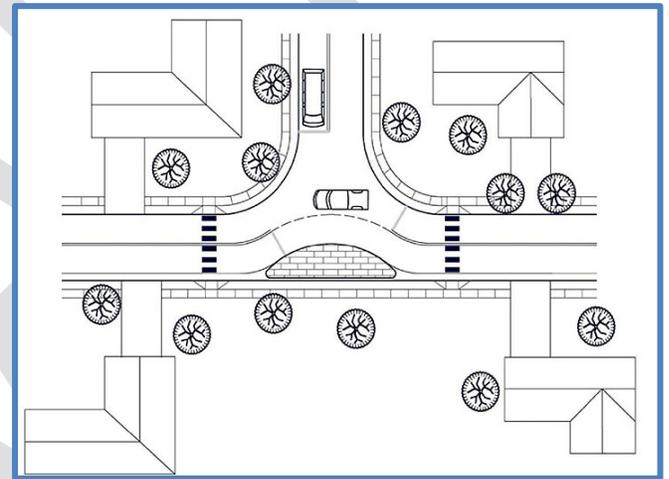
Source: Delaware Department of Transportation as presented in FHWA ePrimer

Chicane. A series of alternating curves or lane shifts that force a motorist to steer back and forth instead of traveling a straight path. The curvilinear path is intended to reduce the speed at which a motorist is comfortable travelling through the feature. The lower speed could in turn result in a traffic volume reduction. Also called deviations, serpentine, reversing curves, or twists



Source: Delaware Department of Transportation as presented in [FHWA ePrimer](#)

Realigned Intersection. The reconfiguration of an intersection with perpendicular angles to have skewed approaches or travel paths through the intersection. The expectation is that these physical features will remove or discourage fast vehicle movements through the intersection.



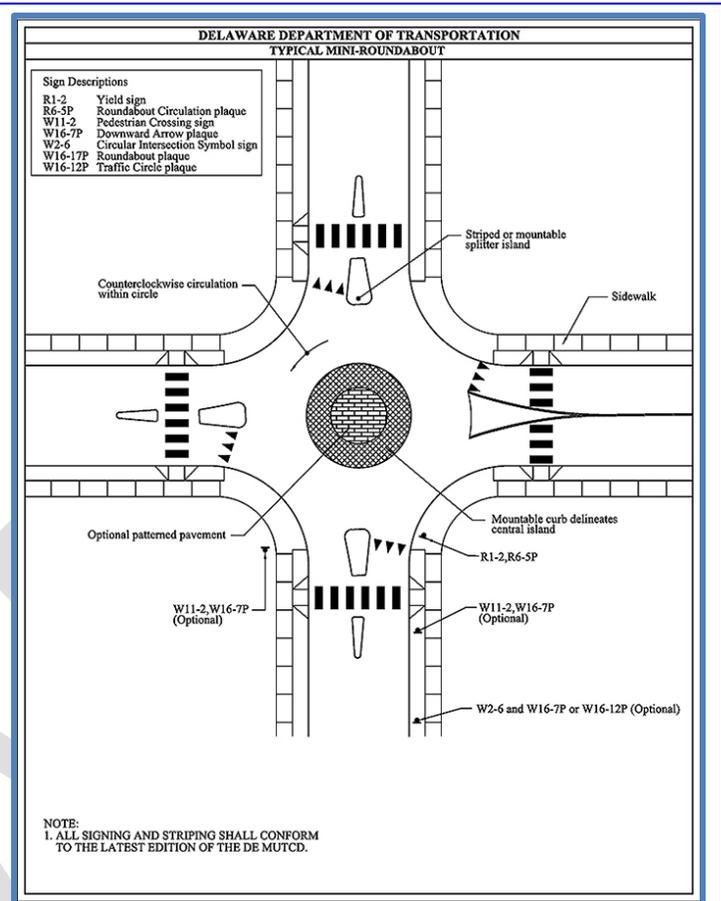
Source: Delaware Department of Transportation as presented in [FHWA ePrimer](#)

Small Modern Roundabout/Mini Roundabout. A raised island, placed within an unsignalized intersection, around which traffic circulates. The center island forces a motorist to use reduced speed when entering and passing through an intersection, whether the vehicle path is straight through or involves a turn onto an intersecting street. It is also expected to reduce the number of angle and turning collisions.

Both a small modern roundabout and a mini-roundabout are designed in accordance with roundabout design principles. Both are designed so that all traffic can circulate counterclockwise around or partially over the center island.

The principal difference between a small modern roundabout and a mini-roundabout is found at the center island. For a small modern roundabout, the center island is not traversable and can be landscaped with ground cover, flowers, and street trees. In contrast, the center island of a mini-roundabout is fully traversable.

Both a small modern roundabout and mini-roundabout use splitter islands to direct traffic entering the intersection. In order to accommodate trucks, fire trucks, school buses and vehicles towing trailers, the splitter islands can be either mountable or at-grade.



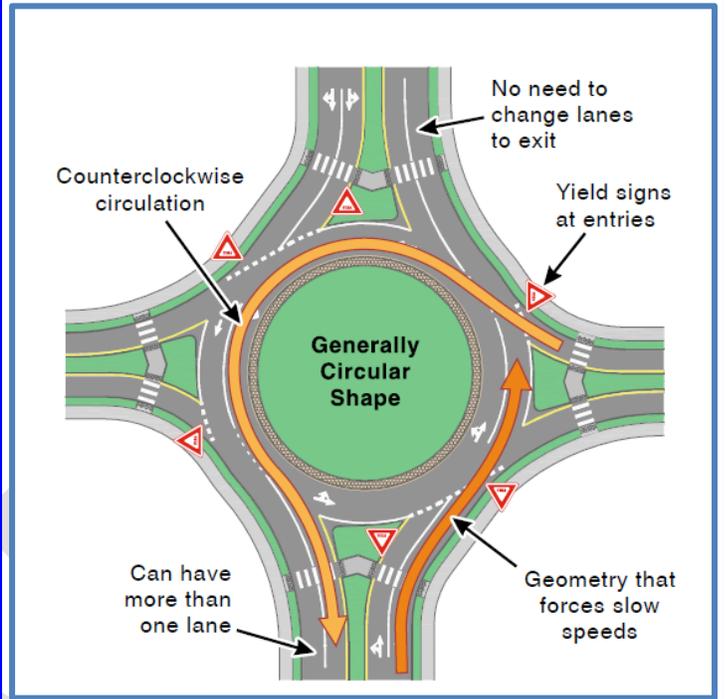
Source: Delaware Department of Transportation as presented in [FHWA ePrimer](#)

Roundabout. An intersection design that contrasts with designs that require traffic signal control or stop control. A roundabout is often used as a replacement for a signalized intersection.

A full roundabout is typically appropriate only at the intersection of two arterial streets or of an arterial street with a collector street. The full roundabout does not generally fit within the footprint of lower classification street intersections.

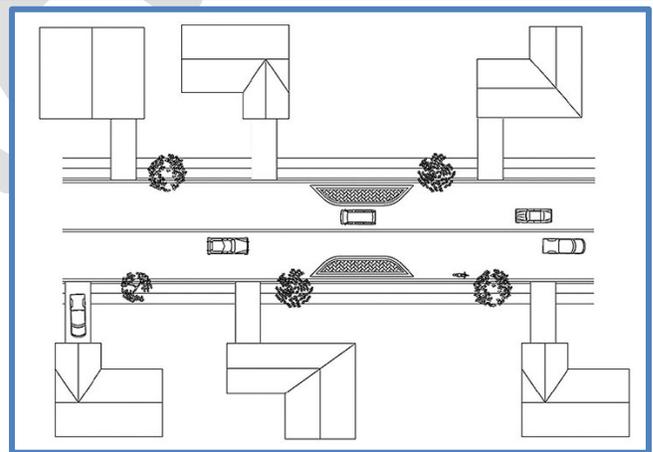
A roundabout is sized to accommodate all large vehicles circulating the center island and the center island is non-traversable.

A roundabout provides a horizontal deflection with an island at the entry point and requires every vehicle to follow a circuitous path no matter which departure leg of the intersection is the destination.

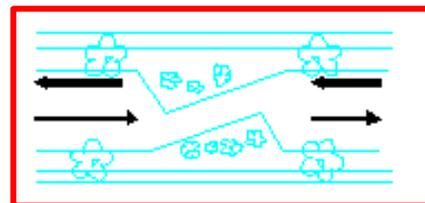


Source: FHWA Technical Summary - Roundabouts

Choker. A narrowing of a roadway through the use of curb extensions or roadside islands. It can be created by a pair of curb extensions at a midblock location that narrows the street by widening the sidewalk or planting strip at that location. A choker can also be created through the use of roadside islands. This narrowing is intended to discourage motorist speeding and to reduce vehicle speeds in general.



Neckdowns/Flares/Street Narrowing/Intersection Throating. Neckdowns are curb extensions at intersections that reduce roadway width curb to curb. They are sometimes called slow points, nubs, bulbouts, knuckles, or intersection narrowing. These traffic control measures reduce the width of a section of roadway in a gradual manner. They shorten crossing distances for pedestrians and drawing attention to pedestrians via raised



peninsulas. By tightening curb radii at the corner, the pedestrian crossing distance is reduced and the speeds of turning vehicles are reduced. The effect of this measure is to reduce speed and discourage non-local traffic. Motorists react to this measure with slower speed because of a concern of a limited travel path.

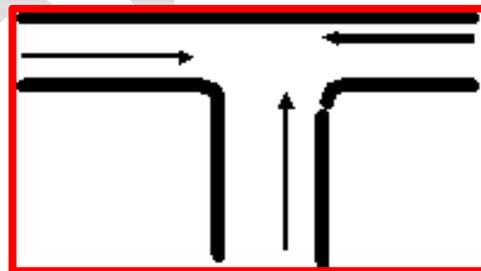
Roundabouts/Traffic Circles are raised circular structures constructed at a three-way or four-way intersection. Its objectives are to slow speeding and reduce the number and severity of vehicular accidents. This measure is most suitable for wide intersections and may accommodate all size vehicles by applying appropriate engineering designs.



Median Islands are raised circular landscaped areas located within non-intersection, midblock locations. Median islands channelize traffic and separate opposing flows. Traffic must slow down to maneuver around a median island. Median islands offer landscaping opportunities and maintenance responsibility. Median islands can be used to protect existing trees. See Figure 506-12.



"T" intersections are at-grade intersections where one of the intersecting street links is perpendicular to the other two. Traffic must slow down to negotiate the turning maneuvers in a T-intersection. This roadway feature is very common. Motorists are familiar with T-intersections.



Chapter 35, Article V, Section 35-507 is amended as follows:

'Sec. 35-507. – Utilities.'

(f) **Easements.**

- (2) **Use of Easements.** If the owner of the property upon which a utility easement is located desires to use it for lawn purposes, fencing across the easement shall be permitted but gates [or removable panels](#) along the side lot lines must be provided. The gates [or removable panels](#) shall be sixteen (16) feet wide (two (2) eight-foot gates [or panels or one \(1\) sixteen-foot gate or panel](#)) and shall be capable of being opened and closed, [or removed](#) at all times. [Gates](#) ~~These gates~~ shall be secured in the center by a drop rod or some similar device which does not obstruct free passage over the easement. The drop rod may be lowered into a drop rod keeper installed so as to be flush with the ground level. No permanent-type center pole for the gates may be erected. The gates shall remain unlocked at all times. Property owners who do not

desire to use a utility easement for lawn purposes may fence their backyard area at the easement line. The property owner is responsible for the maintenance of the unused easement area even though it may be located beyond the rear fence of the property.

'Article V: Division 3. -Landscaping and Tree Preservation.'

STATEMENT OF PURPOSE

The purpose of these landscaping, street tree, screening, and buffer requirements is to provide standards that will protect the health, safety and general welfare of the public, enhance property values, and improve the appearance of the community through preservation of natural resources, trees, and native plants and maintaining the ecological balance of the area. These minimum requirements will:

- *To promote and protect the health, safety, and welfare of the public by creating an urban environment that is aesthetically pleasing and that promotes economic development through an enhanced quality of life.*
- *To select tree and other plant materials that take into consideration climate change to ensure that species planted today can tolerate future climate conditions. Species with a high carbon storage capacity should also be prioritized as a climate mitigation strategy.*

Chapter 35, Article V, Section 35-510 is amended as follows:

'Sec. 35-510 – Buffers'

STATEMENT OF PURPOSE

The intent of buffering is to implement Policy 3c of the Neighborhoods Element of the Master Plan to provide landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the bufferyard as the land use intensity of the new or expanded development increases.

Ch 34. Art. IV. Div. 1 Sec 34-275 (1)-(8)

Ch 34. Art. IV. Div. 1 Sec. 34-273 (2)c.

Irrigation systems newly installed after January 1, 2010 in residential dwellings may not cover more than 10,000 square feet of landscape with spray or rotor irrigation heads. The use of drip irrigation or micro-sprays may be used to expand the coverage size upon approval of the residential landscape plan by SAWS.

(a) **Applicability.**

(2) **Exemptions.** This section shall not apply to the following situations:

- I. Accessory structures less than three-hundred (300) ~~two-hundred (200)~~ square feet in size such as decks, sheds, playhouses, gazebos, security guard huts and non-mobile food vending stands.

- (4) **Reduction in Required Bufferyards.** Table 510-2 indicates net minimum bufferyard widths. Such minimum widths shall be provided in a linear fashion along abutting properties where applicable. The width of the bufferyard at any point along its length may be greater or less than the minimum required by Table 510-2 provided that the total calculated area of the bufferyard must remain the same and further provided that the minimum width of the bufferyard at any point is not less than fifty (50) percent of the minimum width indicated by Table 510-2. The net bufferyard area for a property to be developed shall be reduced by no more than fifty (50) percent where:

(5) The Board of Adjustment may reduce or eliminate the depth or composition of any required bufferyard upon findings of fact that support the request for the variance.

(c) **Types of Bufferyards Required.**

- (1) Table 510-1 shows when a bufferyard shall be required to buffer an adjoining zoning district. Uses in the "adjoining zoning district" are not required to provide the bufferyard. The applicant shall install the type of bufferyard as indicated in the table.

Commentary: For example, if the proposed development is located in an "I-1" zoning district (see row (10) of the table), and the "adjoining zoning district" is zoned "RE" (see the column (2) under adjoining zoning district), then the applicant shall install a type E buffer. In addition, if the development adjoins a street classified as a "major arterial" (see column (12) under the adjoining street classification), then the applicant shall install a type C bufferyard where the front yard adjoins the street right-of-way line. However, a proposed development zoned "RE" (see row (2) of the table) which adjoins an "I-1" district (see column (10) of the table) is not required to provide a bufferyard.

- (2) In order to encourage the preservation of natural vegetation, the applicant may substitute a type "N" buffer consistent with subsection (d), Table 510-2 for any category of required.

~~(3) Utility companies shall provide a plant buffer within the street yard of electrical substations, water pumping/storage sites, and wastewater treatment plans. The buffer shall comply with the requirements for a type "E" buffer, below.~~

**Table 510-1
 Required Bufferyards**

Zoning District	Adjoining Zoning District											Adjoining Street Classification				
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)		
	RP**	RE, R-20, NP-15, NP-10, NP-8**	R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR**	MF-18, MF-25, MF-22**	MF-40, MF-50, MF-65	NC ***	O-1, O-1.5, C-1, C-2, C-2P ***	O-2, C-3, BP, MXD, MPCD ***	D	I, I-1 ***	I-2 ***	Primary	Major-Arterial *****	Secondary	Minor-Arterial *****	Collector *****

(1) RP	N/A													
(2) RE, R-20, NP-15, NP-10, NP-8	N/A													
(3) R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR	N/A													
(4) MF-18, MF-25, MF-33	N/A	F	A	N/A	N/A									
(5) MF-40, MF-50, MF-65	N/A	A	N/A	N/A										
(6) NC	C	C	B	N/A	N/A	N/A	N/A	N/A	N/A	E	E	B	A	A
(7) O-1, O-1.5, C-1, C-2, C-2P	C	C*	B	N/A	N/A	A	N/A	N/A	N/A	E	E	B	A	A
(8) O-2, C-3, BP, MXD, MPCD	C	C*	C	C	N/A	A	N/A	N/A	N/A	N/A	D	B	B	A
(9) D	N/A													
(10) L, I-1	E	E	D	E	E	E	E	N/A	N/A	N/A	N/A	C	C	B
(11) I-2	F	F	F	F	F	E	E	D	N/A	N/A	N/A	C	C	B

Notes: A, B, C, D, E, F: Bufferyard Type Designations as shown in Table 510-2 below.
 N/A: Not applicable—Bufferyard not required.

* Where a use zoned "O-1," "C-1," "C-2" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "D" buffer shall be applied. Where a use zoned "BP," "O-2" or "C-3" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "F" buffer shall be applied.

** Where a nonresidential use is located in a single-family or multi-family district as indicated in Table 510-1 the required buffer is equivalent to that required of an O-1, C-1, C-2 use (column 7).

***Where a commercial or office zoned property that is less than 1 acre and abuts an industrial zoned property, a landscaped bufferyard is not required provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1. Where a commercial or office zoned property that is equal to or greater than 1 acre, and abuts an industrial zoned property, a Type A bufferyard is required, provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1.

**** Note to adjoining street classification (12) Primary Arterial, (13) Secondary Arterial, and (14) Collector for when the adjoining street has an easement or easements that preclude provision of required buffer planting, a 5 ft strip for planting outside and abutting the outmost extent of those easements may be provided in lieu of the required bufferyard width.

Chapter 35, Article V, Section 35-514 is amended as follows:

'Sec. 35-514. – Fences.'

(a) **General.**

- (3) Freestanding walls, not an integral load bearing portion of a structure, whether constructed of masonry or wood framing, shall be considered fencing. Walls connected to a commercial or industrial building and designed as a visual and noise barrier between a loading dock or similar use and a residential use, shall not be considered fencing and may extend to a height of sixteen

(16) feet and a distance of fifty-five (55) feet from the building. For residential uses, walls connected to a dwelling unit, creating and enclosing a courtyard with access to the interior, shall be permitted with a maximum wall height of one-story. The enclosed courtyard shall meet all setbacks and be considered part of the home floor area. Walls to be constructed in excess of eight (8) feet in height shall require certification by a licensed engineer that the foundation and support structure are designed to sustain wind loads in accordance with the International Building Code.

(c) **Height Limitation.**

- (2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:

- A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or
- B. The fence is erected along a side or rear lot line which abuts an alley, railroad ROW, or a street with a classification other than a local street; or

F. The fence is located in a side or rear yard of a single-family residential property that contains a below ground swimming pool/hot tub or above ground swimming pool in the rear yard or in the side or rear yard of a single-family property that abuts one with a below ground swimming pool/hot tub or above ground swimming pool.

G. F. In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six

(6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.

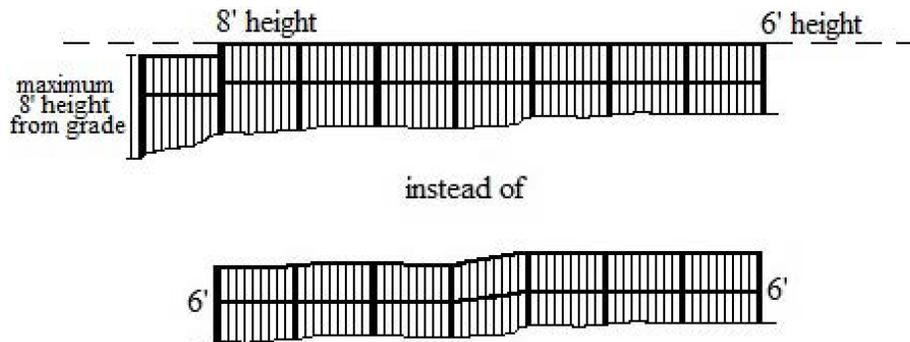


Figure 2: Example of Additional Height allowed pursuant to Section 35-514(c)(2) ~~GF~~.

(d) Fencing Requirements for Uses Adjoining Single-Family Residential Uses.

- (1) All property zoned for nonresidential or multi-family residential uses including residential districts with conditional uses or specific use authorizations for nonresidential uses, excluding property located within the mixed-use district "MXD" or infill development zone "IDZ," shall erect and maintain solid screen (opaque) fencing along the property boundaries adjacent to an existing single-family residential use.

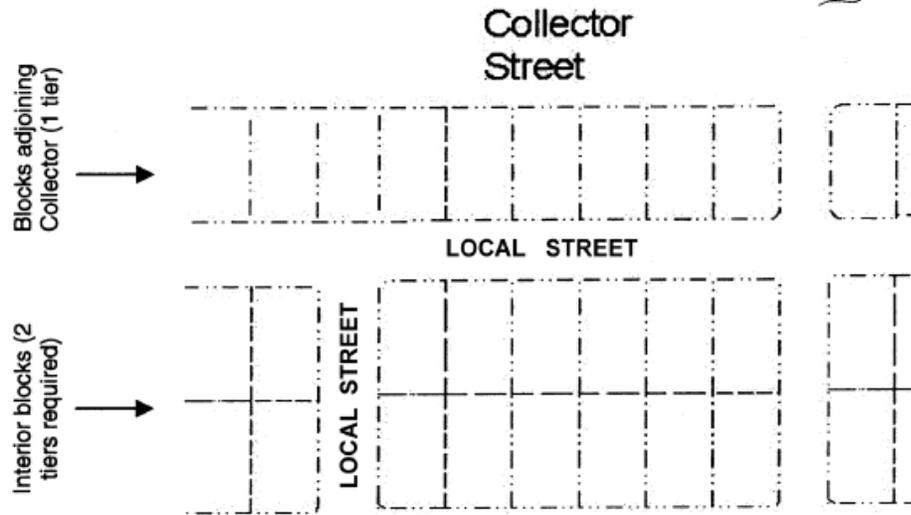
Exception: Where there is an existing compliant fence on the single-family property boundary, the nonresidential or multi-family residential developer may submit a signed agreement from all adjacent property owners to maintain the existing single-family fence.

Chapter 35, Article V, Section 35-515 is amended as follows:

'Sec. 35-515. - Lot Layout Regulations.'

STATEMENT OF PURPOSE

This section provides for blocks which provide a pedestrian scale, offer alternative paths for vehicular traffic, and which accommodate on-street parking. Standards are provided to ensure that lots have adequate access and conform to the zoning provisions of this chapter. The city finds and determines that long blocks lined with homes and other buildings reduce street connectivity and impair the efficiency of public and safety services, while increasing distances between residences and nonresidential destinations or public gathering places. Exceptions to these standards are made for non-urban districts and zoning districts (such as "RP" and "RE") and districts which require greater flexibility in order to encourage economic development (such as "I-1" and "I-2").



- (a) **Buildings to be on a Lot.** Except as permitted in the planned unit development district, every building shall be located on a lot. In the "RP" and residential zoning districts, no more than one (1) principal building may be erected on a lot unless otherwise permitted in this chapter.

(2) **Building on ~~or Near~~ Common Property Line (Single-Family Use Only).**

The current adopted International Building Code and International Residential Code do not provide for building over common property lines without appropriate fire rated walls, projections, openings and penetrations (for the purpose of this section a "common property line" shall refer to any property line between multiple platted lots under the same ownership as indicated in the property records of Bexar County, Texas). The strict interpretation of such a provision adversely impacts the single-family housing market and specifically inner-city areas which were developed with lots as narrow as twenty-five (25) feet in width. Therefore, the cost of rectifying common property lines by an amending plat unfairly impacts housing cost, especially on inner-city lots.

- A. A single-family structure, addition, or accessory structure (~~excluding accessory dwellings~~) may be built over a common property line if each and all of the following conditions are met:

4. The side and rear setbacks of the structure in question shall be no less than that required in section 35-310 table 310-1.
5. All of the lots in question are within one of the following single-family zoning districts: FR, RP, RE, RD, R-20, NP-15, NP-10, NP-8, R-6, R-5, R-4, ~~or R-3.~~ R-2, R-1, RM-6, RM-5, RM-4, or zoned MF but developed for a single-family use.
6. Prior to receiving a building permit the owner shall obtain a certificate of determination from the development services department that the above five (5) conditions have been met. In addition, if the subject property is in a historic district, the historic preservation officer must make a finding of compliance and compatibility with the provisions of the applicable historic district prior to issuance of a building permit. If the subject property is in a neighborhood conservation district the director of development services must make a finding of compliance and compatibility with the provisions of the applicable neighborhood conservation district prior to

issuance of a building permit.

(b) **Blocks.**

(3) **Block and Street Length.**

- A. **Block Length.** The length of a block where homes front a street within a subdivision or site plan shall be measured from the edge of the property line of the street siding the furthest lot of the block width or to the center of a cul-de-sac, 90° Elbow, or 90° Knuckle, ~~or approved traffic calming treatment as identified in 35-506(f).~~
- (i) A street's block length shall not exceed seven hundred (700) feet when the street is a:
- Local type B (with houses fronting),
 - Local type A which serves as an entrance street to the proposed neighborhood, or part of a TND use pattern (see subsection 35-207(f)).
 - Local type C (with houses fronting)
- (ii) A street's block length shall not exceed one thousand two hundred (1,200) feet when the street is a:
- Block that ends with a cul-de-sac
 - Local type A
 - ~~Local type C~~
- (iii) A street's block length shall not exceed one thousand four hundred (1,400) feet when the street is a:
- Local type B (with no houses fronting)
 - Local type C (with no houses fronting)
 - Collector A
- (iv) A street's block length shall not exceed three thousand six hundred (3,600) feet when the street is a:
- Collector B
 - Collector C
- (v) ~~iii~~ Block lengths do not apply to the following unless they transition into a street with houses fronting:
- ~~Local type B~~
 - Avenues ~~Collectors or avenues~~
 - Secondary arterials or main streets
 - Primary arterials or boulevards
 - Freeways or parkways
- (vi) ~~iv~~ In the ETJ, dead end streets or streets with no outlet exceeding seven hundred fifty (750) feet shall provide a fire apparatus turnaround with a spacing not to exceed seven hundred fifty (750) feet. This provision shall also apply to phased street construction when a street outlet has not been constructed.

~~C. Maximum street or block lengths, except subsection 35-515(b)(3)(A)(i), may be exceeded in accordance with subsection 35-506(c) of this chapter.~~

(f) Townhouse Subdivisions. For townhouse subdivisions, adequate provision shall be made by the subdivider for common ownership and maintenance of community facilities such as recreation and open space, parking, access and similar common use areas. Such open and service areas shall be described and so indicated on the subdivision plat. The description "townhouse subdivision" shall be prominently indicated on the subdivision plat. Also the plat shall include a statement which indicates that any lots with reduced lot sizes for the zoning district in which the project is located or any lot with townhome side setbacks as designated in Section 35-373(b) of this Chapter shall be utilized exclusively for townhome use ~~designating all lots in the subdivision to be limited to townhouse use.~~ The subdivider shall also furnish the city two (2) copies of deed restrictions limiting the property to townhouse use and providing disposition and maintenance covenants on all open space or other common ownership areas. Such restrictions shall be recorded by the applicant at the time of plat recordation. Along with the required plat filing fees, an additional fee shall be provided by the subdivider to cover county recording costs of such restrictive covenants.

Chapter 35, Article V, Section 35-516 is amended as follows:

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

~~(c) Previous Plats. The setback line, as shown on plats initiated two (2) years prior to December 2, 2004, shall be recognized as the official setback line.~~

'DIVISION 5. – NATURAL RESOURCE PROTECTION'

STATEMENT OF PURPOSE

This division implements the following provisions of the master plan:

- *Natural Resources, Policy 2c: Revise the Unified Development Code to address the protection of natural resources and compliance with environmental regulations.*
- *Natural Resources, Goal 3: Achieve a sustainable balance between the conservation, use and development of San Antonio's natural resources.*
- *Urban Design, Policy 1b: Create and adopt urban design guidelines and standards which specifically encourage distinctive physiographic, natural, and scenic features.*
- *SA Tomorrow Sustainability Plan, FS8: Pilot a program that includes incentives and resources to facilitate urban agricultural uses on vacant or underutilized land. Increasing soil organic matter through regenerative agricultural practices, including the use of cover crops and grazing, increases resilience and resistance to both floods and droughts. It also improves water quality by reducing runoff and filtering out impurities. A 1 percent increase in soil organic matter content can retain an additional 19,000 gallons of water per acre. (NRCS)*
- *SA Tomorrow Sustainability Plan, FS9: Develop an urban agriculture training program to train new urban farmers in agriculture and business practices (including food production and processing).*

Chapter 35, Article V, Section 35-523 is amended as follows:

'Sec. 35-523 – Tree Preservation.'

STATEMENT OF PURPOSE

While allowing the reasonable improvement of land within the city and city's ETJ, it is stated public policy of the city to maintain, to the greatest extent possible, existing trees within the city and the ETJ, and to add to the tree population within the city and the ETJ to promote a high tree canopy goal. The planting of additional trees and preservation of existing trees in the city and the ETJ is intended to accomplish, where possible, the following objectives:

- To recognize the economic value added to properties with trees and high tree canopy coverage.
- To ensure that the City of San Antonio maximizes tree canopy as a tool to address climate change, as trees sequester carbon, mitigate extreme heat, and improve air quality. This is particularly important in areas with a high combined equity score in the City of San Antonio's Equity Atlas, as well as areas with significant Urban Heat Island (UHI) impacts. Tree species selection should consider future climate change impacts to ensure that San Antonio's overall tree population is more resilient to climate trends as outlined in the SA Climate Ready Plan.

(e) **Final Tree Canopy Cover.** The intent of this subsection is to promote tree canopy coverage in the city and the city's ETJ. The development of any property shall meet the final canopy percent requirements as described below based on the land use and can be accomplished by maximizing the preservation of trees through a tree survey method or tree stand delineation alternative and by tree planting (if necessary) or payment into the tree canopy ~~mitigation~~ fund.

(A) Method	(B) Description	(C) Restrictions
Establishment and maintenance of new trees at the required ratio on-site	Significant 1:1 Heritage 3:1 All tree species of Ash (all Fraxinus species) Hackberry (all Celtis species) Huisache, Ashe Juniper and Mesquite will be mitigated at 1:1.	No more than twenty-five (25) percent of the replacement trees shall be of the same species for the purposes of mitigation. Replacement trees must be at least one and one-half (1.5) caliper.
Payment to the tree mitigation fund or tree canopy fund	In lieu of meeting the minimum preservation or final canopy standards of this section, a payment to the tree mitigation fund or tree canopy fund may be provided in accordance with 35-C110 .	See subsection (o) tree mitigation fund or subsection (q) tree canopy fund for the authorized collection and disbursement of these funds.
Protection and maintenance of smaller trees within surveyed area	Protection and maintenance of existing trees within the surveyed area that are smaller than the size requirements for a protected tree.	Such trees must be at least two and one-half (2½) inches DBH. See column B ratios for diameter-inches required.
Protection and maintenance of natural areas within the surveyed area	Protection and maintenance of existing natural areas, i.e., prairie, etc.	Area(s) must contain desirable plants as determined by the city arborist and/or by Texas Parks and Wildlife Dept.

Table 523-2 Mitigation

- (i) **Tree Preservation Incentives.** An individual may apply for, and subject to verification, shall receive incentives for tree preservation as follows:

- (6) **Minimum Lot Size and Setbacks.** The board of adjustment may waive the minimum lot size and setback requirements of the applicable zoning district for an individual lot or lots where the applicant demonstrates the following:

- D. The resulting lot sizes or setbacks do not violate the master plan or the applicable neighborhood, [community, perimeter, sector, or sub-area](#) plan.

(m) **General Planting Standards.**

- (7) All tree planting subject to section 35-523(m) shall be required to be planted in soil that is suitable for establishing and sustaining the plantings. In addition to containing suitable soil particle size and depth of soil zone, the soil must contain sufficient organic matter and nutrients. Testing and confirmation by landscape architect, or a Texas licensed soil testing firm shall be completed to ensure the soils are suitable. In lieu of confirmation by a landscape architect, or a Texas licensed soil testing firm soil may be amended with compost by adding three (3) inches of compost blended into every 1 foot of soil. For complete soil replacement, such as tree plantings, an amount of 25% compost may be added to 75% native soil.

(o) **Tree Mitigation Fund.**

- (3) **Use of Funds.** The funds collected from civil penalties and mitigation fees in the fund shall be utilized to pay for the planting of trees, and to include a maintenance period not to exceed three (3) years. Generated funds may be used by Parks and Recreation or designee ~~the city forester~~ to plant trees on public or private properties and purchase park property(ies) to plant new trees to be capped at 25 percent per fiscal year. Trees planted with mitigation funds shall not be used to meet any municipal code requirements including but not limited to ~~for~~ preservation, mitigation, landscaping, buffers, streetscape or other requirements. Trees planted with tree mitigation funds are considered mitigation trees as defined in appendix A of the UDC. ~~The funding of tree preservation including the yearly digital imagery and planting programs shall be administered by the parks and recreation department and city forester.~~ The director of the parks and recreation department or staff shall present a plan to seek the advice of the parks and recreation board in regard to the selection of projects to be funded. A portion of the fund may be used, on an annual basis, to fund activities directed towards educating the public on the importance of trees in the environment, ecological issues, invasive species control, disease management and pollution prevention with consideration of priority sites as identified as low canopy areas within the most recent Urban Forest Inventory and Analysis and the City's Equity Atlas.
- (4) **Funds to be Kept Separate.** The balance within the fund shall be recorded and accounted for in a manner that distinguishes them from other general funds of the city and shall be disbursed in a manner consistent with the purposes for which this fund has been established. The balance of this fund shall not be transferred to the general fund at the end of each budget year, but rather, the balance remaining in the fund at the close of the city's fiscal year shall roll over into the ~~and become the beginning~~ balance for the next fiscal year.

(q) **Tree Canopy Investment Fund.**

- (3) **Use of Funds.** The funds collected shall be utilized to pay for the planting and maintenance of trees to include a maintenance period not to exceed three (3) years. Generated funds may be used by the city forester to plant trees on public or private properties, purchase additional park property(ies) to plant new trees to be capped at 25 percent per fiscal year ~~and the yearly digital imagery to proactively enhance the city's tree canopy area.~~ Trees planted utilizing funds from the tree canopy fund are protected trees, and if approved to be removed, shall be mitigated at 1:1 unless heritage size which are mitigated at 3:1 (with the exception of species listed in table 523-2, column B, row 1 which will be mitigated at 1:1) and are to be maintained by the project applicant. ~~In addition, ten (10) percent of the funds collected will be kept in a separate budget line to be used for any litigation necessary in the enforcement of this section.~~ The program is to be administered by the parks and recreation

department. The director of the parks and recreation department ~~and the city or staff forester~~ shall present to seek the advice of the parks and recreation board on the selection of projects to be funded with consideration of priority sites as identified as low canopy areas within the most recent Urban Forest Inventory and Analysis and the City's Equity Atlas.

Chapter 35, Article V, Section 35-525 is amended as follows:

'Sec. 35-525. - Outdoor Storage Standards.'

- (a) **Applicability.** The provisions of this section apply to the keeping, in an unroofed area, any goods, junk, material, or merchandise in the same place for more than twenty-four (24) hours, where outside storage is permitted as a use in Table 311-2, Nonresidential Use Matrix or in the definition of the use in Appendix A. For purposes of this section, outdoor storage is divided into the following categories:

(6) Urban Farm Storage. Outdoor storage of tools, materials, and produce from Urban Farms. As defined in this Chapter, shall be allowed on all operating Urban Farms, according to the following standards:

- a. Chemical fertilizers and pesticides may be stored outdoors but shall meet all requirements of the International Fire Code and all directives of the Fire Marshal's Office, and shall be secured behind a locked, fully opaque fence.
- b. Organic soil amendment materials (such as, but not limited to, wood chips, leaves, compost) may be stored outdoors but shall be secured from erosion and runoff by tarps or dry material when not in active use. These piles should be no higher than 6 feet in height and shall not cause noxious odors. Soil organic material shall be screened from public view.
- c. Plants and produce can be stored outdoors at any time.
- d. Farm equipment, including motor vehicles and motorized farm equipment, may be stored outdoors so long as they are properly secured while in storage and screened from public view.
- e. Vehicle fuels including gasoline and diesel fuel, shall not be stored outside.
- f. All outdoor storage must comply with the San Antonio Property Maintenance Code and the San Antonio Fire Code.

- (b) **Standards.** The standards for outdoor storage are based upon the classification of the storage activities as set forth in subsection (a), above. The standards set forth in column (A), below, apply to class 1 storage activities if there is an asterisk (*) in column (B). The standards set forth in column (A), below, apply to class 2 storage activities if there is an asterisk (*) in column (C). The standards set forth in column (A), below, apply to class 3 storage activities if there is an asterisk (*) in column (D). The standards set forth in column (A), below, apply to class 4 storage activities if there is an asterisk (*) in column (E). The standards set forth in column (A), below, apply to class 5 storage activities if there is an asterisk (*) in column (F).

(c) Drainage and Surfacing. All drive isles and drive lanes for vehicular access to and from Class 3, Class 4, and Class 5 storage areas shall be properly graded for drainage; surfaced with an all weather surface; and maintained in good condition free of weeds, dust, trash, and debris.

Chapter 35, Article V, Section 35-526 is amended as follows:

'Sec. 35-526 – Parking and Loading Standards.'

(f) **Construction and Maintenance.** Off-street parking facilities shall be constructed, maintained and operated in accordance with the following specifications:

- (1) **Drainage and Surfacing.** Areas shall be properly graded for drainage, surfaced with concrete, asphaltic concrete, or asphalt and maintained in good condition free of weeds, dust, trash and debris, and may utilize permeable materials and/or green infrastructure. To help mitigate Urban Heat Island (UHI) impact, cool pavement asphalt treatments or concrete with a solar reflectivity of at least 33% is encouraged.

- (4) **Lighting.** Facilities shall be arranged so that the source of light is concealed from public view and from adjacent residential properties and does not interfere with traffic. Fixtures shall be Dark-Sky compliant to reduce light pollution, provide better lighting quality, decrease energy consumption, improve the health and well-being of residents and visitors, protect wildlife and plant life, and decrease unsightly and dangerous glare. All lighting shall utilize appropriate color temperature not to exceed 3000° Kelvin and comply with Section 35-339.04(F)(12).

- (10) **Low Carbon Materials.** Low-carbon materials are encouraged, as these materials are less carbon intensive than conventional materials and can be identified by evaluating material Environmental Product Declarations (EPDs).

Chapter 35, Article VI, Section 35-601 is amended as follows:

‘Sec. 35-601. – Purpose.’

The purpose of this article is to provide the procedures, standards and criteria for protection of historic, cultural, archaeological and artistic resources.

Chapter 35, Article VI, Section 35-602 is amended as follows:

‘Sec. 35-602. – City Historic Preservation Officer.’

The city historic preservation officer, through the office of historic preservation, shall administer this article and shall advise the historic and design review commission on each application under this article that shall come before the commission. This person shall have expertise in archaeology, history, architectural history, historic preservation, or a closely related field. The city historic preservation officer shall have the following powers and duties:

- (a) To approve, deny or approve with conditions, applications submitted to the office of historic preservation when acting as the city manager designee.
- (b) To coordinate with relevant City departments concerning matters related to historic and design review ~~the department of CIMS who shall administer the public art and design enhancement program under division 5 of article VI.~~

Chapter 35, Article VI, Section 35-603 is amended as follows:

‘Sec. 35-603. – Historic and Design Review Commission.’

- (a) **"Commission" Defined.** For purposes of this article, the term "commission" refers to the historic and design review commission. Procedures and administrative functions of the commission are provided in

35-805 of this chapter.

~~'Sec. 35-603 to~~ Sec. 35-604.-Reserved.'

'DIVISION 2. - HISTORIC PRESERVATION'

STATEMENT OF PURPOSE

This division implements the following provisions of the comprehensive ~~master~~ plan:

- *Preserve and enhance the city's historic and cultural resources ~~(Urban design, Goal 2).~~*
- *Promote the development of major public and private facilities which support the downtown neighborhood and historic resources ~~(Neighborhoods, policy 5c).~~*
- *Create and adopt urban design guidelines and standards that will enhance the quality of life in San Antonio, and which specifically encourage preservation and enhancement of the city's important historic and cultural characteristics, including architectural styles and historic districts.*

Chapter 35, Article VI, Section 35-605 is amended as follows:

'Sec. 35-605. – Designation Process for Historic Districts'

(a) **Authority.** The city council may designate by zoning ordinance certain areas in the City of San Antonio as historic districts ~~and certain places, buildings, objects, sites, structures, or clusters as historic landmarks.~~ Such districts shall bear the word "historic" (H) in their zoning designation ~~; such landmarks shall bear the words "historic, landmark" (HL) in their zoning designation.~~ The procedure for designation shall be subject to notice as prescribed in article IV of this chapter for a zoning amendment and shall conform to the federal and state constitution.

~~(b) — Processing Applications for Designation of Historic Districts.~~

(b)4 **Initiation.** Any person owning property within the proposed area, the historic preservation officer, the historic and design review commission, the zoning commission or the city council may initiate a historic district designation by filing an application with the historic preservation officer. ~~Properly submitted applications shall remain valid for one (1) year from the date it is deemed complete and thereafter shall be expired.~~ Requests for designation by a person owning property within the proposed area shall be made on a form obtained from the city historic preservation officer through the office of historic preservation. Required application materials are listed in section 35-B129 of this chapter. Completed applications shall be returned to the office of historic preservation for review and processing as applicable. Properly submitted applications shall remain valid for one (1) year from the date it is deemed complete and thereafter shall be expired. ~~To the extent that this paragraph conflicts with any other provisions of this chapter, this paragraph shall control except for 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.~~

~~In addition to any other conditions established by section 35-605, applications for historic designation shall meet the following criteria:~~

~~A. — Informational Meeting and Notice.~~ Provided that the historic preservation officer agrees that the proposed area indicated in the application is appropriate for designation, the office of historic preservation staff shall hold at least one (1) public meeting to provide information to property owners in the proposed designation area regarding the application and historic designation process. Prior to the required public meeting, the historic preservation officer shall send notice by mail of the receipt of an application for a proposed designation to the owner or owners of property within the proposed

~~historic boundary as well as stating the purpose, date, time and place of the public meeting. This notice shall be in addition to notice given prior to public hearing as set forth under the city's zoning code. The historic preservation officer shall also send notice of the public meeting to any registered neighborhood associations located within the proposed district boundary.~~

~~B. Owners may submit with the application a written description and photographs or other visual material of any buildings or structures that they would like for the historic preservation officer to consider for designation as non-contributing to the historic district. Such submission shall be treated in accordance with section 35-619.~~

(c2) 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 applications and submitted written support for completeness.

(d) Review Process.

1. Informational Meeting and Notice. Proposed historic districts shall be evaluated for eligibility under the Designation Criteria for Historic Districts and Landmarks outlined in 35-607. Provided that the historic preservation officer agrees that the proposed area indicated in the application is appropriate for designation, the office of historic preservation staff shall hold at least one (1) public meeting to provide information to property owners in the proposed designation area regarding the application and historic designation process. Prior to the required informational meeting, the historic preservation officer shall send notice by mail of the receipt of an application for a proposed designation to the owner or owners of property within the proposed historic boundary as well as stating the purpose, date, time and place of the meeting. This notice shall be in addition to notice given prior to a public hearing as set forth under the city's zoning code. The historic preservation officer shall also send notice of the informational meeting to any registered neighborhood associations located within the proposed district boundary.

2. Public Participation.

A. Following an informational meeting and notice of the receipt of an application for a proposed designation, the historic preservation officer shall provide a mailed ballot to the owner or owners of property within the proposed historic boundary. Property ownership shall be verified utilizing the last certified tax rolls of the appropriate county tax assessor collector for the proposed area. For purposes of calculating the support of fifty-one (51) percent of the property owners, each property as listed on the tax rolls shall be counted individually, regardless of whether an individual or group owns multiple properties within the proposed area. Properties owned by governmental entities shall not be counted in the fifty-one (51) percent support requirement, although their written preference may be submitted to any board, commission or to city council for their consideration. Additionally, for properties owned by more than one (1) party, only one (1) property owner need submit written support in order for the historic preservation officer to count the property in the calculation.

B. At any point in the process, owners may submit with the application a written description and photographs or other visual material of any buildings or structures that they would like for the historic preservation officer to consider as non-contributing to the historic district. Such submission shall be treated in accordance with section 35-619.

C. When the historic preservation officer has received verifiable written support from the owners of at least fifty-one (51) percent of the properties within the proposed historic district boundary, the historic preservation officer shall forward the application to the historic and design review commission for a public hearing and recommendation. The historic preservation officer shall not accept written support for an expired application, however, previous support that is verifiable may be resubmitted to support a new application.

D. If a property within the proposed district boundaries is owned by an organization that is a religious organization under Section 11.20, Tax Code, the property may be included only if the organization consents to inclusion of the property within the proposed district designation.

3. **Interim Controls.** Once an application for historic district designation is forwarded for public hearing, the provisions of this division shall apply to all properties within the proposed boundaries in accordance with section 35-606(e).

4. **Public Hearing Schedule.** Property owners within the proposed boundaries included in the application for historic district designation shall be notified in accordance with section 35-403 of this chapter. Consideration of the item by relevant boards and commissions shall be scheduled for the next available public hearing which meets all legal notice and quorum requirements. The historic and design review commission shall make its recommendation for either approval or denial within thirty (30) days from the date of submittal of the designation request by the historic preservation officer. Upon recommendation of the historic and design review commission, the proposed historic district designation shall be submitted to the zoning commission with the historic and design review commission recommendation.

~~(e3) **Decision.** Following an informational meeting and notice of the receipt of an application for a proposed designation, the historic preservation officer shall provide a mailed ballot to the owner or owners of property within the proposed historic boundary. When the historic preservation officer has received verifiable written support from the owners of at least fifty-one (51) percent of the properties within the proposed historic district boundary, the historic preservation officer shall forward the application to the historic and design review commission for a public hearing and recommendation. The historic preservation officer shall not accept written support for an expired application, however, previous support that is verifiable may be resubmitted to support a new application. Property ownership shall be verified utilizing the last certified tax rolls of the appropriate county tax assessor collector for the proposed area. For purposes of calculating the support of fifty-one (51) percent of the property owners, each property as listed on the tax rolls shall be counted individually, regardless of whether an individual or group owns multiple properties within the proposed area. Properties owned by governmental entities shall not be counted in the fifty-one (51) percent support requirement, although their written preference may be submitted to any board, commission or to city council for their consideration. Additionally, for properties owned by more than one (1) party, only one (1) property owner need submit written support in order for the historic preservation officer to count the property in the calculation. The historic preservation officer shall notify all property owners within a proposed historic district boundary of the date, time, place and purpose of the historic and design review commission hearing at least thirty (30) days prior to the historic and design review commission hearing on the historic district designation. The historic and design review commission shall make its recommendation for either approval or denial within thirty (30) days from the date of submittal of the designation request by the historic preservation officer. Upon recommendation of the historic and design review commission, the proposed historic district designation shall be submitted to the zoning commission with the historic and design review commission recommendation. 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's recommendation to be held within forty-five (45) days of receipt of the historic and design review commission's recommendation and shall forward its recommendation for either approval or denial to the city council. The city council shall schedule a hearing to be held within forty-five (45) days of its receipt of the zoning commission's recommendation. The city council shall review and shall approve or deny the proposed historic district. Upon passage of any ordinance designating an area as historic, or removing the designation of historic, the city clerk shall send notice of the fact by mail to the owner or owners of affected property.~~

(f) **Recordation.** Upon designation a historic district, 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, and City records including the City of San Antonio's official zoning maps.

(ge) **Design Historic District Guidelines.** The city council may, from time to time, designate specific guidelines for particular historic districts. The designation shall include the formal name of the district, a legal description of the boundaries of the district, and a cross-reference to the design guidelines.

Chapter 35, Article VI, Section 35-606 is amended as follows:

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

- (a) **Authority.** Requests for landmark designation may only be made by or with the concurrence of the property owner or by City Council. Such landmarks shall bear the words "historic, landmark" (HL) in their zoning designation. 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 regarding the designation by the historic and design review commission or zoning commission. 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 paragraph shall control except for 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 by a property owner 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) **Initiation. 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 request for review of historic significance or evaluation for eligibility for historic landmark designation. ~~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 to initiate ~~for~~ historic landmark designation shall be required unless a city council resolution to proceed with the designation has been approved. Requests for historic landmark designation may be requested by or with verified written consent of a property owner and shall be made on a form obtained from the city historic preservation officer. Required application materials are listed in section 35-B129 of this chapter. Completed request forms shall be returned to the office of historic preservation for processing. 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.
- (2) Requests made by a person who does not represent the property owner may be made by submitting a Request for Review of Historic Significance. Required application materials are listed in section 35-B129 of this chapter. Completed request forms shall be returned to the office of historic preservation for processing. Such request does not initiate the historic designation process or automatically result in interim controls. All applications shall be evaluated by the historic preservation officer and may be referred to the Historic and Design Review Commission for a Finding of Historic Significance in accordance with this section.
- (c2) **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.
- (d) **Evaluation.** Following receipt of a complete application, properties shall be evaluated for eligibility under the Designation Criteria for Historic Districts and Landmarks outlined in 35- 607. At his or her discretion, the Historic Preservation Officer may request a review and recommendation by the Historic and Design Review Commission for a Finding of Historic Significance.
- (e) **Interim Controls.** When an application is made on a building, object, site or structure that has been determined by the historic preservation officer or the historic and design review commission to be an eligible resource for historic designation in accordance with this article, and when written notice informing the property owner of such a determination has been provided, then the provisions of this chapter shall apply to the property until the lesser of one hundred eighty (180) days of the notification or action by city council on the recommendation for designation. This period may be extended at the written request of the property owner at any time. All enforcement provisions outlined in 35-491 shall apply during this period. Should the city council

fail to designate the recommended building, object, site, structure or cluster as a historic landmark or the recommended area as a historic district, the director of planning and development services shall issue permits requested providing all City Code requirements are met.

(f) **Public Hearing Schedule.** Consideration of the item by relevant boards and commissions shall be scheduled for the next available public hearing which meets all legal notice and quorum requirements. If the property owner requests that the public hearing schedule be extended, then the interim controls period shall be extended for the same amount of time as granted.

~~(g3) **Decision.** A Finding of Historic Significance may be approved by the Historic Preservation Officer or by the historic and design review commission by a majority vote of members present. If approved, the Historic Preservation Officer will seek concurrence from the property owner. Property owners may verify or withdraw consent at any time during the designation process. 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.~~

(1) All requests for a change in zoning to include a historic zoning overlay having either written, verified owner consent or resolution by City Council to proceed with the historic landmark designation will be processed in accordance with 35-421.

(2) If the subject property owner does not consent to the proposed designation, the Historic Preservation Officer shall request City Council resolution to initiate historic landmark designation.

(3) To designate a historic landmark, the city shall obtain consent to the designation by the owner of the property or approval of designation by three-fourths vote of the Historic and Design Review Commission recommending the designation and a three- fourths vote by the City Council. If the property is owned by an organization that is a religious organization under Section 11.20, Tax Code, the property may be designated as a historic landmark only if the organization consents to the designation.

(4) Upon passage of any ordinance designating a historic landmark, or removing the designation of historic, the city clerk shall send notice of the fact by mail to the owner or owners of affected property.

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

(h) **Subsequent Applications.** Requests seeking a finding of historic significance for a property that was previously determined by OHP or the HDRC to be non-eligible for designation shall require additional evidence that was not previously considered in prior reviews as well as required fees and application materials.

(i5) **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.

(j) Potentially Eligible Resources ~~Not Designated by Initial Ordinance.~~

- (1) **Previously Inventoried Resources.** Resources previously inventoried by the historic and design review commission but not rated due to age, shall be reviewed upon reaching twenty-five (25) years of age by the commission applying criteria set forth in section 35-607 to determine significance, if any. When a resource is found to meet criteria for an exceptional or significant rating, the historic and design review commission at that time shall recommend through the zoning commission to city council the designation of such resources following the procedures set forth in subsection (a) of this section. Resources listed on federal, state or city inventories, but unrated by the historic and design review commission shall be identified in city records.
- (2) **Uninventoried Resources.** As required under the Certified Local Government (CLG) Program of the National Park Service and the Texas Historical Commission, the office of historic preservation on an ongoing basis shall conduct an inventory of buildings, objects, sites, structures and clusters throughout the city to determine cultural, architectural, historical, or archaeological significance, applying the criteria of section 35-607. For such inventories, the office of historic preservation shall rate the resources based on integrity and/or significance. Those buildings, objects, sites or structures found by the board to meet the criteria for historic landmarks shall be recommended for designation following the procedures in subsection (a) of this section. The city, including the office of historic preservation, shall require an inventory of resources in the extraterritorial jurisdiction as part of the master development plan process and the subdivision letter of certification process within the area subject to the MDP or subdivision application unless the office of historic preservation determines, after an initial review, that such an inventory is not required.
- (3) **Other Resources.** If any building, object, site, structure or cluster is thought to be of historical, architectural, or cultural significance, the historic preservation officer, following an initial investigation of the resource, shall refer the matter to the historic and design review commission for a detailed study, review, and official recommendation of the historical, architectural, or cultural status of the building, object, site, structure, or cluster in accordance with the criteria and procedures established in this chapter. All National Register districts or landmarks, state historic landmarks or sites, or state archaeological landmarks and sites shall be considered eligible and identified for potential review in order maintain compliance with state requirements.

(k) Historic Landmarks Previously Designated by City Council. 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 exceptional historic landmarks under this chapter and shall continue to bear the word (historic) "H" in their zoning designation.

~~**(e) Other Landmarks and Districts Previously Designated.** All National Register districts or landmarks, state historic landmarks or sites, or state archaeological landmarks and sites shall be accorded the protection of properties designated exceptional historic landmarks and districts.~~

(l) Use of Property Designated Historic. Nothing contained in this article or in the designation of property as being a historic landmark or in a historic district shall affect the present legal use of property. Use classifications as to all such property shall continue to be governed by the general zoning ordinance of the City of San Antonio and the procedures therein established. In no case, however, shall any use be permitted which requires the demolition, relocation, or alteration of historic landmarks or of any buildings or structures in a historic district so as to adversely affect the character of the district or historic landmark, except upon compliance with the terms of this article. No provision herein shall be construed as prohibiting a property owner from continuing to use property for a nonconforming use.

(m) Removal of Designation. Upon recommendation of the historic and design review commission based upon new and compelling evidence and negative evaluation according to the same criteria and following the same

procedures set forth herein for designation, a designation made under subsection (a) of this section may be removed by city council following recommendation by the historic and design review commission. Requests shall be filed in accordance with section 35-421 of this chapter.

~~(h) **Changes in Evaluation.** The historic and design review commission may reconsider a previous evaluation of a resource if additional data is provided and a new evaluation is made using the criteria set forth herein. When such a resource meets the criteria for historic designation based on all documentation provided, the historic and design review commission may recommend a change in designation. Following the same procedures set forth herein in subsection (a) of this section for designation, the city council may change a designation upon recommendation of the historic and design review commission.~~

Chapter 35, Article VI, Section 35-607 is amended as follows:

'Sec. 35-607. – Designation Criteria for Historic Districts and Landmarks.'

- (a) **Process for Considering Designation of Historic Districts and Landmarks.** Historic districts and landmarks shall be evaluated for designation using the criteria listed in subsection (b) ~~and the criteria applied to evaluate properties for inclusion in the National Register.~~ In order to be eligible for historic landmark designation, properties shall meet at least three (3) of the criteria listed. Historic districts shall consist of at least two (2) or more structures within a legally defined boundary that meet at least three (3) of the criteria. Additionally, all designated landmarks and districts shall demonstrate clear delineation of the legal boundaries of such designated resources.

- (b) **Criteria For Evaluation.**

15. It represents a resource, whether natural or man-made, which greatly contributes to the character or image of a defined neighborhood or community area; or
16. It is designated or determined eligible as a Recorded Texas Historic Landmark or State Archeological Landmark, or is included on the National Register of Historic Places.

Properties eligible for designation include those listed below:

Chapter 35, Article VI, Section 35-608 is amended as follows:

'Sec. 35-608. – Certificate of Appropriateness ~~and Conceptual Approval – Generally.~~

- (a) Applicability. ~~In reviewing an application for a certificate of appropriateness, the historic and design review commission shall consider the current needs of the property owner and whether the plans will be reasonable for the property owner to carry out. If conflicting provisions of this chapter and city council approved guidelines have been approved, the city manager or the city manager's designee shall reconcile the conflict if possible so that effect may be given to each. If the conflict is irreconcilable, this chapter shall prevail. Applications shall be reviewed for consistency with the historic or district specific design guidelines adopted by city council. The application shall be reviewed for conformance to the general rules and principles contained in the guidelines. Applications should be approved if in general conformance with the guidelines but denial of an application by the city manager or the city manager's designee may be based on any inconsistency or nonconformance with the approved guidelines.~~
1. A certificate of appropriateness is required and shall be secured by a party prior to the issuance of a permit from the department of development services before said party will be allowed to undertake activities affecting a designated historic landmark, property within a designated historic district, property within the river improvement overlay district, property within the downtown business district and subject to the Downtown Design Guide, property

within a mission protection overlay district, public property, public rights-of-way, public art, or properties determined by the historic preservation officer or the historic and design review commission to be an eligible resource for historic designation and subject to interim controls in accordance with section 35-606(e). Applications proposing work or changes to the exterior of a subject property shall require review for appropriateness with the provisions of this article, and any adopted design guidelines or standards. In addition, the demolition or relocation of any structure designated historic shall also require review for appropriateness in the same manner. Such applications may include, but are not limited to:

- A. Construction and reconstruction,
 - B. Alteration, additions, restoration and rehabilitation,
 - C. Relocation,
 - D. Stabilization,
 - E. Signage,
 - F. Landscaping,
 - G. Construction or reconstruction of a parking lot,
 - H. Construction or reconstruction of an appurtenance,
 - I. Acquisition or deaccessioning of artwork,
 - J. Demolition, and
 - K. Lighting, furniture and seating plan, and awnings and umbrellas within the Riverwalk area and in the public right-of-way.
2. Non-public interior spaces are exempt from this section unless specifically designated by ordinance. The only interior spaces to be considered for review, and therefore not exempt, are those publicly owned spaces that are, or were, accessible to the public (e.g., lobbies, corridors, rotundas, meeting halls, courtrooms), and those spaces, both public and privately owned, that are individually designated and are important to the public because of any significant historical, architectural, cultural or ceremonial value.
- (b) **Initiation.** Requests for a Certificate of Appropriateness shall be made on a form obtained from the city historic preservation officer. Required application materials are listed in section 35-B129 of this chapter. Completed request forms shall be returned to the office of historic preservation for processing. Applications for certificates of appropriateness may be referred to the historic and design review commission at the discretion of the historic preservation officer. In the case of an application for demolition, applications shall follow procedures specified in sections 35-614 and 35-619 of this chapter.
- (c) **Completeness Review.** The historic preservation officer shall review an application for a certificate of appropriateness in accordance with section 35-402 of this chapter. The appellate agency for purposes of completeness review (see subsection 35-402(c) of this chapter) shall be the historic and design review commission. Applications determined by the commission to lack sufficient documentation may be considered for conceptual review only.
- (db) **Conceptual Review.** Conceptual approval is the review of general design ideas and principles (such as scale, massing, and design concepts ~~and setback~~). Specific design details reviewed at this stage are not binding and may only be approved through a certificate of appropriateness for final approval.
- (e) **Approval Criteria.**
1. Alteration, Restoration, Rehabilitation, and New Construction on a Landmark or Contributing Property. In considering whether to recommend approval or disapproval of an application for a

certificate to alter, restore, rehabilitate, or add to a building, object, site or structure designated a historic landmark or located in a historic district, the historic and design review commission shall be guided by the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation and provisions adopted by city council as provided in this article. The commission shall also utilize the Historic Design Guidelines as adopted by the city council, and any specific design guidelines adopted pursuant to the Unified Development Code and this article. In reviewing an application for a certificate of appropriateness, the historic and design review commission shall consider the current needs of the property owner and whether the plans will be reasonable for the property owner to carry out. If conflicting provisions of this chapter and city council approved guidelines have been approved, the city manager or the city manager's designee shall reconcile the conflict if possible so that effect may be given to each. If the conflict is irreconcilable, this chapter shall prevail. Applications shall be reviewed for consistency with the historic or district specific design guidelines adopted by city council. The application shall be reviewed for conformance to the general rules and principles contained in the guidelines. Applications should be approved if in general conformance with the guidelines but denial of an application by the city manager or the city manager's designee may be based on any inconsistency or nonconformance with the approved guidelines.

2. Signage. Signs shall conform to chapter 28 of the City Code as well as any other applicable provision of this chapter. Additionally, if an exception from the application of chapter 28 of the City Code of San Antonio has been approved for signage in historic districts or on historic landmarks, such exception shall control. If conflicting provisions of this chapter and city council approved guidelines have been approved, the city manager or the city manager's designee shall reconcile the conflict if possible so that effect may be given to each. If the conflict is irreconcilable, this chapter shall prevail. Applications shall be reviewed for consistency with the historic or district specific design guidelines adopted by city council. The application shall be reviewed for conformance to the general rules and principles contained in the guidelines. Applications should be approved if in general conformance with the guidelines but denial of an application by the city manager or the city manager's designee may be based on any inconsistency or nonconformance with the approved guidelines.
3. Demolition of a Landmark or Contributing Property. See section 35-614 of this article.
4. Demolition of a Non-contributing Property. See section 35-619 of this article.
5. Public Property. See section 35-641, 35-642, and 35-643.
6. River Improvement Overlay. See section 35-670 through 35-681.
7. Downtown Design Guide Area. See Appendix G, Division 1.

(f) Decision.

1. Administrative Approval. See section 35-611.
2. Commission Review. The commission shall make its written final recommendation to either approve, deny, or approve with stipulations the application within sixty (60) days after the historic preservation officer's receipt of the completed application. Applications for a Certificate of Appropriateness forwarded to the commission shall include all required materials and documents from the applicant. If the commission does not make its final recommendation within a sixty-day period, the application shall be deemed recommended by the commission for approval and the city manager or her designee shall either approve, deny or approve with conditions the application within five (5) days of the applicant's demand. The sixty-day time period may be extended with the concurrence of the applicant if additional time is required for the preparation of information or for research required by the commission. If the property owner requests that the public hearing schedule be extended for any reason, then the sixty-day time period shall be extended for the same amount of time as granted. In cases involving demolition applications, the Historic Preservation Officer may extend this timeline consistent

with subsection 35-455(d).

3. City Manager Review. Upon receipt of the recommendation by the commission, or on their own initiative, the city manager or designee may implement such recommendation by notifying the applicant within ten (10) business days from receipt of such recommendation that the application has been approved, conditionally approved, or disapproved. The city manager designee for this purpose shall be the historic preservation officer, unless the city manager chooses to designate otherwise. The city manager or designee shall also submit a copy of the decision to the commission for its information, to the department of planning and development services for issuance of permits, and to other departments, as applicable. The city manager or designee shall assure the decision is based on adopted standards and guidelines and was considered by the commission in the determination as to issuance or denial of any certificate.
 4. Appeal. A decision by the city manager or designee to approve or deny a Certificate of Appropriateness may be appealed to the board of adjustment in accordance with the Local Government Code. In determining whether or not to grant the appeal, the board of adjustment shall consider the same factors as the commission and the report of the commission. New evidence shall not be considered. If the board of adjustment approves the application, it shall direct the city manager or designee to issue a certificate for the work covered. If the board of adjustment disapproves the application, it shall direct the city manager or designee not to issue such certificate. Such disapproval may indicate what changes in the plans and specifications would meet the conditions.
- (g) **Subsequent Applications.** In the case of disapproval of an application, a new application for the same work shall not be resubmitted for consideration until one (1) year has elapsed from the date of disapproval. The commission, by a majority of its membership, may waive the aforementioned time limitation if the application presents substantial new evidence that was not considered in the previous action, or incorporates changes based on the previous recommendations of the commission. Until such waiver is granted, a new application shall not be considered complete and is not subject to the review periods outlined in subsection f. If a motion to approve such a waiver fails to receive the requisite number of votes, the application shall be considered disapproved; a revised application may be submitted in accordance with this section.
- (h) **Amendments.** A certificate of appropriateness shall be amended in the same manner as the approval of the original application.
- (i) **Scope of Approval.** A certificate of appropriateness shall authorize only those modifications to a building or structure requested in the application and approved as provided herein. The historic and design review commission shall recommend approval, denial, or approval with conditions for the application before it, unless said application is revised with the consent of the applicant. Following commission approval and issuance of a certificate, an applicant must secure permits within one hundred eighty (180) days and start work within one hundred eighty (180) days of issuance of permits or the certificate becomes null and void and of no force or effect. Thereafter, the applicant must reapply for reissuance of a certificate to the historic preservation officer. The historic preservation officer will determine whether significant changes have occurred to the final design. If the historic preservation officer determines that significant changes have occurred, then plans must be resubmitted to the commission for rehearing and action.
- (j) **Recording Procedures.** A certificate of appropriateness need not be recorded, but shall be maintained and displayed by the applicant on the premises. The historic preservation officer shall also retain a copy of the certificate of appropriateness for public inspection.
- (k) **Enforcement.** See section 45-491.

Chapter 35, Article VI, Section 35-611 is amended as follows:

'Sec. 35-611. – Certificate of Appropriateness – Administrative Approval'

Applications for certain minor alterations, additions, ordinary repairs or maintenance may be reviewed and approved administratively by the historic preservation officer without review by the historic and design review commission. All applications are subject to a completeness review in accordance with this chapter. All applications must meet the minimum application requirements and materials outlined in Appendix B of this chapter which includes working scale drawings and specifications, a scaled site plan, photographs (current, clear, and color) of the property, and materials samples or examples where necessary. All applications must also demonstrate conformance with the Historic Design Guidelines or any other adopted guidelines and standards in order to be eligible for administrative approval.

Those activities which constitute minor alterations, additions, repairs or maintenance include but are not limited to:

Administrative Approval – Expedited Review

1. Ordinary Repair and Maintenance

- a) Repair using the same material and design as the original and does not require substantial modifications to original designs or materials ~~structural modifications~~
- b) Repainting of wood and painted masonry, ~~using the same color~~
- c) Reroofing, using the same type and color of material, or other materials in keeping with the architectural style or construction period of the structure
- d) Repair of sidewalks and driveways using the same type and color of materials in keeping with the character or historic development pattern of the area

Exterior Alterations

2. Doors/Entrances

- a) From non-historic to one in keeping with the character and era in which the home was built. Applies to pedestrian entrances and garage doors.
- b) Removal of burglar bars
- c) Repair or slight modification to exterior steps or stairways using in-kind material
- d) Reopening of porch with proper photo documentation or physical evidence and accurate construction documents
- e) Removal of existing wrought iron or non-original columns or porch railing with new architecturally appropriate replacements.

3. Windows

- a) Removal of non-historic or inappropriate windows to replace with windows that are more consistent with adopted standards and guidelines ~~match the original windows as closely as possible in material and design~~
- b) Restoring original window openings with documentation and elevation drawings
- c) Removal of non-original residential metal awnings
- d) Repairing window framing, sills, casing and trim
- e) Removing inappropriate exterior shutters that are not of historic age
- f) Louvers and venting in which the vents or louvers are placed in an existing opening, in which there is no change in the configuration of the fenestration and the only modification to the building is the removal of glazing panels

g) Removal of burglar bars

h) Existing windows and doors that are original to the structure or historically compatible with the style of the structure, but are deteriorated beyond repair as determined by staff, may be eligible for substantial material replacement or reconstruction. Deteriorated beyond repair is generally defined as loss of 50% or more of the original, existing material due to damage, deterioration, or missing elements, not including hardware, glass, or window glazing. For example, a wood sash is considered eligible for replacement when two out of its four framing members cannot be salvaged using patching or reinforcing joinery. Repair may include full replacement of materials where existing materials are not salvageable. For substantial repair requests that include the full replacement or reconstruction of window components, the applicant must provide: 1) substantial evidence that the door or window assembly is deteriorated beyond repair and unsalvageable to staff, including interior and exterior photographs of each assembly to be cross-referenced on a submitted window or door schedule; and 2) documentation that conveys the scope of the repair and demonstrates that the final reconstructed product will match the existing in material, dimensions, proportions, inset, configuration, and color and meets any adopted standards and guidelines.

i) Adding or modifying fenestration on the rear or side facades that is architecturally and stylistically appropriate for the structure, provided that the window material, dimensions, proportions, inset, configuration, and color meet OHP's Guidelines and Window Policy Document. Modifications to existing opening sizes, including enclosure or removal, may be considered at the administrative level if 1) the openings have been previously modified and/or are not original, and substantial information to corroborate this is provided by the applicant to staff; or 2) the proposal balances or responds to existing facade details and is deemed appropriate by staff on a case-by-case basis.

j) Adding window screens that are historically appropriate in design and material. Applicant must provide documentation on proposed design, dimensions, and installation method. Blackout or heavy-duty materials are not eligible for administrative approval.

4. Siding

a) Removing non-historic siding in order to unencapsulate historic siding materials

b) Existing, non-original siding may be replaced with a new material provided that substantial evidence is provided by the applicant to staff that demonstrates that the proposed replacement siding material is historically accurate or documented for the style of the structure. Wholesale replacement of historic siding material with matching materials is only eligible for administrative approval where more than 50% of the original material are significantly deteriorated and deemed unsalvageable by staff. Replacement of any existing, historic siding material (stucco, wood lap, stone) with a modern, composite material is not eligible for administrative approval and is highly discouraged

5. Roofing

a) Removal of composite roof shingles and replacing with clay tiles with historical documentation

b) Removal of composite roof shingles and replacing with metal roofing material with historical documentation and specifications. New metal roofs must conform to the Historic Design Guidelines Checklist for Metal Roofs.

c) Changing color of composite roofing material

d) Changing color of existing metal roof with appropriate specifications and details

e) Removal of existing roofing material if non-original or deteriorated beyond repair and replacing with roofing material that is historically and architecturally appropriate

6. Additions

a) Additions to any rear accessory structure, provided that the original form: is distinguishable; that the new, total footprint of the accessory does not exceed forty (40) percent of the primary historic structure on the property; and, that materials that match that of the primary historic structure, or materials that meet staff's specifications in regards to profile, texture, detailing and appearance are used. ~~Any rear addition under two~~

~~hundred (200) square feet using same (non-historic) material as existing structure as well as existing roof ridge line for non-contributing structures; must include plans with specification~~

- b) Additions to primary historic structures on the property that are less than 400 square feet total area and features materials that match that of the primary historic structure, or materials that meet staff's specifications in regards to profile, texture, detailing and appearance. If an inset in wall plane is proposed, composite siding maybe used. If no inset is proposed, matching wood siding shall be used with a vertical trim piece separating the addition from the historic structure. Rear porches must continue to read as porches or open air elements.

7. Painting

- a) Repainting wood or other previously-painted surfaces with solid colors. Color selection is generally not reviewed, but may be informed where district-specific guidelines have been adopted ~~Reasonable changes to paint colors on previously painted surfaces which are consistent with the district or landmark characteristics~~
- b) Paint removal/pressure water washing at appropriate setting; graffiti removal
- c) Art mural installations on non-primary facades of commercial buildings that do not include signage elements or permanently obscure or detract from architectural features

8. Landscaping

- a) Replacing paved areas with sod or other landscaping
- b) Front yard landscaping or xeriscaping proposals that meet OHP's Xeriscaping and Responsible Landscaping Policy Guide and retain at least 50% of the existing landscaped area and incorporate native, drought-tolerant species provided that a detailed site plan is submitted to staff and no significant character defining landscaping features are removed or modified (berms, etc.) ~~Fifty (50) percent or less square feet of front yard replacement~~
- c) Sprinkler system with site map
- d) Back yard landscaping
- e) Creation of new planting beds or gardens in keeping with the Historic Design ~~Removal of existing landscaping or sod areas and replacing with xeriscaping where not removing character defining landscaping elements~~
- ~~f) New plantings in keeping with the character of neighborhood~~

9. Hardscaping with site map and specifications

- a) Impervious parking pads under one hundred forty-four (144) square feet in historically-appropriate contexts (side or rear yards, site behind the front wall plane of the primary historic structure on the site) ~~Parking pads under one hundred forty four (144) square feet~~
- b) Sidewalks residential/commercial with contextually appropriate placement (such as a traditional planting strip)
- c) Driveway construction if less than ten (10) ~~twelve (12)~~ feet in width and consistent with guidelines
- d) Parking with appropriate landscaping (non-historic properties)

10. Fencing

- a) Removal of chain, link, plywood, or vinyl and replacing with wood, wrought iron, garden loop, ~~or~~ masonry, or otherwise consistent with the design guidelines
- b) Replacing or recreating any fence or handrail with historic documentation and elevation drawings
- c) Installing or constructing a fence, railing, or wall where none exists (sides and rear only behind front facade plane of historic structure) with appropriate materials and elevation drawings

d) Patio or outdoor cafe fencing that is not taller than four feet in height and not located in the public right-of-way

11. Signage

- a) Changes in content or configuration (re-facing) that do not involve changes in sign location, dimensions, lighting or total sign area
- b) Signs that are consistent with HDRC approved master signage plans
- c) Temporary banners or signs where allowed by this article
- d) Signs that comply with UDC sections 35-678, 35-612, 35-681 or 35-645, and have a square footage equal to or less than the requirements outlined. Signage applications above the allowable square footage shall be forwarded to the historic and design review commission for their recommendation.
- e) Signage that is consistent with the UDC Section 35-678; 35-681, the Downtown Design Guide and the Historic Design Guidelines or signage that utilizes new methods or materials to meet the intent of any adopted guidelines and standards

12. New Construction

- a) An ~~Rear~~ ADA ramps on the rear or side of a historic structure that does not immediately attach to, deform or modify the structure or historic materials provided that detailed and dimensioned construction documents are submitted along with a detailed site plan. Temporary ramps may be installed on front of a structure provided it is not attached and is removed within 180 days. COAs may be extended with demonstrated need and a timeline for removal.
- b) Rear porch with elevation drawings
- c) Rear deck with accurate measured site plan
- d) Swimming pools, fountains, pergolas, or seating areas in back yard
- e) Systematic deconstruction of existing historic rear accessory structure to reassemble in same location on site. Elevation drawings need to be submitted with the request.
- f) Backyard canopies, pavilions, outdoor kitchens, or other structures that are not visible from the public right of way and meet historic design guidelines.

13. Demolition Activity

- a) Reopen enclosed porch. ~~Non-historic accessory structure that is made of non-historic materials~~
- b) Carports and freestanding canopies or pergolas that are made of non-historic materials ~~Non-historic additions that are made of non-historic materials~~
- c) ~~Reopen enclosed porch~~
- d) ~~Carports that are made of non-historic materials~~
- e) ~~Non-contributing structures located in historic district that are made of non-historic materials~~

14. Miscellaneous

- a) Reasonable changes in color to awning fabric that are consistent with the district or landmark characteristics
- b) Removal of any prohibited element described in City Code ~~Renewal of expired certificates of appropriateness~~
- c) Changes to existing certificates of appropriateness or changes that are in keeping with the Historic Design Guidelines and do not materially or measurably increase the approved scope of work ~~Removal of any prohibited element described in City Code~~

- d) Emergency installation of temporary features to protect a historic resource or to weatherize or stabilize
~~Minor changes to existing certificates of appropriateness~~
- e) Foundation with no modifications to skirting design; replacement skirting may utilize a cement board product installed with a similar design as existing ~~Emergency installation of temporary features to protect a historic resource or to weatherize or stabilize~~
- ~~f) Foundation~~
- ~~g) Mechanical units~~
- ~~gh) Exterior electrical~~
- ~~hi) Exterior plumbing~~
- ~~ij) Exterior electrical fixtures~~
- ~~k) Antennas~~
- ~~l) Glass replacement~~
- ~~km) Screening for dumpsters or service areas~~ ~~Dumpsters with screening~~
- ~~ln) Replacement or removal of non-original fixtures or lighting elements~~ ~~Lighting~~
- ~~me) Rooftop HVAC, mechanical or communication equipment that is not visible from the public right-of-way and results in no modifications to the visible facades of the building~~
- ~~np) Mission protection overlay district applications being reviewed for height/angle conformity only.~~
- ~~o) Any modifications that restore an original architectural element or modify a non-original element to one that is more in consistent with the Historic Design~~
- ~~p) Small sheds in the rear yard (less than 200 sq feet) not on a permanent foundation and featuring materials comparable to the historic structure on site or in the~~
- ~~q) Applications for signage in the Downtown Business District consistent with the Downtown Design Guide and all other applicable standards and guidelines~~

~~A clear photograph of the building, object, or structure to be repaired, a brief description of the intended work, and samples of replacement materials or paint for comparison with the existing building, object, or structure must be furnished with the application. Site plan and specifications may be required as needed for adequate administrative review as determined by the historic preservation officer.~~

Administrative Approval – Standard 10-day Review.

Requests for Certificates of Appropriateness that are eligible for Administrative Approval which do not allow for an expedited review may be approved following a 10-business day review period. Staff reserves the right to refer any request to the Historic and Design Review Commission for any reason. At any time, the Commission may adopt policy documents consistent with the Historic Design Guidelines to inform administrative approval.

1. Fencing

A new front yard fence that meets adopted standards and guidelines and does not exceed 4 feet in height or the height of an adjacent contributing fence, a material and design that is consistent with historic precedents in the district or vicinity does not feature a front gate that spans the driveway at the sidewalk, and that meets all development standards as outlined in UDC Section 35-514. Front yard fences in neighborhoods or areas which do not predominately feature front yard fences shall require review by the Commission.

2. Porch

The enclosure of a rear porch with detailed and dimensioned construction documents, materials that match that of the primary historic structure, or materials that meet staff's specifications in regards to profile, texture, detailing and appearance. Porches must continue to read as porches or open-air elements. Front porch enclosures or enclosures of highly visible side porches are not eligible for Administrative Approval.

3. Additions

Any rear addition that is fully consistent with the Historic Design Guidelines.

4. Windows & Fenestration Modifications

- A. Installation of exterior storm screens or windows provided that the original windows are retained underneath and the following conditions are met: 1) no existing screens or storms are present; 2) the proportion, configuration, dimensions, and materiality of the screens closely match the existing window pattern; and 3) the screens are inset within the existing window frame.
- B. Adding fenestration that is architecturally and stylistically appropriate for the structure, provided that the window material, dimensions, proportions, inset, configuration, and color meet OHP's Guidelines and Window Policy Document. Modifications to existing opening sizes, including enclosure or removal, may be considered at the administrative level if 1) the openings have been previously modified and/or are not original, and substantial information to corroborate this is provided by the applicant to staff; or 2) the proposal balances or responds to existing facade details and is deemed appropriate by staff on a case-by-case basis.

5. New Construction

- A. Approval of a site plan that is fully consistent with the Historic Design Guidelines for the purposes of recommending a change in zoning request to the Zoning Commission. Infill worksheets must be completed and submitted for consideration.
- B. Detached carports set behind the front façade of the primary structure covering a parking area of no more than 400 sf. Carport designs must be consistent with the Historic Design Guidelines and any adopted standards or guidelines.

6. Repair and Maintenance

Selective replacement of original materials with new, substitute materials that are consistent with adopted guidelines and standards. Replacement materials must be proven to be a match in terms of appearance, texture, and dimension.

7. Telecommunication equipment

- A. Installation of equipment onto existing infrastructure in the public right-of-way including but not limited to utility poles, street light poles, and traffic light poles; the equipment must feature a stealth aesthetic and be flush mounted to the greatest extent possible.
- B. Installation of equipment mounted onto rooftops or parapets of buildings that are minimally visible from public right-of-way, feature a stealth aesthetic, and be flush mounted to the greatest extent possible.
- C. All installation of telecommunication equipment must adhere to UDC Sec-29-139. Attachments to Poles including Division V. Additional Aesthetic Requirements in Design Districts.
- D. Installation of a new pole or the use of a new stealth aesthetic may require additional review by the Historic Preservation Officer and/or the Historic Design Review Commission.

8. Miscellaneous

- A. Finding of Historic Significance reviewed in accordance with 35-607.
- B. Demolition or partial demolition of a non-contributing resources or structures and demolitions of non-contributing additions or portions of a resource or structure reviewed in accordance with 35-619.
- C. The historic and design review commission from time to time may designate additional work types for administrative approval with the adoption of additional standards or guidelines

Chapter 35, Article VI, Section 35-614 is amended as follows:

'Sec. 35-614. – Demolition of a Landmark or Contributing Property.'

Demolition of a historic landmark constitutes an irreplaceable loss to the quality and character of the City of San Antonio. Accordingly, these procedures provide criteria to prevent unnecessary damage to the quality and character of the city's historic districts and character while, at the same time, balancing these interests against the property rights of landowners.

- (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 contributing property to 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 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 in subsection (c) 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 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 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 in subsection (c) in order to receive a certificate for demolition of the property.~~

- (b) **Initiation.** Requests for the demolition of a historic landmark or contributing property to a historic district may be made in accordance with section 35-608(b).

- (c) **Completeness Review.** See section 35-608(c).

- (d) **Review Process.**

(1) Review Period. Whenever an application for a certificate regarding the demolition is submitted to the historic and design review commission, the historic and design review commission shall not hold a public hearing on the application for sixty (60) days from the date the application is received by the office of historic preservation. This time period is intended to permit the city historic preservation officer to discuss the proposed demolition informally with the property owner, other city officials, registered neighborhood associations, and local preservation organizations, to see if an alternative to demolition can be found before a formal consideration of the application by the historic and design review commission. At least one meeting with the registered neighborhood association and other stakeholders shall occur within this period if the proposed demolition is located within a historic district. The historic preservation officer shall prepare, as a part of the submission, a report to the historic and design review commission analyzing alternatives to demolition, and request from other city departments or agencies information necessary for the preparation of this report.

(2) Changes to Application Status. If within this sixty-day period any one (1) of the following three (3) events shall occur, the historic and design review commission may defer hearing the application for six (6) months and it shall be considered to have been withdrawn by the applicant during such six-month period:

- The owner shall enter into a binding contract for the sale of the property.
- Approved arrangements shall be made for the structure to be moved to an approved new

location, or

- The City of San Antonio shall determine to condemn the property and take it by the power of eminent domain for rehabilitation or reuse by the city or other disposition with appropriate preservation restrictions in order to promote the historic preservation purposes of this chapter to maintain the structure and protect it from demolition.

If within the sixty-day period none of the three (3) events summarized above shall have occurred, the historic and design review commission shall schedule a hearing on the demolition application at its next regularly scheduled meeting following the expiration of the sixty-day period, shall request all knowledgeable parties to comment at the hearing on the proposed demolition, and shall make its written recommendation within thirty (30) days after hearing the request for demolition. The historic and design review commission shall also request the city engineer or a third-party consultant to prepare a report on the state of repair and structural stability of the structure for which an application to demolish has been filed. This report shall be presented to the city HPO prior to the date of the historic and design review commission's hearing on the demolition permit application, and shall become part of the administrative record on the application.

- (3) Additional Materials. The applicant shall submit all necessary materials to the historic preservation officer, hereafter referred to as the HPO, at least fifteen (15) days prior to the public hearing in order that staff may review and comment and/or consult on the case. Staff and/or professional comments shall be forwarded to the HPO for consideration and review and made available to the applicant for consideration prior to the hearing. The HPO may require that an applicant furnish such additional information that is relevant to its determination of unreasonable economic hardship and may require that such additional information be furnished under seal. The HPO or its agent may also furnish additional information as the HPO believes is relevant. The HPO shall also state which form of financial proof it deems relevant and necessary to a particular case. In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.

- (e) **Approval Criteria.** No certificate shall be issued for demolition of a historic landmark or property located within a historic district unless the applicant provides sufficient evidence to support a finding by the commission of 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 in this section in order to receive a historic and design review commission recommendation for a certificate for demolition.

1. ~~(b)~~ Unreasonable Economic Hardship.

A. ~~(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).

B. ~~(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, terms and conditions of the lender, development agreements entered into by the owner, etc.), nor shall it consider a claim of unreasonable economic hardship by a prospective or pending buyer of the property. When a claim of unreasonable economic hardship is made, the owner must provide sufficient evidence to support a finding by the commission that:

- ~~i. 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;
 - ~~ii. 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
 - ~~iii. C.~~ The owner has owned the property for a minimum of two (2) years and 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.
 - ~~iv. D.~~ Construction cost estimates for rehabilitation, restoration, or repair, which shall be broken out by design discipline and construction trade, and shall provide approximate quantities and prices for labor and materials. OHP shall review such estimates for completeness and accuracy, and shall retain outside consultants as needed to provide expert analysis to the HDRC. Additional reports or analyses shall be provided prior to the date of the historic and design review commission's hearing on the demolition permit application and shall become part of the administrative record on the application.
- C ~~(3)~~ Evidence 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 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.

B. For income producing structures and property:

- i. Annual gross income from the structure and property for the previous two (2) years;
- ii. Itemized operating and maintenance expenses for the previous two (2) years; and
- iii. Annual cash flow, if any, for the previous two (2) years.

C. In the event that the historic and design review commission determines that any additional information described above is necessary in order to evaluate whether an unreasonable economic hardship exists, the historic and design review commission shall notify the owner. Failure by the owner to submit such information to the historic and design review commission within fifteen (15) days after receipt of such notice, which time may be extended by the historic and design review commission, may be grounds for denial of the owner's claim of unreasonable economic hardship.

D. Construction cost estimates for rehabilitation, restoration, or repair, which shall be broken out by design discipline and construction trade, and shall provide approximate quantities and prices for labor and materials. OHP shall review such estimates for completeness and accuracy, and shall retain outside consultants as needed to provide expert analysis to the HDRC.

When a low-income resident homeowner is unable to meet the requirements set forth in this section, then the historic and design review commission, at its own discretion, may waive some or all of the requested information and/or request substitute information that an indigent resident homeowner may obtain without incurring any costs. If the historic and design review commission cannot make a determination based on information submitted and an appraisal has not been provided, then the historic and design review commission may request that an appraisal be made by the city.

2. (e) 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 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.

(f) Decision. Should the applicant for a certificate regarding demolition of a historic landmark satisfy the historic and design review commission that he will suffer an unreasonable economic hardship if a demolition permit is not issued, or, in failing to demonstrate unreasonable economic hardship, the applicant demonstrates loss of significance which dictates demolition of the significant historic landmark, the historic and design review commission shall recommend approval of a certificate for the issuance of a demolition permit.

(g) ~~(d)~~ Documentation and Strategy.

- (1) Applicants that have received a recommendation for a certificate shall document buildings, objects, sites or structures which are intended to be demolished with 35mm slides or prints, preferably in black and white, and supply a set of slides or prints or provide a set of digital photographs in RGB color to the historic preservation officer. Digital photographs must have a minimum dimension of 3000 x 2000 pixels and resolution of 300 dpi.
- (2) Applicants shall also prepare for the historic preservation officer a salvage strategy for reuse of building materials deemed valuable by the historic preservation officer for other preservation and restoration activities.
- (3) Applicants that have received an approval of a certificate regarding demolition shall be permitted to receive a demolition permit without additional commission action on demolition, following the commission's recommendation of a certificate for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of section 35-609, new construction, are met, and the property owner provides financial proof of his ability to complete the project.
- (4) When the commission recommends approval of a certificate for buildings, objects, sites, structures designated as landmarks, or structures in historic districts, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Permits for parking lots shall not be issued, nor shall an applicant be allowed to operate a parking lot on such property, unless such parking lot plan was approved as a replacement element for the demolished object or structure.

(h) ~~(e)~~ Issuance of Permit. When the commission recommends approval of a certificate regarding demolition of buildings, objects, sites, or structures in historic districts or historic landmarks, permits shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies. Permits for demolition and construction shall be issued simultaneously if requirements of this section related to new construction are met and the property owner provides financial proof of his ability to complete the project. Permits for parking lots shall not be issued, nor shall an applicant be allowed to operate a parking lot on such property, unless such parking lot plan was approved as a replacement element for the demolished object or structure. Once the replacement plans are approved a fee shall be assessed for the demolition based on the approved replacement plan square footage. The fee must be paid in full prior to issuance of any permits and shall be deposited into an account as directed by the historic preservation officer for the benefit, rehabilitation or acquisition of local historic resources. Fees shall be as follows and are in addition to any fees charged by planning and development services:

0—2,500 square feet = \$2,000.00

2,501—10,000 square feet = \$5,000.00

10,001—25,000 square feet = \$10,000.00

25,001—50,000 square feet = \$20,000.00

Over 50,000 square feet = \$30,000.00

NOTE: Refer to City Code Chapter 10, Subsection 10-119(o) regarding issuance of a permit.

(i) **Subsequent Applications.** See section 35-608(g).

(j) **Scope of Approval.** See section 35-608(i).

(k) **Recording Procedures.** See section 35-608(j).

~~(f) The historic preservation officer may approve applications for demolition permits for non-contributing minor outbuildings within a historic district such as carports, detached garages, sheds, and greenhouses determined by the historic preservation officer to not possess historical or architectural significance either as a stand-alone building or structure, or as part of a complex of buildings or structures on the site.~~

Chapter 35, Article VI, Section 35-620 is amended as follows:

'Sec. 35-620. – Demolition Permit Review and Historic Assessment.'

(a) **Applicability.** The provisions of this section apply to any request to demolish or partially demolish any building, object, site, or structure that is not a historic landmark or located within a historic district.

(b) **Initiation.** All applications for permits to demolish buildings, objects, sites, or structures which are not historic landmarks or located within a historic district shall be referred to the city HPO for the purpose of determining whether or not the building, object, site, or structure may have historical, cultural, architectural, or archaeological significance. Requests for demolition review shall be made on a form obtained from the city historic preservation officer through the office of historic preservation. Required application materials are listed in section 35-B129 of this chapter. Completed applications shall be returned to the office of historic preservation for review and processing as applicable.

(c) **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 applications and submitted written support for completeness.

(d) **Assessment and Recommendation.** Following receipt of a complete application, properties shall be evaluated for eligibility under the Designation Criteria for Historic Districts and Landmarks outlined in 35-607. The historic preservation officer shall determine whether or not the building, object, site, or structure may have historic, cultural, architectural, or archaeological significance within thirty (30) days after receipt of the completed application. Interim controls for the property shall apply in accordance with section 35-606(e).

(e) **Decision.** If the building, object, site, or structure is determined to have no cultural, historical, architectural, or archaeological significance, a demolition permit may be issued immediately, provided such application otherwise complies with the provisions of the demolition ordinance and all city code requirements. If the building, object, site, or structure is found to have significance and is determined to an eligible resource for historic designation in accordance with this section, the historic preservation officer shall notify the owner of the property in writing of such determination in accordance with this division. Interim controls for the property shall apply in accordance with section 35-606(e). The historic preservation officer shall retain a written statement summarizing the reasons for the finding of historic significance for such period as required under applicable record retention laws as followed by the city clerk's office. At his or her discretion, the historic preservation officer may request a review and

[recommendation by the Historic and Design Review Commission regarding the Finding of Historic Significance. Following such determination, the applicant may request a demolition permit by following the procedures for historic landmarks or properties within a historic district as prescribed in section 35-614.](#)

'Sec. 35-621~~0~~ to 35-629. - Reserved.'

Chapter 35, Article VI, Section 35-645 is amended as follows:

'Sec. 35-645. - Signs and Billboards on Public Property or Right-of-Way.'

(f) **Prohibited Signs.** Signs that shall not be permitted include:

- (3) Digital and/or LED lighted signs, not to include LED light sources that do not meet the definition of a sign, with or without rotating, flashing lettering, icons or images. Except as provided below:

E. Temporary displays for permitted events are authorized if in accordance with chapter 28 of the City Code of San Antonio, Texas.

[F. Signs by a Government Agency meeting the definition of a Government Sign, provided that all other applicable design standards and guidelines are met or otherwise approved through a Certificate of Appropriateness.](#)

'DIVISION 5. - [DOWNTOWN DESIGN GUIDE](#) ~~RESERVED[1]~~.'

Chapter 35, Article VI, Section 35-650 is amended as follows:

['Sec. 35-650. - Certificate of Appropriateness for "D" Downtown Zoning District.'](#)

- (a) [Applications proposing infill development projects or redevelopment projects on property zoned "D" Downtown Zoning District shall require review for a certificate of appropriateness under the provisions of section 35-608 and section 35-G101 \(Downtown Design Guide\). In the event of a conflict between the provisions of 35-608 and the Downtown Design Guide, section 35-608 shall prevail.](#)

'Secs. 35-651~~0~~ to 35-669. - Reserved.'

Chapter 35, Article VI, Section 35-673 is amended as follows:

'Sec. 35-673. - Site Design Standards.'

This section focuses on the design concepts for an individual site and helps create a cohesive design that recognizes the unique opportunities of developing a site near the [San Antonio River](#) or [San Pedro Creek](#). These include building placement, orientation and setbacks, and the design of the

outdoor space.

- (c) **Topography and Drainage.** The natural contours of occasional hillsides and river or creek banks contribute to the distinct character of the San Antonio River and San Pedro Creek and shall be considered in site designs for new development. Site plans shall minimize the need for cut and fill. It should be considered as an opportunity for positive enhancements through the creative use of terraces and retaining walls. Sites abutting the creek must comply with subsection 35-673(c)(8) San Antonio River Authority Consultation.

- (8) **San Antonio River Authority Consultation.** Consultation with the San Antonio River Authority regarding direct access adjacent to the San Antonio River and San Pedro Creek within RIO-1, RIO-2, RIO-4, RIO-5, RIO-6, and RIO-7, landscaping and maintenance boundaries, and storm water control measures as required in Sections 35-672, 35-673, and 35-678, as applicable, is required prior to a submission for a certificate of appropriateness from the Office of Historic Preservation or plat approval, as applicable, to allow for review and comment by SARA for properties that fall within the RIO Overlay District as defined in UDC 35-338. This section shall apply to newly developed properties and redevelopment of properties.

- C. **Storm Water Management Directly Adjacent to the River or Creek.** Developments shall manage site storm water through Low Impact Development (LID) components consistent with section 35-210 of this chapter and shall also comply with the following:
- i. Storm water runoff shall pass to the river through discharge pipes or outfalls that are below water level or through an approved LID feature. Overland flow onto the park is discouraged and shall be reviewed on a case-by-case basis. Modification of this subsection shall require approval by SARA and the director of Public Works ~~transportation and capital improvements~~, or their designee;
 - ii. Open concrete chutes shall be prohibited;
 - iii. Runoff from pools or other non-storm water producing sources shall be treated prior to discharging into the river or creek.
 - iv. Runoff from potentially acute sources of pollutants, such as dog parks, dumpster pads, or oil/grease containers shall be treated for total suspended solids (TSS) and for the pollutant source prior to discharging into the river or creek, or prior to discharging into an untreated storm drainage system that flows into the river or creek.
 - v. Runoff from the developed site should generally be given preference for treatment. The director of Public Works or his designee may, on a case by case basis, approve treatment of offsite runoff instead of or in combination with onsite runoff. In this case, the design rainfall depth is increased by 10% for all offsite runoff. Offsite treatment must occur within the RIO district. Reference Section 35-210(g)(2) for LID performance standards. Runoff from potentially acute onsite sources of pollutants must be treated, per 35-673(c)(8)(C)(iv), even in cases where treatment of offsite runoff is allowed.

Chapter 35, Article VII, Section 35-706 is amended as follows:

‘Sec. 35-706. - Termination of Nonconforming Uses.’

Termination of nonconforming rights under subsections (a) and (b) of this section shall provide for notice and hearing as provided in [section 35-406](#) of this chapter.

- (e) **By Destruction or Damage of Structure.** The right to operate and maintain any [non-residential](#) nonconforming use, ~~except a single family dwelling unit~~, shall terminate and shall cease to exist whenever the structure or structures in which the nonconforming use is operated and maintained is damaged or destroyed from any cause whatsoever, and the cost of repairing such damage or destruction exceeds fifty (50) percent of the ~~appraised value~~ ~~replacement cost~~ of such structure [from a certified appraiser or county tax records](#) on the date of such damage or destruction. A nonconforming [residential](#) ~~single family~~ dwelling unit [in which less than 50 percent of the building footprint](#) ~~which~~ is destroyed or damaged ~~more than fifty (50) percent of the replacement cost appraised value~~ may be rebuilt provided a building permit is issued within one (1) year of the date of such damage or destruction. The director of planning and development services may require the submission of necessary evidence to verify the date of damage or destruction. [Residential dwelling units include all single family and multi-family uses.](#)

Chapter 35, Article VIII, Section 35-802 is amended as follows:

‘Sec. 35-802. - City Council.’

The city council shall render final decisions pertaining to amendments to the master plan, any comprehensive plan, any neighborhood plan, [any community plan](#), [any perimeter plan](#), any sector plan, [any sub-area plan](#), and this chapter, except where authority for a final decision is delegated to another agency by this chapter. The city council shall render final decisions pertaining to applications for development approval where such authority is assigned pursuant to this chapter. The city council shall have the following powers and duties:

- (a) To initiate, adopt and amend a comprehensive plan.
- (b) To initiate amendments to the text and map of this chapter and any comprehensive plan.
- (c) To hear, review and adopt amendments to the text of this chapter after a recommendation of the zoning commission.
- (d) To approve, deny or to amend and to grant applications for development approval excluding appeals and variances, which have been delegated to the board of adjustment.
- (e) To approve, deny, or to amend and to grant applications for conditional use permits or development agreements.
- (f) To take such other action not expressly delegated exclusively to the director, the planning commission, or the board of adjustment as the city council may deem desirable and necessary to implement the provisions of this chapter and the comprehensive plan.

Chapter 35, Article VIII, Section 35-803 is amended as follows:

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

- (a) **Established and Composition.** [The historic and design review commission is hereby established. The historic and design review commission shall consist of eleven \(11\) members and eleven \(11\) alternate members to be appointed by the mayor and city council. The mayor and city council shall each appoint one \(1\) member and one \(1\) alternate member to the commission. All members and alternate members must be residents of the City of San Antonio.](#) ~~Appointment. The historic and design review commission is hereby established. The historic and design review commission shall~~

~~consist of eleven (11) members who reside in the City of San Antonio and are appointed by the city council.~~

(b) **Duties and Functions.** Members including alternate members ~~The commission~~ shall serve to assist in an advisory capacity to the City of San Antonio ~~directors of parks and recreation, planning and community development, development services, code enforcement services, public works, arts and cultural affairs,~~ office of historic preservation and other appropriate heads of municipal departments, in accordance with Section 49 of the City Charter, and to the city manager. The commission shall have no authority to bind the City of San Antonio by contract or otherwise. The commission shall have the following duties and functions:

- (1) To conduct an ongoing inventory to identify historically, culturally, architecturally, and archaeologically significant buildings, objects, sites, structures, public art and design enhancements, and areas that exemplify the cultural, social, economic, political, archaeological, or architectural history of the city, state, or nation;
- (2) To investigate and recommend to city council ~~through the city zoning commission~~ the designation of areas having special historic, cultural, architectural, or archaeological value as historic districts; and buildings, objects, sites, structures, or clusters having special historic, cultural, architectural, or archaeological value as exceptional or significant landmarks;
- (3) To hold public hearings and to review applications for construction, reconstruction, alteration, relocation, renovation, landscaping, or demolition affecting proposed or designated landmarks or buildings, objects, sites, signs, public art and design enhancements, or structures in the Riverwalk area, historic districts, and public property and rights-of-way and recommend issuance or denial of certificates of appropriateness for such actions;
- (4) To recommend specific design guidelines for the restoration, rehabilitation, alteration, construction, reconstruction, or relocation of landmarks, or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;
- (5) To recommend and adopt policy documents and guides that are in keeping with any formally adopted design guidelines or standards;
- ~~(6)~~ To recommend guidelines for signage, street furniture, appurtenances, advertising devices, landscaping, monuments and works of art for each historic district, each landmark, the Riverwalk area, and for public property and public rights-of-way;
- ~~(7)~~ To hold public hearings and to review applications for ad valorem tax exemption for residential and commercial buildings and structures which have historical significance and are in need of tax relief to encourage their preservation and rehabilitation; to certify the facts governing eligibility, along with the commission's recommendation, to the Bexar Appraisal District, for approval or disapproval of the application for exemption; upon receipt of a sworn statement of completion, to investigate the building or structure to determine whether the restoration or rehabilitation has been substantially completed as required for certification, and to notify the Bexar Appraisal District in writing if verification of completion is favorable;
- ~~(8)~~ To review and make recommendations concerning proposed tax increment districts and special assessment districts that would affect proposed or designated landmarks or historic districts;
- ~~(9)~~ To testify through the chairman or vice chairman before all boards and commissions on any matter affecting historically, culturally, architecturally, or archaeologically exceptional, or significant areas, buildings, objects, sites, structures, clusters, historic districts, property located in the Riverwalk area, or public property;
- ~~(10)~~ To review all proposed National Register nominations within the City of San Antonio upon recommendation of the city's historic preservation officer;
- ~~(11)~~ 40 To inform and educate the citizens of San Antonio concerning the historical, cultural, architectural, and archaeological heritage of the city;

- (1244) To recommend conferral of recognition upon the owners of landmarks or buildings, objects, sites or structures within historic districts by means of certificates, plaques, or markers;
- (1342) To review periodically the zoning ordinance of the City of San Antonio and to recommend any amendments appropriate for the preservation and protection of landmarks or buildings, objects, sites and structures within historic districts, in the Riverwalk area, on public property, or in the public right-of-way;
- (1413) To create committees of no more than four (4) persons from among its membership to meet at times other than regular commission meetings, to consider specified categories of applications; and to make recommendations to the full commission; and
- (1514) To prepare and submit annually to the city council a report summarizing the work of the commission during the previous calendar year which has been adopted by the commission.
- (1645) To hold public hearings and review and make recommendations on applications for new development or redevelopment on property zoned "D" Downtown Zoning District, in accordance with the Downtown Design Guide in Appendix G of this chapter (35-G101).

(e) **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, so that all members shall have a demonstrated "interest, competence, or knowledge in historic preservation."

- (1) In accordance with the City's policy and commitment to advance equity, preference shall be given to the following disciplines or backgrounds: preservation related professions defined by the National Park Service (Architecture, History, Architectural History, Planning, Prehistoric and Historic Archaeology, Folklore, Cultural Anthropology, Curation, Conservation, and Landscape Architecture.); real estate; economic development; law; engineering; or neighborhood representative serving as a citizen at large.
~~Composition. Composition shall be from three (3) categories of members from the following disciplines or backgrounds:~~
 - A. Members of the commission shall represent the general ethnic and gender makeup of the community. All board and commission members serve at the pleasure of the city council and may be removed from office at the discretion of the city council without cause, such removal to be evidenced by passage of an ordinance. ~~One (1) representative shall be selected from each of the following disciplines: architecture (licensed in the State of Texas), history, architectural history, archaeology, and planning. Memberships from these five (5) disciplines are required in order to achieve compliance with the U.S. Historic Preservation Act, as well as applicable Texas law.~~
 - B. ~~One (1) representative from each of the following disciplines: landscape architecture (licensed in the State of Texas), and a professional in the field of public art or art history. Membership from these two (2) disciplines are required to provide design expertise related to the Riverwalk and public art.~~
 - C. ~~Four (4) individuals in business/professional categories which shall include disciplines and backgrounds in real estate/commercial development, economic development, law, banking or accounting, or civil engineering and in a general category which shall include experience or background in urban design, visual arts, public art, neighborhood representation, or design enhancements, or who shall be a citizen at large.~~
- (2) ~~Appointment. The mayor and city council will each appoint one (1) member of the commission to complete category representation.~~
- (23) **Terms of Office Members.** Commission members, including alternates members ~~Members~~ are appointed for a term of office of two (2) years. The term of office for each ~~board or commission~~

member and alternate member will run concurrently with the terms of office of the city council that appoints each member. Any vacancy shall be filled for the remainder of the term by the city council.

(3) **Attendance.** Any member of the commission who is absent from three consecutive regular meetings of the commission or whose attendance at regularly scheduled meetings falls below fifty percent on an annual basis from the appointment date may be removed from the commission and replaced by the alternate member without any further action by the City Council. Additionally, if member is absent from six or more regular meetings during a twelve-month period he or she may be removed from the Commission.

(4) **Continuing Education.** Members, including alternates of the commission are expected to continue to demonstrate an interest in historic preservation through participation in meetings, workshops, and conferences related to historic preservation. Each commission member and alternate member shall attend a related educational event each year. The historic preservation officer will provide at least one training opportunity per year, which will satisfy this

requirement. Each commission member and alternate member shall be thoroughly familiar with the Unified Development Code Article VI, the State Enabling Legislation, and the adopted historic district design guidelines.

(d) Election of Officers. In January of each year, or the first available meeting thereafter, members of the commission shall elect a chair and vice chair from among its members. On the day of the election of officers, the chair shall turn the meeting over to the historic preservation officer who will accept nominations from the membership for chair and vice chair. Officers must receive a majority vote of the commission members. The term of office shall begin the day of the election. Should the chair or vice chair resign or not be reappointed prior to the end of the term of office, a special election shall be held at the next meeting after such vacancy to fill the position(s) for the remainder of the term. The chair and vice chair shall serve for a one-year term, but no person shall serve more than two consecutive city council appointed terms in the same office. ~~Chairman and Vice Chairman. Members of the commission shall elect a chairman and vice chairman from among those members who have served at least one (1) year as commission members. The chairman and vice chairman shall serve for a one-year term, but no person shall serve more than two (2) consecutive city council appointed terms in the same office. The chairman shall preside over all meetings of the commission. The vice chairman shall preside in the absence or at the request of the chairman. An additional presiding officer pro tem may be selected by the commission members to preside over meetings in the absence of both the chairman and vice chairman.~~

(1.) **Chair and Vice Chair.** The chair shall preside over all meetings of the commission. The vice chair shall preside in the absence or at the request of the chair. An additional presiding officer pro tempore may be selected by the commission members to preside over meetings in the absence of both the chair and vice chair.

(2.) **Secretary.** The historic preservation officer or his or her representative shall act as secretary of the commission and shall attend and keep minutes of all meetings, acting in an advisory capacity and participating fully in commission discussions but having no right to vote. The minutes shall show pertinent facts presented during discussion, and the vote of each member on each decision of the Commission, or if absent or failing to vote, indicating that fact

(e) Commission Meetings. Regular meetings shall be held at a regularly scheduled time with advance notice posted according to the Texas Open Meetings Act. Special meetings may be called by the chair, or upon request by the historic preservation officer, when a matter requires urgent consideration. All meetings of the commission shall be open to the public and provide notice in accordance with the Texas Open Meetings Act. ~~Election of Officers. Election of commission officers shall occur in January of each year. On the day of the election of officers, the chairman shall turn the meeting over to the historic preservation officer who will accept nominations from the membership for chairman and vice chairman. Officers must receive a~~

~~majority vote of the commission members. The term of office shall begin the day of the election. Should the chair or vice chair resign or not be reappointed prior to the end of the term of office, a special election shall be held at the next meeting after such vacancy to fill the position(s) for the remainder of the term.~~

- (1.) **Quorum.** A quorum of the commission shall require six (6) members or alternate members present, except in the case to recommend designate a property as a local historic landmark over owner objection, which shall be nine (9) members or alternate members. 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, and in the case to designate a property as a local historic landmark where the property owner does not consent to designation, which shall require a three-fourths (3/4) vote of the commission to recommend approval of designation.
- (2.) **Motions.** Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussion shall terminate whenever a member shall call for a vote upon the question or whenever the chair shall so rule. Except when considering an application for demolition, landmark designation, 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 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. If the commission has continued an item at two (2) consecutive meetings, such action shall be deemed to be a negative recommendation. This section 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
- (3.) **Procedures.** The commission shall conduct public hearings in accordance with Section 35- 404 Public Hearings Procedures. Any person or persons may appear at a public hearing and submit evidence, either individually or as a representative. Each person who appears at a public hearing shall state, for the record, his or her name, address, and if appearing on behalf of an organization or group, the name and mailing address of the organization or group. Speaking times and order will be determined by the chair at the beginning of each meeting. The chair shall have the discretion to extend or limit the time of each speaker for due cause. The chair shall rule whenever any question of procedure or qualification may be raised at a commission meeting.
- (4.) **Voting.** Voting on all matters may be by voice vote provided that a roll call vote shall be taken upon demand of any member.
- (5.) **Press and Statements.** Releases and statements to the public and press in the name of the Commission shall be made only by the chair and must be made in accordance with the City of San Antonio's Communication Policy.
- (6.) **Work/Study Session.** The commission may hold work or study sessions. These may be called by the chair, vice chair or the historic preservation officer by giving at least seventy- two hours written public notice, or may be scheduled by a majority of the Commission at any previous meeting, provided that no deliberation or vote shall take place regarding the work or study session.
- (7.) **Conflict 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, not vote on the matter, and file all required written recusal documents prior to consideration of the item.
- (8.) **Final Decision.** All Certificates of Appropriateness shall be mailed to the applicant or his or her agent within 10 days of the date of the decision.
- (9.) Any question of order or procedure not covered by these rules shall be decided according to the latest edition of Robert's Rules of Order, insofar as they may be applicable.

- (f) **Commission Committees.** Committees and subcommittees of the commission, which shall be approved by a majority vote of the commission. The chair may create task forces related to specific issues which do not need to be approved by the commission. The chair shall appoint members to committees, subcommittees, and task forces with the advice and consent of a majority vote of the commission.
- (1.) Membership of committees, subcommittees and task forces shall be established annually by vote of the commission. At least two members of the commission and two alternate members must be appointed to each committee, but in no event shall the membership number total a quorum of the commission or a quorum of the Compliance and Technical Advisory Board. At least two members or alternate members of the commission must be present to conduct business. A written report with comments shall be submitted back to the commission at the next scheduled meeting. Vacancies on the committees may be filled by appointment of the Chair until the next regularly scheduled commission meeting at which the committee appointments can be placed on the agenda for a vote by the commission.
 - (2.) All committees shall submit a committee report to the commission at its next regular meeting. A summary of committee comments and meeting notes shall be filed in the office of the city historic preservation officer and shall be a public record.
 - (3.) The following standing committees shall be established and shall meet as required by vote of the commission or at the request of the historic preservation officer or the chair:
 - A. Design Review Committee. The Design Review Committee shall provide feedback to applicants prior to full submittal or shall consider items referred to the committee. The Design Review Committee will meet on a reoccurring basis as to be set by the Chair. It shall also hold on-site meetings when referred by the Commission.
 - B. Designations and Demolitions Committee. The Designations and Demolitions Committee shall work with staff to provide feedback on applications for demolition of a landmark, referred citywide demolitions, pending a finding of historic significance, pending historic district designation, and designation initiatives
 - C. Any other committees created in the future shall provide purpose and guidelines to the historic preservation officer and commission for review and approval.
- (g) **Commission Compliance and Technical Advisory Board.**
- (1.) Creation of the Compliance and Technical Advisory Board. The Compliance and Technical Advisory Board (CTAB) is hereby created. CTAB shall consist of the (11) alternate members appointed by the mayor and city council. Members shall be residents of the City of San Antonio and serve as alternate members to the historic and design review commission for their council district.
 - (2.) Duties and Functions. Members shall serve to assist in an advisory capacity to the City of San Antonio, make site visits related to repair and replacement materials, evaluate compliance cases and post-work approvals, and review OHP policy documents and historic design guidelines. Additionally, members shall perform duties and functions, described in 35-803 (b).
 - (3.) Terms of Office. All members shall be appointed for a term of office of two (2) years. The term of office for each member will run concurrently with the terms of office of the city council that appoints each member.
 - (4.) Composition and Qualifications. The CTAB shall meet the composition and qualification requirements established for the HDRC in this section.
 - (5.) Quorum. A quorum of the Compliance and Technical Advisory Board shall consist of six (6) members. No final action shall be taken on any matter except pursuant to a majority vote of the members present.
 - (6) The Compliance and Technical Advisory Board will observe the following:

- A. CTAB shall conduct meetings once per month to evaluate compliance cases and requests to replace original architectural components such as doors, windows, and porches; and may recommend approval or denial of COA requests. Additional special meetings may be called by the chair or by the historic preservation officer when a matter requires urgent consideration. All meetings shall be open to the public in accordance with the Texas Open Meetings Act. The place, day and/or hour of meetings may be changed by vote of the commission at any regular meeting. Notice of such action shall be provided in accordance with the Texas Open Meetings Act. Meeting minutes shall be filed in the office of the city historic preservation officer and shall be a public record. The minutes shall show pertinent facts presented during discussion, and the vote of each member on each decision of the Commission, or if absent or failing to vote, indicating that fact.
- B. The CTAB membership shall elect a chair and vice from its own membership who shall serve for a one-year term, but no person shall serve as chairman for more than two (2) consecutive terms. On the day of the election of officers, the chair shall turn the meeting over to historic preservation officer, who will accept nominations from the membership for chair and vice chair. Officers must receive a majority vote of the CTAB. The term of office shall begin the day of the election. An additional presiding officer pro-tempore may be selected by the membership to preside over meetings in place of the chair and vice-chair.
- C. The CTAB shall follow all other procedures as established for the Commission

- ~~(d) **Secretary.** The historic preservation officer or his or her representative shall act as secretary of the commission and shall attend and keep minutes of all meetings, acting in an advisory capacity and participating fully in commission discussions but having no right to vote.~~
- ~~(e) **Meetings of the Commission.** The commission shall hold each regular meeting on the basis of not less than once each month, and more frequently if necessary, at a regularly scheduled time with advance notice posted according to the Texas Open Meetings Act. Additional special meetings may be called by the chairman, or upon written request to the historic preservation officer signed by a majority of the members, when a matter requires urgent consideration of the commission. All meetings of the commission shall be open to the public in accordance with the Texas Open Meetings Act. The place, day and/or hour of meetings may be changed by vote of the commission at any regular meeting. Notice of such action shall be provided in accordance with the Texas Open Meetings Act. Minutes of the commission's proceedings showing the vote shall be filed in the office of the city historic preservation officer and shall be a public record.~~
- ~~(f) **Meeting Procedures.** The commission shall observe the following procedures:~~
- ~~(1) Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussion by members or by opponents or proponents of a question before the commission shall terminate whenever a member shall call for a vote upon the question or whenever the chairman shall so rule.~~
 - ~~(2) Whenever any question of procedure or qualification may be raised at a commission meeting, the chairman shall rule thereon. A member may move to overrule the chairman's decision which may be done by a majority vote of the members present.~~
 - ~~(3) Voting on all matters may be by voice vote provided that a roll call vote shall be taken upon demand of any member.~~
 - ~~(4) Releases and statements to the public and press in the name of the commission shall be made only by the presiding officer and in accordance with the Texas Open Records Act.~~
 - ~~(5) Any question of order or procedure not covered by these rules shall be decided according to the latest edition of Robert's Rules of Order, insofar as they may be applicable.~~
- ~~(g) **Meetings of Commission Committees.** All decisions of committees shall be submitted to the commission at its next regular meeting. Any applicant who is dissatisfied with a recommendation by a committee shall have the right to appeal to the full commission at its next regularly scheduled meeting. Minutes of committee~~

~~proceedings showing the vote shall be filed in the office of the city historic preservation officer and shall be a public record.~~

~~(h) **Quorum.**~~

~~(6) 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.~~

~~Except when considering an application for demolition or a question of procedure or qualific~~

~~(7) tion, 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. If the commission has continued an item at two (2) consecutive meetings, such action, at the option of the applicant, shall be deemed to be a negative recommendation.~~

~~(8) 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.~~

~~(i) **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, not vote on the matter, and file all required written recusal documents prior to consideration of the item.~~

(Ord. No. 98697 §§ 1 and 6) (Ord. No. 2007-05-30-0593, § 2, 5-30-07)(Ord. No. 2009-01-15-0001, § 2, 1-15-09)
(Ord. No. 2010-06-24-0616, § 2, 6-24-10) (Ord. No. 2010-11-18-0985, § 2, 11-18-10) (Ord. No. 2014-04-03-0206,
§ 6, 4-3-14)(Ord. No. [2015-12-17-1077](#), § 2, 12-17-15)

Chapter 35, Appendix A, Section 35-A101 is amended as follows:

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

(a) **Generally.** Words, phrases and terms defined in this appendix shall ~~be~~ ~~he~~ given the defined meaning as set forth below. Words, phrases and terms not defined in this chapter, but defined in the building code adopted by chapter 6 of the City Code, shall be given their usual and customary meanings except where the context clearly indicates a different meaning. Words, phrases and terms neither defined in this chapter nor in the building code shall be given their usual and customary meanings except where the context clearly indicates a different meaning.

Affordable ~~Low income~~ housing. Housing ~~with a housing ratio requirement and affordability period and is income restricted as follows:~~

- (1) reserved for rental ~~occupancy or ownership~~ by persons or households whose annual gross income does not exceed sixty (60) ~~eighty (80)~~ percent of the area median ~~household gross~~ income (AMI)
- (2) reserved for ownership by households whose annual gross income does not exceed one hundred and twenty (120) percent of the area median income (AMI).

All weather surface (parking and vehicular access). Vehicular "all weather surfaces" shall constitute: poured concrete on prepared subgrade; hot laid asphalt on a prepared base course; single, double, or triple asphalt surface treatment (consisting of applications of asphaltic material, each covered with aggregate) on a prepared base course, or types of pervious pavement approved by the development services department. Brick/concrete block/tile/flagstone set in mortar or on a prepared base course. The director of planning and development services

shall determine if other materials may fit within this category of surface; however, in no case shall a material be considered a "all weather surface" if such surfaces generates or produces any dust or particulate matter that could be airborne to adjacent properties such as occurs with compacted base materials.

Architectural style. Useful tools for analyzing general types of historic resources that tend to be related to the building's era of construction and popular regional trends. See the architectural styles section of A Guide to San Antonio's Historic Resources, [in City of San Antonio's Historic Design Guidelines.](#)

Area median income (AMI) as defined by the US Housing and Urban Development, as calculated annually. for households of the same size in the San Antonio-New Braunfels metropolitan statistical area, ~~as defined by the U.S. Department of Housing and Urban development. in 24 C.F.R., Part 813.~~

Child Care Facility: A facility that provides care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility, [but which occurs within the operators own home](#) for ~~all or~~ part of the twenty-four-hour day, whether or not the facility is operated for profit or charges for the services it offers.

~~Child Care Institution (Basic): A child care facility licensed by the Texas Department of Human Services which provides care for more than twelve (12) children for twenty four (24) hours a day. A basic child care institution does not include a twenty four hour a day program offered by a specialized child care institution.~~

~~Child care institution (specialized). A child care facility licensed by the Texas Department of Human services which provides specialized care for more than twelve (12) children for twenty four (24) hours a day. Specialized child care institutions include residential treatment centers, emergency shelters, halfway houses, therapeutic camps, and institutions serving mentally retarded children as classified and regulated by the Texas Department of Human services.~~

Civic uses. Any of the following uses, as defined in the use matrix, which uses are hereby found to provide focal points for community interaction and foster citizen participation in civic activities:

Churches, temples, synagogues, mosques, and other religious facilities.

Clubs or lodges

College or university facilities

[Community Gardens](#)

Day care centers

Exhibitions and art galleries

Grade schools

Library buildings

Meeting halls or clubhouses

Movie theaters

Museum, exhibition, or similar facilities

Performance theaters

Postal

Public administration

School or university buildings

Trade or specialty school facilities

Urban Farms

Comprehensive land use category. Land use categories designated in the comprehensive/master planning process. The following shall be the designated comprehensive land use categories for elements of the comprehensive plan. Additionally, special districts, as defined in Article III, Division 5, shall be considered consistent with a designated land use category, provided that the permitted uses included in the request and/or site plan, are consistent with the uses and densities of the land use category:

Urban Low Density Residential - includes a range of housing types including single-family attached and detached houses on individual lots, small lot residences, duplexes, triplexes, fourplexes, cottage homes, manufactured homes, low-rise garden-style apartments, and manufactured home parks. This land use category may also accommodate small scale retail and service uses that are intended to support the adjacent residential uses. Other nonresidential uses, including, but not limited to, schools, places of worship and parks are appropriate within these areas and should be centrally located to provide easy accessibility. Permitted zoning districts: R-1, R-2, R-3, R-4, R-5, R-6, RM-5, RM-6, MF-18, IDZ-1, MH, MHC, MHP, MXD, and NC.

- Typical densities in this land use category would range from 7 to 18 dwelling units per acre.
- ~~IDZ~~, PUD, ~~MXD~~, and TOD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Medium Density Residential - accommodates a range of housing types including single-family attached and detached houses on individual lots, manufactured and modular homes, duplexes, triplexes, fourplexes, and low-rise, garden-style apartments with more than four (4) dwelling units per building. Cottage homes and very small lot single-family houses are also appropriate within this land use category. Higher density multi-family uses, where practical, should be located in proximity to transit facilities. Certain nonresidential uses, including, but not limited to, schools, places of worship and parks are appropriate within these areas and should be centrally located to provide easy accessibility.

Permitted zoning districts: R-1, R-2, R-3, R-4, RM-4, RM-5, RM-6, MF-18, MF- 25, MF-33, IDZ-1, IDZ-2, MH, MHC, ~~and~~ MHP, and MXD.

- Typical densities in this land use category would range from 13 to 33 dwelling units per acre.
- ~~IDZ~~ PUD ~~MXD~~, and TOD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

High Density Residential - includes low-rise to mid-rise buildings with four (4) or more dwelling units in each. High density residential provides for compact development including apartments, condominiums, and assisted living facilities. This form of development is typically located along or near major arterials or collectors. High density multi-family uses should be located in close proximity to transit facilities. Certain nonresidential uses, including, but not limited to schools, places of worship, and parks are appropriate within these areas and should be centrally located to provide easy accessibility. This classification may be used as a transitional buffer between lower density residential uses and nonresidential uses. High density residential uses should be located in a manner that does not route traffic through lower-density residential uses. Permitted zoning districts: RM-4, MF-25, MF- 33, MF-40, MF-50, MF-65, IDZ-2, IDZ-3, MH, MHC, ~~and~~ MHP, and MXD.

- Typical densities in this land use category would range from 25 to 50 dwelling units per acre.
- ~~IDZ~~, PUD, ~~MXD~~, and TOD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Neighborhood Commercial - includes smaller intensity commercial uses such as small-scale retail or offices, professional services, and convenience retail and services that are intended to support the adjacent residential uses. Neighborhood commercial uses should be located within walking distance of neighborhood residential areas. Special consideration should be given to pedestrian and bicycle facilities that connect neighborhoods to commercial nodes. Permitted zoning districts: 0-1, NC, ~~and~~ C-1, IDZ-1, and MXD.

- ~~IDZ~~, PUD, ~~MXD~~, TOD, and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Community Commercial - includes offices, professional services, and retail uses that are accessible to bicyclists and pedestrians and linked to transit facilities. This form of development should be located in proximity to major intersections or where an existing commercial area has been established. Community commercial uses are intended to support multiple neighborhoods, have a larger market draw than neighborhood commercial uses, and attract patrons from the neighboring residential areas. All off-street parking and loading areas adjacent to residential uses should include landscape buffers, lighting and signage controls. Examples of community commercial uses include, but are not limited to, cafes, offices, restaurants, beauty parlors, neighborhood groceries or markets, shoe repair shops and medical clinics.

Permitted zoning districts: 0-1.5, NC, C-1, ~~and~~ C-2, IDZ-1, IDZ-2, and MXD.

- ~~IDZ~~, PUD, ~~MXD~~, TOD, and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Regional Commercial - includes high intensity uses that draw customers from both adjacent communities as well as the larger metropolitan region. Regional commercial uses are typically located in general proximity to nodes along expressways or major arterial roadways and incorporate high-capacity transit facilities. Regional Commercial uses should incorporate well-defined entrances, shared internal circulation, limited curb cuts to expressways and arterial streets, sidewalks and shade trees in parking lots, landscaping between the parking lots and roadways, and well-designed monument signage. Examples of regional commercial uses include, but are not limited to, movie theaters, plant nurseries, automotive repair shops, fitness centers, home improvement centers, hotels and motels, mid- to high-rise office buildings, and automobile dealerships. Permitted zoning districts: 0-1.5, 0-2, C-2, C-3, L, ~~and~~, BP, IDZ-1, IDZ-2, and MXD.

- ~~IDZ~~, PUD, ~~MXD~~, TOD, and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Neighborhood Mixed-Use - contains a mix of residential, commercial, and institutional uses at a neighborhood scale. Within mixed-use buildings, residential units located above first floor are encouraged. Typical first floor uses include, but are not limited to, small office spaces, professional services, and small scale retail establishments and restaurants. The mix of uses may be vertically or horizontally distributed, and there is no requirement that a single building contain more than one use. Live/work housing options are permissible in Neighborhood Mixed-Use area to ensure access to housing options and services within close proximity for the local workforce.

Where practical, buildings are situated close to the public right-of-way, and parking is located behind

buildings. Parking requirements may be minimized using a variety of creative methods, such as shared or cooperative parking agreements, to maximize land available for housing and community services. Pedestrian spaces are encouraged to include lighting and signage, and streetscaping should be scaled for pedestrians, cyclists, and vehicles. Properties classified as Neighborhood Mixed-Use should be located in close proximity to transit facilities. Permitted zoning districts: [R-1, R-2](#), RM-4, RM-5, RM-6, MF-18, 0-1, NC, C-1, MH, MHC, MHP, FBZD, AE- 1 ~~and~~ AE-2, [IDZ-1, and MXD](#).

- ~~IDZ, PUD, MXD~~, TOD and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Urban Mixed-Use - contains a mix of residential, commercial, and institutional uses at a medium level of intensity. Urban Mixed Use development is typically larger-scale than Neighborhood Mixed-Use and smaller-scale than Regional Mixed-Use, although many of the allowable uses could be the same in all three categories. Building footprints may be block-scale, but could be smaller depending on block configuration and overall development density. Typical first floor uses include, but are not limited to, professional services, offices, institutional uses, restaurants, and retail including grocery stores. The mix of uses may be vertically or horizontally distributed, and there is no requirement that a single building contain more than one use. Live/work housing options are permissible in Urban Mixed-Use areas to ensure access to housing options and services within close proximity for the local workforce. Structured parking is encouraged in Urban Mixed-Use category, but is not required. Parking requirements may be satisfied through shared or cooperative parking agreements, which could include off-site garages or lots. The Urban Mixed- Use category should be located in proximity to transit facilities. Permitted zoning districts: [R-1, R- 2](#), RM-4, RM-5, RM-6, MF-18, MF-25, MF-33, MF-40, 0-1, 0-1.5, C-1, C-2, MH, MHP, MHC, FBZD, AE-1, AE-2, AE-3, ~~and~~ AE-4, [IDZ -1, IDZ-2, IDZ-3, and MXD](#).

- ~~IDZ, PUD, MXD~~, TOD and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Regional Mixed-Use - contains residential, commercial and institutional uses at high densities. Regional Mixed-Use developments are typically located within regional centers and in close proximity to transit facilities, where mid-rise to high rise buildings would be appropriate. Typical lower floor uses include, but are not limited to, offices, professional services, institutional uses, restaurants, and retail including grocery stores. The mix of uses may be vertically or horizontally distributed, and there is no requirement that a single building contain more than one use.

Live/work housing options are permissible in Regional Mixed-Use areas to ensure access to housing options and services within close proximity for the local workforce. Where feasible, development is ideally built at the block scale, with minimum building setbacks. Parking requirements may be satisfied through shared or cooperative parking agreements, which can include off-site garages or lots. If parking requirements are satisfied on-site, structured parking is encouraged.

Pedestrian spaces are encouraged to be generous in width and lighting, with streetscaping and signage scaled to pedestrians. Regional Mixed Use projects encourage incorporation of transit facilities into development. Permitted zoning districts: MF-33, MF-40, MF-50, MF-65, 0-1.5, 0-2, C-2, C-3, D, ED, FBZD, AE-1, AE-2, AE-3, ~~and~~ AE-4, [IDZ-2, IDZ-3, and MXD](#).

- ~~IDZ, PUD, MXD~~, TOD and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Employment/Flex Mixed-Use - provides a flexible live/work environment with an urban mix of residential and light service industrial uses. Uses include smaller scale office, retail, art studio warehouses, art-oriented fabrication, creative businesses and work spaces, and cottage industrial and fabrication uses. Adaptive uses of vacant or underutilized structures are encouraged to provide residential urban infill and appropriate employment opportunities within or in close proximity to neighborhoods. Buildings have a smaller footprint and can closely resemble campus- like development across multiple sites or with

several multi-functioning buildings on one site.

Permitted zoning districts: [R-1](#), [R-2](#), RM-4, MF-18, MF-25, MF-33, 0-1, 0-1.5, C-1, C-2, L, AE-1, AE-2, AE-3, ~~and~~ AE-4, [IDZ-1](#), [IDZ-2](#), [IDZ-3](#), and [MXD](#).

- ~~IDZ~~, PUD, ~~MXD~~, TOD and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Business/Innovation Mixed-Use- accommodates industrial uses with office, commercial, and residential uses, all within a cohesive setting, on a larger scale and within larger footprints than the Employment/Flex Mixed-Use category. Industrial arts workshops, high tech fabrication, processing and assembly, and other industrial uses are permitted, in addition to commercial uses. Vocational training, technological learning centers, medical campuses, and research/development institutions are also appropriate for these spaces. Additional environmental performance standards should be employed for properties designated as Business/Innovation Mixed-Use, such as hours of activity, loading, noise levels and lighting, to ensure that the intensity of the industrially oriented uses is comparable to that of the other non-residential uses.

The mix of uses may be either vertically or horizontally distributed. Live/work housing options are permissible in Business/Innovation Mixed Use areas to ensure access to housing options and services within close proximity of business innovation areas for the local-workforce.

Business/Innovation mixed use should incorporate transit and bicycle facilities to serve the training and employment base. Permitted zoning districts: RM-4, MF-18, MF-25, 0-1.5, 0-2, C-2, C-3, L, I-1, MI-1, BP, AE-1, AE-2, AE-3, ~~and~~ AE-4, [IDZ-1](#), [IDZ-2](#), [IDZ-3](#), and [MXD](#).

- ~~IDZ~~, PUD, ~~MXD~~, TOD and MPCD may be considered consistent with this land use category, provided the permitted uses included on the zoning site plan and zoning ordinance are consistent with the uses and densities outlined above.

Contributing. See Contributing [resource property](#).

Contributing building. See Contributing [resource property](#).

Contributing property. ~~See Contributing resource. A resource in a historic district or cluster that contributes to the district's or cluster's historical significance through location, design, setting, materials, workmanship, feeling and association, and which shall be afforded the same considerations as landmarks; a building, site, structure, or object within a historic district that adds to the values or qualities of that district because it was present during the period of significance and possesses historical integrity, or it independently meets National Register of Historic Places criteria.~~

Contributing resource. Buildings, structures, objects, sites, features, or other physical elements that are located within a historic district that have not been determined by either OHP staff or the HDRC to be non-contributing to the district.

Deeply Affordable ~~Very-low income~~ housing. Housing [with a housing ratio requirement and affordability period and is income restricted as follows](#):

- (1) [reserved for rental occupancy or ownership](#) by persons or households whose annual gross income does not exceed [thirty \(30\) ~~fifty \(50\)~~](#) percent of the area median ~~household gross~~ income (AMI)
- (2) [reserved for ownership by households whose annual gross income does not exceed eighty \(80\) percent](#) of the area median income (AMI).

Area median income (AMI) as defined by the US Housing and Urban Development, as calculated annually, for households of the same size in the San Antonio-New Braunfels metropolitan statistical area, ~~as defined by the U.S. Department of Housing and Urban development. in 24 C.F.R., Part 813.~~

Designated resource. A building, object, site, or structure which has been designated "historic" by city council upon recommendation of the historic and design review commission through the zoning commission, following criteria set forth in Article III and Article VI of this chapter and zoned historic and subject to review under the provisions of this chapter.

Dwelling, four-family (quadraplex). A detached structure (on a platted single lot) house with common walls or common floor/ceiling between the units, designed for and occupied exclusively as the residence of not more than four (4) families, each living as an independent housekeeping unit.

Dwelling, three-family (triplex). A detached structure-house (on a platted single lot) with common walls or common floor/ceiling between the units, designed for and occupied exclusively as the residence of not more than three (3) families, each living as an independent housekeeping unit.

Eligible resource. A building, object, site, or structure which has been determined by the historic preservation officer or the historic and design review commission to meet the designation criteria for historic districts and landmarks set forth in article VI of this chapter.

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Embodied carbon. Carbon emissions associated with materials and construction processes throughout the whole lifecycle of a building or infrastructure. Embodied carbon includes: material extraction, transport to manufacturer, manufacturing, transport to site, construction, use phase, maintenance, repair, replacement, refurbishment, deconstruction, transport to end of life facilities, processing, and disposal.

Entertainment venue (indoor). Any ~~building,~~ structure, or portion thereof, that includes activities for amusement. These activities include, but are not limited to: haunted house attractions, bounce house attractions, laser tag, miniature golf, skating rinks, ~~and~~ skateboard tracks, go-cart tracks, carnivals/circuses, theaters, and performing arts venues. Uses in this category shall be contained entirely within a ~~building or~~ structure. This category specifically excludes outdoor venues for the above-listed uses or similar uses. This use does not include outdoor venues such as but not limited to theme parks, go-cart tracks, carnivals/circuses, theaters, and performing arts venues.

Environmental Product Declaration (EPD). A report that summarizes the life cycle of a product in a single, comprehensive report. An EPD provides information about a product's impact on the environment, such as global warming potential, smog creation, ozone depletion and water pollution. It can also include other product impacts, such as land use changes, potential toxicity risks or corporate environmental initiatives that are of particular interest to the discloser.

Exceptional historic landmark. Prior to 2010, historic landmarks were categorized as either "historic exceptional" (HE) or "historic significant" (HS). See designated resource.

~~(1) These buildings, objects, sites, site improvements, appurtenances or structures of the highest and most unique historical, cultural, architectural or archaeological importance and whose demolition or destruction~~

~~would constitute an irreplaceable loss to the quality and character of San Antonio; and~~

~~(2) Those interior spaces designed or intended to be occupied as part of the structure or which are accessible to the public.~~

Funeral home service(s) means those services provided by a funeral home establishment including but not limited to: directing funeral services; coordination of traditional burial or entombment; bereavement counseling; selection and supply of casket or urn; transportation services; filing of legal documents; selection, planning, and coordination of ceremonies; flower arrangements; providing of facilities for funerals and wakes; and short term storing of the dead. A funeral home may also provide cremation services and/or embalming services auxiliary to the services listed above. In such cases a single certificate of occupancy shall be required for all uses.

Government Signs - Signs by a Government Agency for the purpose of providing public information, legal notices, or benefit to the general public.

Gross Floor area. The sum of the gross horizontal areas of all floors of a structure, including interior balconies and mezzanines, measured from the exterior face of exterior walls, or from the centerline of a wall separating two (2) structures. The floor area shall include the area of roofed porches having more than one (1) wall and of accessory structures on the same lot. Stairwells and elevator shafts shall be excluded.

Habitable space/area. A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls or utility spaces and similar areas are not considered habitable spaces.

Half story. An uppermost story containing space completely within a sloping roof (between a three in twelve slope and a twelve in twelve slope) springing from the top plate of the story below and broken only by dormers of total (sum) width less than 25% of the horizontal length of the facade which the dormers face, ~~usually lighted by dormer windows,~~ in which a sloping roof replaces two opposing exterior ~~the upper part of the front walls,~~ or a flat roof where the half story is setback 20% of the depth from all opposing walls. Total floor area and habitable areas on the uppermost story shall ~~do~~ not exceed a floor area derived by multiplying the floor area of the story directly below ~~ground floor~~ by fifty (50) percent. Open decks, or porches, are not allowed. A basement as defined in the International Building Code or International Residential Code shall not be included in the maximum number of stories in Table 310-1

High Tunnel. See Hoophouse.

Historically significant site in need of tax relief to encourage preservation. A building, site, or structure together with the land necessary for access and use which is determined by the historic and design review commission to be in substantial need of rehabilitation or restoration and is one (1) or more of the following:

- (a) Designated a National Historic Landmark;
- (b) Listed on the National Register of Historic Places; or
- (c) Located in a National Register Historic District and certified by the Secretary of Interior as being of historic significance to the district; or

- (d) Designated as a Recorded Texas Historic Landmark by the Texas Historical Commission; or
- (e) Designated a State Archaeological Landmark; or
- (f) Designated as a landmark by the city as provided in this chapter; or
- (g) A contributing property located in a historic district. ~~Located in a historic district designated by the city and certified by the historic and design review commission as being of historic significance to the district.~~

Historic. Any building, object, site, or structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (d) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior or;
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Historic district. ~~See designated resource. An area, urban or rural, defined as a historic district by city council, state, or federal authority and which may contain within definable geographic boundaries two (2) one (1) or more buildings, objects, sites or structures designated as exceptional or significant historic landmarks or clusters, as defined herein, including their accessory buildings, fences and other appurtenances, and natural resources having historical, architectural, archaeological, and cultural significance, and which may have within its boundaries other buildings, objects, sites, or structures, that, while not of such historical, architectural, archaeological or cultural significance as to be designated landmarks, nevertheless contribute to the overall visual setting of or characteristics of the landmark or landmarks located within the district.~~

Historic landmark. ~~See designated resource.~~

Historic structure. ~~See designated resource. Any structure that is:~~

- ~~(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;~~
- ~~(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;~~
- ~~(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or~~
- ~~(d) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:~~
 - 1. ~~By an approved state program as determined by the Secretary of the Interior or;~~
 - 2. ~~Directly by the Secretary of the Interior in states without approved programs.~~

Hoophouse. A temporary structure constructed of translucent material and supported on metal or plastic pipe, which is devoted to the protection or cultivation of flowers or other tender plants. Also called High Tunnel.

~~Intrusion. See Non-contributing Resource. A building, object, site or structure which detracts from the historical significance of a district or cluster because of its incompatibility with the sense of time and place and historical development of a district or cluster; or its incompatibility of scale, materials, texture, or color; or whose integrity has been irretrievably lost; or whose physical deterioration or damage makes it infeasible to rehabilitate.~~

Low carbon materials. Low-carbon building and construction materials have both low embodied energy and carbon in their production, assembly, and transportation processes. A low carbon material will also have a low Global Warming Potential (GWP) score on its EPD.

~~Major arterial. See Principal arterial.~~

~~Minor arterial. Any street designated as an arterial, but not as a principal arterial, in the thoroughfare plan (see section 35-505, Table 505-1).~~

Mobile retail establishment means selling goods or merchandise from a self-contained unit, either motorized or in a trailer on wheels to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Non-contributing Resource. Buildings, structures, objects, sites, features, or other physical elements that are located within a historic district that have been determined as such by application to OHP staff or the HDRC (see UDC 35-619). Non-contributing buildings or resources are generally considered intrusions to a historic district and may include recent or non-compatible construction types and forms. A building, object, site or structure which neither adds to nor detracts from a sense of time and place or historical development of a district or cluster; a building, site, structure, or object within an historic district that does not add to the values or qualities of that district because it was not present during the period of significance or because it no longer retains integrity.

~~Not rated resource. A building, object, site or structure which has been inventoried and reviewed by the historic and design review commission but not rated due to lack of age following criteria set forth in this chapter.~~

~~Not significant resource. A building, object, site or structure older than twenty-five (25) years old which has been inventoried and reviewed by the historic and design review commission using criteria set forth in this chapter, but which lacks sufficient historical, architectural, cultural, or archaeological significance to be recommended for landmark status based on available evidence.~~

One-over-one light division window. A window with a primary horizontal division separating upper and lower sashes, or lights. The division shall be by a true meeting rail, or true muntin, meaning a through-glass dividing member separating the upper and lower lights, or panes of glass.

Oversized vehicle: A motor vehicle, or trailer, ~~or boat~~ which by itself or together with other structure(s) or vehicle(s) attached to it exceeds any one (1) of the three (3) following dimensions: twenty-four (24) feet in length, eight (8) feet in width or eight (8) feet in height, exclusive of appurtenances such as antennas, air conditioners, luggage racks, and mirrors. Recreational Vehicles as defined in this chapter shall not be considered an oversized vehicle.

Permanent Supportive Housing is a combination of housing and services designed for people with serious mental illnesses or other disabilities who need support to live stably in their communities. These services can include case management, substance abuse or mental health counseling, advocacy, and assistance in locating and maintaining employment. Residential units must meet Dwelling – Unit as defined in this chapter.

Porch A roofed area, which may be glazed or screened but unconditioned, attached to or part of and with direct access to or from a structure ~~and usually located on the front or side of the structure~~; a covered entrance or semi-enclosed space projecting from the facade of a building; may be open sided, screened, or glass enclosed.

~~Principal arterial. A street which connects two (2) or more subregions; provides secondary connections outside cities; complements freeway in high volume corridors, as designated in the thoroughfare plan (see section 35-505, Table 505-1).~~

Produce. Fresh fruits and/or vegetables, honey, eggs, nuts, and other agricultural products.

~~Rated resource. A building, object, site, or structure which has been inventoried and reviewed by the historic and design review commission using criteria set forth in this chapter, and listed as either exceptional, significant, not significant, or not rated.~~

Recreational vehicle. A vehicle which is (i) built on a single chassis; (ii) four hundred (400) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. In addition to the criteria above, boats are recreational vehicles.

Residential development. All areas zoned as "RP", "R-1", "R-2", "R-3", "R-4", "R-5", "R-6", "R-20", "RE", "RM-4", "RM-5", "RM-6", "NP-8", "NP-10", "NP-15", "MF-18", "MF-25", "MF-33", "MF-40" "MF-50" or "MF-65", or otherwise zoned or devoted primarily to residential use, and shall include all other areas not zoned or used primarily for commercial or industrial use.

Residential district or residential zoning district. Any of the following zoning districts: "RP", "R-1", "R-2", "R-3", "R-4", "R-5", "R-6", "NP-8", "NP-10", "NP-15", "R-20", "RE", "RM-4", "RM-5", "RM-6", "MF-18", "MF-25", "MF-33", "MF-40" "MF-50" or "MF-65".

Residential market garden. A garden at one's residence that grows produce incidental to a residential use. Excess produce may be sold on site or elsewhere. In order to maintain residential character, sales of produce shall be so conducted as to not be visible from any public street or walk. ~~Sales on the property must be conducted out of sight of the general public.~~

Restricted parking area: The area of a lot in a residential district where the parking of oversized vehicles, as defined in this chapter, is not allowed. For lots or parcels one-half acre or less in area, the restricted parking area includes the entire area of the lot. For lots or parcels greater than one-half acre in area, the restricted parking area includes the entire front yard, and areas of the side yard and back yard within 15 feet of the property line. ~~The area within the front yard of a lot within the parking of oversized vehicles is regulated. This area extends to a depth of fifteen (15) feet from the street curb or, if there is no curb, from the edge of the roadway whether paved or unpaved~~

Significant historic landmarks. Prior to 2010, historic landmarks were categorized as either “historic exceptional” (HE) or “historic significant” (HS). See designated resource.

- ~~(1) Those buildings, objects, sites or structures of historical, cultural, architectural or archaeological importance whose demolition or destruction would constitute a serious loss to the quality and character of San Antonio; and~~
- ~~(2) Inventoried interior spaces designed or intended to be occupied as part of the structure or which are accessible to the public.~~

Soil organic matter (SOM. The organic component of soil, consisting of three primary parts including small (fresh) plant residues and small living soil organisms, decomposing (active) organic matter, and stable organic matter (humus). Soil organic matter serves as a reservoir of nutrients for crops, trees, shrubs, and vegetation, and provides soil aggregation, increases nutrient exchange, retains moisture, reduces compaction, reduces surface crusting, and increases water infiltration into soil. (Sources: NRCS)

Solar Array: a collection of linked solar panels, also known as photovoltaic panels, for the production of electricity.

Solar Canopy: an elevated structure that hosts solar array(s) and provides shade. The overhead solar canopy is typically installed in parking lots, playground areas, or other paved areas.

Solar Farm: an installation or area of land or water in which a collection of solar arrays are set up for the primary purpose to generate electricity and is connected at utility voltage.

Solid waste. Solid waste, including municipal solid waste, shall have the same meanings as those used in Chapter 14 (Solid Waste) of the city code of the City of San Antonio. Solid waste may include ~~Any~~ garbage; refuse; sludge from a waste treatment plant, water supply treatment plant or air pollution control facility; and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations, and from community and institutional activities, but does not include: (1) solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued pursuant to Chapter 26 of the Texas Water Code; (2) soil, dirt, rock, sand, and other natural or manmade inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements; or (3) waste materials which result from activities associated with the exploration, development, or production of oil or gas and are subject to control by the Railroad Commission of Texas.

Stand-alone Personal Hygiene Facilities (Permanent). Facilities for personal hygiene such as public showers or public restrooms which are independent of any other use and constitute the primary use of the property, and where the facilities are permanently affixed to potable water and sanitary sewer services, and other utilities.

Generally, this use shall be designed to be located on a property for more than 30 days or a permanent basis. Where personal hygiene facilities are provided as an accessory to the overall use of the property, then the use category for the primary use shall determine the allowable use category.

~~Street, arterial. A street use primarily for fast or heavy traffic and designated in the major thoroughfare plan as a primary arterial street, secondary arterial street or express way.~~

~~Street, collector. A street which provides some access to abutting property and collects traffic from local streets and connects with the major system of arterial streets and highways. A collector street does not include a street designated as local "Type B".~~

~~Street, local. A street designed to provide vehicular access to abutting property and to discourage through traffic.~~

~~Street, local "Type A". A street used for primary and secondary access to single family detached residential units or duplex residential units where such residential units comprise seventy five (75) percent of the abutting street frontage on both sides of a particular block.~~

~~Street, local "Type B". A street used for primary and secondary access to all residential areas except those specified to be served by a "Type A" local street. Also, this street shall be used for secondary access and circulation to community facilities (schools, parks, etc.), and other traffic generators such as commercial and industrial areas.~~

Supportive Housing Campus. A use in which multiple structures and related grounds or portions thereof are used to provide the following uses individually or in combination: medical services (clinical, optical, and dental); schools, including educational, business, and vocational; multi-family housing; and day care services for children. A supportive housing campus shall not be considered a human service campus.

~~Townhouse. A single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit extends from foundation to roof and with a yard or public right-of-way on not less than two (2) sides. 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 fire wall (to be 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.~~

Townhouse Subdivision: A division of any tract of land into two (2) or more parts for the purposes of laying out any subdivision which may include a group of at least three (3) townhouse units.

~~Truck farm. A small tract of land (less than ten (10) acres) on which produce is raised and sold by the owner on-site or at off-site markets.~~

Unusual and compelling circumstances. Those uncommon and extremely rare instances, factually detailed, which would warrant a Historic and Design Review Commission recommendation due to the evidence presented.

Urban farm. A tract of land within city limits, not at one's own residence, on which produce is raised and sold on site or elsewhere. This can include farming and/or greenhouses and/or hoopouses on vacant lots or acreage.

Composting of vegetative materials produced on the farm or elsewhere is allowed, as long as it is covered by dry material to prevent nuisance conditions. A farmstand or market may be located on the site. In addition to holding a market, an urban farm may host educational events and/or serve as an event venue, provided that sufficient off-street parking is provided.

Chapter 35, Appendix B, Section 35-B101 is amended as follows:

'35-B101. –Specifications for Documents to be Submitted'

	A	B	C	D	E	F	G
	(A) Material/Information	Master Development Plan	PUD Plan	Major Plat Application	Minor Plat Application	Development Plat Application	Specific Use Authorization
F	PLANNING						
	(3) A location map at an accurate engineering scale a scale of not less than 1"= 2,000' indicating the location and distance in relation to adjacent streets and all surrounding major thoroughfares. The location map is to be located in the top left hand corner of the sheet.	*	*	*	*		

(f) **Digital Requirements for Street and Drainage Construction Plan Submittals.**

- (4) **City-Provided Standard Detail Sheets in a Digital Format.** The city's drainage and capital programs departments will provide standard details in a digital format to anyone requesting the files. The request should include whether the files should be provided in AutoCad (DWG) or PDF. ~~MicroStation (DGN), or~~

~~Generic (DXF) format. These files may be e-mailed to the requestor or provided on diskette. Since the city does not use AutoCad, the requests for this format will be performed using the conversion software available within MicroStation and is provided with no claims as to the requestor's ability to read or use the delivered files.~~

~~(5) **Formats for Graphical Data.** Any of three (3) formats are allowed for drawing digital data submitted for approval by the public works department — DXF (generic), DWG (AutoCAD), and DGN (Microstation).~~

~~A. **DGN (MicroStation) (Bentley).** This is the graphics format used by the City of San Antonio. The Microstation software used to produce these files should be the most current or prior version of the product. Files produced using software over two (2) releases old may not be accepted. No reference files will be attached to DGN files submitted to the city.~~

~~AB. **DWG (AutoCAD) (Autodesk).** This file format is used by Autodesk with their AutoCAD product. This is the preferred way for AutoCAD users to transfer files to the city. The AutoCAD software used to produce these files should be the most current or the prior version of the product. Files produced using software over two (2) releases old may not be accepted. No xreference files will be attached to DWG files submitted to the city.~~

~~C. **DXF (All Others) (Drawing Exchange File).** DXF is an exchange format developed by Autodesk for use with their AutoCAD product. This format is the preferred exchange format for organizations that use graphics software provided by vendors other than Bentley or Autodesk. Only the ASCII output file option will be accepted for this exchange format. The software used to produce these files should be compatible with the current or prior versions of Microstation or AutoCAD. Files produced using file compatibility over two (2) releases old may not be accepted.~~

~~(5) (6) **File Naming Conventions.** The applicant shall submit one (1) file for each drawing sheet that is submitted to the city. File naming conventions and extensions will be used as follows:~~

~~(6) (7) **Media Requirements and File Creation.** The city will accept files [uploaded online or delivered to Development Services via digital files](#) on DOS 3.5" high density (1.4 Mb) diskettes or on 650 Mb CD's. Files created on diskette or CD for delivery to the city will be produced using Windows output formats. WinZip may be used to compress the files being submitted. Diskettes and CD's will be labeled with the following information:~~

~~Plat number, subdivision name, number of files (sheets) on the diskette or CD, disk creation date, company name, and contact name and phone number.~~

~~(7) (8) **City's Use of Submitted Digital Data.** The city staff may make minor corrections to the drawing digital data if the information needs correcting due to minor differences between the hard copy sheets and the digital data, or if other minor errors, such as layering errors are detected. In instances where differences exist, the information provided on the hard copy Mylar drawings will always take precedence over the drawing digital data. The digital information has no legal significance.~~

Chapter 35, Appendix B, Section 35-B121 is amended as follows:

'Sec. 35-B121. - Subdivision Plat Applications.'

(f) **Certification and Forms.** All declarations, agreements, bonds, releases and other instruments required by the City of San Antonio shall be substantially in the same form as the particular instruments set out in this exhibit. [The following must appear on the plat:](#)

(1) **Form-A: Surveyor's Certificate.** A surveyor's certificate as follows:

STATE OF TEXAS COUNTY OF BEXAR
I hereby certify that the above plat conforms to the minimum standards set forth by the Texas Board of Professional Land Surveying according to an actual survey made on the ground by: [name] Registered Professional Land Surveyor

(2) **Form-B: Engineer's certificate.** An engineer's certificate is required in all cases except when the plat does not require engineering considerations.

STATE OF TEXAS COUNTY OF BEXAR
I hereby certify that proper engineering consideration has been given this plat to the matters of streets, lots and drainage layout. To the best of my knowledge this plat conforms to all requirements of the Unified Development Code, except for those variances granted by the San Antonio Planning Commission.
Licensed Professional Engineer

(3) **Form-C: Owner's acknowledgment.** If the owner authorizes an agent, he shall file a notarized letter to that effect.

STATE OF TEXAS COUNTY OF BEXAR
The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public, except areas identified as private or part of an enclave or planned unit development, forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Owner
Duly Authorized Agent
STATE OF TEXAS COUNTY OF BEXAR
Before me, the undersigned authority on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.
Given under my hand and seal of office this day of , .
Notary Public, State of Bexar County , Texas

(10) **Form K: Irrevocable Letter of Credit.**

This Letter of Credit sets forth in full the terms of our undertaking and such undertaking shall not in any way be modified, amended or amplified by reference to any document, instrument or agreement referred to herein or to which this letter of credit relates unless agreed to in writing by (Bank Name) and the City of San Antonio. Notwithstanding the above, the amount ~~available owing~~ under ~~this the~~ Letter of Credit may be increased or decreased ~~amended~~ by amendment, or by a replacement ~~substituting another~~ Letter of Credit that **also** meets all of the Beneficiary's criteria ~~provided in this chapter~~.

Except as expressly stated herein, this undertaking is not subject to any agreement, condition or qualification. The obligation of (Bank Name) under this Irrevocable Letter of Credit is the individual obligation of (Bank Name), and is in no way contingent upon reimbursement by applicant with respect thereto.

We hereby engage with you that documents drawn under and in compliance with the terms of this Irrevocable Standby Letter of Credit will be duly honored if presented for payment to (Bank Name), (Physical Address of Bank) on or before the expiration date of this Letter of Credit.

This Letter of Credit is subject to the [most recent version of](#) International Standby Practices 1998, International Chamber of Commerce Publication No. 590 ("ISP98"), and as to matters not addressed by ISP98, is subject to and governed by [the laws of the state of](#) Texas ~~State Law~~ and [the applicable](#) ~~laws of the United States U.S. Federal Law~~.

Sec. 35-B129. - Historic Preservation Materials.

(a) **Certificate of Appropriateness.** An application for a certificate of appropriateness shall include the following:

(1) [An application for any Certificate of Appropriateness request shall include the following:](#)

~~Applications for new construction shall include preliminary plans with building elevations including:~~

- [A. Digital photos of each side the structure being worked on and where work is taking place. All photos must be clear, current, and in full color;](#)
- [B. A written narrative detailing the proposed scope of work being requested;](#)
- [C. Drawings and specifications related to the proposed scope of work. All drawings must be accurate, to scale, and representative of the work to take place. Most applications will require only architectural design drawings, although additional drawings may be necessary to fully explain the proposed scope of work;](#)
- [D. Material samples and specifications where applicable;](#)
- [E. Any required fees where applicable.](#)
- [F. Authorization from the property owner \(if the applicant is not the owner\)](#)

~~A.— Working scale drawings/specifications;~~

~~B.— Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~

~~C.— Scale site plan;~~

~~D.— Photographs of building site for new construction;~~

~~E.— Paint samples with brand name and number;~~

~~F.— Roofing material sample;~~

~~G.— Siding sample;~~

~~H.— Letter of permission from property owner (if the applicant is not the owner).~~

(2) An application for a Certificate of Appropriateness for ADDITIONS ~~Applications requesting an addition to an existing building~~ shall include:

- A. Measured and to scale site plan, roof plan, and building elevations of each side of the proposed addition;
- B. Measured and to scale floor plan(s) that include window and door locations and an accurate footprint;
- C. Measured and to scale demolition plan where applicable;
- D. Specifications of proposed windows and doors including a window and door schedule where multiple types and dimensions are proposed.
- E. Specifications of proposed roofing material;
- F. Specifications of proposed siding material;
- G. A line of sight diagram or perspective rendering for any rear addition that exceeds the height of the existing structure that demonstrates visibility from the public right of way.

- ~~A. Preliminary plans with building elevations;~~
- ~~B. Scale drawing of addition in relation to structure;~~
- ~~C. Working scale drawings/specifications;~~
- ~~D. Scale site plan;~~
- ~~E. Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~
- ~~F. Photographs of structure showing current appearance;~~
- ~~G. Photographs of all exterior sides (include all four (4) sides of building);~~
- ~~H. Colors (sample);~~
- ~~I. Letter of permission from property owner (if the applicant is not the owner);~~

(3) Certificate of Appropriateness for NEW CONSTRUCTION shall include the following:

- A. Measured and to scale site plan, floor plan(s), roof plan, and building elevations of each side of the proposed structure;
- B. Detailed landscaping and hardscaping plan showing proposed driveways and parking areas, fencing, and building footprints;
- C. Measured and to scale wall section at typical window;
- D. Schedules and specifications of proposed windows and exterior doors;
- E. Specifications of proposed roofing material, details, color, and accessories;
- F. Specifications of proposed siding material;
- G. Infill projects having two or more attached or detached units on a single parcel or two or more detached single-family dwellings developed as part of a platted subdivision in residential historic districts shall also complete and submit the Infill Design Application Supplement worksheets provided by OHP staff.

(4) Certificate of Appropriateness for WINDOW REPLACEMENT shall include the following:

- A. Current color photos of the existing structure;
- B. Window schedule featuring a floor plan indicating each window proposed for replacement;

- C. Current color photos of the interior and exterior of each window proposed for replacement, numbered to correspond with the floor plan;
- D. Specifications of proposed replacement windows including material, profile, and dimensions, and a schedule where multiple types and dimensions are proposed.
- E. Requests for window replacement may require a staff site visit to determine if existing windows are deteriorated beyond repair.

(5)-(3) Certificate of Appropriateness for Applications requesting the installation of signage shall include the following **information**:

- A. Current color photos of the existing structure or site where proposed signage will be located;
- B. Site plan of the property that indicates where signage will be located;
- C. Specifications of proposed signage including dimensions, color, materials, lighting, installation method, etc.;
- D. Color rendering(s) noting the proposed sign as it would appear once installed. For internally illuminated signs, this should include a night rendering.
- E. Master signage plans should include general sign locations, sizes, lettering, and associated tenant key.

- ~~A. Working scale drawings/specifications;~~
- ~~B. Scale drawing of sign in relation to structure;~~
- ~~C. Scale site plan;~~
- ~~D. Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~
- ~~E. Photograph of location of proposed signage on structure/property;~~
- ~~F. Photographs of structure and all exterior sides affected by proposed work;~~
- ~~G. Type of materials to be used for sign;~~
- ~~H. Colors (samples) as applied to sign;~~
- ~~I. Size/style of lettering;~~
- ~~J. Illumination plan;~~
- ~~K. Letter of permission from property owner if the applicant is not the owner.~~

(6)-(4) Applications requesting the installation or erection of a fence shall include:

- A. Current color photos of the front of the house and areas where fence is to be located;
- B. To scale site plan that illustrates where on the property the fence is to be located;
- C. Drawing or photos of the proposed fence design including total heights for each section of proposed fencing.

- ~~A. Description of the type/design of fence;~~
- ~~B. Scale of drawing of members with specifications;~~
- ~~C. Scale site plan;~~
- ~~D. Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~
- ~~E. Photographs of structure and all exterior sides affected by proposed work;~~
- ~~F. Letter of permission from property owner if applicant is not the owner.~~

~~(7)~~(5) Applications requesting the installation of driveways, sidewalks and parking lots shall include:

- A. Current color photos of the existing conditions where work is taking place;
 - B. To scale site plan that illustrates the location and proposed dimensions of the site elements;
 - C. Details and dimensions showing any proposed designs or materials to be used;
 - D. Site plan for parking lots depicting layout, configuration, areas of impervious coverage, lighting, and landscaping buffers.
- ~~A.—Description of the type/design of driveway/sidewalk;~~
~~B.—Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~
~~C.—Scale site plan;~~
~~D.—Photographs of structure, location and all exterior sides affected by proposed work;~~
~~E.—Landscaping plans (if any);~~
~~F.—Colors (sample);~~
~~G.—Letter of permission from property owner if the applicant is not the owner.~~

~~(6)~~ Applications requesting repainting involving a color change shall include:

- ~~A.—Type of material;~~
- ~~B.—Colors (sample);~~
- ~~C.—Description of design;~~
- ~~D.—Photographs of structure and all exterior sides affected by proposed work;~~
- ~~E.—Letter of permission from property owner if the applicant is not the owner.~~

~~(8)~~(7) Certificate of Appropriateness for ROOF REPLACEMENT/REPAIRS shall include the following: ~~Applications requesting reproofing involving a material/color change shall include:~~

- A. Current color photos of the structure and the existing conditions of the roof;
 - B. Specifications on the proposed replacement materials, details, color, and accessories;
 - C. A roof plan or aerial view of the structure that indicates where work is taking place.
- ~~A.—Type of material (sample or cut sheet);~~
~~B.—Colors (sample);~~
~~C.—Description of design;~~
~~D.—Photographs of structure and all exterior sides affected by proposed work;~~
~~E.—Letter of permission from property owner if the applicant is not the owner.~~

~~(9)~~(8) Applications involving the installation of landscaping shall include:

- A. Current color photos of the structure and the existing conditions of the roof;
 - B. Specifications on the proposed replacement materials, details, color, and accessories;
 - C. A roof plan or aerial view of the structure that indicates where work is taking place.
- ~~A.—Working scale drawings/specifications;~~
~~B.—Scale site plan;~~
~~C.—Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~

- ~~D.— List of plants or trees;~~
- ~~E.— Photographs of structure and area to be landscaped;~~
- ~~F.— Location of lighting, walkways, decking, pools, fountains, gazebos, or pool/equipment houses;~~
- ~~G.— Letter of permission from property owner (if applicant is NOT owner);~~
- ~~H.— Sprinkler system (if any).~~

(10) ~~(9)~~ Applications involving swimming pools, fish ponds or fountains shall include:

- A. Current color photos of the areas where items will be installed;
- B. An accurate site plan that illustrates proposed locations and dimensions;
- C. Specifications on proposed material, design, dimensions, and any special equipment to operate the proposed feature.
- ~~A.— Working scale drawings/specifications;~~
- ~~B.— Scale drawing in relation to structure;~~
- ~~C.— Scale site plan;~~
- ~~D.— Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~
- ~~E.— Type/design of swimming pool, fish pond and/or fountain;~~
- ~~F.— Photographs of structure (all exterior sides) and area affected by proposed work;~~
- ~~G.— Colors (sample);~~
- ~~H.— Letter of permission from property owner if the applicant is not the owner.~~

(11) ~~(10)~~ Certificate of Appropriateness for GAZEBOS, PLAYGROUNDS, and SPORT COURTS shall include the following: Gazebos - Bath house and decking:

- A. Current color photos of the areas where items will be installed;
- B. An accurate site plan that illustrates proposed locations and dimensions;
- C. Specifications on proposed materials.
- ~~A.— Working scale drawings/specifications;~~
- ~~B.— Scale drawing in relation to structure;~~
- ~~C.— Scale site plan;~~
- ~~D.— Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~
- ~~E.— Photographs of structure (all exterior sides) and area affected by proposed work;~~
- ~~F.— Colors (sample);~~
- ~~G.— Letter of permission from property owner if the applicant is not the owner.~~

~~(11)— Tennis courts and playgrounds:~~

- ~~A.— Working scale drawings/specifications;~~
- ~~B.— Scale drawing in relation to structure;~~
- ~~C.— Scale site plan;~~
- ~~D.— Drawings eight and one-half by eleven (8½ x 11) inch reproducible sheets;~~
- ~~E.— Photographs of structure (all exterior sides) and area affected by proposed work;~~

~~F.— Colors (sample);~~

~~G.— Letter of permission from property owner (if the applicant is not the owner).~~

~~(12) — Dumpsters, air conditioning, water coolers, and other mechanical systems:~~

~~A.— Scale site plan;~~

~~B.— Scale drawing of screening plan;~~

~~C.— Photographs of structure and installation sites;~~

~~D.— Location of condensers, transformers, or other systems in relation to building(s) and adjacent properties;~~

~~E.— Underground utility plan;~~

~~F.— Letter of permission from property owner if applicant is not the owner.~~

(12) Certificate of Appropriateness for FOUNDATION/SKIRTING shall include the following:

A. Current color photos of all four sides of the house that show existing conditions;

B. If skirting is being replaced, please provide specific details on proposed skirting material, details, and accessories.

(13) Certificate of Appropriateness for MECHANICAL EQUIPMENT/UTILITIES shall include the following:

A. Current color photos of existing conditions of area where equipment will be located;

B. A site plan of the property that indicates where equipment will be installed;

C. Indicate if any equipment is proposed to be attached to any structures;

D. Provide specifications of screening material.

(14) Certificate of Appropriateness for TELECOMMUNICATION EQUIPMENT ON NEW OR EXISTING POLES shall include the following:

A. Current color photos of existing conditions of area where equipment will be located;

B. A site plan of the property that indicates where equipment will be installed;

C. Photo-sim or rendering of the proposed pole and related equipment;

D. For new poles, a documented study that finds collocation of new equipment onto existing poles to be infeasible collocation within the immediate block or a 250 feet radius;

E. For installation on private property, a letter of authorization from the private property owner;

F. For installation in the public right-of-way, the associated permit number for interdepartmental review.

(b) **Demolition.** ~~Applications requesting demolition shall include:~~

~~(1) — Photographs of structure;~~

~~(2) — Scale site plan;~~

~~(3) — Proposed use after demolition (conceptual plan);~~

~~(4) — Letter of permission from property owner (if applicant is NOT owner);~~

~~The application shall include a demolition form as follows:~~

1. Applications for demolition review of NON-DESIGNATED PROPERTIES shall include

the following:

- i. Current color photos of each side of each structure to be demolished;
 - ii. An accurate site plan showing all buildings on the property.
2. Applications for a Certificate of Appropriateness for demolition of a DESIGNATED PROPERTY shall include the following:
 - i. Current color photos of each side of each structure to be demolished;
 - ii. An accurate site plan of the property;
 - iii. Proof of economic hardship including engineer's letter, estimates for rehabilitation, and other documentation as outlined in Section 35-614;
 - iv. Conceptual replacement plans for the property.

(c) Historic Tax Incentive.

1. Historic Tax Incentive, Part 1 (Historic Tax Certification). Applications for Part 1 of the Historic Rehabilitation Project shall include the following:
 - i. Current color photos of the exterior and interior of the structure, and of the front from the street;
 - ii. One set of complete plans for restoration and rehabilitation for interior and exterior. This may include drawings or additional photos;
 - iii. A detailed written narrative explaining the proposed scope of work;
 - iv. Itemized list of expected work to the interior and exterior;
 - v. Projected time schedule.
2. Historic Tax Incentive, Part 2. (Historic Tax Verification) Applications for Part 2 of the Historic Rehabilitation Project shall include the following:
 - i. Detailed narrative explaining complete work;
 - ii. Final itemized list of costs for the rehabilitation work;
 - iii. Completed time schedule;
 - iv. Current color photos of the finished rehab, interior and exterior;
 - v. Final building inspection clearance: this may include closed permits, Certificates of Appropriateness, or Certificates of Occupancy. Please include copies or case numbers.

(d) Archaeological Survey Requirements.

1. Refer to UDC subsection 35-412(a)(3) and Appendix B, Table 101-1, #27.

(e) Historic Assessments

1. Applications for designation verification do not require attachments.
2. Applications for historic assessments/non-contributing determinations shall include:
 - i. Photos of all structures on property
 - ii. Site plan showing location of structures on parcel

(f) Landmark Designations & Requests for Review of Historic Significance

1. Applications for designation as an individual landmark may be submitted by the property owner and shall include:

- i. Photos of all structures on the property
- ii. Site plan showing location of structures on parcel
- iii. Documentation of current ownership
- iv. Statement of significance explaining how the property meets at least three of the criteria listed in Sec. 35-607(b)

2. Applications for a finding of historic significance may be submitted by anyone for review and determination of eligibility and shall include:

- i. Photos of all structures on the property or as available from the public right-of-way
- ii. Site plan showing location of structures on parcel
- iii. Documentation of current ownership
- iv. Statement of significance explaining how the property meets at least three of the criteria listed in Sec. 35-607(b)
- v. A completed petition (included in the application) which includes the printed names, addresses, and signatures of 15 individuals residing within the City of San Antonio supporting the application
- vi. Completion of resource worksheet included in the application

DRAFT

 **CITY OF SAN ANTONIO**
Office of Historic Preservation
DEMOLITION FORM

Please fill in all blanks.

Application for permit to demolish the structure located at: _____
NCB _____ Block _____ Lot _____ Zoning _____
Name of Property Owner: _____
Mailing Address: _____
Business Telephone: _____ Home Telephone: _____
Name of Contractor: _____ License No.: _____
Mailing Address: _____
Business Telephone: _____ Home Telephone: _____
Approximate Date Built: _____
The structural frame is _____
Historic District: _____ or Historic Landmark: _____
Type of structure: (A) Commercial _____ (B) Residential _____ (C) Accessory _____
Why is structure to be demolished? _____
Submitted by:
Applicant Name: _____ Telephone No.: _____
Address: _____ Zip Code: _____
Applicant Signature: _____
Property Owner Signature: _____
(if different from applicant)

DISPOSITION OF REQUEST

Permit to be issued: _____
Research to be done: _____
Referred to Historic and Design Review Commission: _____
Remarks or special recommendation where applicable: _____
_____/_____/_____
Historic Preservation Officer Date

PHOTOGRAPHS OF THE BUILDING TO BE DEMOLISHED ARE REQUIRED FOR CLEARANCE
(one photo per elevation for a total of 4 photos)

STAMP

(c) Tax Abatement Project.

Applications for a tax abatement project shall include the following information:

- (1) Land use category: Commercial or residential;
- (2) A completed certification form or verification form consistent with the information required by section 35-618 and as set forth below;



**CITY OF SAN ANTONIO
 APPLICATION FOR AD VALOREM TAX EXEMPTION FOR HISTORICALLY
 SIGNIFICANT PROPERTY IN NEED OF TAX RELIEF**

CERTIFICATION FORM

To be completed by the applicant, signed, and filed with the City of San Antonio Historic Preservation Officer prior to hearing by the Historic and Design Review Commission (HDRC). An HDRC Application must be filled out and submitted along with this form.

DATE : _____ 20 _____
 NAME OF APPLICANT: _____
 MAILING ADDRESS: _____

 BUSINESS TELEPHONE : _____
 E-MAIL: _____
 NAME (S) OF PROPERTY OWNERS: _____

EXACT LEGAL DESCRIPTION OF PROPERTY AS CONTAINED IN DEED
 NCB _____ BLOCK NUMBER _____
 LOT(S) NUMBER _____ ZONING _____
 COMMON ACCOUNT NUMBER (AS PER BCAD) _____
 ADDRESS OF PROPERTY FOR WHICH EXEMPTION IS REQUESTED:

Street Number and Name _____ Zip Code _____

Latest Value of Property as Assessed by the Bexar Appraisal District:
 Year: _____

Land Value	Improvements	Total
------------	--------------	-------

To the Historic Preservation Officer, City of San Antonio, Texas:
 The property identified above is in need of tax relief as set forth in City of San Antonio Ordinance No. 52281 and 52282. The historic significance of said property is certified by signature below, together with other documents covering the proposed restoration or rehabilitation:

1. One set of complete plans for restoration or rehabilitation
2. Statement of expected costs of improvements
3. The projected time schedule for restoration/rehabilitation
4. Proposed use: () commercial () residential
5. Signature below to allow designated officials to view property and records.

Submitted by: _____
 Applicant's Signature

SUBSTANTIAL REHABILITATION TAX EXEMPTION PROCESS

1. Submittal of Certification application.
2. Approval of Certification and project plans by the Historic and Design Review Commission (HDRC).
3. Completion of rehabilitation construction according to plans approved by HDRC.
4. Submittal of Verification application. For residential properties, choose exemption option: "tax freeze" or "5 zero 5 fifty"
5. Site visit by Office of Historic Preservation (OHP) staff member to verify that completed work matches the plans that were approved by HDRC.
6. Approval of Verification by HDRC.
7. OHP staff notifies the Bexar County Appraisal District of approved exemption.
8. Tax exemptions are effective on January 1 of the year following HDRC verification.



CITY OF SAN ANTONIO
APPLICATION FOR AD VALOREM TAX EXEMPTION FOR HISTORICALLY SIGNIFICANT
PROPERTY CERTIFIED AS IN NEED OF TAX RELIEF

VERIFICATION FORM

To be completed by the applicant, signed, and filed with the City of San Antonio Historic Preservation Officer prior to hearing by the Historic and Design Review Commission (HDRC). An HDRC Application must be filled out and submitted along with this form.

DATE : _____ 20 _____

CERTIFICATION DATE : _____ HDRC CASE NO.: _____

NAME OF APPLICANT: _____

MAILING ADDRESS: _____

BUSINESS TELEPHONE : _____

NAME (S) OF PROPERTY OWNERS: _____

EXACT LEGAL DESCRIPTION OF PROPERTY AS CONTAINED IN DEED

NCB _____ BLOCK NUMBER _____

LOT(S) NUMBER _____ ZONING _____

COMMON ACCOUNT NUMBER (AS PER BCAD) _____

ADDRESS OF PROPERTY FOR WHICH EXEMPTION IS REQUESTED:

Street Number and Name _____ Zip Code _____

1. Documentation: Itemized List of Costs
Final Building Inspection Clearance
(Permits or Certificate of Occupancy)
Final Photos of Rehabilitation Work (including interior, if applicable)

In accordance with City of San Antonio Ordinances No. 52281 and/or 52282, I hereby swear that substantial rehabilitation of the property listed has been completed according to the criteria and standards of the City of San Antonio Historic and Design Review Commission.

I hereby authorize duly constituted representatives of the City of San Antonio to make an investigation of the property in compliance with code requirements.

Signature _____
(Property Owner)

Date _____

Please read the back regarding tax exemption options

Residential Properties

Residential properties are eligible for two tax exemption options. The first exemption option freezes your City taxes at the pre-improvement value upon verification for ten (10) years. Therefore, your City taxes would be based upon the assessed value of the property before commencement of the rehabilitation. The other exemption choice calls for the payment of zero City taxes for five (5) years, and then for the subsequent five (5) years taxes will be based upon 50% of the newly assessed value of the property (5 Zero/5 Fifty).

Please select which of the two options you would prefer:

_____ 10 Year Tax Freeze

_____ 5 Zero/ 5 Fifty

Commercial Properties

Commercial properties are eligible for the exemption choice that calls for the payment of zero City taxes for five (5) years and, then, for the subsequent five (5) years taxes, will be based upon 50% of the newly assessed value of the property (5 Zero/5 Fifty).

Upon approval of the Verification by the Historic and Design Review Commission, Office of Historic Preservation staff will notify the Bexar County Appraisal District of the approved exemption and option you have selected. Tax exemptions are effective on January 1st of the year following the HDRC Verification.

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**CITY OF SAN ANTONIO
OFFICE OF HISTORIC PRESERVATION**



*ADMINISTRATIVE
CERTIFICATE OF APPROPRIATENESS
APPLICATION*

DATE: _____

To be completed by the applicant, signed and filed with the City of San Antonio Historic Preservation Officer.

Property Location (Street Address) _____

Historic District Landmark River Improvement Overlay Public Property or Other

Name of Property Owner: _____

Mailing Address: _____

Business/Home Telephone: _____ Fax Number: _____

(If different from Owner)

Name of Applicant: _____

Address: _____ Zip Code: _____

Business/Home Telephone: _____ Fax Number: _____

This form is used only for:

1. General repair, using "SAME" material and design as original with photographs of area where work is to be done.
2. Repainting with "SAME" color (paint sample MUST be attached to this application).
3. Reroofing, using "SAME" type material and color.
4. Repair of sidewalks/viewways/curbs.

Owner/Applicant is requesting permission to: (describe clearly and in detail all architectural alterations to be made in addition to other requests; an additional sheet may be used).

1. _____
2. _____
3. _____

THIS FORM DOES NOT TAKE THE PLACE OF A BUILDING PERMIT, which must be obtained from the City of San Antonio, Department of Planning and Development Services. ALL REPAIR/MAINTENANCE FORMS MUST BE DISPLAYED ON THE JOB SITE.

Signed: Owner/Applicant

Historic Preservation Officer

Staff Comments or Conditions: _____

Staff Initials /Date



**CITY OF SAN ANTONIO
OFFICE OF HISTORIC PRESERVATION
APPLICATION FOR
HISTORIC LANDMARK DESIGNATION**

DATE/TIME
STAMP

I. LOCATION AND CLASSIFICATION

Property Address: _____

Proposed Landmark Name (Common Name): _____

Parcel Identification: NCB _____ Block _____ Lot _____

Current Zoning _____

Private Property River Improvement Overlay Public Property Other

II. OWNER / APPLICANT (AUTHORIZED AGENT) INFORMATION

Owner Name: _____

Mailing Address: _____

Business Phone: _____ Home Phone: _____

E-Mail: _____

Applicant (Authorized Agent) Name: _____

Mailing Address: _____

Business Phone: _____ Home Phone: _____

E-Mail: _____

The Office of Historic Preservation designates landmarks on the basis of historical, architectural, and cultural significance. Section 35-607 of the Unified Development Code outlines the Designation Criteria for Historic Districts and Landmarks. Please provide a **Statement of Significance** for why the property meets the criteria as outlined by the Unified Development Code.

I, THE APPLICANT, DECLARE THAT I AM THE OWNER OR AUTHORIZED AGENT OF THE OWNER(S) TO REQUEST HISTORIC LANDMARK DESIGNATION OF THIS PROPERTY AND THAT THE INFORMATION PRESENTED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature _____

Date: _____

PLEASE SUBMIT THIS FORM ALONG WITH:

- **Photographs of all four sides** of the building
- **Statement of Significance** including an architectural description, history of the property, and people associated with the property. Please provide references and sources for any research.
- **Copy of the current tax appraisal details**, available from Bexar County Appraisal District or www.bcad.org
- **Copy of the current Warranty Deed**, on file with the County Clerk or available online at <https://gov.propertyinfo.com/tx-bexar/>.
- **Signed Authorization form from the Zoning Application** granting the Office of Historic Preservation permission to act as the applicant for the historic zoning overlay (available from OHP staff).

ALL INFORMATION MUST BE SUBMITTED IN PERSON TO THE:

Office of Historic Preservation
Development and Business Services Center
1901 S. Alamo
San Antonio, TX 78283-3966
Telephone: (210) 207-7991

Historic landmark designation is a zoning overlay that provides protection for historic properties from hasty demolition and inappropriate or incompatible development through a design review process for exterior alterations. Please refer to the City of San Antonio Historic Design Guidelines and Standards for additional information, available at: <http://www.sanantonio.gov/historic/HistoricDistrictGuidelines.aspx>.

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**CITY OF SAN ANTONIO
OFFICE OF HISTORIC PRESERVATION
APPLICATION FOR
HISTORIC DISTRICT DESIGNATION**

DATE/TIME
STAMP

I. LOCATION AND CLASSIFICATION

Neighborhood Association Name: _____

Proposed Historic District Name: _____

Approximate number of properties within proposed district boundary: _____

Application must be accompanied by a map of the proposed boundary.

II. APPLICANT INFORMATION

Applicant Name: _____

Address (must be within proposed district): _____

Mailing Address (if different): _____

Business Phone: _____ Home Phone: _____

E-Mail: _____

The Office of Historic Preservation designates landmarks and historic districts on the basis of historical, architectural, and cultural significance. Section 35-607 of the Unified Development Code outlines the Designation Criteria for Historic Districts and Landmarks. Please provide a **Statement of Significance** for why the area meets the criteria for historic district designation as outlined by the Unified Development Code.

I, THE APPLICANT, DECLARE THAT I AM AN OWNER OR AUTHORIZED AGENT OF AN OWNER(S) OF PROPERTY WITHIN THE PROPOSED BOUNDARY AREA TO REQUEST HISTORIC DESIGNATION OF THIS DISTRICT AND THAT THE INFORMATION PRESENTED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature _____

Date: _____

PLEASE SUBMIT THIS FORM ALONG WITH:

- **Photographs of typical examples of buildings within the proposed district**
- **Statement of Significance** (including a description of the history, architectural styles, and people associated with the district). Please provide references and sources for any research.
- **Map of proposed district boundary**

ALL INFORMATION MUST BE SUBMITTED IN PERSON TO THE:

Office of Historic Preservation
Development and Business Services Center
1901 S. Alamo
San Antonio, TX 78283-3966
Telephone: (210) 207-7991

Historic district designation is a zoning overlay that provides protection for historic properties from hasty demolition and inappropriate or incompatible development through a design review process for exterior alterations. Please refer to the City of San Antonio Historic Design Guidelines and Standards for additional information, available at: <http://www.sanantonio.gov/historic/HistoricDistrictGuidelines.aspx>.

CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION

APPLICATION FORM

Required Items: Plotplan, legal description, building elevations, final building Date Received plans and specifications, samples of paint colors, roofing materials, CLEAR COLOR photographs of structures and/or sites where construction will take place. All photographs and exhibits must be submitted in digital format on Compact Discs. **NO CASE WILL BE SCHEDULED FOR A HEARING UNTIL ALL SUPPORTING MATERIALS ARE RECEIVED.** (See check lists on pages 3 - 6)

Property Location (Street Address) _____

Historic District Name _____

Landmark Name _____

River Improvement Overlay (Projects within RIO districts must comply with the San Antonio River: Vision Statement): *The San Antonio River will be a fully linked linear park that unifies the city and serves as a community gathering place for all to enjoy. The River will have many special places and uses; some active, some quiet. Each will be unique genuine, and vary by design.*

Public Property Other _____

Parcel Identification: NCB _____ Block _____ Lot _____

BCAD Account Number _____

Name of Property Owner:

Mailing Address: _____ Zip Code: _____

Business/Home Telephone: _____ Fax No. _____

E-Mail Address: _____

(If different from Owner)

Name of Applicant:

Address: _____ Zip Code: _____

Business/Home Telephone: _____ Fax No. _____

E-Mail Address: _____

Owner/Applicant is requesting permission to: (describe clearly and in detail all architectural alterations to be made in addition to other requests, an additional sheet may be used. This request will be part of the Certificate of Appropriateness).

1. _____
2. _____
3. _____
4. _____

This completed form is to be submitted in person at 1901 S. Alamo.

APPROVAL BY THE COMMISSION DOES NOT TAKE THE PLACE OF A BUILDING PERMIT. PERMITS MUST BE OBTAINED FROM THE CITY OF SAN ANTONIO, DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES, 1901 SOUTH ALAMO, AFTER COMMISSION APPROVAL.

**CITY OF SAN ANTONIO
HISTORIC AND DESIGN REVIEW COMMISSION
LETTER OF AUTHORIZATION**

DATE: _____

Applicant understands the following:

1. If the Commission fails to approve any portion of a request and recommends that changes be made in the plans and specifications, the applicant will have five (5) days in which to inform the Historic Preservation Officer as to whether the applicant agrees to the recommended changes.
2. Following each meeting, the City Manager or designee is notified of the Commission's action. Within ten (10) days from receipt of the recommendation, the City Manager or designee shall notify the applicant as to whether his request has been approved, conditionally approved or denied.
3. If the applicant does not concur with the Commission's recommendation, appeal to the Zoning Board of Adjustment may be made within thirty (30) days after receipt of notification.

IF THE PROPERTY OWNER DOES NOT APPEAR PERSONALLY BEFORE THE COMMISSION, A LETTER OR SIGNATURE OF AUTHORIZATION MUST BE PRESENTED TO THE HISTORIC PRESERVATION OFFICER OR THE CASE WILL NOT BE HEARD.

I hereby authorize _____ of _____
(Name of representative) (Company or agency)
_____ to represent me in matters pertaining to this case.
(Address)

Owner's Name: _____
(Please Print)

Address: _____

City/State _____ Zip Code _____

Owner's Signature: _____

**HISTORIC AND DESIGN REVIEW COMMISSION
REQUIRED MATERIALS CHECK LIST**

All background materials needed to support the applicant's request must be submitted to the Historic Preservation Officer **PRIOR** to scheduling the case before the Commission. **NO CASE** will be placed on the agenda if **ALL** materials are not on file by the deadline date. Any last minute changes must be shown on revised plans. These are to be submitted and placed in file prior to meeting.

I. Check Where Applicable:

- Conceptual Approval
- Final Approval (Previous HDRC Case NO: _____)

II. Check Where Applicable:

- Residence and/or Duplex
- Apartments and/or Commercial
- Tax Abatement

III. PROJECT TO INCLUDE (check where applicable):

- A ALTERATION/REPAIR/RESTORATION of an Existing Building or Structure
- B NEW CONSTRUCTION
- C ADDITION
- D DEMOLITION
- E SIGN REQUIREMENTS
- F FENCING
- G DRIVEWAY - SIDEWALKS & PARKING LOTS
- H REPAINTING (color change)
- I REROOFING (materials/color change)
- J LANDSCAPING
- K SWIMMING POOLS - FISH PONDS & FOUNTAINS
- L GAZEBOS - BATH HOUSE & DECKING
- M TENNIS COURTS & PLAYGROUNDS
- N TAX ABATEMENT PROJECT
- O PUBLIC ART
- P WINDOWS
- Q OTHER _____

A. ALTERATION/REPAIR/RESTORATION of an existing building or structure

- Scaled drawings, detailed architectural drawings may be required, dependent upon extent of work proposed.
- Photographs of the property and surrounding property, showing where work is to be done.
- A written list of proposed materials and colors, including manufacturer's specification numbers.

Actual samples of materials and colors should be presented at the meeting.

- Written narrative indicating the extent of the proposed alteration.
- Other information needed to illustrate the proposed alteration.

B. NEW CONSTRUCTION

- Preliminary plans with building elevations
- Working scale drawings/specifications
- Drawings 8½" x 11" reproducible sheets
- Scale site plan with square footage of the building

- Photographs of building site for new construction
- Paint samples with brand name and number
- Roofing material sample
- Siding sample

C. ADDITION

- Preliminary plans with building elevations
- Scale drawing of addition in relation to structure
- Working scale drawings/specifications
- Scale site plan
- Drawings 8½" x 11" reproducible sheets
- Photographs of structure showing current appearance
- Photographs of all exterior sides (include all four sides of building)
- Colors (sample)

D. DEMOLITION

- Photographs of structure (all exterior sides of structure)
- Scale site plan
- Proposed use after demolition (conceptual plan)
- Proof of economic hardship or loss of significance (required for demolition within a historic district or of a landmark UDC Sec. 35-614. Demolition)

E. SIGNAGE

- Working scale drawings/specifications
- Scale drawing of sign in relation to structure
- Scale site plan
- Drawings 8½" x 11" reproducible sheets
- Photograph of location of proposed signage on structure/property
- Photographs of structure and all exterior sides affected by proposed work
- Type of materials to be used for sign
- Colors (samples) as applied to sign
- Size/style of lettering
- Illumination plan

F. FENCING

- Type/design of fence
- Scale of drawing of members with specifications
- Scale site plan
- Drawings 8½" x 11" reproducible sheets
- Photographs of structure and all exterior sides affected by proposed work

G. DRIVEWAYS - SIDEWALKS & PARKING LOTS

- Type/design of driveway/sidewalk
- Drawings 8½" x 11" reproducible sheets
- Scale site plan
- Photographs of structure, location and all exterior sides affected by proposed work
- Landscaping plans (if any)
- Colors (sample)

H. REPAINTING (color change)

- Type of material
- Colors (sample)
- Description of design

Photographs of structure and all exterior sides affected by proposed work

I. *REROOFING (material/color change)*

Type of material (sample or cut sheet)

Colors (sample)

Description of design

Photographs of structure and all exterior sides affected by proposed work

J. *LANDSCAPING*

Working scale drawings/specifications

Scale site plan

Drawings 8½" x 11" reproducible sheets

List of plants or trees

Photographs of structure and area to be landscaped

Location of lighting, walkways, decking, pools, fountains, gazebos, or pool/equipment houses

Sprinkler system (if any)

K. *SWIMMING POOLS - FISH PONDS & FOUNTAINS*

Working scale drawings/specifications

Scale drawing in relation to structure

Scale site plan

Drawings 8½" x 11" reproducible sheets

Type/design of swimming pool, fish pond and/or fountain

Photographs of structure (all exterior sides) and area affected by proposed work

Colors (sample)

L. *GAZEBOS - BATH HOUSE & DECKING*

Working scale drawings/specifications

Scale drawing in relation to structure

Scale site plan

Drawings 8½" x 11" reproducible sheets

Photographs of structure (all exterior sides) and area affected by proposed work

Colors (sample)

M. *TENNIS COURTS & PLAYGROUNDS*

Working scale drawings/specifications

Scale drawing in relation to structure

Scale site plan

Drawings 8½" x 11" reproducible sheets

Photographs of structure (all exterior sides) and area affected by proposed work

Colors (sample)

N. *TAX ABATEMENT PROJECT*

1. Commercial Residential

2. Certification Verification Project to be sent to State for IRS Certification

3. Attach completed Certification Form or Verification Form

4. Photographs

5. Scope of work

O. *PUBLIC ART* (The HDRC will hear Public Art projects on the 3rd Wednesday of each month)

Letter of authorization from Public Art San Antonio (PASA)

Working scale drawings/specifications

- Drawings 8½" x 11" reproducible sheets
- Scale site plan
- Photographs of site
- Color rendering
- Description of project (theme, history, etc.)
- Materials and media

P. WINDOW REPLACEMENT

- Justification for replacement of windows
- Working scale drawings/specifications (material and color)
- Sample of proposed window (manufacturer brochure)
- Scale site plan designating number of windows to be replaced
- Drawings 8½" x 11" reproducible sheets
- Photographs of structure (all exterior sides) and area affected by proposed work

Q. OTHER PROJECTS

- Preliminary plans with building elevations
- Working scale drawings/specifications
- Drawings 8½" x 11" reproducible sheets
- Scale site plan
- Photographs of building site for new construction
- Paint samples with brand name and number
- Roofing material sample
- Siding sample

PLEASE BE ADVISED THAT THE COMMISSION HAS A POLICY OF ONLY HEARING A CASE WHEN THE OWNER OR THE OWNER'S REPRESENTATIVE IS PRESENT TO PRESENT THE CASE.

NOTE: PLEASE BE ADVISED THAT A STAFF MEMBER FROM THE OFFICE OF HISTORIC PRESERVATION MAY VIDEO TAPE OR PHOTOGRAPH YOUR PROPERTY FOR THE HISTORIC AND DESIGN REVIEW COMMISSION MEETING.

APPLICANT SIGNATURE

DATE

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~~(d) — Miscellaneous. All other applications shall include the following information:~~

~~(1) — Preliminary plans with building elevations;~~

- ~~(2) Working scale drawings/specifications;~~
- ~~(3) Drawings eight and one half by eleven (8½ x 11) inch reproducible sheets;~~
- ~~(4) Scale site plan;~~
- ~~(5) Photographs of building site for new construction;~~
- ~~(6) Paint samples with brand name and number;~~
- ~~(7) Roofing material sample;~~
- ~~(8) Siding sample;~~
- ~~(9) Letter of permission from property owner if the applicant is not the owner.~~

(e) Archaeological Survey Requirements.

- ~~(1) Refer to UDC subsection 35-412(a)(3) and Appendix B, Table 101-1, #27.~~

~~(Ord. No. 97332 § 15) (Ord. No. 98697 § 4) (Ord. No. 2009-01-15-0001, § 2, 1-15-09; Ord. No. 2010-06-24-0616, § 2, 6-24-10)~~

Chapter 35, Appendix C, Section 35-C101 is amended as follows:

‘Sec. 35-C101. - Generally.’

- (d) **Earmarking.** There shall be established with the city treasurer an escrow fund for purposes of reimbursing the departments responsible for processing the permit applications subject to this appendix for services rendered in connection with administration of this chapter or any other chapter or section of the City Code related to land development or building construction. ~~Said escrow account shall include the proceeds of the project review fees established in sections 35-C102 through 35-C105 herein.~~ The funds contained in said escrow account shall be used solely to reimburse the departments for actual costs associated with administration of the this chapter or any other chapter or section of the City Code related to land development or building construction. ~~including, but not limited to, compensation for staff time and salaries attributable to the processing of permits, agency attendance fees, project notification costs, and related costs.~~

Chapter 35, Appendix C, Section 35-C102 is amended as follows:

‘Sec. 35-C102. - Zoning Fees.’

- (b) **Fees Established.** The following fees are established for zoning cases and zoning related matters. All fees shall be paid at the time an application is filed or the service is requested.
- (c)

(A) Permit, Development Order, Document or Action	(B) Fee Amount

Neighborhood, community, and perimeter, <u>sector, and sub-area</u> plans	varies \$2.00 to \$46.00 per plan \$5.00 per CD
Neighborhood, community, and perimeter, <u>sector, and sub-area</u> plans plan amendment fee	0—0.5 acres \$735.00 0.501 to 5.0 acres \$1,577.50 5.01 to 10.0 acres \$2,445.00 10.01 to 25 acres \$3,820.00 25.01 acres or more \$3,820.00 plus \$110.00/acre up to \$11,500.00/max
Postponement/withdrawal fee for neighborhood, <u>community, perimeter, sector, and sub-area</u> plan amendments	\$400.00 per request
Neighborhood, community, and perimeter, <u>sector, and sub-area</u> plan amendment refund fee	\$100.00

Chapter 35, Appendix F, Section 35-F106 is amended as follows:

‘Sec. 35-F106. – Floodplain Definitions.’

1% annual chance floodplain (formerly 100-year floodplain) is the land within a community subject to a one (1) percent or greater chance of flooding in any given year. These areas are typically designated as a Federal Emergency Management Agency (FEMA) Zone A, AE, AH, or AO on FEMA Flood Insurance Rate Maps (FIRM Panels). May also be referred to as the FEMA effective floodplain.

Development means any manmade change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or, drilling operations or storage of equipment or materials. Capital improvement projects where the grade or ground is disturbed or modified within the project limits to construct proposed improvements will be considered development.

Ecological functioning: The fundamental ecological services that floodplain, riparian areas or Streamside Management Zone (SMZ) areas perform. Ecological services, include, but not limited to,: assist in mitigating nonpoint source pollution; stabilize stream banks and reduce floodwater velocity resulting in reduced erosion and downstream flood peaks; maintain water levels in streams, lakes, water tables and aquifers; sequester greenhouse gases to improve air quality; and supply food, cover and water for a diversity of terrestrial and aquatic wildlife especially migratory birds.

FEMA Effective Floodplain see 1% annual chance floodplain.

Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding). ~~The 1 % annual chance floodplain is also known as the area of special flood hazard. Also see Regulatory Floodplain.~~

Green infrastructure or nature-based storm water management: Is an approach to storm water management that protects, restores, or mimics the natural water cycle and enhances community safety and quality of life.

Low Water Crossing: a vehicular roadway crossing, including public or private driveways, that may provide access during low flow storm events and to be periodically overtopped during higher flow storm events.

Regulatory floodplain is the land within the community subject to a one (1) percent or greater chance of flooding in any given year assuming all future development has occurred throughout the watershed. The regulatory floodplain is delineated on the currently effective FEMA Flood Insurance Rate Maps (FIRM Panels). NOTE: As the city's floodplain ordinance (this Appendix F of the Unified Development Code) is approved by FEMA as a condition of participation in the National Flood Insurance Program (NFIP), the city's regulatory floodplain is considered FEMA's future base flood. Regulatory floodplain may also be referred to as the City of San Antonio (CoSA) ultimate conditions floodplain.

Riparian areas: Riparian areas are lands that occur along watercourses and water bodies. Typical examples include flood plains and streambanks. They are distinctly different from surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by the presence of water.

Tributary: is a river, creek, or stream that feeds into a larger stream or river and are sites of intrinsic ecological value where particular biophysical processes and ecosystem services may be concentrated (Kiffney *et al.*, 2006). In addition, they play a crucial role on downstream channel morphology (Torgersen *et al.*, 2008).

Ultimate conditions base flood elevation (BFE) means the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level, assuming future conditions hydrology.

Unflooded access means that vehicular traffic has safe access (within the "Proceed with Caution" range per figure 4.3.1C of Appendix H 504-2) to a property from a public street in times of a design storm event (reference Appendix H 4.3.2 Section 35-504(b)(2) System Criteria) and to an arterial street that is not adjacent to the development or to a distance of one-quarter mile, whichever is less, during a twenty (20) percent annual chance (20% A.C., or "5-year") storm event.

'Sec. 35-F124. – Allowable Development Within the Regulatory Floodplain.'

This ordinance shall only apply to areas of special flood hazard within the jurisdiction of the city and where applicable in its area of extraterritorial jurisdiction.

- (a) Reserved.
- (b) Reserved.
- (c) An increase in water surface elevation is permitted solely when all the following conditions are met:
 - 1. Property owner owns both sides of the floodplain and the increase in the regulatory floodplain is contained in a dedicated drainage easement or right-of-way.
 - 2. ~~The increase in the regulatory floodplain is contained in a dedicated drainage easement or right-of-way as required per subsection 35-504(d)(3).~~
 - 2. ~~3-~~Increase in water surface elevation for the effective and regulatory 4%-annual chance floodplains ~~es~~ does not exceed six (6) inches.
 - 3. ~~4-~~No increase in water surface elevations or velocities upstream and downstream outside of the owner's property limits. (Reference 35-F124 (e) below)
 - 4. For Capital Improvement Projects, rises in water surface elevations and velocities within the studied reach will be permitted if items (c) (1) and (3) above are met.
- (d) Account for increase in discharge due to loss of storage in all reclamation analyses.
- (e) Demonstrate that the development will not increase the effective and regulatory 4% annual chance floodplain velocities above six (6) fps. No increase in velocity will be permitted if predevelopment velocities in the floodplain exceed six (6) fps unless proven that the existing channel/creek is stable (i.e., rocky bottom channel/creek, concrete lined channels, or armored channel in good condition) and no signs of erosion or scour are occurring in predevelopment conditions.
- (f) The following development may be allowed in the effective and regulatory floodplain 4% annual chance and will require a floodplain development permit (see section 35-B106 for permit requirements):
 - (1) All-weather street crossings that meet the requirements of subsection 35-H4.835-504(g)(7).
 - (2) Utility construction to include sub-surface utilities that meet the requirements of 35-H9.3.16..
 - (3) Parks.
 - (4) Greenways.
 - (5) Recreational facilities and golf courses.
 - (6) Hike and bike trails.
 - (7) Drainage improvements that mitigate existing or anticipated flood hazards.
 - (8) Publically funded capital improvement projects that reduce flooding to protect the public safety.
 - (9) Maintenance activities necessary to maintain the stormwater conveyance of the floodplain.
 - (10) Drainage infrastructure repair.
 - (11) Floodplain restoration.
 - (12) Wetland reestablishment, mitigation, or environmentally friendly design criteria (i.e. Natural channel design, Low-Impact Development, etc., set forth by the San Antonio River Authority and/or U.S. Army Corps of Engineers).
 - (13) Habitat re-establishment.
 - (14) Installation of flood monitoring controls - rain gages, early flood warning systems, high water detection systems, etc.

- (15) Installations of emergency devices necessary to warn alarm and protect citizens at flood hazards.
- (16) Improvements to a structure that do not fall under the definition of substantial improvement.
- (17) Elevating and/or floodproofing structures in the floodplain.
- ~~(18) 1% annual chance floodplain reclamation where the watershed drainage area is less than three hundred twenty (320) acres when the floodplain storage volume lost due to fill is offset by comparable excavation within the same floodplain (see subsections 35-F124(d) and 35-F124(f)(27). In addition, all federal, state, or local permits shall be obtained, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 (see subsections 35-F122 (a)(3)).~~
- (18) (19) Parking lot construction where water depths do not exceed six (6) inches within parking stalls during a regulatory future 1% annual chance storm event. Water depths within drive lanes may exceed 6" if depth and velocity are within the "Proceed with Caution" zone shown in Chapter 35, Appendix H, Figure 4.3.1C during a regulatory 1% annual chance storm event, or if the flooded drive lane does not prevent ingress/egress from the site (reference Appendix H, Chapter 6).
- ~~(20) 1% annual chance floodplain reclamation in areas of ineffective flow where floodplain storage volume lost to reclamation is offset by comparable excavation within the same creek floodplain. (See subsections 35-F124(d) and 35-124(f)(27).)~~
- ~~(21) 1% annual chance floodplain reclamation in overbank areas subject to extensive shallow (0'—3') flooding where velocities in the overbank area are less than three (3) fps and where floodplain storage volume lost to reclamation is offset by comparable excavation within the same creek floodplain (see subsections 35-F124(d) and 35-F124(f)(27).) Where a maximum amount of fill allowed in the overbank areas is no more than three (3) feet with engineered slope stability calculations.~~
- (19) (22) Historic structure reconstruction, rehabilitation or restoration.
- (20) (23) Development in the low risk flood area, as defined by appendix A or subject to the requirements of section 35-F145.
- (21) Floodplain Reclamation is allowed as follows.
 - A. Effective floodplain reclamation where the watershed drainage area is less than three hundred twenty (320) acres when the floodplain storage volume lost due to fill is offset by comparable excavation within the same floodplain (see subsections 35-F124(d) and 35-F124(f)(26). In addition, all federal, state, or local permits shall be obtained, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 (see subsections 35-F122 (a)(3)).
 - B. Effective floodplain reclamation in areas of ineffective flow where floodplain storage volume lost to reclamation is offset by comparable excavation within the same creek floodplain. (See subsections 35-F124(d) and 35-124(f)(26).)
 - C. Effective floodplain reclamation in overbank areas subject to extensive shallow (0'—3') flooding where velocities in the overbank area are less than three (3) fps and where floodplain storage volume lost to reclamation is offset by comparable excavation within the same creek floodplain (see subsections 35-F124(d) and 35-F124(f)(26).) If fill in the overbank areas is more than three (3) feet, engineered slope stability calculations are required.
 - D. Reclamation between the effective floodplain and the regulatory floodplain.
- (22) Floodplain Administrator may waive compensatory excavation requirements if the proposed fill is less than or equal to one tenth (1/10) of an acre-foot (about 160 cubic

yards), is in an ineffective flow area or an overbank area, and there is no rise in the regulatory floodway.

(23) Residential and other habitable construction may only be allowed in accordance with Section F-142(a).

~~(24) Reclamation between the 1% annual chance floodplain and the regulatory 1% annual chance floodplain.~~

~~(25) Reserved.~~

(24) (26) Nonresidential construction may only be allowed in accordance with Section F-142(b). The following restrictions will be placed on nonresidential construction in the floodplain:

~~A. Demonstrate that no alternative sites are available for development within the property that is out of the floodplain.~~

~~B. Meet all the requirements of subsection 35-F142(b), Nonresidential construction.~~

~~C. Ensure the lowest finished floor elevation and/or the height to which the building must be floodproofed is no lower than the higher elevation of the energy grade line or the water surface elevation plus one (1) foot of the regulatory 1% annual chance floodplain.~~

~~D. An increase in water surface elevation may be permitted on the developer's property if the floodplain is contained in a dedicated drainage easement or right-of-way. If all the requirements of 35-F124(c) are met.~~

~~E. Reserved.~~

~~F. Demonstrate that the development will not increase the 1% annual chance floodplain postdevelopment velocities above six (6) fps. No increase in velocity will be permitted if predevelopment velocities exceed six (6) fps.~~

~~G. Demonstrate that the development will not be subject to damage from hydrostatic or hydrodynamic forces, debris impact, soaking, sediments and contaminants.~~

~~H. Provide, operate and maintain an early flood warning system for the development. Warning systems will be subject to periodic inspection by the City of San Antonio to ensure they are maintained and operated as intended as per floodplain administrator's direction.~~

~~I. Complete the Letter of Map Revision process for the development.~~

~~J. The owner shall indemnify the City of San Antonio against damages resulting from flooding on the owner's site.~~

~~K. Other site specific restrictions and/or requirements deemed appropriate by the floodplain administrator.~~

(25) Storage of Materials and Equipment may only be allowed in accordance with Section F-142(f)

(26) (27) Construction in areas of flood inundation must meet the requirements of section 35- F141, General Standards. Structures associated with park and recreation development (fences, open construction type bleachers, concession stands etc.) may be permitted in areas of flood inundation. Keep this construction out of the flood conveyance section of the floodplain. Compensate for loss of storage. Secure structures to minimize damage from hydrostatic or hydrodynamic forces (including buoyancy) and debris impact. Fences, bleachers concession stands, etc. shall generally be modeled in flood studies as full obstructions to estimate the impact of debris on flooding potential.

Chapter 35, Appendix F, Section 35-F125 is amended as follows:

'Sec. 35-F125. – Prohibited Development Within the Regulatory Floodplain.'

- (a) The following development will not be allowed in the regulatory floodplain:
 - (1) Development without first obtaining a floodplain development permit.
 - (2) Habitable structures, unless specifically allowed in Sec. F-142(a).
 - (3) Street or access construction that does not meet the requirements of 35-H6.2.9 subsection 35-504(g)(7).
 - (4) Activity prohibited by Chapter 34, Article VI of the City Code "Aquifer Recharge Zone and Watershed Protection."
 - (5) 1% annual chance floodplain reclamation where the watershed drainage area exceeds three hundred twenty (320) acres except as provided in section 35-F124 A.
 - (6) 1% annual chance floodplain reclamation in over bank areas that are subject to flood depths greater than three (3) feet, except as per 35-F124(f)(21)(c).
 - (7) 1% annual chance floodplain reclamation in over bank areas where flood velocities are greater than three (3) fps.
 - (8) No development will be permitted that has a significant adverse impact to other properties - refer to 35-H4.3.1C subsection 35-504(b)(1).

Chapter 35, Appendix F, Section 35-F126 is amended as follows:

'Sec. 35-F126. – Substantial Improvement/Substantial Damage (SI/SD) Determination.'

- (a) The following items may be excluded from SI/SD determinations:
 - (1) Basic building maintenance, not to exceed \$2,000. (Public Works may review this application, but no Floodplain Development Permit (FPDP) will be required.)
 - (2) Clean-up and trash removal following structure damage.
 - (3) Carpeting and re-carpeting installed over finished flooring such as wood or tiling. (Public Works may review this application, but no Floodplain Development Permit (FPDP) will be required.)
 - (4) Plug-in appliances such as washing machines, dryers, and stoves.
 - (5) Outside improvements, including landscaping, irrigation, sidewalks, driveways, fences, yard lights, swimming pools, pool enclosures, sewer line replacement/repairs and associated tunnel under the foundation for such repairs, and detached accessory structures (e.g., garages, sheds, and gazebos).
 - (6) Costs for land surveying, plan and specification preparation, and permitting and inspection fees.
 - (7) Costs to temporarily stabilize a building so that it is safe to enter to evaluate and identify required repairs.
 - (8) Costs required for the minimum necessary work to correct existing violations of health, safety, and sanitary codes.
- (b) The following items must be included in SI/SD determinations:
 - (1) Materials and labor, including the estimated value of donated or discounted materials and owner or volunteer labor.

- (a) Donated or volunteer labor should be estimated based on the applicable minimum-hour wage scales for the skill and type of construction work that is done.
 - (2) Site preparation (foundation excavation) related to the improvement or repair.
 - (3) Demolition, partial demo for the purposes of the improvements, and construction debris disposal.
 - (4) Improvements related to compliance with the Americans with Disabilities Act (ADA).
 - (5) Construction management and supervision.
 - (6) Sales tax and contractor’s overhead and profit.
 - (7) Structural elements and exterior finishes, including foundations, walls, exterior finishes, windows and exterior doors, roofing, solar panels and equipment, gutters, and downspouts, hardware, and attached decks and porches.
 - (8) Interior finish elements, including floor finishes, bathroom tiling and fixtures, wall finishes, built-in cabinets, interior doors, interior finish carpentry built-in book cases and built-in furniture, hardware, and insulation.
 - (9) Utility and service equipment, including heating, ventilation, and air conditioning (HVAC) equipment, plumbing fixtures and piping, electrical wiring, outlets, and switches, solar panels, light fixtures and ceiling fans, security systems, built-in appliances, central vacuum systems, water filtration, conditioning, and recirculation systems.
- (c) Cumulative Substantial Improvement (SI)
- (1) Building improvements shall be tracked over time and counted towards the SI/SD determination. Building permits may be denied if the proposed improvements result in accumulative improvement of 50% or more.
 - (2) Improvement cost and market value are required for determining whether proposed improvements are considered as SI. At the time of application for an FPDP, the applicant must provide the total construction cost (based on 35-F126(b) and the current market value. If the structure suffered a substantial damage the market value of the structure would be assessed the year prior to the damage. The construction cost will be divided into the market value to determine the percentage of the improvement cost relative to the market value. This percentage will be calculated prior to issuance of each FPDP for a particular structure. The percentages will accumulate for a 10 year period from the date of the initial FPDP. Bexar County Appraisal District (BCAD) Improvement/Building Values will be used unless the applicant provides an appraisal. Tables F126-1 and F126-2 illustrate this approach:

Table F126-1. Tracking Cumulative Substantial Improvements

Improvements within a 10-year Period

<u>Year</u>	<u>Elapsed Time from Initial Permit</u>	<u>Current Market Value at Time of Permit (\$)</u>	<u>Cost of Improvement (\$)</u>	<u>Cost as percentage of current market value (%)</u>	<u>Cumulative Percentage (%)</u>
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<u>2020</u>	<u>0 year</u>	<u>\$</u>	<u>100,000</u>	<u>\$</u>	<u>10,000</u>	<u>10%</u>	<u>10%</u>
<u>2023</u>	<u>3 years</u>	<u>\$</u>	<u>110,000</u>	<u>\$</u>	<u>33,000</u>	<u>30%</u>	<u>40%</u>
<u>2026</u>	<u>6 years</u>	<u>\$</u>	<u>120,000</u>	<u>\$</u>	<u>8,000</u>	<u>6.7%</u>	<u>46.7%</u>
<u>2029*</u>	<u>9 years</u>	<u>\$</u>	<u>130,000</u>	<u>\$</u>	<u>10,000</u>	<u>7.7%</u>	<u>54.4%*</u>
<u>*The FPDP in 2029 will be denied since the cumulative percentage is ≥50%</u>							

Table F126-2. Tracking Cumulative Substantial Improvements
Improvements Beyond a 10-year Period

<u>Year</u>	<u>Elapsed Time from Initial Permit</u>	<u>Current Market Value at Time of Permit (\$)</u>	<u>Cost of Improvement (\$)</u>	<u>Cost as percentage of current market value (%)</u>	<u>Cumulative Percentage (%)</u>
<u>2020</u>	<u>N/A</u>	<u>\$ 100,000</u>	<u>\$ 10,000</u>	<u>10%</u>	<u>10%</u>
<u>2023</u>	<u>0 years</u>	<u>\$ 110,000</u>	<u>\$ 33,000</u>	<u>30%</u>	<u>40%</u>
<u>2026</u>	<u>3 years</u>	<u>\$ 120,000</u>	<u>\$ 8,000</u>	<u>6.7%</u>	<u>46.7%</u>
<u>2032**</u>	<u>12 years</u>	<u>\$ 140,000</u>	<u>\$ 20,000</u>	<u>14.3%</u>	<u>14.3%</u>
<u>**Once a 10-year period has passed since the initial improvement FPDP, the next permit re-starts the 10-year period.</u>					

Secs. 35-F1276—35-F130. - Reserved.

Chapter 35, Appendix F, Section 35-F132 is amended as follows:

'Sec. 35-F132. - Application.'

- (a) Application for a floodplain development permit must be approved by the floodplain administrator, on a form furnished by him, prior to any development. Application for a floodplain development permit for a proposed subdivision may be presented prior to or in conjunction with other data required for the platting process. For platting purposes, a floodplain development permit shall serve only as an approval of the floodplain ordinance requirements. No cut/or fill, building, or other site alterations shall proceed until the permit is approved.

The permit application shall be accompanied by supporting data prepared by a licensed

professional civil engineer in the State of Texas. Data required by the City of San Antonio Floodplain Submittal Checklist (see section 35-B106 for submittal requirements), must accompany all floodplain development permit applications except building renovation, reconstruction and restoration.

(b) In addition to the above, the following information is required, depending on the submittal type:

- (1) An elevation certificate for buildings on property located in or abutting the floodplain.
- (2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed.
- (3) Certification from a registered professional civil engineer that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 35-F142.
- (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
- (5) Maintain a record of all such information in accordance with subsection 35-F122(a)(1).
- (6) An existing structure may be improved (remodeled) ~~without conforming to requirements of this ordinance~~ when the improvement does not constitute a substantial improvement. In the event that the work is considered a substantial improvement then the structure must be brought into compliance with this ordinance.

~~(7) Certification of the fair market value of an existing structure prepared by a certified real estate appraiser (or Bexar County Appraisal District's assessment) and a cost estimate of proposed improvements to the structure prepared by a registered contractor, architect, or registered professional engineer shall be submitted to verify whether or not the proposed improvements exceed fifty (50) percent of the fair market value of the existing structure. In the case of a structure that has suffered damage, the date will verify the fair market value of the structure before the damage occurred.~~

~~A. Once a property has been issued a floodplain development permit (FPDP) using the fifty (50) percent rule stated above, any additional improvements thereafter will be tracked over a total of ten (10) years. These improvements within the ten-year period can not exceed fifty (50) percent of the fair market value of the existing structure at the time of issuance of said first floodplain development permit.~~

~~B. The following items shall be considered maintenance in nature and shall not be considered in substantial improvement calculations when such items are not required as the result of a flood event:~~

- ~~1. Air Conditioning or Heating system repairs not involving replacement or upgrade.~~
- ~~2. Re-roofing.~~
- ~~3. Electrical re-wiring or upgrade~~
- ~~4. General repairs to home (siding, window replacement, carpeting, sinks, tile, etc.).~~

Chapter 35, Appendix F, Section 35-F133 is amended as follows:

'Sec. 35-F133. – Permit Evaluation.'

(a) Approval or denial of a floodplain development permit by the floodplain administrator shall be

based on all of the provisions of this subdivision and the following relevant factors:

- (1) The danger to life and property due to flooding or erosion damage. Velocities in excess of six (6) feet per second may be considered erosive. Depths of flow within the "Dangerous" range by Figure [4.3.1.C \(Chapter 35- Appendix H\) 504-2](#) shall be considered dangerous to life.
 - (2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (3) The danger that materials may be swept onto other lands to the injury of others.
 - (4) The compatibility of the proposed use with existing and anticipated development;
 - (5) The impact the development may have on the overall function of the stormwater facilities and the impact on properties in its own and connecting watersheds. This may include but not be limited to changes in discharges as a result of changes in impervious cover, velocity, storage, creek roughness, etc.
 - (6) The safety of access to the property in times of flood for ordinary and emergency vehicles; flow depths for access shall be within the Proceed with Caution Range as per figure [4.3.1.C \(Chapter 35- Appendix H & Sec 15.3 Unflooded Access\) 504-2](#) for a [regulatory floodplain, future 1% annual-chance flood event.](#)
 - (7) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 - (8) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the sites shall be analyzed.
 - (9) The necessity to the facility of a waterfront location, where applicable;
 - (10) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
 - (11) The relationship for the proposed use to the comprehensive plan for that area, with respect to the dedication of additional drainage easement for future bond projects, in accordance with this ordinance.
 - (12) [The floodplain administrator may deny a permit based on historical high-water rescues, repetitive losses, or other factors affecting public or life safety.](#)
- (b) If a floodplain development permit application is disapproved, the floodplain administrator shall notify the applicant in writing of the section and specific requirement of this ordinance with which the proposed development does not comply and the nature of such noncompliance.
- (c) [CLOMR and LOMR requirements are as follows:](#)
- (1) No construction activity is allowed in a FEMA [effective and/or regulatory designated one percent annual chance \(1% A.C.\)](#) floodplain, or on property containing a FEMA [effective and/or regulatory designated 1% A.C.](#) floodplain, prior to issuance of a floodplain development permit (FPDP) [and OR](#) issuance of any site development (or other applicable) building permit. The floodplain administrator may (but is not required to) waive this requirement with acceptance of evidence that such activity is outside the limits of said floodplain.
 - (2) [Subdivision plats with easements or property boundaries that are based on a CLOMR or LOMR shall only be approved once said CLOMR/LOMR is approved by CoSA and submitted to FEMA](#)

[AND](#)

- (3) Subdivision plats may be recorded once the CLOMR/LOMR has been approved by FEMA or the CLOMR/LOMR has been approved by CoSA and submitted to FEMA.

AND

- (4) ~~C(2) No~~ construction activity that will result in a change in the alignment, width, or elevation of a FEMA ~~effective designated 1% A.C. current conditions~~ floodplain must have a CLOMR approved by FEMA prior to beginning construction ~~is allowed prior to a conditional letter or of map revision (CLOMR) being submitted to FEMA. Additionally, no subdivision plats with easements that are based on revisions to a 1% A.C. current conditions floodplain shall be approved prior to a CLOMR being submitted to FEMA.~~

AND

- (5) Capital Improvement Projects or projects that are federally funded, must have a CLOMR submitted to FEMA and an approved Floodplain Development Permit issued prior to the beginning of construction.

- (a) If the CLOMR proves there are increases in water surface elevations, then both the City and FEMA must have approved the CLOMR before a Floodplain Development Permit is issued.

OR

- (b) If the CLOMR proves there are decreases in water surface elevations, then only City approval of the CLOMR is required before a Floodplain Development Permit is issued.

- (6) Once the construction associated with the CLOMR has been completed, no vertical construction is allowed prior to either:

- a) a Letter of Map Revision (LOMR) is approved by CoSA and FEMA

OR

- b) a Letter of Map Revision (LOMR) is approved by CoSA, submitted to FEMA, and a performance agreement (with the associated performance bond) being approved by CoSA in accordance with section 35-F134.

- ~~(3) Excluding capital improvement projects managed by a public agency, no construction activity that will result in a change in the alignment, width, or elevation of a FEMA designated floodplain is allowed prior to a CLOMR being approved by FEMA.~~

~~AND~~

- ~~(4) OTHER than work specifically associated with a CLOMR approved by the floodplain administrator (see above), no construction activity that requires a revision to a FEMA designated floodplain to meet the provisions of these floodplain ordinances (e.g. reference section 35-F125) is allowed prior to EITHER~~

- ~~a. A letter of map revision (LOMR) being approved by FEMA OR~~

- ~~b. A LOMR being submitted to FEMA AND a performance agreement (with associated performance bond), being accepted by the city in accordance with subsection 35-F134, below.~~

- (7) WHEN any CLOMR or LOMR application submitted relating to a FEMA designated Zone A (1% A.C. unstudied) floodplain meets the following criteria, all information required for FEMA to designate the floodplain as Zone AE (1% A.C. with elevation determined) shall be included:

- a) If the reach being studied and remapped is adjacent to or within five hundred (500) feet of an existing Zone AE designated floodplain,

OR

- b) If the reach limits being studied and remapped exceeds five hundred (500) linear feet in length. Reach lengths will be defined generally as the stream length being remapped in a FEMA revision box.

(8) Changes in floodplain elevation:

- a) A modeled change in floodway or floodplain elevation of +/- 0.04 foot (about 1/2") is generally considered within the computational limits of the modeling software and is not considered a change in elevation for the purposes of mapping only, provided all other requirements in Section 35-133 (c) and FEMA's 44 CFR are met.
- b) If the modeled change in floodplain elevation shows an increase outside of the applicant's property, a drainage easement, or a right-of-way, that increase will not be allowed, even if the increase is below the 0.04 foot threshold.

Chapter 35, Appendix F, Section 35-F135 is amended as follows:

'Sec. 35-F135. – Variance Procedures.'

- (a) The planning commission shall consider requests for variances from the requirements of these regulations. Variance requests shall be processed as follows:
- (1) For cut and/or fill, building, building permits, or establishment of a mobile home site, the applicant shall present the disapproved permit to the director of development services together with information as to why the variance should be granted. The commission will then hear the request as soon as practical.
 - (2) For subdivision plats, the applicant may submit the disapproved permit and the request for variance prior to plat submission or in conjunction with other data required for the platting process. This request shall be handled similar to subsection (a)(1) above. If the applicant chooses to submit the disapproved permit as part of the plat submission process, then the variance request shall be handled similar to other variances requested under division 10, except that criteria for the floodplain variance shall be governed by this section.
 - (3) For Capital Improvement Projects, the disapproved permit and request for the variance will be submitted in conjunction with the hardship letter and supporting documentation to the director of Development Services or Public Works, as applicable. This request shall be handled similar to subsection (a) (1) and (2) above.
 - (4) ~~(3)~~ The director of development services shall notify the floodplain administrator of the applicant's request for variance and shall furnish him/her with copy of the request together with the applicant's statement of facts that he feels warrant the granting of the variance. The floodplain administrator shall reply in writing as to his evaluation of the applicant's request and make a recommendation as to approval or denial of the variance request.
 - (5) ~~(4)~~ The director of development services shall notify the floodplain administrator of the decision of the planning commission. If the commission approves the request, the permit will be issued with the variance and with any special conditions that are attached to the variance.
 - (6) ~~(5)~~ The planning commission shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this ordinance.

- (b) Any person or persons aggrieved by the decision of the planning commission may appeal such decision in the courts of competent jurisdiction.
- (c) The floodplain administrator shall maintain a record of all actions involving an appeal and shall provide report variances to the Federal Emergency Management Agency upon request.

Chapter 35, Appendix F, Section 35-F141 is amended as follows:

‘Sec. 35-F141 – General Standards.’

- (a) In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
 - (1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy (see the FEMA and/or U.S. Corps of Engineers Flood Proofing Regulations).
 - (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage (see the FEMA and/or United States Corps of Engineers Flood Proofing Regulations).
 - (3) All new construction or substantial improvements shall be constructed with materials and utility equipment resistant to flood damage (see the FEMA and/or United States Corps of Engineers Flood Proofing Regulations).
 - (4) All new construction or substantial improvements shall be constructed with electrical and mechanical equipment elevated or floodproofed to at a minimum of one (1) foot above the regulatory floodplain elevation.
 - (5) All new and substantial improvements constructed with toilets, sinks, showers, water heaters, pressure tanks, furnaces, and other permanent plumbing installations shall be elevated or floodproofed to ~~shall be installed at~~ a minimum of one (1) foot above the regulatory floodplain elevation ~~or floodproofed~~.
 - (6) All construction trailers, for private or public projects, shall be anchored to withstand hydrostatic and hydrodynamic forces, if placed in the effective floodplain or otherwise placed outside of the effective floodplain by the contractor(s).
 - (7)(6) All new and improved portions of ~~substantial improvements~~ water supply systems shall be designed to San Antonio Water System standards to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters.
 - (8)(7) All n ~~New and improved portions of~~ sanitary sewage systems shall be designed to city sanitary sewer standards to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters.
 - (9)(8) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. Waste disposal systems shall be located above the regulatory floodplain surface elevation.
 - (10)(9) Filling or the disposal of any materials which will diminish the water flow capacity of any waterway or floodplain defined by this ordinance must be compensated with remedial action. Anequal amount of storage volume must be created in another location of the

same SFHA to compensate for the storage capacity lost.

(11)~~(10)~~ Floodplain engineering procedures and requirements within FEMA or United States Corps of Engineers official flood prone areas shall conform to the engineering criteria of this section.

Chapter 35, Appendix F, Section 35-F142 is amended as follows:

'Sec. 35-F142. – Specific Standards.'

In all areas of special flood hazards where base flood elevation data has been provided in accordance with this ordinance, the following provisions are required:

(a) **Residential and Other Habitable Construction.**

(1) Work on habitable structures within the FEMA effective and regulatory floodplain may be allowed as follows:

- A. Rehabilitation, repair, or addition that does not constitute substantial improvement is allowed.
- B. Rehabilitation, repair, or addition that constitutes a substantial improvement is allowed only if the structure is elevated so that the finished floor is at least one foot (1') above the regulatory floodplain.
- C. Lateral additions that are not structurally connected to the existing building are allowed if the addition is at least one foot (1') above the regulatory floodplain. The existing building does not have to be elevated in this case.
- D. An accessory detached dwelling unit (ADDU) may be constructed in the effective or regulatory floodplain only if the principal dwelling was constructed outside the effective or regulatory floodplain or if the lot was platted prior to the date of the current effective or regulatory floodplains (dated September 30, 2010 or later). The accessory detached dwelling unit must be at least one foot (1') above the effective or regulatory floodplain. Applicant must meet the criteria in subsections (E) through (I) below. Reference Sec. 35-371 for information related to Accessory and Principal Dwellings.
- E. The Floodplain Administrator may deny a permit for new or substantially improved habitable structures if the project site or vicinity has a history of high-water rescues, repetitive losses, or other historical flooding issues.
- F. Applicant will be required to submit flood studies confirming that the proposed construction will not cause a rise in the floodplain, grading plans to confirm that adjacent properties will not be impacted, certification that structures can withstand hydrostatic and hydrodynamic forces, and scour analysis as applicable prior to approval of the permit.
- G. Applicant will submit a pre-construction elevation certificate for any substantial improvement, lateral addition not structurally connected, and/or ADU prior to approval of the permit.
- H. Applicant will submit a post-construction elevation certificate for any substantial improvement, lateral addition not structurally connected, and/or accessory detached dwelling unit prior to final inspection/certificate of occupancy.
- I. Depending on the proposed design and the building type, the applicant must meet all FEMA requirements related to crawl space, enclosures, openings, etc. Reference the FEMA NFIP Elevation Certificate and Instructions, 2019 Edition or subsequent updates.

(2) New mixed-use structures (habitable and commercial, parking garage, etc.) may be constructed in the FEMA effective and/or regulatory floodplain under the following conditions:

- A. When located in the RIO district, or on redevelopment property as defined on the Limited Permissible Development Map maintained by the Floodplain Administrator; and
- B. The lowest finished floor is at least one foot (1') above the regulatory floodplain and/or meets floodproofing requirements per FEMA requirements; and
- C. Parking garages cannot accept surface flow from outside the structure; and
- D. All other aspects of this ordinance are met.

~~(1) Construction of habitable structures within the regulatory floodplain (base flood) is not allowed. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated one (1) foot above the regulatory floodplain with the lowest adjacent grade at or above the regulatory floodplain. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this ordinance (reference subsection 35-F132(b)), is satisfied.~~

(b) Nonresidential Construction.

(1) The following restrictions will be placed on nonresidential, commercial, industrial, and other non-habitable construction in the floodplain:

A. Demonstrate that no alternative sites are available for development within the property that is out of the floodplain.

B. ~~Structures New construction or substantial improvements of any commercial, industrial or other nonresidential structure~~ shall have either (a) the lowest floor, including basement, elevated to one (1) foot above the regulatory floodplain, (or its energy grade line (EGL), whichever is higher) or (b) have the lowest floor, including basement, with attendant utility and sanitary facilities, be floodproofed so that below the regulatory floodplain level plus one (1) foot above the lowest floor, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

C. Demonstrate that the development will not be subject to damage from hydrostatic or hydrodynamic forces, debris impact, soaking, sediments, and contaminants.

D. ~~(2)~~ New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater s. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria.

A minimum of two (2) openings on separate walls having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

E. ~~(3)~~ Electrical heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

F. ~~(4)~~ A registered professional engineer shall submit a certification to the floodplain administrator that the standards of this subsection are satisfied. The certification shall include a statement to the effect that the engineer has developed and/or reviewed structural design, specifications, and plans for the construction and finds them to be in accordance with this subsection. A record of such certification which

includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator. The director of public works shall utilize the floodproofing regulations ~~manual~~ prepared by the United States Army Corps of Engineers and/or FEMA as a guide in determining construction requirements.

- G. An increase in water surface elevation may be permitted on the developer's property only if all the requirements of 35-F124(c) are met.
- H. If the subject site does not meet the Unflooded Access criteria per H6.2.9, a variance to H6.2.9 shall be required. In addition to the variance, the applicant shall be required to provide, operate and maintain an early flood warning system for the development. Warning systems will be subject to periodic inspection by the City of San Antonio to ensure they are maintained and operated as intended as per the floodplain administrator's direction.
- I. Complete the Conditional and/or Letter of Map Revision process for the development, if applicable.
- J. The owner shall indemnify the City of San Antonio against damages resulting from flooding on the owner's property or subject site.
- K. Other site-specific restrictions and/or requirements deemed appropriate by the floodplain administrator.

(c) **Manufactured Homes.**

- (1) Construction/installation of manufactured homes within the regulatory floodplain ~~(base flood)~~ is not allowed.
- (2) Replacement of a manufactured home is only allowed in the floodplain if the previous home was constructed outside the effective or regulatory floodplain or if the lot was platted prior to the date of the current effective or regulatory floodplains (dated September 30, 2010 or later) and if the finished floor of the new home is at least 1' above the regulatory floodplain, if the home is anchored to prevent flotation, and not located in an area of repetitive loss or an area of high-water rescues. Skirting must be breakaway or have proper openings per FEMA guidelines.
- (3) Construction/installation of manufactured homes must meet all applicable federal regulations and guidelines including those specific to federal loans.

(d) **Floodways.** Located within the areas of special flood hazard are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- (3) The placement of any manufactured home is prohibited ~~except in an existing manufactured home park or subdivision.~~

(f) **Storage of Equipment and/or Materials.** Equipment and/or materials should be stored outside of the FEMA effective floodplain. If equipment and materials are stored within the limits of the floodplain, the following provisions apply:

- (1) A Floodplain Development Permit (FPDP) is required.
- (2) Hazardous materials must be stored at least 1' above the regulatory floodplain (including new permanent propane tanks).
- (3) Non-hazardous materials and equipment must be stored at least 1' above the regulatory

floodplain, or stored within a floodproofed building, or must be anchored to prevent flotation from the property during a flood event

Chapter 35, Appendix F, Section 35-F144 is amended as follows:

‘Sec. 35-F144. - Subdivision Proposals.’

- (a) All subdivision proposals shall be consistent with sections 35-F103, 35-F104, 35-F105.
- (b) All proposals for the development of subdivisions shall meet the development permit requirements of this subdivision. No floodproofing of an existing or proposed building in a new subdivision will be allowed as a substitute for providing the proper finished ground elevation, at the slab, above the ultimate development 100-year or twenty-five-year plus freeboard flood elevation, whichever is higher. Buildings in a proposed subdivision shall be on land that is above the controlling flood elevation.
- (c) Flood elevation data shall be provided for subdivision proposals and other proposed development, if not otherwise provided, and shall conform to the design requirements of [Appendix H](#), Stormwater Management.

- (i) Existing channels shall not be increased or decreased from their natural state until engineering data meeting the requirements of [Appendix H](#), Stormwater Management, has been approved by the city engineering division. Floodplain engineering and procedures requirements for subdivision within FEMA or United States Corps of Engineers official flood prone areas shall conform to the engineering criteria as set out in [Appendix H](#), Stormwater Management.

Chapter 35, Appendix F, Section 35-F145 is amended as follows:

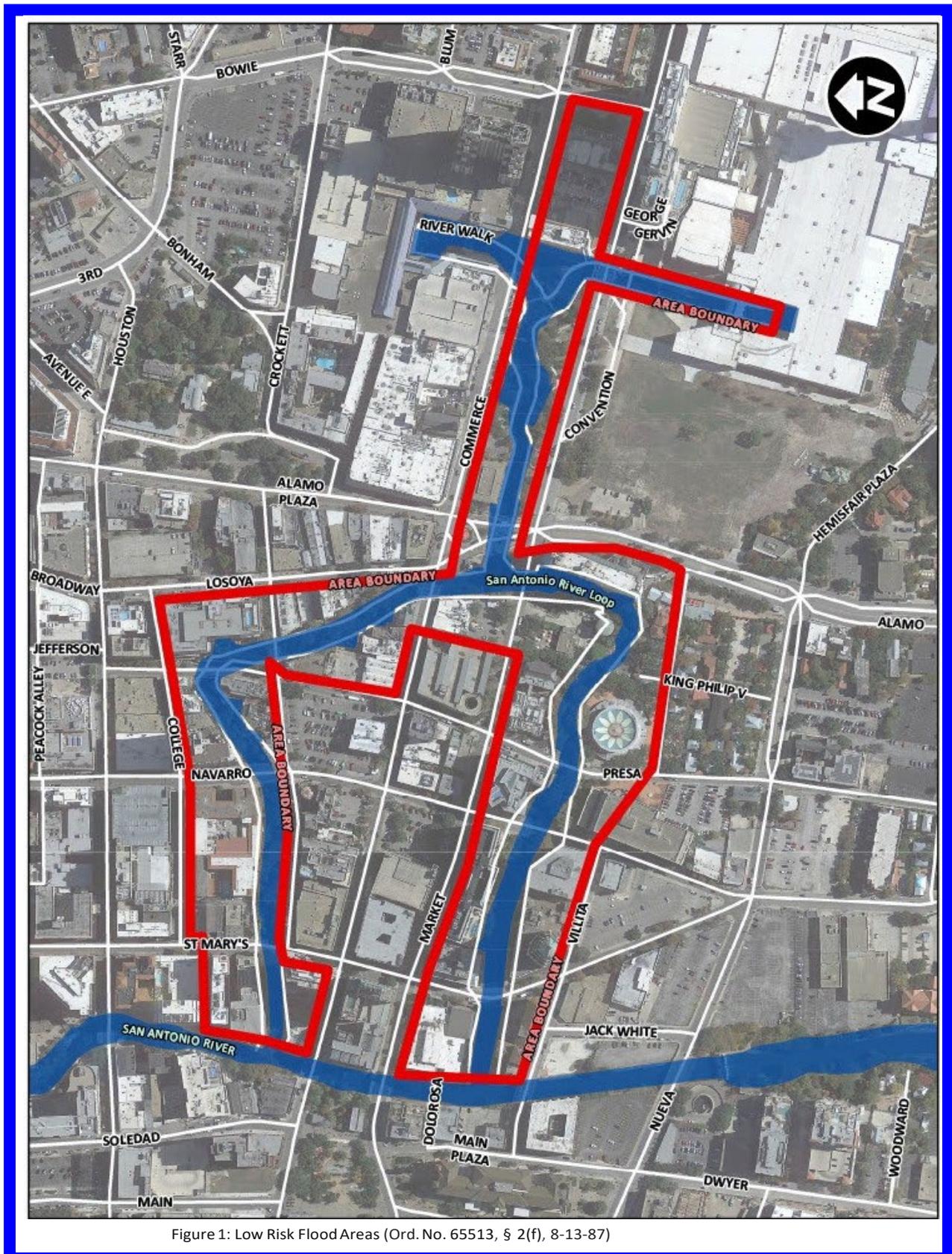
‘Sec. 35-F145. – Low Risk Flood Area.’

- (a) New construction or substantial improvement of any structure, as permitted by other ordinances and regulations unless otherwise stated, may be permitted in a low risk flood area through a floodplain development permit. The low risk flood area, generally known as the [Riverwalk Loop Bend Area](#), is specifically described in Figure 1. This section shall apply only to the lower level of multilevel structures and the street level adjacent to the Riverwalk area. The lower level of a multilevel structure is in the low risk flood area if it is adjacent to the Riverwalk and has access to the Riverwalk area. The lower level is further defined as being below the regulatory flood level.
- (b) The floodplain development permit application shall be submitted to the director of public works and signed and sealed by a registered professional engineer. The application shall include [one \(1\) digital copy two \(2\) sets](#) of documents with the following information:

- (1) An agreement whereby a notice will be inserted in the deed and other conveyance documents of the property and filed with the Bexar County Clerk’s office that the property is located in a flood prone area. The notice shall also contain a statement of the number of feet the lowest non- floodproofed floor of the proposed structure is below the [effective 100-year](#) flood level and that actuarial flood insurance rates increase as the first floor elevation decreases.

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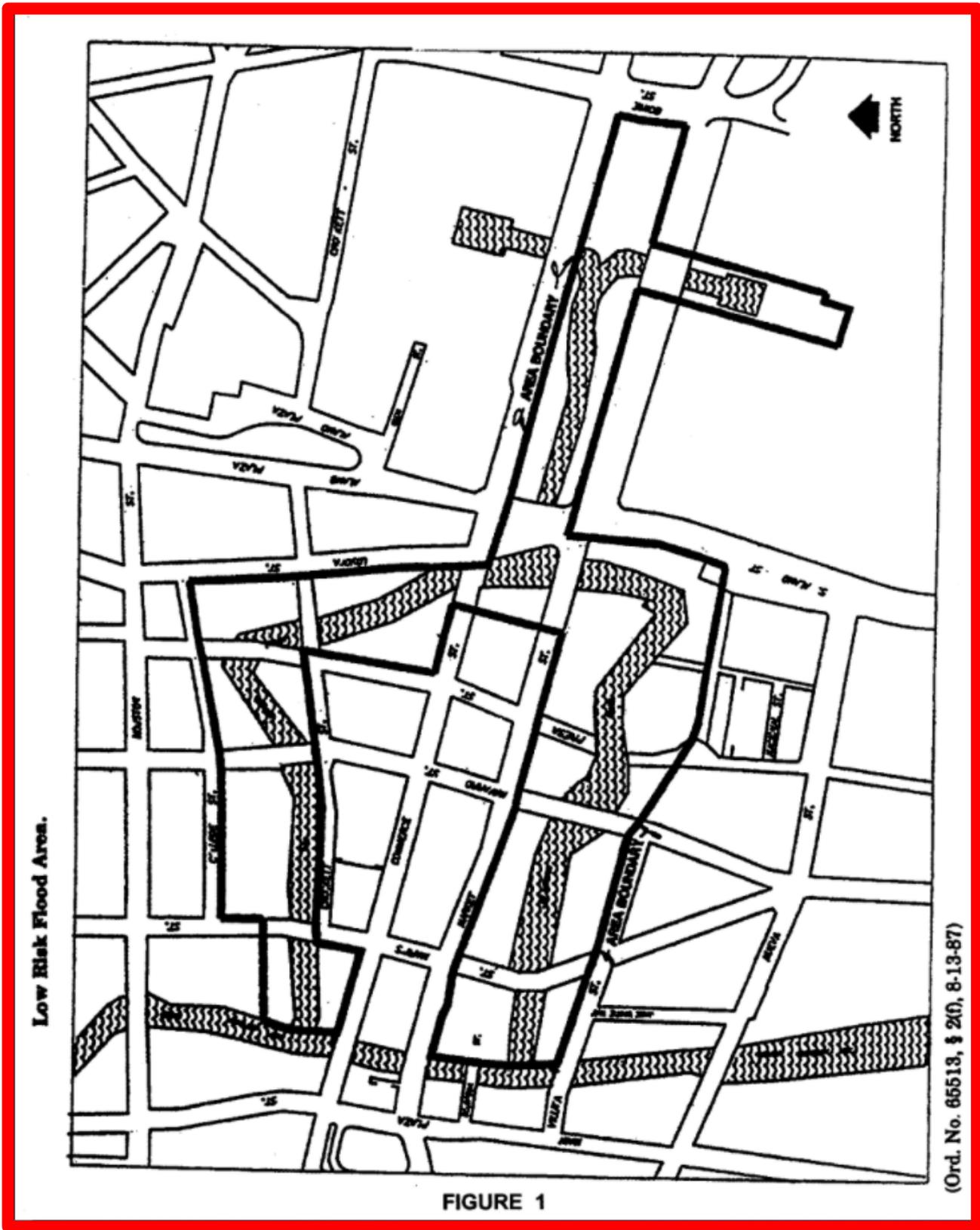


FIGURE 1

Chapter 35, Appendix H, Chapter 2 is amended as follows:

'Chapter 2 – Drainage Policy'

'2.2 - Statement Of Policy'

The purpose of this manual is to provide adequate measures for the retention, detention, and distribution of storm water in a manner that minimizes the possibility of adverse impacts on both water quantity and water quality during development. Innovative runoff management practices designed to meet the provisions of this manual enhance the recharge of groundwater, and maintain the function of critical environmental features are encouraged. The city recognizes that watercourses, and their associated watersheds, within the City of San Antonio's jurisdiction represent significant, irreplaceable, recreational, and aesthetic resources and contribute to the economic and environmental health of the city. As all of these watersheds are susceptible to concentrated surface water runoff, disturbance of wildlife habitat, non-point source pollution, and sedimentation from development activities they should be developed in a sensitive and innovative manner.

This manual implements the policies of the master plan [and the sustainability plan](#) (~~Section 121 of City Charter, Resolution 97-05-01 approved May 14, 1997, Ordinance 86100 approved May 29, 1997~~):

- ~~• Natural Resources, Policy 1d: Encourage retention of the 100-year floodplains as natural drainage ways without permanent construction, unnecessary straightening, bank clearing, or channeling.~~
- ~~• Natural Resources, Policy 1d: 2. Adopt strong storm water management practices throughout the drainage area which include site specific measures such as:
 - ~~– On-site storm water retention and detention;~~
 - ~~– Reduction in impervious cover;~~
 - ~~– Natural bank contouring;~~
 - ~~– Floodplain preservation and buffering;~~
 - ~~– Preservation of riparian habitat;~~
 - ~~– Storm water harvesting sites for reuse purposes.~~~~

~~Urban Design, Policy 1g: Prepare design and construction policies and standards for utility and transportation infrastructure, capital improvement projects, public facilities, and development projects that reinforce neighborhood centers and provide diverse, pedestrian-friendly neighborhoods.~~

'2.9 – References'

- ~~• [City of San Antonio. SA Tomorrow Plan. City of San Antonio, San Antonio, Texas, Adopted: August 11, 2016. Retrieved from <https://www.sanantonio.gov/Planning/PlanningUrbanDesign/ComprehensivePlan> City of San Antonio. Master Plan Policies. Department of Planning & Community Development, City of San Antonio, San Antonio, Texas, Adopted: May 29, 1997. Retrieved from <https://sacompplan.com/> \[http://www.sanantonio.gov/Portals/0/Files/Planning/NPUD/master_plan.pdf\]\(http://www.sanantonio.gov/Portals/0/Files/Planning/NPUD/master_plan.pdf\)](#)~~

Chapter 35, Appendix H, Chapter 4 is amended as follows:

'Chapter 4 – Planning'

'4.2- Regional Drainage Master Plan (Watershed Master Plan)'

The Bexar Regional Watershed Management (BRWM) is a partnership among Bexar County, the City of San Antonio, the San Antonio River Authority and 20 suburban cities to address flood management and [water quality concerns on a regional basis](#).

An Inter Local Agreement for Bexar Regional Watershed Management program was approved in May 2003 and amended in April 2010 between the managing partners (Bexar County, the City of San Antonio, and the San Antonio River Authority). The oversight and implementation process for this program includes elected officials, entity staff at all levels, and most importantly, a citizens' advisory process. The program was set up to develop and implement efficient and economic flood control throughout Bexar County.

A number of potential Capital Improvement Projects have been identified through the BRWM Watershed Master Plans. A number of these projects within the Watershed Master Plan have been funded and constructed.

'4.3 – Regional Storm Water Management Program'

'4.3.1C - Adverse Impact'

To determine a significant adverse impact for the purposes of this section, the following criteria will be used to [determine the area for adverse impact to analyze](#) the receiving storm water facilities [ending at the point where one of the following criteria is met: within two thousand \(2,000\) linear feet of the project, to the nearest downstream RSWF, or to the nearest floodplain with an ultimate analysis accepted by the city, whichever is less. For lots less than three \(3\) acres in size, adverse impact analyses need only extend to where tributary drainage areas equal one hundred \(100\) or more acres.](#)

A. For natural or constructed open channels

- i. to the nearest downstream RSWF, or
- ii. to the nearest floodplain with an ultimate analysis accepted by the city, or
- iii. to the confluence of all affected watersheds from the development or MDP, or
- iv. to a point where the watershed of interest represents 10% of the drainage area, or
- v. the receiving stream or to the confluence with a larger watershed that has an area greater than 10 square miles

B. For storm drain systems to the outfall into an open channel

C. For streets to the nearest storm drain system or stream with adequate capacity.

D. For lots less than three (3) acres in size, adverse impact analyses need only extend to where tributary drainage areas equal one hundred (100) or more acres.

1. [Within the limits of the analysis as determined in 4.3.1.C, the storm water surface elevation \(WSE\) in receiving facility \[natural or improved\] drainage systems within two thousand \(2,000\) linear feet of the proposed development](#) may not be increased by the proposed development unless the increased WSE is contained within easements or rights-of-way or the receiving systems have sufficient capacity to contain the increased WSE without increasing flooding to habitable structures.

2. Ultimate development runoff at low water crossings during regulatory (five (5), twenty-five (25), and one hundred (100) year frequency) storm events must not classify the low water crossing as "Dangerous to Cross" based on Figure 4.3.1.C. If the ultimate WSE exceeds this criterion, [existing](#) ~~the~~ crossings may be improved to the standards of this chapter in lieu of providing onsite storm water control measures or paying a fee.

'4.3.9 Interim Conditions'

Increased storm water runoff rate and volume, and possibly other adverse drainage impacts might arise during interim conditions due to changes in infiltration rate and runoff flow characteristics associated with construction activities. In some cases, the interim condition might create more storm water runoff than either pre- or post-construction conditions. As such, all proposed development and redevelopment must consider and, may not cause an adverse impact during the interim construction phase or phases. Interim conditions analysis is not required at the MDP stage of development.

Interim conditions must be analyzed and mitigated, if necessary, for the following conditions:

1. Where new or re-development abuts existing public or private infrastructure not part of the same MDP;
2. When detention is proposed to meet the requirements of the RWSMP;
3. For all sites less than one (1) acre that are not part of a larger overall development plan with an approved Stormwater Management Plan;
4. In the Infill Development Zone;
5. On a case by case basis where a previous Master Development Plan SWMP was approved and Appendix H criteria have been revised.

Applicants must estimate interim condition peak flow ($Q_{interim}$) by using the appropriate interim conditions SCS Curve Number (Table 5.6.1.1.1.1) or Rational Method C factor (Table 5.5.3A). $Q_{interim}$ shall be calculated for the appropriate design storm as per the system criteria in Section 4.3.2. The applicant must provide supporting analysis including construction phasing plan(s) and/or temporary mitigation plans that prove no adverse impact will be created due to interim conditions. Include the pertinent construction phasing notes on the construction plans. Reference Appendix A.

'4.3. 109 - Low Impact Development'

The City of San Antonio encourages the installation of low impact development (LID) features such as bioretention, permeable pavement with storage, engineered swales, engineered infiltration storm drain systems, and engineered wetlands. For all developments proposed within the City of San Antonio jurisdictional boundaries, these features maybe considered on-site detention features to the extent that they reduce the storm water runoff expected downstream as a result of such developments. It shall be the developer's responsibility to demonstrate that said LID features provide such benefit. Credit toward RSWMP fees will be considered and approved [in accordance with the provisions of UDC Section 35-210](#). ~~on a case by case basis by the Director of TCI.~~

'4.4 – Subdivision Development'

'4.4.5 – Master Development Plan (MDP)'

The Master Development Plan is a conceptual long range development plan that provides an overall view for residential or commercial development. The MDP requires a Storm Water Management Plan Report to show what impacts the development might have on existing infrastructure and floodplains. The SWMP Report may require updating if the report is referenced during plat reviews.

If the SWMP Report requires updating during submittal for plat or construction plan review, the adverse impact conditions in 4.3.1(C) shall be validated for the area being modified. The updated report must comply with the current Floodplain management requirements as adopted in UDC Section 35-F100. In addition, if the MDP SWMP Report is submitted with a plat review, a letter identifying what pages of the report are relevant to the plat area along with an exhibit identifying where the platted area is in relation to the overall MDP area will be required.

'4.10 – Planning for LID'

Low Impact Development is a land development approach which manages storm water runoff close to its source. It can be a cost effective tool for managing storm water while meeting multiple goals and enhancing the site. Policy guidance on the application of LID techniques to development in San Antonio is found in UDC Section 35-210. Technical guidance for the overall site and specific BMP design is found in the San Antonio River Basin Low Impact Development Technical Design Guidance Manual.

Chapter 35, Appendix H, Chapter 5 is amended as follows:

'Chapter 5 – Hydrology'

'5.2 – Method of Analysis'

'5.2.2 – Selection of Rational or Hydrograph Method'

For drainage areas less than 200 hundred (200) acres, the basis for computing runoff shall be the rational formula (as defined in [Section 5.3](#)) or some other method provided it is acceptable to the Director of [Public Works](#).

For drainage areas 200 hundred (200) acres or greater, the basis for computing runoff shall be a unit hydrograph method (as defined in [Section 5.6](#)), preferably the Soil Conservation Service (SCS) Dimensionless Unit Hydrograph method as contained in the U.S. Army Corps of Engineers Hydrologic Engineering Center HEC-HMS "Hydrologic Modeling Systems".

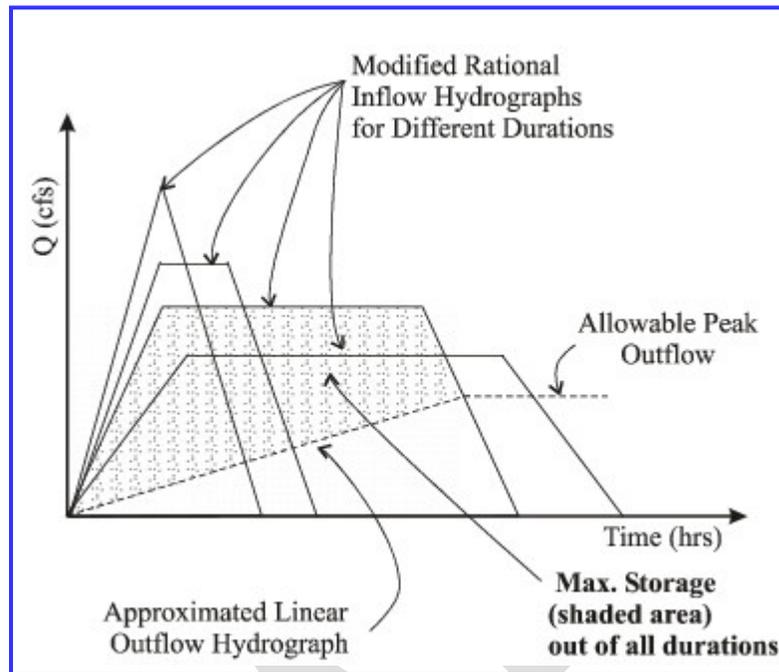
'5.3 – Rational Method'

'5.3.1 – Modified Rational Method General Guidance'

The MRM is an adaptation of the rational method which allows the designer to calculate the storage volume required for a small detention basin for watersheds less than 20 acres. In this procedure, the post-development peak flowrate is applied to the time of concentration of the basin to create a triangular hydrograph (Figure 5.3.1). A series of trapezoidal hydrographs are created for storm durations longer than the time of concentration. The peak flowrate for these hydrographs is determined by the intensity for that duration from the rational equation and occurs at the original time of concentration. The duration which produces the greatest difference in volume between the pre-development peak flow and post-development hydrographs becomes the critical duration, and this volume represents the maximum storage volume.

Several commercial software packages can be used to automate the MRM procedure or the calculations can be performed in a spreadsheet.

Figure 5.3.1



'5.4 - Time of Concentration'

'5.4.1 – Overland Flow'

Flow over plane surfaces: Maximum allowable [flow length is 100 feet](#) ~~time is twenty (20) minutes.~~
~~Minimum is five (5) minutes.~~

- The overland flow time chart from "Design" by Elwyn E. Seelye may be used to calculate overland flow times. ~~Note that the minimum time has been reduced to five (5) minutes.~~

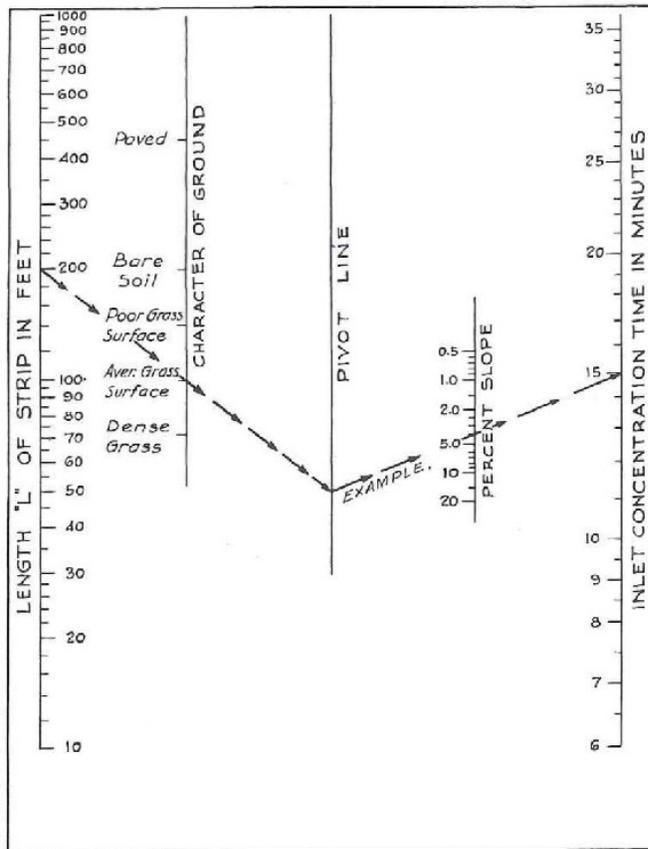


Figure 5.4.1 - Overland Flow Time (Source: "DESIGN" by Elwyn Seelys Figure. H)

- TR-55 "Urban Hydrology for Small Watersheds," SCS 1986 may be used, ~~please consider the maximum (20 min.) and minimum (5 min.) when defining the flow length (L).~~

(Equation 5.4.1)

$$T_t = \frac{0.007(nL)^{0.8}}{(P_2)^{0.5} s^{0.4}}$$

T t = travel time (hr.)

n = Manning's roughness coefficient

L = flow length (ft.)

P 2 = 2-year, 24-hour rainfall*

s = slope of hydraulic grade line (land slope, ft/ft)

*in San Antonio and its ETJ please [reference Figure 5.5 and Tables 5.5.2.1.A-E for P2 values](#) use 4.44 inches for the two (2) -year, twenty-four (24) hour rainfall value

'5.4.2 – Shallow Concentrated Flow'

Overland flow usually becomes shallow concentrated flow after a maximum of ~~one~~^{three} hundred (100~~300~~) feet: Use Manning's equation to estimate travel time for defined swales, bar ditches, street sections, etc. or Figure 5.4.2 from TR-55 "Urban Hydrology for Small Watersheds," SCS 1986, may be used where a geometric section has not been defined.

(Equation: 5.4.2)

$$T_{sc} = \frac{L_{sc}}{3600 K S_{sc}^{0.5}}$$

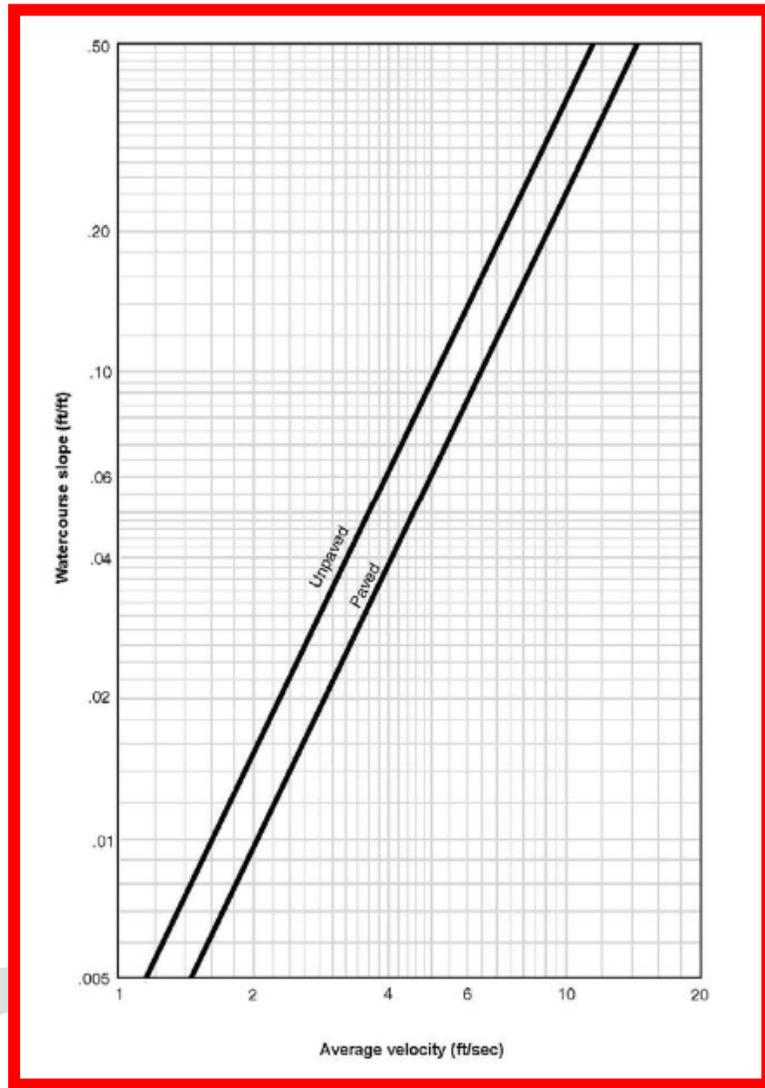
T_{sc} = shallow concentrated flow time (hr.)

L_{sc} = shallow concentrated flow length (ft.)

K = 16.13 for unpaved surface; 20.32 for paved surface

S_{sc} = shallow concentrated flow slope (ft./ft.)

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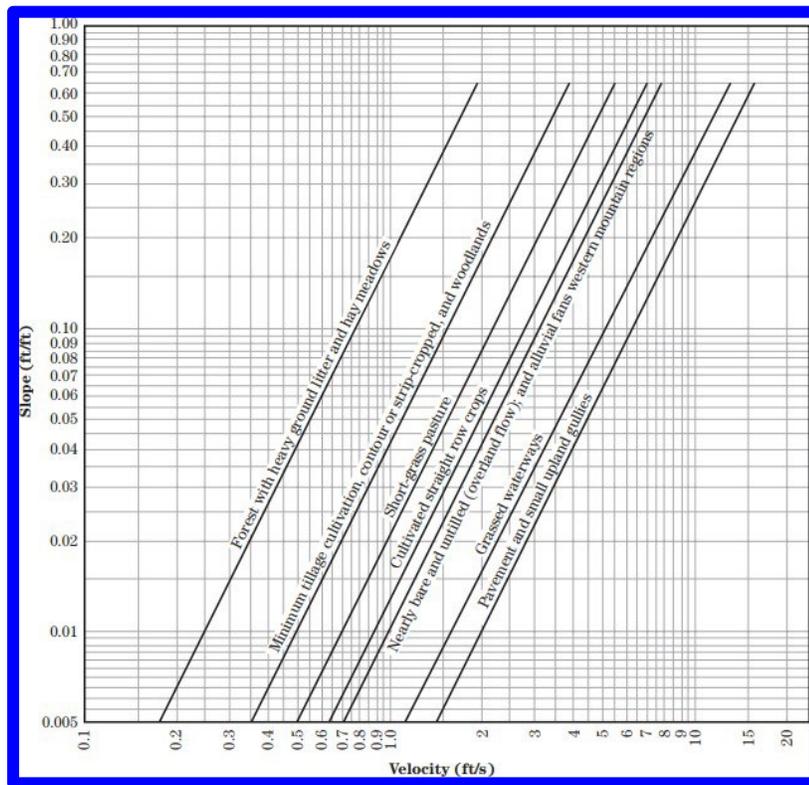


Figure 5.4.2 - Average Velocities for Estimating Travel Time for Shallow Concentrated Flow (Source: [NRCS National Engineering Handbook, Part 630 Hydrology, Chapter 15: Figure 15-4 NRCS Technical Release 55- Figure 3-1](#))

‘5.4.3 - Channel Flow’

Use existing computer models where available or Manning's equation if the data is not available. ~~When estimating the time of concentration, non-floodplain channel velocities for ultimate watershed development should not be less than six (6) fps.~~

(Equation 5.4.3)

$$T_{ch} = \frac{L_{ch}}{3600 \cdot 1.49/n \cdot R^{2/3} \cdot S_{ch}^{1/2}}$$

T_{ch} = channel flow time (hr.)

L_{ch} = channel flow length (ft.)

S_{ch} = channel flow slope (ft./ft.)

n = Manning's roughness coefficient

R = channel hydraulic radius (ft.) and is equal to a/P w

a = cross sectional area (ft.²)

P_w = wetted perimeter (ft.)

'5.4.4 - Post Project and/or Ultimate Conditions Development Time of Concentration'

For watersheds where proposed/ultimate development conditions are not defined, time of concentration for post project or ultimate development may be calculated using the Denver Lag Time Equation as shown below:

$$T_{LAG} = C_t * \left(\frac{L * L_{ca}}{\sqrt{S}} \right)^{0.48}$$

where:

T_{LAG} = watershed lag time in hours.

C_t = time to peak coefficient.

L = length along the stream from the study point to the upstream limits of the basin in miles.

L_{ca} = length along the stream from the study point to a point along the stream adjacent to the centroid of the basin in miles.

S = weighted average slope of the basin from the study point to the upstream limits of the basin in feet per foot.

The percent impervious (I_a) must already be defined using Table 5.6.1.1.1.2

This equation was developed for small urban watersheds (less than 5 square miles) with mild slopes. The peaking coefficient can be computed from the percent impervious (I_a) using the following equations:

$$C_t = -0.00371I_a + 0.163 \quad 0 \leq I_a \leq 10$$

$$C_t = 0.000023I_a^2 - 0.002241I_a + 0.146 \quad 10 \leq I_a \leq 40$$

$$C_t = 0.0000033I_a^2 - 0.000801I_a + 0.12 \quad 40 \leq I_a \leq 100$$

As referenced in Appendix H – Storm Water Design Criteria Manual.

'5.5 – Rainfall Data'

'5.5.3 - Runoff Coefficient'

Runoff coefficients (C value) for use in the rational formula shall not be less than the values shown in Table 5.5.3A, as appropriate

Table 5.5.3A - Runoff Coefficient (C value) - percentage

Character of Area	SLOPE

Up to 1%	Up to 1% Over 1% up to 3%	Over 1% up to 3% Over 3% up to 5%	Over 3% up to 5% Over 5%	Over 5%
Business or commercial areas (90% or more impervious), Existing Pavement / Buildings or Zoning Districts O, C, I-1, I-2, Parking Areas including gravel, road base and decomposed granite.	95	96	97	97
Densely developed areas (80% to 90% impervious) or Zoning Districts D, MX, NC, TOD, Use Pattern TND	85	88	91	95
Closely built residential areas and school sites or Zoning Districts MF, R-4	75	77	80	84
Undeveloped areas * - Present land is undeveloped and ultimate land use is unknown. C values for use in ultimate development calculations.	68	70	72	75
Large lot residential area or Zoning Districts R20, RE	55	57	62	64
Undeveloped areas * - Existing conditions.				
Average residential area or Zoning Districts R-5, R-6	65	67	69	72
Cultivated or Range (Grass Cover < 50% of Area)	44	47	53	55
Range (Grass Cover 50—75% of Area)	37	41	49	53
Forest or Range (Grass Cover > 75% of Area)	35	39	47	52

**Areas included within parks, green belts, or regulatory floodplains shall be considered to remain undeveloped per this table*

'5.6 – Hydrograph'

'5.6.1 – Sub-Basin'

'5.6.1.1 – Loss Method'

'5.6.1.1.1 SCS Curve Number Loss'

The SCS curve numbers adopted for use by the City of San Antonio are shown in Table 5.6.1.1.1.1. The hydrologic soil groups are listed in the latest version of the [NRCS National Engineering Handbook, Part 630 – Hydrology](#) ~~United States Natural Resources Conservation Service [formerly the Soil Conservation Service], "Urban Hydrology for Small Watersheds," Technical Release No. 55 (TR-55)~~; this document is hereby incorporated by this reference. Soil types that relate to the hydrologic soil group may be found in the latest version of the United States Natural Resources Conservation Service "Soil Survey-Bexar County, Texas;" this document is hereby incorporated by this reference. Soil types may also be based on a Geotechnical Engineering Report.

Table 5.6.1.1.1.1 - SCS Curve Number by Soil Type

Cover Description	Hydrologic Condition	Curve Number (CN) for Hydrologic Soil Group			
		A	B	C	D
Open Space (Lawns, parks, golf courses, cemeteries, etc.)	Good	39	61	74	80
Meadow (continuous grass,protected from grazing and generally mowed for hay)		30	58	71	78
Brush (brush-weed-grass mixture with brush the major element)	Good	30	48	65	73
Woods	Good	30	55	70	77
Developing Urban Areas (newly graded areas, no vegetation)		77	86	91	94

Table 5.6.1.1.1.2 - Percent Impervious Cover by Land Use

Land Use Category		Average Percent Impervious Cover
Residential	1/8 acre Residential Lots, or Garden or townhouse apartments, or Zoning Districts R-4, R-5, RM-4, RM-5; TND/TOD Use Patterns	65—85
	1/4 acre Residential Lots or Zoning District R-6, RM-6	38
	1/3 acre Residential Lots or Zoning District R-15	30
	1/2 acre Residential Lots or Zoning Districts R-20	25
	1 acre Residential Lots or Zoning Districts RP, RE	20
Industrial or Zoning Districts L, I-1, I-2		72—85
Business or Commercial, or Zoning Districts NC, O, C		85—95
Densely developed (apartments), or Zoning Districts MF		65—85
Streets, Roads, and Parking Areas (including gravel, road base and decomposed granite)		98

'5.6.1.1.2 Green and Ampt Loss'

Infiltration losses may also be estimated using the Green and Ampt method. The parameters required for the Green and Ampt method are hydraulic conductivity (in/hr), wetting front capillary pressure or suction head (in), saturated moisture content (in/in), and initial moisture content (in/in). See the latest version of the "San Antonio River Basin Regional Modeling Standards for Hydrology and Hydraulic Modeling" for additional guidance.

'5.6.1.2 – Transform Method'

'5.6.1.2.3 Clark Unit Hydrograph'

The Clark Unit Hydrograph is derived by two major parameters; the translation or movement of runoff and the attenuation or reduction of runoff as it moves through the watershed. These two parameters are defined at its basis with the following equation:

(Equation: 5.6.1.2.3)

$$\frac{dS}{dt} = I_t - O_t$$

$$\frac{dS}{dt} \quad \text{rate of change in storage at time (t)}$$

$$I_t \quad = \text{average inflow at time (t)}$$

$$O_t \quad \text{outflow from storage at time (t)}$$

To use this method in HEC-HMS the parameters of translation and attenuation are defined by the watersheds time of concentration (t c) and Basin Storage coefficient (R).

- **The Translation** is derived by the time of concentration (t c), and is defined by Equation 5.4 in this manual, the [NRCS National Engineering Handbook, Part 630 TR-55](#) method of calculation. The t c is provided as a unit of time in hours (hr.)
- **The Attenuation** is the Basin Storage coefficient (R), a measure of the storage within the individual watershed. The larger the R value, the larger the attenuation. This value can be defined by calibration. R is given as a unit of time (hr.)

Chapter 35, Appendix H, Chapter 6 is amended as follows:

'Chapter 6 – Pavement Drainage'

6.2 - Design Guidelines

6.2.2 – Street Capacity

Streets may be used for storm water drainage only if the calculated storm water flow does not exceed the maximum flow depth and velocity allowable for the streets roadway classification as outlined above.

Where streets are not capable of carrying their design criteria storm water discharge inlets or curb openings are then required. The inlets or openings will discharge into a drainage channel or storm drain system. If there is not one available, one shall be provided. Partial flow past the inlet will be allowed when the capacity of all downstream street systems can accommodate the flow. The Inlets and Storm Drain System design criteria requirements are outlined in Chapters 7 and 8.

Curb cuts for driveways [and ADA ramps where the back of the ramp is less than the curb height within the ROW](#) on all streets shall be designed for compatibility with the storm water conveyance function of streets. The design criteria maximum frequency must be contained within the right-of-way. Considerations will be given to cross streets as well as driveways draining to streets.

Where Dwelling units are located on the downhill side of a T-intersection, Cul-de-sac, or knuckle with a street or drainage channel discharging onto it, the street intersection shall be graded so to avoid water flowing over the curb [or exceeding a depth equal to the curb height within the drive way approach](#) and out of the right-of-way. Detailed calculations will be required at these locations to show that the discharges are contained within the right-of-way.

No flow capacity tables are provided for the traditional street designs due the variety of geometric properties associated with these streets. When proposing street designs, drainage calculations specific to a proposed street design must be submitted for approval.

'6.2.9 - Unflooded Public Road Access'

The following criteria must both be met for existing streets adjacent to the proposed development:

A. Unflooded access (within the "Proceed with Caution" range per Figure 4.3.1C) shall be available from within the proposed development to an adjacent public street during a regulatory flood event.

B. Unflooded access (within the "Proceed with Caution" range per Figure 4.3.1C) shall be accessible to an arterial street within one-quarter (1/4) mile or less, during a future condition twenty percent (20%) annual chance (five-year ultimate) flood event.

The director of Public Works may waive the design criteria above for developments under three (3) acres in size. Both criteria A and B must be checked for the 100-year storm event.

~~During a design storm event unflooded access (within the "Proceed with Caution" range per Figure 4.3.1C) shall be available from each proposed new development to an adjacent public street during a regulatory flood event. Additionally, unflooded access shall be accessible to an arterial street that is not adjacent to the development or to a distance of one-quarter (1/4) mile, whichever is less, during a future conditions twenty percent (20%) annual chance (five-year ultimate) flood event. The director of TCI may waive the design criteria above for developments under three (3) acres in size.~~

Chapter 35, Appendix H, Chapter 7 is amended as follows:

'Chapter 7 – Storm Drain Systems'

'7.2 – Hydraulics of Storm Damage'

'7.2.5 - Storm ~~Drain~~Drain Inlets and Outfalls'

'7.2.5.2 – Outfalls'

The outfall for the storm drain system should discharge into a natural low, existing storm drainage system, or a channel. The start of the EGL for the storm drain system begins at the outfall. The design engineer should determine the tail water for the downstream drain to find the impact on the proposed outfall. There are two conditions for determining the starting point for the HGL at the outfall. The tail water may be above the critical depth of the outfall conduit or between the critical depth and invert of the outfall conduit. The starting point for the HGL should be either the tail water elevation or the average of critical depth plus the height of the storm drain conduit, whichever is greater. The design engineer will consider an exit loss at the outlet.

If the outfall of the storm drain system is into a river, stream, or creek, the design engineer should consider the coincidental probability of the peaks of both systems occurring at the same time. The assumption of coincident peaks may be appropriate if all the following are true:

- The ratio of the drainage areas lies between 0.6 and 1.4.
- The arrival times of flood peaks are similar for the two combining watersheds.

- [The watersheds being covered by the storm being modeled are 10 square miles or smaller.](#)

The tail water for the receiving stream should be checked with the peak of the storm drain system.

‘7.3 – Design Guidelines’

‘7.3.11 - French Drains’

French drains are used to control ground water or surface water. The French drain consists of a perforated pipe with a fabric sock around the exterior of the pipe to keep soil particles from entering the pipe. The pipe is installed in a trench filled with gravel.

A project may encounter a perched water table that will impact the street design section. A French drain may be needed to intercept the ground water that will impact the street section. The French drain should be placed in the parkway between the curb and property line, and should outfall into a drainage inlet, pipe, or channel. The outfall should not drain onto the street, as this could cause street failure or cause an unsafe condition.

[When a utility trench crosses other utility trenches that are bedded in gravel, the need for a French drain should be considered to collect shallow groundwater or surface water from the utility trench and discharge it into the storm drain system.](#)

Chapter 35, Appendix H, Chapter 9 is amended as follows:

‘Chapter 9 – Open Channels’

‘9.2.4 – Uniform Flow

‘9.2.4.1 - Manning’s Equation’

Table 9.2.4.1 - Manning's Roughness Coefficient

Channel Description	Manning's "n" Value
Concrete Lined Channel (wood float type surface finish)	0.015
Grass Lined Channel with regular maintenance	0.035
Grass Lined Channel without recent maintenance	0.050
Vegetated Channel with trees, little or no underbrush	0.055
Natural Channel with trees, moderate underbrush	0.075
Natural Channel with trees, dense underbrush	0.090
Natural Channel with dense trees and dense underbrush	0.100

Rock Gabion Lined Channel	0.022
Rock Riprap Lined Channel (D50 greater than 12 in)	0.041
Rock Riprap Lined Channel (D50 less than 12 in)	0.038
Overbank Description	Manning's "n" Value
Pasture	0.035-0.055
Trees, little or no underbrush, scattered structures	0.060-0.075
Dense vegetation, multiple fences and structures	0.075-0.090

'9.3 – Design Guidelines'

'9.3.4 – Channel Geometry'

The constructed channel geometry may be triangular, rectangular, irregular, or trapezoidal in shape. [A new or restored constructed earthen channel may be designed as a "nested channel" using the Priority 3 restoration design approach specified in the San Antonio River Basin Natural Channel Design Protocol \(See Figure 9.3.4 below\)](#). The side slopes should not exceed the requirements in 9.3.3.1 or 9.3.3.2. In areas where traffic safety may be of concern, the channel side slope should be 4H:1V or flatter or other vehicular protection devices may be required.

For natural channels, the channel geometry may be irregular in shape. The channel sections should be checked for areas of erosion and provide corrective measures with the natural channel design.

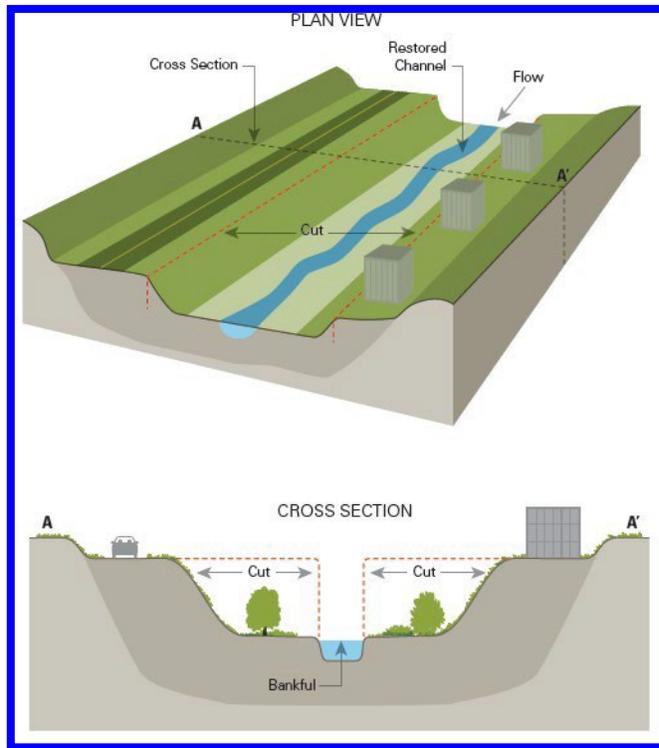


Figure 9.3.4 From San Antonio River Basin Natural Channel Design 2013. Reprinted with permission from Stream Mechanics. Adapted from Rosgen (1997)

9.3.8 – Earthen Channel Shear Stress ~~Channel Velocity~~

Compute maximum shear stress at normal depth using the following equation:

(Equation 9.3.8)

$$\tau_d = \gamma R S$$

τ_d = average shear stress at normal depth (lb./sq.ft. or N/m²)

γ = unit weight of water (62.4 lb./ft.³ or 9810

N./m.²) R = hydraulic radius (ft. or m.) at uniform

depth (ym) S = channel slope (ft./ft. or m./m.)

The following tables 9.3.8.1 and 9.3.8.2 shall be used to determine maximum permissible shear stresses for various channel linings. If retardance classes B, C, D, and E cannot provide channel protection as required, then TRM, concrete, or other linings should be evaluated.

Table 9.3.8.1 – Retardation Class for Lining Materials

(Source TXDOT – Hydraulic Design Manual , Chapter 7, Section 3 – Roadside Channel Design)

Retardance Class	Cover	Condition
B	Bermuda grass	Good stand, tall (average 12 in. or 305 mm)
-	Native grass mixture little bluestem, bluestem, blue gamma, other short and long stem midwest grasses	Good stand, unmowed
-	Lespedeza sericea	Good stand, not woody, tall (average 19 in. or 480 mm)
-	Alfalfa	Good stand, uncut (average 11 in or 280 mm)
-	Blue gamma	Good stand, uncut (average 13 in. or 330 mm)
-	Crabgrass	Fair stand, uncut (10-to-48 in. or 55-to-1220 mm)
C	Bermuda grass	Good stand, mowed (average 6 in. or 150 mm)

-	Common lespedeza	Good stand, uncut (average 11 in. or 280 mm)
-	Grass-legume mixture: summer (orchardgrass redtop, Italian ryegrass, and common lespedeza)	Good stand, uncut (6-8 in. or 150- 200 mm)
-	Centipede grass	Very dense cover (average 6 in. or 150 mm)
-	Kentucky bluegrass	Good stand, headed (6-12 in. or 150-305 mm)
D	Bermuda grass	Good stand, cut to 2.5 in. or 65 mm
-	Common lespedeza	Excellent stand, uncut (average 4.5 in. or 115 mm)
-	Buffalo grass	Good stand, uncut (3-6 in. or 75- 150 mm)
-	Grass-legume mixture: fall, spring (orchard grass Italian ryegrass, and common lespedeza	Good Stand, uncut (4-5 in. or 100- 125 mm)
-	Lespedeza sericea	After cutting to 2 in. or 50 mm (very good before cutting)
E	Bermuda grass	Good stand, cut to 1.5 in. or 40 mm

	Bermuda grass	Burned stubble
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Table 9.3.8.2 – Permissible Shear Stresses for Various Linings

(Source TXDOT – Hydraulic Design Manual, Chapter 7, Section 3 – Roadside Channel Design)

Protective Cover	τ_d (lb./sq.ft.)	τ_d (N/m ²)
Retardance Class B Vegetation (See the “Retardation Class for Lining Materials” table above)	2.1	101
Retardance Class C Vegetation (See the “Retardation Class for Lining Materials” table above)	1	48
Retardance Class D Vegetation (See the	0.6	29

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"Retardation Class for Lining Materials" table above)		
Retardance Class E Vegetation (See the "Retardation Class for Lining Materials" table above)	0.35	17
Woven Paper	0.15	7
Jute Net	0.45	22
Single Fiberglass	0.6	29
Double Fiberglass	0.85	41
Straw W/Net	1.45	69
Curled Wood Mat	1.55	74
Synthetic Mat	2	96
Gravel, D50 = 1 in. or 25 mm	0.4	19
Gravel, D50 = 2 in. or 50 mm	0.8	38
Rock, D50 = 6 in. or 150 mm	2.5	120
Rock, D50 = 12 in. or 300 mm	5	239
6-in. or 50-mm Gabions	35	1675
4-in. or 100-mm Geoweb	10	479
Soil Cement (8% cement)	>45	>2154
Dycel w/out Grass	>7	>335
Petraflex w/out Grass	>32	>1532
Armorflex w/out Grass	12-20	574-957
Erikamat w/3-in or 75-mm Asphalt	13-16	622-766
Erikamat w/1-in. or 25 mm Asphalt	<5	<239
Armorflex Class 30 with longitudinal and lateral cables, no grass	<5	>1628
Dycel 100, longitudinal cables, cells filled with mortar	<12	<574
Concrete construction blocks, granular filter underlayer	>20	>957
Wedge-shaped blocks with drainage slot	>25	>1197

~~The following Table 9.3.8 shall be used to determine maximum permissible channel velocity.~~

~~Where velocities are in the supercritical range, allowance shall be made in the design for the proper handling of the storm water.~~

Table 9.3.8 – Velocity Control

Velocity (fps)	Type of Facility Required	Hydraulic Radius (ft.)	Correction Factor	Maximum Permissible Velocity (fps)
1 to 6 (Maximum Average Velocity = 6 fps)	Vegetated Earthen Channel	0-1	0.8	5
		1-3	0.9	5.5
		3-5	1.05	6.3
		5-8	1.15	6.9
		8-10	1.225	7.35
		Over 10	1.25	7.5
*6 to 12	Turf Reinforcement Mat (TRM)	N/A	N/A	12
6 to 8	Concrete Retards	N/A	N/A	N/A
>8	Concrete Lining or Drop Structures	N/A	N/A	N/A
<i>*If Turf Reinforcement Mat (TMR) is proposed, please see City of San Antonio Standard Specifications for Construction Item 554 for submittal requirements. The improvement plan sheets should include the location of the placement, details, and manufacturer's installation instructions.</i>				

* If Turf Reinforcement Mat (TRM) is proposed, please see City of San Antonio Standard Specifications for Construction Item 554 for submittal requirements. The improvement plan sheets should include the location of placement, details, and manufacturer's installation instructions. The use of velocity protection devices other than TRM shall be submitted to and approved by the Director of TCI prior to approval of construction plans.

'9.3.17 - Channel Junctions'

Proper energy dissipation shall be provided at all channel junctions to ensure that the shear stress at the outlet of a discharging channel does not exceed the maximum permissible values for the receiving channel, as defined in Section 9.3.8. At channel junctions, banks should be assessed for erosion potential and protected as necessary. Refer to HEC-14 guidelines for appropriate energy dissipators selection and design guidelines. Energy dissipators shall be designed assuming an empty receiving channel.

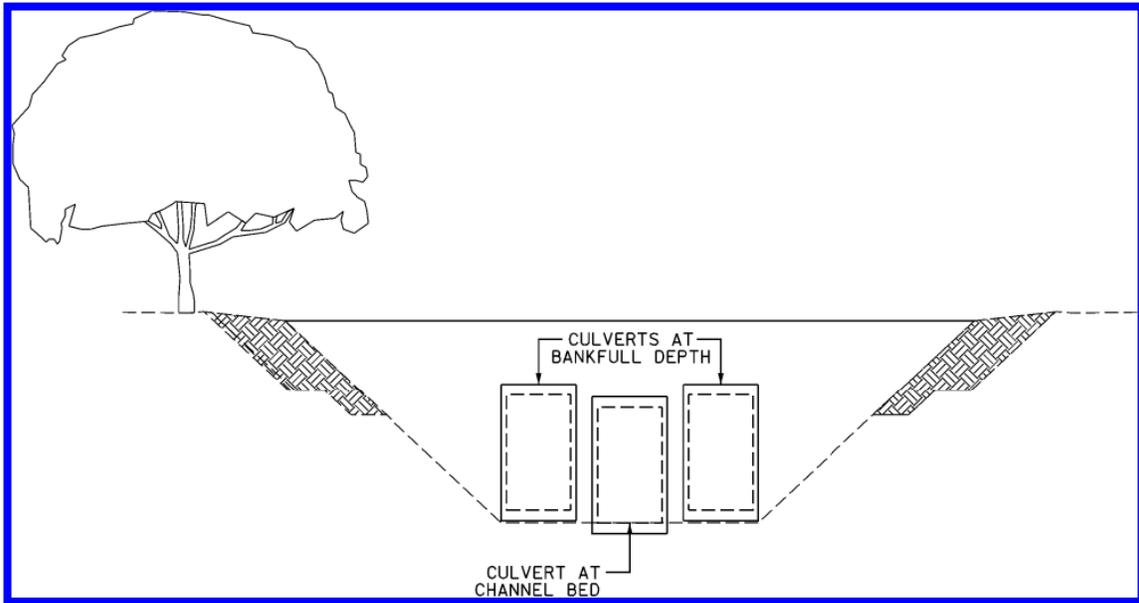
Chapter 35, Appendix H, Chapter 10 is amended as follows:

'Chapter 10 – Culverts'

'10.3 – Design Guidelines'

'10.3.18 – Bankfull Culvert Design'

Culverts within public drainage easement or public right-of-way, should be designed with respect to bankfull channel design approach, see Figure 10.3.18.1. To determine the appropriate bankfull depth, see design guidance from SARA – Natural Channel Design Protocol and NEH Part 654, Chapter 10 for bankfull channel design.



'10.4 - Velocity Protection and Control Devices'

'10.4.1 - Excess Velocity'

Excess velocity discharge from a culvert to earthen channel or in some instances in concrete lined channel should be minimized so the flow shear stress at the outlet of a culvert does not exceed the maximum permissible values for the receiving channel, as defined in Section 9.3.8. Culvert outlets should be assessed for erosion potential and protected as necessary. ~~with the use of protection or control devices.~~

'10.4.3 - Velocity Control Devices'

The velocity control device is used to reduce excessive velocity and reduce the potential for erosion at of the culvert outlets by limiting maximum shear stresses to values listed in table 9.3.8.2. ~~to six (6) feet per second or less for earthen channels.~~

There are a number of control devices that the design engineer can select from. Table 10.4.3 is a list of possible energy dissipators to use on a project. The table has appropriate control device for super critical or subcritical flow. For dissipators not contained within the manual, refer to FHWA Hydraulic Engineering Circular No. 14 and HY-8 for design computations.

Chapter 35, Appendix H, Chapter 13 is amended as follows:

'Chapter 13 – Storage Facilities'

'13.3 – Detention Basins'

'13.3.2 – Design Guidelines'

'13.3.2.2 - Design Frequencies'

The City of San Antonio restricts the outflow rates to the undeveloped or existing [one \(1\) year](#), five (5) year, twenty-five (25) year, and one hundred (100) year frequencies, 24 hour storm. [For ponds with drainage areas greater than 20 acres, ponds shall be designed such that the one hundred \(100\) year frequency, 6-hour storm can be detained without overtopping the berm elevation.](#) The designed basin should not increase flood elevations upstream of the new development. See Chapter 5 "Hydrology" for approved methods of developing flows for the needed frequencies.

'13.3.2.9 - Outlet Structure Design Guidelines'

[The following criteria are design guidelines and considerations for proper analysis of detention outlet structures:](#)

- 1.) [Outflow structures that match the flowline of a detention pond are required to be modeled as an equivalent culvert group in both HEC-HMS and HEC-RAS. It is not appropriate to analyze an outflow structure at the flowline of a detention pond as weir structure. A weir is defined by a vertical rise in the flowline that creates a control section for the flow.](#)
- 2.) [Location of point discharges from detention basin outlets must be analyzed to ensure that discharge from detention basins does not discharge directly onto roadways, unless a storm drain inlet captures runoff preventing flow across travel lanes or discharge is returned to sheet flow condition.](#)
- 3.) [The discharge from the outflow structure, overflow structure, and auxiliary/emergency spillway shall not cause adverse downstream impact to adjacent properties and or structures, as referenced in 9.3.](#)

'13.3.2.10 – Extended Detention Basins'

[Extended detention basins \(EDBs\) are an optional design approach that provide both peak flow reduction and water quality benefits. EDBs work by having a longer detention period where stormwater runoff is held in the basin for 24 to 48 hours which enhances settling. EDBs manage frequent storms for water quality by incorporating a small permanent pool to enhance dissolved constituent removal. EDBs shall be designed using the San Antonio River Basin Low Impact Development Technical Design Manual 2nd Edition. Maintenance requirements for EDBs are similar to dry detention but include requirements for sediment removal from forebays and permanent pool areas.](#)

'13.6 – Structures'

'13.6.2 – Inflow Structure'

The inflow structure could be the outlet from a storm drain system, roadway culvert, scupper, chute or channel. The discharge velocity at outlets into an earthen basin should be check for erosion control. Thebasin hydraulics should be analyzed for the impacts to the inflow structure and upstream drainage system. [For underground detention, pretreatment in the form of screening shall be provided to capture floatables and trash to reduce clogging of orifices. Sediment capture or filtration shall be provided to reduce maintenance within the main chamber of the system.](#)

'13.7 - Maintenance Considerations'

[General maintenance recommendations for detention basins can be found in the TCEQ manual](#)

[Guidelines for Operation and Maintenance of Dams in Texas \(GI-357\). Maintenance for EDBs shall be based on the San Antonio River Basin Low Impact Development Technical Design Manual 2nd Edition Appendix B.](#)

'13.8 – Certification'

['13.8.1- Construction Phasing'](#)

[Detention ponds and associated infrastructure \(i.e. interceptor swales, storm drain systems, mass grading\) should be constructed in the early phases of a project to mitigate interim condition flows and prior to construction of impervious cover. Include the pertinent construction phasing notes on the construction plans. Reference Appendix H.](#)

[For residential subdivisions that include detention, pond excavation and/or embankment necessary for providing storage must be substantially complete prior to inspection of street subgrade, curb, flex base, and pavement within the watershed draining to the detention pond\(s\).](#)

[For site work and non-residential building permits, pond excavation and/or embankment necessary for providing storage must be substantially complete prior to construction of flex base, pavement, pouring building slabs, or constructing other impervious cover within the watershed draining to the detention pond\(s\).](#)

'13.8.24 - Detention Pond Plan Conformance Form'

The design engineer ~~shall~~ **should** complete a "Detention Pond Plan Conformance" form after the completion of the detention pond and provide the completed form to the City. [13.8.32 - As-Built Plans for Dams](#)

'13.8.32 - As-Built Plans for Dams'

As-Built plans should be provided upon completion of the dam and impoundment area if required by the owner or by TCEQ requirements.

Chapter 35, Appendix H, Chapter 15 is amended as follows:

'Chapter 15 – Lots / Unflooded Access'

'15.2 – Standard Lot Grading'

A note shall be placed on all plats stating that residential finished floor elevations must be a minimum of eight (8) inches above final adjacent grade. A grading plan shall be prepared and submitted to the City, which indicates typical lot grading for all lots in the subdivision using typical FHA lot grading types (A, B, and C). See Figure 15.2.1. A more detailed grading plan is also acceptable. No more than two (2) average residential lots may drain onto another lot, unless a drainage easement is dedicated to contain the runoff. [See Figure 15.2.2. Where two \(2\) average lots drain onto another lot, calculations showing adequate drainage capacity exists on the lots shall be provided with the grading plan. Within new development, where three \(3\) average lots drain onto a new lot, calculations showing adequate drainage capacity exists on the downstream lot shall be provided with the grading plan.](#)

See Section 6.2.2 where Dwelling units are located on the downhill side of a T-intersection, Cul-de-sac, or knuckle.

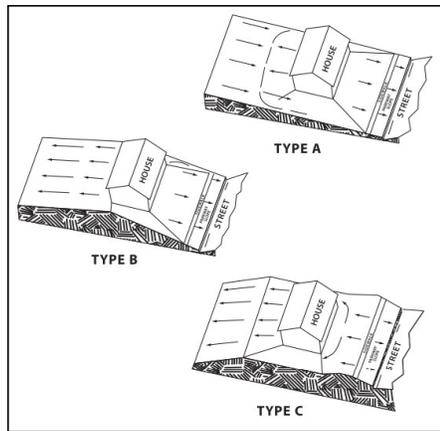
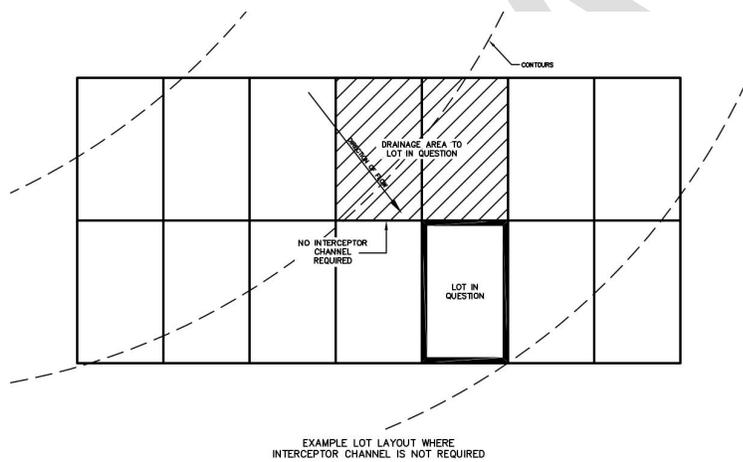
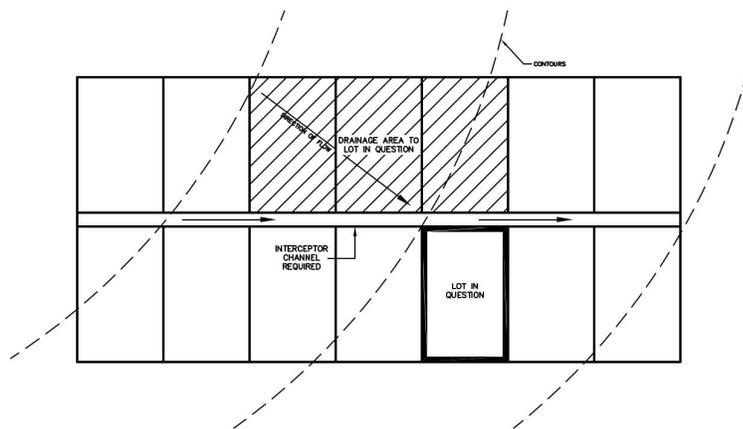


Figure 15.2.1 - Typical FHA Lot Grading

Figure 15.2.2 – Interceptor Channel Lot Grading Example



EXAMPLE LOT LAYOUT WHERE INTERCEPTOR CHANNEL IS NOT REQUIRED



EXAMPLE LOT LAYOUT WHERE INTERCEPTOR CHANNEL IS REQUIRED (SEE SECTION 15.4 – INTERCEPTOR CHANNELS)

Chapter 35, Appendix H, Chapter 19 is amended as follows:

‘Chapter 19 – Definitions’

‘19.1 – Introduction’

1% annual chance floodplain, (formerly 100-year floodplain)*: The land within a community subject to a one (1) percent or greater chance of flooding in any given year. These areas are typically designated as a Federal Emergency Management Agency (FEMA) Zone A, AE, AH, or AO on FEMA Flood Insurance Rate Maps (FIRM Panels). [May also be referred to as the FEMA effective floodplain.](#)

Development*: Any manmade change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or, drilling operations or storage of equipment or materials. [Capital improvement projects where the grade or ground is disturbed or modified within the project limits to construct proposed improvements will be considered development.](#)

Ecological functioning: [The fundamental ecological services that floodplain, riparian areas or Streamside Management Zone \(SMZ\) areas perform. Ecological services, include, but not limited to; assist in mitigating nonpoint source pollution; stabilize stream banks and reduce floodwater velocity resulting in reduced erosion and downstream flood peaks; maintain water levels in streams, lakes, water tables and aquifers; sequester greenhouse gases to improve air quality; and supply food, cover and water for a diversity of terrestrial and aquatic wildlife especially migratory birds.](#)

FEMA Effective Floodplain*: [See 1% annual chance floodplain](#)

Floodplain*: Any land area susceptible to being inundated by water from any source (see definition of flooding). ~~The 100-year floodplain is also known as the area of special flood hazard.~~

Floodway*: [See Regulatory Floodway](#) ~~The channel or a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood. The floodway is the 100-year floodplain in the City of San Antonio.~~

Green infrastructure or nature-based storm water management: [Is an approach to storm water management that protects, restores, or mimics the natural water cycle and enhances community safety and quality of life.](#)

Interim Condition: [Refers to the time during construction or development that a project site is disturbed between the existing condition and the completed developed condition \(which includes appropriate fully completed storm water infrastructure and/or mitigation\). For new development, an example might be when a site is cleared of much of the topsoil and vegetation; for redevelopment, an example might be when impervious cover is added prior to removing existing impervious cover.](#)

Low Water Crossing*: [a vehicular roadway crossing, including public or private driveways, that is designed to provide access during low flow storm events and to be periodically overtopped during higher flow storm events.](#)

Pervious pavement*: A pavement system with traditional strength characteristics, but which allows rainfall to percolate through it rather than running off. A permeable pavement system utilizes either [pervious interlocking concrete pavers \(PICP\)](#), porous asphalt, pervious concrete, or plastic pavers interlaid in a running bond pattern and either pinned or interlocked in place. Porous asphalt consists of an open graded course aggregate held together by asphalt with sufficient interconnected voids to provide a high rate of permeability. Pervious concrete is a discontinuous mixture of Portland cement, coarse aggregate, admixtures, and water which allow for passage of runoff and air. Examples of permeable pavement systems include Grasspave2®, Gravelpave2®, Turfstone®, and UNI Eco-stone®. (See Watershed Management Institute, Inc. and U.S. Environmental Protection Agency, Office of Water, Operation, Maintenance and Management of Storm Water Management (Aug. 1997), at 2-32; Booth and Leavitt, Field Evaluation of Permeable Pavement Systems for Improved Storm Water Management, 65 J.Am. Planning Ass'n 314 (Summer 1999), at 314-325.

Regulatory floodplain*: The land within the community subject to a one (1) percent or greater chance of flooding in any given year assuming ultimate development has occurred throughout the watershed. For the purposes of this section the regulatory floodplain is limited to the reach of the stream which is designated as an area of special flood hazard on the currently effective FEMA Flood Insurance Rate Maps (FIRM Panels). NOTE: As the city's floodplain ordinance (Appendix F of the Unified Development Code) is approved by FEMA as a condition of participation in the National Flood Insurance Program (NFIP), the city's regulatory floodplain is considered FEMA's regulatory floodplain. (note: to be consistent with Appendix F, section 106) [Regulatory floodplain may also be referred to as the City of San Antonio \(CoSA\) ultimate conditions floodplain.](#)

Riparian areas: [Riparian areas are lands that occur along watercourses and water bodies. Typical examples include flood plains and streambanks. They are distinctly different from surrounding lands because of unique soil and vegetation characteristics that are strongly influenced by the presence of water.](#)

Tributary: [is a river, creek, or stream that feeds into a larger stream or river and are sites of intrinsic ecological value where particular biophysical processes and ecosystem services may be concentrated \(Kiffney et al., 2006\). In addition, they play a crucial role on downstream channel morphology \(Torgersen et al., 2008\).](#)

Unflooded access*: Means that vehicular traffic has safe access ([within the "Proceed with Caution" range per figure 4.3.1C of Appendix H](#)) to a property from a public street in times of [a design storm event \(reference Appendix H 4.3.2\) and to an arterial street that is not adjacent to the development or to a distance of one-quarter mile, whichever is less, during a twenty \(20\) percent annual chance \(20% A.C., or "5-year"\) storm event.](#) ~~flood (regulatory 100-year flood). A property will be considered to have unflooded access to an existing street if flow depths for access on the street adjacent to the property do not exceed one (1) foot and fall within the safe range on Figure 4.3.1C "Dangerous Conditions on Crossing During Floods."~~

Chapter 35, Appendix H, SubAppendix A is amended as follows:

'APPENDIX A CHECKLIST [AND STANDARD NOTES](#)'

'A.1 - STORM WATER MANAGEMENT PLAN CHECKLIST'

To standardize the review process and minimize the time for approval by the city during review of the plat and construction drawings for a subdivision, a complete submittal regarding the analysis of existing drainage conditions and the design of modifications or new drainage facilities is necessary. The owner of the property to be developed is required by the Director of [Public Works TCI](#) to provide, at the owner's expense and as a condition of construction plan approval, a storm water management report for the total development area to

be ultimately constructed. The storm water management report shall contain all of the necessary support data, methodologies used in calculations, and conclusions. The checklist below will be used by the city reviewer as a guide during the evaluation of all storm water management reports submitted to the city. The purpose of the checklist is to expedite the review process for both the engineer and the city, and to aid the engineer in the preparation of reports for the city's review. The storm water management report shall be submitted to the Director of [Public Works TGI](#) through the director of planning and development services prior to approval of any construction plans.



**CITY OF SAN ANTONIO,
DEPARTMENT OF PUBLIC WORKS ~~TRANSPORTATION &~~
CAPITAL IMPROVEMENTS
STORM WATER ENGINEERING REVIEW TEAM
SUBMITTAL REVIEW CHECKLIST ~~/~~ COMMENTS**

Date: _____ Project: _____ Type / City ID No.: _____ Design Firm: _____	Engr. of Record: _____ Contact Name: _____ Phone Number: _____ email: _____
REVIEWER: _____ Phone Number: _____ Email: _____	QA/QC: _____ Team Leader: _____ SWE ID: _____
SUBMITTAL TYPE Major Plat Minor Plat MDP/ MPCD PUD Building Permit RIO Zoning Low Impact Development (LID)	SUBMITTED / REVIEWED I. Storm Water Management Plan (SWMP) II. Construction Plans III. Plat IV. Floodplain Analysis CLOMR LOMR Other

To expedite review, please reference all City approved Plans, Plats, Building Permits or Floodplain Analyses associated with this development. Please provide as much information as available.

Parent Projects:	NUMBER	NAME	DATE	Approved SWMP*
MDP (MPCD)*:	_____	_____	_____	
PUD*:	_____	_____	_____	
Plat:	_____	_____	_____	
Flood Study:	_____	_____	_____	
Building Permits:				
Site:	_____	_____	_____	
Foundation:	_____	_____	_____	
Shell:	_____	_____	_____	

*Approved Storm Water Management Plan with included Adverse Impact Analysis. (Please note that further adverse impact analysis may be required.)

+ MDP = Master Development Plan, MPCD = Master Planned Community District, PUD = Planned Unit Development

For Resubmittals:

1. Please respond to each set of the comments with a cover letter. Concurrent reviews require separate resubmittal packages.
2. Submit one (1) signed/sealed copy and one (1) digital copy in the resubmittal package accompanied by original redlines if applicable. [Digital copies may be uploaded directly to BuildSA.](#)
3. Include certification that no changes or additions were made to plans or the report other than those addressing said comments. If other changes were made, please include a description of those changes.

		STAFF USE ONLY			
I. Storm Water Management Plan (SWMP)	N/A	Included	Complete	Incomplete	Comments
A. GENERAL					
1. Signed, sealed & bound Storm Water Management Plan (SWMP) (one (1) hard copy and one (1) digital copy)					
2. Introduction & Executive Summary of existing conditions, proposed project, and methods used for analysis					
3. Adverse Impact Statement: <i>"The increased runoff resulting from proposed development will not produce a significant adverse impact to other properties, habitable structures or drainage infrastructure systems to a point where one of the criteria outlined in section 4.3.1C of the SWDCM (UDC appendix H) are met. 2,000-ft downstream Downstream conditions (including actual curb depth) in this reach have been field verified by myself or members of my staff. Therefore, the owner requests to participate in the Regional Storm Water Management Program by paying a fee-in-lieu-of onsite detention."</i>					
4. Regional Storm Water Management Program Participation Form					
5. Project Location Map					
6. Digital Flood Insurance Rate Map (DFIRM) with site superimposed					
7. Grading Plan (Also required in construction plans)					
• Lots grading properly according to FHA Lot Grading Type (A, B, C)					
• Driveway Detail, reference to critical Type "C" lots					

<ul style="list-style-type: none"> • Check T-intersections, cul-de-sacs, and knuckles to make sure runoff is contained in streets 					
<ul style="list-style-type: none"> • Interceptor channels are required when: 					
<ul style="list-style-type: none"> • Offsite drainage area flowing onto site is greater than 3 acres, or 					
<ul style="list-style-type: none"> • Offsite drainage area flowing onto site is greater than 2 average residential lot depths 					
8. Aerial map					
<ul style="list-style-type: none"> • To expedite review, delineate site boundaries, point where one of the criteria outlined in section 4.3.1C of the SWDCM (UDC appendix H) are met 2,000 ft downstream, all downstream storm water facilities and other pertinent physiographic information. 					
9. Onsite Drainage Area Map(s) (to scale) for Existing, Proposed, and Ultimate Conditions:					
<ul style="list-style-type: none"> • Show Time of Concentration (T_c) pathways 					
<ul style="list-style-type: none"> • Show individual and overall drainage areas for the site. Indicate area of each watershed 					
<ul style="list-style-type: none"> • Show computation points and points of discharge; Table of hydrologic calculations for each individual and cumulative drainage area and points of discharge. Include acreage, runoff coefficients, T_c values, and rainfall intensities for the 5, 25, & 100-yr storm events, as applicable. 					
10. Overall Drainage Area Map(s) (to scale) for Existing, Interim, Proposed, and Ultimate Conditions:					
<ul style="list-style-type: none"> • Include point where one of the criteria outlined in section 4.3.1C of the SWDCM (UDC appendix H) are met 2,000 ft downstream (For lots less than three (3) acres in size adverse impact analysis need only extend to where tributary drainage areas equal to 100 acres) 					
<ul style="list-style-type: none"> • Show Time of Concentration (T_c) pathways 					

- *Show individual and overall drainage areas for the site. Indicate area of each watershed*

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<ul style="list-style-type: none"> • Show computation points and points of discharge 					
<ul style="list-style-type: none"> • Table of hydrologic calculations for each individual and cumulative drainage area and points of discharge. Include acreage, runoff coefficients, Tc values, and rainfall intensities for the 5, 25, & 100-yr storm events, as applicable 					
11. Impervious Cover Exhibit(s) : Indicate existing and proposed impervious cover					
12. Floodplain Submittal is required if property is within, abutting, or adjacent to a floodplain, see Floodplain Section below.					
13. Verify if site is in a Mandatory Detention Area					
B. HYDROLOGY					
1. Description of Method for Hydrologic Analysis Detailed runoff calculations include:					
<ul style="list-style-type: none"> • Hydrologic Calculation Methods (Reference Chapter 5, Hydrology): 					
<ul style="list-style-type: none"> • Rational Method: Drainage area \leq 200 acres 					
<ul style="list-style-type: none"> • Detailed Time of Concentration (Tc) calculations; 					
<ul style="list-style-type: none"> • Weighted runoff coefficients; Rainfall intensities; 					
<ul style="list-style-type: none"> • Peak flow for Q5, Q25, Q100 					
<ul style="list-style-type: none"> • SCS or other Hydrograph Method allowed for drainage areas > 20 acres and required for drainage areas > 200 acres 					
<ul style="list-style-type: none"> • Typical SCS programs used: HEC-HMS, Pond Pack, Hydraflow. XPStorm, etc. 					
<ul style="list-style-type: none"> • Provide all electronic files 					
<ul style="list-style-type: none"> • Verify rainfall depths 					

<ul style="list-style-type: none"> Routing Values: Provide detailed calculations (types of routing are Modified Puls or MuskingamCunge) 					
<ul style="list-style-type: none"> Verify Reach lengths for routing and velocities 					
2. Table comparing the Existing, Proposed, & Ultimate Condition Peak Flows (5, 25 and 100yr)					
C. HYDRAULICS					
1. General:					
<ul style="list-style-type: none"> Storm water infrastructure for drainage areas < 100 ac, design for the Q25 					
<ul style="list-style-type: none"> For all storm water facilities with drainage area ≥ 100ac, design for Q100 					
2. Street Capacity:					
<ul style="list-style-type: none"> Local 'A': Q5 contained within top of curb, Q25 contained within ROW 					
<ul style="list-style-type: none"> Collector/Local 'B": Q25 contained within top of curb 					
<ul style="list-style-type: none"> Primary/Secondary Arterial: Q25 contained within top of curb & one lane in each direction shall remain passable with a flow depth not to exceed 0.3 ft 					
<ul style="list-style-type: none"> For drainage area > 100 acres, Q100 contained within top of curb. Use actual curb heights in calculations for existing streets (non-standard curbs, street overlays, etc.) 					
3. Dead end street draining to unpaved surface:					
<ul style="list-style-type: none"> Runoff velocity < 6 fps. 					
<ul style="list-style-type: none"> Ensure runoff will flow into drainage easement 					
4. Storm Drain:					

• Inlets designed for 25yr capacity					
• HGL/EGL: provide detailed calcs (including junction losses). Show on S.D. profiles					
• EGL: below top of curb and top of junction box or, if approved by City, specify bolted manhole covers.					
• HGL: below gutter					
• Min easement: 15 ft min or 6 ft from pipe limits					
• Minimum Pipe Slope: 0.3%					
• Minimum Cleaning Velocity: 3 fps for 5-yr (20% ac) storm					
• Maximum Permissible Velocity:					
• Maximum Velocity for Trunk lines: 15 fps					
• Maximum Velocity for Laterals: No limit					
• Slopes or velocities outside the allowable range may require additional certifications at permitting or final inspection and/or additional warranties.					
• Reinforce Concrete Pipe required under public streets					
• Pipe Diameter					
• Trunk Lines: Minimum 24 in diameter					
• Laterals and driveway crossings: <24 in diameter may be allowed on a case-by-case basis					
5. Channels: (provide detailed calculations)					
• If Drainage area < 100ac : Contain W.S. for Q25 plus freeboard (see Table 9.3.14)					

• If Drainage area ≥ 100 ac : Contain W.S. for Q100 or Q25 plus freeboard, whichever is greater					
• Channel bend freeboard calculations (if centerline radius is < 3 times the bottom width)					
• Verify if the channel has adequate drainage easement					
• Include a channel maintenance schedule for new channels					
• Verify Manning's Roughness Coefficient (n) (Reference Table 9.2.4.1)					
• Earthen channel:					
○ Verify 15 ft access easement on one side					
○ Max shear stress as outlined in Section 9.3.8					
○ Max 6 fps except as shown in Table 9.3.8					
• Pilot channel required if slope $< 0.5\%$					
• Maximum 3:1 side slopes					
• Concrete channel:					
○ Verify 15 ft access easement on one side, 2 ft easement on the other					
○ Minimum longitudinal slope: 0.4% or 0.1% with minimum cleaning velocity of 3 fps for existing Q5					
○ For trapezoidal channels, maximum 1.5:1 side slope without geotech design					
○ Handrails or fencing required for channels with vertical walls or side slopes $> 2:1$ when wall height exceeds 2 ft					
○ Check outfall velocities					

<ul style="list-style-type: none"> • Side-Lot Flumes: 					
<ul style="list-style-type: none"> ○ Public Easements: verify 10 ft access easement on one side, 2 ft easement on the other 					
<ul style="list-style-type: none"> ○ Private Easements: verify 2 ft easement on either side 					
<ul style="list-style-type: none"> ○ Slope and velocity requirements are the same as for concrete channels. 					
<ul style="list-style-type: none"> • Turf Reinforcement Matting: 6 fps < V < 12 fps. If > 12 fps, engineer's report should certify that material is appropriate for velocity. Include manufacturer spec's & installation instructions. Engineer to certify at final inspection that material was installed correctly. 					
<ul style="list-style-type: none"> • Interceptor channel: Drainage easement shall extend a min of 2 ft on both sides of the channel 					
<ul style="list-style-type: none"> • Handrails or fencing required on vertical headwalls greater than 2 ft in height and wing walls with slopes steeper than 2:1 					
<p>6. Outfalls / Outlets / Transitions</p>					
<ul style="list-style-type: none"> • When one channel discharges into another channel verify that storm water will be contained within the receiving channel. Verify that the outfall velocity into the receiving channel will not result in runoff jumping out of the receiving channel. 					
<ul style="list-style-type: none"> • Concrete rip rap or other velocity control/erosion protection measures may be required at pipe/channel and channel/channel intersections and transitions. 					
<ul style="list-style-type: none"> • If outfall velocity exceeds 6 fps at transition to earthen channel or other non-paved surface, provide energy dissipators or other velocity control measures 					
<ul style="list-style-type: none"> ○ Verify that the proposed energy dissipator type is appropriate for the outfall conditions (Reference Chapter 10, Table 10.4.3) 					
<ul style="list-style-type: none"> ○ Detailed calculations are required when energy dissipators are proposed 					
<ul style="list-style-type: none"> ○ Provide retard spacing and concrete transition length where applicable 					

<ul style="list-style-type: none"> Hydrograph timing & analysis of backwater may affect outfall and dissipator calculations 					
D. ADVERSE IMPACT ANALYSIS					
1. Narrative					
<ul style="list-style-type: none"> Provide an Adverse Impact Analysis and an Adverse Impact Statement 					
<ul style="list-style-type: none"> Discuss in detail the downstream conditions 					
<ul style="list-style-type: none"> Discuss if drainage patterns have changed from the previously approved MDP, if applicable 					
<p>2. If site work permit ONLY with no increase in impervious cover – Demonstrate that drainage patterns are not obstructed. Grading plan required. Detailed adverse impact analysis may be required.</p>					
<p>3. Provide detailed hydrologic & hydraulic calculations from proposed development to a point where one of the criteria outlined in section 4.3.1C of the SWDCM (UDC appendix H) are met. 2,000 ft downstream</p>					
<ul style="list-style-type: none"> Verify hydrologic calculation method 					
<ul style="list-style-type: none"> Compare existing, proposed, and ultimate peak flows 					
<ul style="list-style-type: none"> Reference Checklist Section B 					
4. Street Capacity:					
<ul style="list-style-type: none"> Local 'A': Q5 contained within top of curb, Q25 contained within ROW 					
<ul style="list-style-type: none"> Collector/Local 'B': Q25 contained within top of curb 					
<ul style="list-style-type: none"> Primary/Secondary Arterial: Q25 contained within top of curb & one lane in each direction shall remain passable with a flow depth not to exceed 0.3 ft 					

<ul style="list-style-type: none"> • For drainage area > 100 acres, Q100 contained within top of curb. Use actual curb heights in calculations for existing streets (non-standard curbs, street overlays, etc.) 					
<ul style="list-style-type: none"> • Velocity < 10 fps 					
5. Curb Inlets:					
<ul style="list-style-type: none"> • Opening capacity detailed calculations for Q25 					
<ul style="list-style-type: none"> • HGL/EGL: provide detailed calcs (including junction losses). 					
<ul style="list-style-type: none"> • EGL: below top of curb 					
<ul style="list-style-type: none"> • HGL: below gutter line 					
6. Storm Drain:					
<ul style="list-style-type: none"> • HGL/EGL: provide detailed calcs (show losses). Show on storm drain profiles. 					
<ul style="list-style-type: none"> • EGL: should be below junction box lid/manhole 					
7. Channels: (provide detailed calculations for Ultimate Q & Channel Capacity):					
<ul style="list-style-type: none"> • Contain ultimate Q25 plus freeboard or ultimate Q100, whichever is greater, within drainage easement/ROW & does not flood habitable structures. 					
8. Culvert:					
<ul style="list-style-type: none"> • Runoff should not overtop an existing structure under the roadway for the existing, proposed, and ultimate of the 5, 25, & 100 yr condition OR... 					
<ul style="list-style-type: none"> • A new culvert should be designed for the 25 yr ultimate for drainage areas \leq 100 acres or 100-year for drainage areas greater than 100 acres 					
9. Low Water Crossings (Provide detailed calculations and discuss):					

<ul style="list-style-type: none"> • Low Water Crossing must not be classified as “Dangerous” during regulatory (5, 25, or 100 yr frequency) storm events 				
<ul style="list-style-type: none"> • If the WSE exceeds this criterion the crossing may be improved in lieu of providing onsite mitigation measures or paying a fee-in-lieu of detention. This is to be considered on a case bycase basis and may require a developer agreement. 				
10. Underground Utilities in Floodplain:				
<ul style="list-style-type: none"> • Provide buoyancy and scour calculations for the 5, 25, and 100 yr storm events 				
<ul style="list-style-type: none"> • Show any required concrete capping or encasement in construction plans 				
E. DETENTION				
1. Provide Drainage Area Map(s) (to scale) for <u>Existing</u> and <u>Proposed Conditions</u>:				
<ul style="list-style-type: none"> • Also include ultimate conditions, if applicable (phased construction, basin serving multiple lows, etc.) 				
<ul style="list-style-type: none"> • Include Time of Concentration/Lag time flow paths 				
<ul style="list-style-type: none"> • Modified Rational Method may be used for drainage areas up to 20 acres 				
<ul style="list-style-type: none"> • SCS Method to be used for drainage areas > 20 acres (i.e. HEC-HMS, Pond Pak, Hydraflow, etc.) 				
<ul style="list-style-type: none"> • SCS Method to be used for modeling multiple ponds, regardless of drainage area 				
2. Provide results in tabular format with detailed calculations for allowable/existing, proposed, and ultimate discharges from the structure				
3. Post- development discharges from the pond for the <u>1</u> , 5, 25, and 100 yr must be equal to or less than existing conditions				
4. Provide inflow and outflow hydrographs for <u>1</u> , 5, 25, and 100 yr (proposed, ultimate)				

5. Provide required storage for the <u>1</u> , 5, 25, and 100 yr (proposed, ultimate)					
6. Include stage vs. discharge and stage vs. storage tables					
7. Provide outlet rating curve					
8. Provide Pondpack, Hydraflow Hydrographs, or other applicable calculation files on CD					
9. Verify if pond qualifies as a TCEQ dam. (Reference Chapter 13 for dam requirements)					
10. Verify basin side slopes:					
<ul style="list-style-type: none"> • Maximum 3:1 for earthen berm/side slopes 					
<ul style="list-style-type: none"> • Concrete side slopes/walls may require structural details or geotech analysis depending on slope and height (see concrete channel wall requirements) 					
11. Check hydraulics of outlet structure:					
<ul style="list-style-type: none"> • Verify weir and orifice size(s) and elevation(s) 					
<ul style="list-style-type: none"> • Check effect of tail water elevation on outfall hydraulics 					
<ul style="list-style-type: none"> • Outfall velocity: Max Shear stress as outlined in Section 9.3.8 maximum 6 fps (sandy soils may require a discharge velocity less than 6 fps) 					
<ul style="list-style-type: none"> • Provide energy dissipation if needed (include calculations and construction details) 					
12. Verify design water surface elevations are below the top of pond:					
<ul style="list-style-type: none"> • 100 yr proposed/ultimate or 25 yr proposed/ultimate plus freeboard 					
<ul style="list-style-type: none"> • 100 yr 6 hr duration proposed/ultimate check 					

<ul style="list-style-type: none"> If TCEQ dam, provide auxiliary spillway 					
13. Restrictor plates may be required for ponds with phased development					
14. Provide pond grading on subdivision plat					
15. Provide detention pond construction plans (signed & sealed), including but not limited to:					
<ul style="list-style-type: none"> Pond grading 					
<ul style="list-style-type: none"> Notes for establishing vegetation 					
<ul style="list-style-type: none"> Pond details, including cross-sections with design water surface elevations 					
<ul style="list-style-type: none"> Outfall structure (pipe, weir, etc.) details 					
<ul style="list-style-type: none"> Restrictor plate details, as applicable 					
16. Deferred Detention:					
<ul style="list-style-type: none"> Detailed detention analysis and construction of ponds may be allowed on a case by case basis 					
<ul style="list-style-type: none"> Preliminary detention calculations are still required at platting 					
17. Regional Storm Water Detention Facilities:					
<ul style="list-style-type: none"> Provide 15 ft easement around top of bank and/or 100 yr flood inundation pool for maintenance [and public safety] purposes 					
18. Public Detention Facilities:					
<ul style="list-style-type: none"> Provide access ramps with a maximum slope of 7:1 for access to the flow line of the facility (also recommended for private facilities) 					

19. Provide a signed Maintenance Agreement					
20. Drainage Easements for Detention Ponds:					
<ul style="list-style-type: none"> Show detention pond easements on the plat when the detention is being designed and constructed as part of the plat 					
<ul style="list-style-type: none"> Detention pond easements generally shall not be provided on the plat when detention is deferred 					
21. Detention Pond Conformance Letter:					
<ul style="list-style-type: none"> Submit letter to Public Works TCI after pond is constructed 					
<ul style="list-style-type: none"> Plat recordation, building permit approval, or certificate of occupancy may be withheld until letter is submitted by applicant and accepted by Public Works TCI 					
<ul style="list-style-type: none"> Plat recordation will not be withheld when deferring detention 					
F. <u>2-DIMENSIONAL MODELING</u> OTHER					
<ul style="list-style-type: none"> <u>Is the Model Approved by FEMA</u> 					
<ul style="list-style-type: none"> <u>Is the computer program used for 2D hydraulic modeling approved by FEMA? FEMA has approved the use of 2D software for 1D riverine flood routing (channel flow) and 2D unconfined flood routing. FEMA Region approval is needed for other uses.</u> 					
2. <u>Provide Version of Model used.</u>					
3. <u>If effective model was 1D, does the report clearly establish that the effective methodology was inappropriate for the study reach?</u>					
4. <u>If effective model was 1D, was a duplicate effective model submitted?</u>					
5. <u>Submit all the model layer files used to develop the model input.</u>					

6. <u>Does the model(s) run from the digital medial or with a provided free viewer?</u>					
7. <u>Is the 2D domain development methodology documented and compliant with modeling software recommendations?</u>					
8. <u>Does the 2D domain extend beyond the project area? Development and derivation of the grid/mesh must be clearly documented in the report.</u>					
9. <u>Provide source of the Digital Terrain Model and confirm it covers the entire project area.</u>					
10. <u>Are the time step and grid cell size reasonable for the modeled area? Was a geo-referenced geometry file submitted for the model domain?</u>					
11. <u>Are ineffective flow areas reasonably represented?</u>					
12. <u>Confirm that n-values used in the model reasonable?</u>					
13. <u>Provide a narrative on how the boundary conditions were determined?</u>					
14. <u>Provide documentation in the report that the model conserves volume.</u>					
<u>G. OTHER</u>					

	STAFF USE ONLY				
II. CONSTRUCTION PLANS For Residential Plats or Non-Residential Permits. Refer to Standard Details and Design Guidance Manual	N/A	Included	Complete	Incomplete	Comments
A. STREET PLANS					
1. Signed and sealed Construction Plans					
<ul style="list-style-type: none"> Submit one (1) hard copy and one (1) digital copy with original submittal and resubmittals; 					
<ul style="list-style-type: none"> Once the plans are approved, additional hard copies of the plans may be requested for distribution to the City inspectors. 					
2. Slope to inlet: min = 0.5% ; max = 4%					
<ul style="list-style-type: none"> Positive drainage provided to all inlets, including those located at the low point of (i.e. in the sag of) a vertical curve 					
3. Provide flow arrow for washout crowns					
4. Provide flow arrows and detailed grading at T-intersections, cul-de-sacs, and knuckles as needed to make sure runoff is contained in streets					
B. DRAINAGE PLANS					
1. Signed and sealed Construction Plans					
<ul style="list-style-type: none"> Submit one (1) hard copy and one (1) digital copy with original submittal and resubmittals; 					

<ul style="list-style-type: none"> Once the plans are approved, additional hard copies of the plans may be requested for distribution to the City inspectors. 					
<ul style="list-style-type: none"> 2- Standard notes: 					
<ul style="list-style-type: none"> Improved earthen channels and detention ponds will be vegetated by seeding or siding. Eightyfive percent (85%) of the channel surface area must have established vegetation before the Cityof San Antonio will accept the channel for maintenance 					
<ul style="list-style-type: none"> All concrete lining shall develop a minimum compressive strength of not less than 3,000 psi in 28 days 					
<ul style="list-style-type: none"> For normal conditions, the concrete lining shall be a minimum of five (5) inches thick and reinforced with No. 4 round bars @ 18 inches on center each way or welded wire fabric of 6"x6" – W/D6 x W/D6. Where surcharge, nature of ground, height and steepness of slope, etc.become critical, design shall be in accordance with latest structural standards. All concrete liningshall develop a minimum compressive strength of not less than three thousand (3,000) poundsper square inch in twenty-eight (28) days. The depth of all toe downs shall be 36 inches, 24 inches downstream, and 18 inches for side slopes. The City's Construction Inspector may permit an 18" toe down in rock sub grade in lieu of the above toe down requirements. The horizontal dimensions of toe downs shall not be less than six (6) inches. 					
<ul style="list-style-type: none"> Please provide one (1) of the following standard notes on the general notes sheet of the construction plan set, whichever is applicable: <ul style="list-style-type: none"> The resulting adverse impact analysis, drainage patterns, runoff and volume calculations associated with this phase of development is consistent with the Stormwater Management Plan developed for the Master Development Plan submitted and approved on (Provide MDP Number and Date). The resulting adverse impact analysis, drainage patterns, runoff and volume calculations associated with this phase of development is not consistent with the Stormwater Management Plan developed for the Master Development Plan submitted and approved on (Provide MDP Number and Date). A revised Stormwater Management Plan has been submitted on (Provide date) that reflects these construction plans and is subject to review before these plans will be accepted by the City. 					

<p>2. <u>Interim Conditions and Detention Pond Notes. Use the first note and either the second or third note as applicable.</u></p> <p><u>Contractor shall phase construction and/or provide necessary BMPs to mitigate interim conditions runoff during construction due to clearing, grading, subgrade preparation, paving, buildings, etc., and to prevent adverse impacts to other property, structures, and infrastructure during construction.</u></p> <p><u>Detention pond excavation and/or embankment necessary for providing storage must be substantially complete prior to City inspection of street subgrade, curb, flex base, and pavement within the watershed draining to the detention pond.</u></p> <p><u>Detention pond excavation and/or embankment necessary for providing storage must be substantially complete prior to construction of flex base, pavement, pouring building slabs, or constructing other impervious cover within the watershed draining to the detention pond(s). Contact (Public Works) for a site inspection.</u></p>					
<p>3. Storm Drain:</p>					
<ul style="list-style-type: none"> • Minimum easement required (15ft) or 6 ft from extreme limits of pipe 					
<ul style="list-style-type: none"> • Minimum 2' vertical/horizontal clearance between storm drain pipes and other utilities, or provide concrete encasement 					
<p>4. Junction box:</p>					
<ul style="list-style-type: none"> • Minimum 6 in clearance from O.D. of pipe to inside of junction box wall 					
<ul style="list-style-type: none"> • Invert of junction box to be shaped with concrete fill (2,500 psi min) to ensure drainage to outletpipe 					
<p>C. STANDARD DETAIL SHEETS</p>					
<p>1. Junction Box:</p>					
<ul style="list-style-type: none"> • Check for standard junction box detail 					

<ul style="list-style-type: none"> If proposed span larger than standard, reinforcement and concrete wall thickness calculations and a signed and sealed detail must be provided 					
2. Curb inlets shall be per City standard details. Inlet extensions are acceptable as follows:					
<ul style="list-style-type: none"> Maximum of one (1) extension allowed for inlets on grade 					
<ul style="list-style-type: none"> Inlet extensions are typically not allowed for sump inlets 					
<ul style="list-style-type: none"> If proposing multiple extensions on grade or extensions for sump inlets, additional capacity calculations or non-standard detailed drawings may be required 					
3. Pipe Bedding and Backfill Details (<i>See special detail</i>)					
<ul style="list-style-type: none"> Note on 2nd layer (Rocks not larger than 1 in) 					
4. Provide concrete collars at all tie-ins					
5. Grout should be added to spring line					
6. Weep Holes:					
<ul style="list-style-type: none"> Required in rip rap and on headwalls 5ft and higher 					
<ul style="list-style-type: none"> Place weep holes 6" above the toe at 10 ft o.c. 					
<ul style="list-style-type: none"> Geo-fabric is to be placed behind the riprap to hold the gravel (1 cubic foot per weep hole) 					
D. UTILITY LAYOUT					
1. Lateral tie-ins from properties to public storm drain systems					
<ul style="list-style-type: none"> Laterals < 24 in may be approved on a case by case basis 					

2. Utilities in the Floodplain:					
• Check if any proposed underground utility lines are in floodplain					
• Buoyancy and scour calculations may be required					
• Concrete capping or encasement may be required					
E. GRADING PLAN					
1. Grading Plan:					
• Lots grading properly according to FHA Lot Grading Type (A, B, C)					
• Driveway Detail, reference to critical Type "C" lots					
• Check T-intersections, cul-de-sacs, and knuckles to make sure runoff is contained in streets					
• Interceptor channels are required when:					
○ Offsite drainage area flowing onto site is greater than 3 acres, or					
○ Offsite drainage area flowing onto site is greater than 2 average residential lot depths					
<u>2. Include Interim Conditions and Detention Pond Notes from Section II.B.2 if applicable.</u>					
F. OTHER					

					STAFF USE ONLY	
III. PLAT	N/A	Included	Complete	Incomplete	Comments	
A. GENERAL						
1. Provide one (1) hard copy and one (1) digital copy of the Subdivision Plat						
2. Existing Contours						
3. Finished/proposed Contours:						
<ul style="list-style-type: none"> Street only if no significant site grading 						
<ul style="list-style-type: none"> Provide detention pond contours on plat, unless detention is deferred 						
3. Label & dimension all drainage easements						
<ul style="list-style-type: none"> Private easements: <100 acre drainage area and/or not conveying runoff from public ROW or facilities, except for some side-lot flume 						
<ul style="list-style-type: none"> Public easements: ≥100 acre drainage area or conveying runoff from public ROW or facilities; and/or containing FEMA floodplain 						
<ul style="list-style-type: none"> Side-lot flumes: 10 ft access required for public easements; minimum 2 ft either side of channel for private easements 						
4. Verify continuation of Streets & Channels						
5. Delineate DFIRM 100 Yr Floodplain						

<ul style="list-style-type: none"> Provide drainage easement to include the worst case of the FEMA 100 yr and the lesser of the Ultimate 100 yr or the Ultimate 25 yr plus freeboard floodplain or a combination thereof 					
<p>6. Easement Requirements: NOTE: Temporary easement to expire upon incorporation into platted public street ROW.</p>					
<ul style="list-style-type: none"> Easements will be required for all detention facilities accepting runoff from properties other than the lot on which the detention pond exists or will be constructed. When detention is deferred, in lieu of providing an easement on the plat, Public Works may require that a note be placed on the plat specifying which lot(s) will provide detention for other lots. Public Works may require that an easement be established by separate instrument at building permit. 					
<ul style="list-style-type: none"> For regional detention facilities the easement shall extend to a minimum of fifteen feet outside both the 100 yr pool and the structural improvements to facilitate maintenance as well as public safety. 					
<p>7. Notes: NOTE: No structures, fences, walls, or other obstructions that impede drainage shall be placed within the limits of the drainage easements shown on this plat. No landscaping or other type of modifications, which alter the cross sections of the drainage easements, as approved, shall be allowed without the approval of the Director of TCI. The City of San Antonio and Bexar County shall have the right of ingress and egress over grantor's adjacent property to remove any impeding obstructions placed within the limits of said drainage easement and to make any modifications or improvements within said drainage easements.</p>					
<ul style="list-style-type: none"> Include MDP Consistency Note from Section II.B.1 if applicable. 					
<ul style="list-style-type: none"> Include Interim Conditions and Detention Pond Notes from Section II.B.2 if applicable. 					
<p>B. NOTES</p>					
<p>1. Common Area Maintenance Note: <u>The maintenance of all private streets, open space, greenbelts, parks, tree save areas, including Lot, Block, CB or NCB , drainage easements and easements of any other nature within this subdivision shall be the responsibility of the Property Owners, or the Property Owners'</u></p>					

<u>Association, or its successors or assigns and not the responsibility of the City of San Antonio or Bexar County.</u>					
<u>San Antonio (Public Works) and Bexar County Floodplain Notes. Use Note #2 and choose one of notes 3 - 5) if the property contains floodplain. Use note #6 if the property does not contain floodplain. Minor variations may be approved by Public Works or Bexar County.</u>					
<u>2. Easements for Floodplains</u> <u>35-F124(C)</u> <u>The drainage easements were delineated to contain the lesser of the boundaries of the 1% annual chance (100-year) flood zone established by the Federal Emergency Management Agency (FEMA) in accordance with DFIRM Panel, dated; or the 1% annual chance (100-year) ultimate development condition water surface elevation; or the 4% annual chance (25-year) ultimate development floodplain plus freeboard. Construction, improvements, or structures within the drainage easements and floodplain are prohibited without prior written approval from the Floodplain Administrator of the City of San Antonio or Bexar County.</u>					
<u>3. LOMRs with FEMA Approval</u> <u>35-F132</u> <u>The 1% annual chance (100-Year) floodplain limits shown on this plat were delineated based upon a Letter of Map Revision (LOMR) Study prepared by and approved by FEMA on (CaseNo.). Floodplain information is subject to change as a result of future FEMA Map revisions and/or amendments.</u>					
<u>4. CLOMRs with FEMA Approval</u> <u>35-F132</u> <u>The 1% annual chance (100-year) floodplain limits shown on this plat were delineated based upon a Conditional Letter of Map Revision (CLOMR) Study prepared by and approved by FEMA on (Case No.). Floodplain information is subject to change as a result of future FEMA Map revisions and/or amendments.</u>					

<p><u>5. CLOMRs Pending FEMA Approval</u></p> <p><u>Lots thru, Block, CB or NCB, lie within the FEMA 1% annual chance (100-year) floodplain as depicted on the FEMA Flood Insurance Rate Map of Bexar County, Texas, DFIRM panel numbers 48029c and 48029c, dated. A FEMA CLOMR floodplain study has been prepared by and was approved by the city of San Antonio and/or Bexar County. The floodplain study (FEMA Case No.) is pending approval by FEMA. Floodplain information is subject to change as a result of future FEMA Map revisions and/or amendments.</u></p>					
<p><u>6. Floodplain Verification</u></p> <p><u>No portion of the FEMA 1% annual chance (100-year) floodplain exists within this plat as verified by FEMA Map Panel: 48029C, effective [date]. Floodplain information is subject to change as a result of future FEMA Map revisions and/or amendments.</u></p>					
<p><u>Additional Floodplain and Storm Water Notes 7 - 15 to be used with the Floodplain Notes above if applicable:</u></p>					
<p><u>7. County Finished Floor Elevation- Relative to Floodplain</u></p> <p><u>F-142(a) & (b)1</u></p> <p><u>Finished floor elevations for structures on lots containing floodplain or adjacent to the floodplain shall be in compliance with the floodplain regulation in effect at time of construction. Contact Bexar County Public Works for more information.</u></p>					
<p><u>8. Residential Finished Floor</u></p> <p><u>Appendix H. 15.2 and Appendix H. Appendix A.1.III.A.8</u></p> <p><u>Residential finished floor elevations must be a minimum of eight (8) inches above final adjacent grade. (This note is required on all residential and OCL plats)</u></p>					
<p><u>9. Residential Finished Floor Elevation – City Only. Required for lots containing, adjacent to, or abutting floodplain.</u></p> <p><u>F125(a)(2) & F142(a)(1)</u></p>					

<p><u>Residential structures are not allowed within the City of San Antonio ultimate development floodplain. Finished floor elevations for residential structures shall be no less than one foot above the base flood elevation of the regulatory floodplain (City of San Antonio ultimate development floodplain). The lowest adjacent grade shall be at or above the base flood elevation. Pre-construction elevation certificates may be required prior to permit approval, and post construction elevation certificates may be required prior to occupancy of residential buildings, as determined by the Floodplain Administrator of the City of San Antonio.</u></p>					
<p><u>10. Non-Residential Finished Floor Elevation – City Only. Required for lots containing, adjacent to, or abutting floodplain.</u></p> <p><u>F124(f)(17) & F142(b)</u></p> <p><u>Finished floor elevations for non-residential structures shall be no less than one foot above the base flood elevation of the regulatory floodplain (City of San Antonio ultimate development floodplain). The lowest adjacent grade shall be at or above the base flood elevation. Flood-proofing may be allowed if elevating the structure is not feasible, if approved by the Floodplain Administrator of the City of San Antonio.</u></p>					
<p><u>11. Detention for previously recorded plat.</u></p>					
<p><u>Storm water detention is required for this property and is accounted for in an offsite detention pond located in Lot, Block, CB or NCB, Subdivision Unit, recorded in Volume, Page (Plat #).</u></p>					
<p><u>12. Drainage Easement Encroachments</u></p> <p><u>Appendix H. Appendix A.1.III.A.7</u></p> <p><u>No structure, fences, walls or other obstructions that impede drainage shall be placed within the limits of the drainage easements shown on this plat. No landscaping or other type of modifications, which alter the cross-sections of the drainage easements, as approved, shall be allowed without the approval of the Director of Public Works. The City of San Antonio and Bexar County shall have the right of ingress and egress over the grantor's adjacent property to remove any impeding obstructions placed within the limits of said drainage easement and to make any modifications or improvements within said drainage easements.</u></p>					

<p>13. Public Works Detention & Maintenance</p> <p><u>Appendix H. 4.7.1</u></p> <p><u>Storm water detention is required for property within the boundary of this plat. Building permits shall be issued only in conjunction with necessary storm water detention approved by the City of San Antonio Floodplain Administrator. The property may be eligible to post a fee in lieu of detention (FILO) if offsite drainage conditions allow but only when approved by the City of San Antonio Floodplain Administrator. Maintenance of on-site storm water detention shall be the sole responsibility of the property owners and/or the property owners' association and its successors or assigns and is not the responsibility of the City of San Antonio or Bexar County.</u></p>					
<p>14. LID - Voluntary</p> <p><u>35-210(b)(4)F</u></p> <p><u>The property owner has elected to provide low impact development (LID) and/or natural channel design (NCD) on Lot(s), Block, NCB. Building permits for this property shall be issued only in conjunction with necessary LID/NCD plans approved by the City of San Antonio. The property may be eligible for credit and offset incentives and/or fee incentives when approved by the City of San Antonio. If the property owner elects not to provide LID and/or NCDP, the incentives will not be granted and the property shall conform to all applicable development standards of the City Code Chapter 35, the Unified Development Code.</u></p>					
<p>15. LID – Mandatory Areas</p> <p><u>35-673(c)(8)</u></p> <p><u>Low impact development (LID) and/or natural channel design (NCD) is required on lot(s), block, NCB. Building permits for this property shall be issued only in conjunction with necessary LID/NCD plans approved by the City of San Antonio. The property may be eligible for credit and offset incentives and/or fee incentives when approved by the City of San Antonio.</u></p>					
<p>16.-6. NOTE: Temporary easement to expire upon incorporation into platted public street ROW.</p>					
<p>8. NOTE: Finish floor elevations must be a minimum of (8) inches above final adjacent grade (for residential lots only).</p>					

<p>9. NOTE: Minimum finished floor elevations for residential and commercial lots shall be elevated at least one (1) foot higher than the computed water surface elevation for the 100 year ultimate development.</p>					
<p>10. NOTE: The maintenance of the detention pond and outlet structure shall be the responsibility of the lot owners or home owners association their successors or assignees and not the responsibility of the City of San Antonio and or Bexar County.</p>					
<p>11. To expedite the review of elevation certificates, indicate the specific minimum finish floor elevation for all lots adjacent to FEMA floodplains.</p>					
<p>12. Deferred Detention: Areas within the City Limits.</p>					
<p>• Provide NOTE: Storm water detention is required for this property. Building permits for this property shall be issued only in conjunction with necessary storm water detention approved by the City of San Antonio. The property may be eligible to post a fee in lieu of onsite detention (FILO) if offsite drainage conditions allow but only when approved by the City of San Antonio. Maintenance of onsite storm water detention shall be the sole responsibility of the lot owners and/or property owners association and their successors or assignees.</p>					
<p>• Provide preliminary calculations of estimated detention basin size.</p>					
<p>C. B. OTHER</p>					

					STAFF USE ONLY	
<u>IV. FLOODPLAIN SUBMITTAL</u>	N/A	Included	Complete	Incomplete	Comments	
A. COSA FLOODPLAIN STUDY						
1. Provide one (1) hard copy and one (1) digital copy of signed and sealed floodplain study.						
2. Narrative:						
<ul style="list-style-type: none"> <u>Cover Page, Table of Contents, and Executive Summary</u> 						
<ul style="list-style-type: none"> <u>Introduction that includes project description and history, location, scope and objective of analysis, previous and related studies that may affect this analysis (other LOMC's in area)</u> 						
<ul style="list-style-type: none"> <u>Identification and specific location of any increases in water surface elevations, velocities, or changes in the floodplain. Include discussion of how these changes meet Code and are being mitigated.</u> 						
<ul style="list-style-type: none"> <u>Section on the topographic data, survey, and rainfall data utilized for the study.</u> 						
<ul style="list-style-type: none"> <u>Section on the methodology used and any hydrologic or hydraulic parameters changed and justification.</u> 						
<ul style="list-style-type: none"> <u>Summary, conclusions, and recommendations (if applicable). Include the impact on the flows, water surface elevations, & velocities.</u> 						
<ul style="list-style-type: none"> <u>Comparison tables between pre-project and post-project/proposed conditions. For new or changes to hydrology, include a Flow Summary Table including the HMS junction name (if applicable) and cross section flows are being applied in the hydraulic model. For hydraulic result tables,</u> 						

<p><u>include water surface elevations, velocities and include the Ultimate Development (UD) condition.</u></p>						
<p>• Table of Contents and abstract or executive summary</p>						
<p>• Introduction that includes project description and history, location, scope and objective of analysis, previous and related studies that may affect this analysis</p>						
<p>• Summary, conclusions, and recommendations. Include the impact on the floodplain's Q, WSEL & velocity.</p>						
<p>3. Provide analysis of the following:</p>						
<p>• 25 yr existing and ultimate development plus required freeboard condition hydrologic and hydraulic analyses</p>						
<p>• 100 yr existing and ultimate development condition hydrologic and hydraulic analyses</p>						
<p>4. Vicinity/<u>Location</u> map</p>						
<p>• <u>Submit a 1-page location map with latest aerial background that includes a box around the development, the location of any major project features, such as new ponds, bridges, culvert crossings, etc. Include political boundaries including city limits and the San Antonio ETJ. Include major stream names and road names in the area, labeled. The map should include a title, north arrow, scale, and legend.</u></p>						
<p>5. Overall Aerial Drainage Area Map(s) (signed and sealed):</p>						
<p>• Show Time of Concentration (Tc) pathways</p>						
<p>• Show individual and overall drainage areas. Indicate area of each watershed</p>						
<p>• Show computation points and points of discharge</p>						
<p>• <u>Submit Soils and Land use Maps that include color-coded land use with</u></p>						

<p><u>corresponding impervious cover percentage for both pre-project and proposed/post-project conditions. Include additional copies for the Ultimate Development condition.</u></p>						
<p>6. Topographic Work Map(s) (signed and sealed):</p>						
<ul style="list-style-type: none"> <u>Scale the work map to be able to read individual 1' contours clearly. It may be necessary to submit multiple sheets, depending on the size of the revision.</u> 						
<ul style="list-style-type: none"> <u>Pre-project (Existing conditions) work map; showing existing contours, plan view of project limits, effective/existing cross sections, effective floodplain limits, property lines, limits of study/tie-in locations, etc.</u> 						
<ul style="list-style-type: none"> <u>Post-project (proposed or as-built conditions) work map; showing existing contours, plan view of project limits, effective/existing cross sections, effective floodplain limits, property lines, limits of study/tie-in locations, etc.</u> 						
<ul style="list-style-type: none"> <u>Include legend, scale, north arrow, vertical datum, source and date of survey and topographic data.</u> 						
<ul style="list-style-type: none"> Existing conditions work map; showing existing contours, plan view of project limits, effective/existing cross sections, effective floodplain limits, property lines, etc. 						
<ul style="list-style-type: none"> Proposed conditions work map; showing the existing and proposed contours where necessary, proposed cross sections, project limits, property lines, revised floodplain limits with drainage easements, etc. 						
<p>7. Grading Plan <u>(existing and proposed/as built 1' contours) signed and sealed, see Section II.E.</u> (existing and finished contours) signed and sealed</p>						
<ul style="list-style-type: none"> <u>Include location of proposed velocity-control and bank armoring/reinforcement features</u> 						
<p>8. Channel Cross Sections (existing superimposed on proposed) show the drainage easement, Manning's coefficients, property lines, structures, etc.)</p>						

9. Plotted water surface profiles for the ultimate flows (if applicable)					
10. Easement for Floodplain					
<ul style="list-style-type: none"> Provide drainage easement to include the worst case of the FEMA Effective 100-yr (1% annual chance) and the greater lesser of the Regulatory Ultimate 100 yr or the Regulatory Ultimate 25yr plus freeboard floodplain or a combination thereof 					
<ul style="list-style-type: none"> Drainage easements that include FEMA effective floodplain shall be noted as public easementson plats and other easement documents 					
11. Provide detailed Hydrology calculations , see checklist Section I.B.					
<u>12. Modeling software cross-section plots & profiles</u>					
<ul style="list-style-type: none"> <u>Output plots showing cross section and profile plots with water surface elevation lines</u> 					
13. <u>Output table (or tables) of the hydrologic & hydraulic model(s)</u> Provide a summary table (or tables) of the hydraulic model					
<u>14. 42. Channel outfalls perpendicular to the floodplain:</u>					
<ul style="list-style-type: none"> Channel outfall must <u>meet the requirements in Section 9.3.17 – Channel Junctions.</u> be taken to the invert of the floodplain or show the velocity to be less than 6 fps going down the side slope. 					
<ul style="list-style-type: none"> 36 in toe-down required. 					
<ul style="list-style-type: none"> Floodplain development permit is required if within the city limits 					
<u>15. Describe if the FIS flow change locations are preserved if there is an effective FEMA model?</u>					
<u>16. Digital shapefile (projected in State Plane South Central) data of all HEC-HMS, HEC-RAS, XP-SWMM, and/or other models used in analyses.</u>					

<p>17. 14. CD of all HEC-HMS, HEC-RAS, XP-SWMM, and/or other models used in analyses Digital copies may be uploaded directly to BuildSA.</p>					
<p>18. 15. Is this development over the Edwards Aquifer Recharge Zone?</p>					
<p>19. 16. Flood plain Development Permit Application (1 copy)</p>					
<p>20. 17. Elevation Certificates (if applicable)</p>					
<p>21. 18. Unflooded vehicular access must be available to the development from a public street.</p>					
<p>22. 19. If site is in ETJ, Bexar County is the Floodplain administrator</p>					
<ul style="list-style-type: none"> • COSA Floodplain Development Permit is not required 					
<ul style="list-style-type: none"> • Coordinate necessary forms and submittal requirements with the County 					
<ul style="list-style-type: none"> • Bexar County signs the FEMA forms 					
<ul style="list-style-type: none"> • Verify drainage easement for ultimate conditions 					
<p>23. 20. Contour Data:</p>					
<ul style="list-style-type: none"> • If using agency provided 2 ft aerial contours or 1 ft Lidar contours, field verification is required 					
<ul style="list-style-type: none"> • Onsite survey preferred, provide survey 					
<p>24. 21. Floodplain Reclamation:</p>					
<ul style="list-style-type: none"> • Account for storage volume lost (with comparable excavation within the same creek floodplain)when reclamation of ineffective flow OR shallow flooding (overbank) areas is proposed 					
<ul style="list-style-type: none"> • If more than 320 acres drain to site, improvements to site may require an 					

administrativeexception					
25. 22.Master Development Plans (MDP):					
<ul style="list-style-type: none"> Provide hydraulic analysis of floodplains that are adjacent to this MDP or if no hydraulic study is being done provide the following note on the MDP with signatures of the Owner and Engineer: "The Floodplain limits on this Master Development Plan are estimated and subject to change. Approval of subdivision plats associated with this Master Development Plan is subject to the review and approval of a Storm Water Management Plan in accordance with the City of San Antonio Unified Development Code." 					
<ul style="list-style-type: none"> Note that MDP's are conceptual in nature and ONLY conditional approvals shall be given. One condition is that at the time of platting, more detailed downstream analysis will be provided by the engineer. 					
<ul style="list-style-type: none"> <u>If the SWMP Report requires updating during submittal for plat or construction plan review, the adverse impact conditions in 4.3.1(C) shall be validated for the area being modified. The updated report must comply with the current Floodplain management requirements as adopted in UDC Section 35-F100.</u> 					
B. FEMA CLOMR / LOMR					
1. Provide the applicable items listed in the COSA Floodplain Study above. <u>Initiate the study on the San Antonio River Authority (SARA), D2MR website</u>					
<ul style="list-style-type: none"> <u>d2mr.sara-tx.org</u> 					
<ul style="list-style-type: none"> <u>Register/login, select stream, click "Create Study"</u> 					
<ul style="list-style-type: none"> <u>For all hydrology and hydraulic modeling please refer to SARA's San Antonio River Basin Modeling Standards (SARB)</u> 					
2. MT-2 Form 1, Sec D:					
<ul style="list-style-type: none"> Provide Owners and Engineer's original signature 					
3. MT-2 Form 2, Sec A:					

<ul style="list-style-type: none"> • Provide an attached explanation if sediment transport is not considered 					
4. MT-2 Form 2, Sec B.4:					
<ul style="list-style-type: none"> • Model names in this section must match the models listed in the CD 					
5. Detailed Map Revision Study:					
<ul style="list-style-type: none"> • Include 10, 50, 100, 100-year regulatory and 500 year analyses 					
6. If applicable, provide As-Built Grading Plan with engineer's seal and signature.					
Provide an exhibit detailing areas of excavation and fill with supporting volume calculations to provide proof in support of the compensatory storage requirement					
7. Recommend providing Check-RAS output					
8. Provide models for effective, corrected effective, proposed, and ultimate (future) conditions					
9. Provide an Annotated FIRM					
<ul style="list-style-type: none"> • see MT-2 Instructions for requirements 					
10. 9. Provide existing and proposed FEMA DFIRM Maps with the following:					
<ul style="list-style-type: none"> • Existing – Label Map “Effective” and show the site boundaries 					
<ul style="list-style-type: none"> • Proposed – Label Map “Revised/ Proposed”, show site boundaries, show only the proposed floodplain limits, floodplain must tie in with the existing floodplain upstream and downstream, show the proposed streets centerline only and label, show the upstream and downstream limits of study 					
11. 10. Verify that Environmental Site Assessment (ESA) has been submitted (COSA will not review)					

12. <u>Digital model data of all HEC-HMS, HEC-RAS, XP-SWMM, and/or other models used in analyses.</u> Submit digital data to the Floodplain Manager/LOMC reviewer.					
C. OTHER					

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SECTION 3. In order to effectuate the implementation of Chapter 35 (UDC) amendment 19-1, related to Section 35-399.07 and the creation of the West Side Creeks Water Quality protection Area , City Council directs the Development Services Department to initiate a Large Area Rezoning so that any approved regulations may be applied as appropriate under city code provisions.

SECTION 4. In order to effectuate the implementation of Chapter 35 (UDC) amendment 13-1, related to Section 35-339.06 and the expansion of the Mission Protection Overlay District, City Council directs the Development Services Department to initiate a Large Area Rezoning so that any approved regulations may be applied as appropriate under city code provisions.

SECTION 5. The language of Section 35-111 of Chapter 35 (UDC amendment) which states “The update program shall occur every five years beginning in 2010 in years ending with -0 and -5” is hereby waived for the 2025 amendment cycle. The next Chapter 35 (UDC) amendment update cycle shall take place in the year 2027, with amendments taking effect January 2028 unless otherwise authorized by the city council.

SECTION 6. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

SECTION 7. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 8. Notice of these changes to the Unified Development Code shall require the publication in an official newspaper of general circulation in accordance with Chapter 35, Article IV, Division 1, Table 403-1.

SECTION 9. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 10. This ordinance shall become effective January 1, 2023. Plats for which an Application for Plat Identification number was submitted in accordance with Chapter 35 (Unified Development Code) Section 35-431 on or after January 1, 2023 shall comply with the newly adopted regulations related to transportation and street design. Plats for which an Application for Plat Identification number was approved or issued in accordance with Chapter 35 (Unified Development Code) Section 35-431 prior to January 1, 2023 shall follow the Chapter 35 (Unified Development Code) transportation and street design provisions in effect prior to this ordinance.

PASSED AND APPROVED this [date] day of [month year].

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

