



UDC Amendment Request Application for Internal Parties ***(City of San Antonio Departments)***

Part 1. Applicant Information

Name: Catherine Hernandez on behalf of BOA Organization (if applicable): Development Services
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Signature: _____ Date: _____
(Include title if representing a governmental agency or public/private organization)

Part 2. Basis for Update (check only one)

- ☐ Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- ☐ Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- ☐ Completed Rule Interpretation Determination (RID)
- ☒ Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)
- ☐ City of San Antonio Staff Amendment

Part 3. Reason(s) for Update (check all that apply)

- ☐ Modify procedures and standards for workability and administrative efficiency
- ☐ Eliminate unnecessary development costs
- ☐ Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- ☒ See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)

Update section to allow accessory structures less than 300 sq. ft in size instead of less than 200 sq ft in size to be exempt from buffer regulations; commercial/office zone property that abuts an industrial zoned property are not required to have a landscape buffyard as long as the industrial property has already installed a bufferyard per Table 35-510-1; and BOA may reduce or eliminate the depth or composition of any required bufferyard upon findings of fact that support the request for the variance Replace Major/Minor Arterial to Type X/X in Table 510-1 and add a note pertaining to adjoining street classification (12), (13), and (14) for when the adjoining street has an easement(s) that preclude provision of required buffer planting, a 5 ft strip for planting outside and abutting the outmost extent of these easements be provided in lieu of required bufferyard width

Section 35-11(a) of the UDC requires that all requests for amendments include a Cost Impact Statement. The Cost Impact Statement should be justified with substantiating information, such as cost estimates or studies.

By how much?

C. ☐ Will decrease the cost of construction and/or development.

The amendment provides the Board of Adjustment more flexibility in determining whether a variance should or should not be approved.

[illegible]

UDC 2021 Proposed Amendment

Amendment 9-1**Applicant: Development Services on behalf of Boards of Adjustments****Amendment Title – ‘Sec. 35-510 - Buffers.’****Amendment Language:**

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.

- (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 buffer yard 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:

- A. A bufferyard exists on an abutting property, and the net bufferyard satisfies the minimum bufferyard requirements of this section; or
- B. The adjoining property owners have provided a written agreement restricting the use of an established or proposed use triggering the bufferyard requirement to the uses provided for in the current zoning district. Should the property that was subject to the bufferyard requirement be rezoned after the date of the written agreement, the adjoining property owner's written agreement shall be null and void and the applicable bufferyard shall be required.
- C. The required bufferyard area may be reduced in width up to twenty (20) percent where a natural area is provided in accordance with Table 510-2 (Type N).

- (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.

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-33** | 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 | L, I-1*** | I-2*** | Primary Major Arterial | Secondary Minor Arterial | Collector |
| (1) RP | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| (2) RE, R-20, NP-15, NP-10, NP-8 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| (3) R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| (4) MF-18, MF-25, MF-33 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | F | A | N/A | N/A |
| (5) MF-40, MF-50, MF-65 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 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- | C | C* | B | N/A | N/A | A | N/A | N/A | N/A | E | E | B | A | A |

| | | | | | | | | | | | | | | |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 1, C-2, C-2P | | | | | | | | | | | | | | |
| (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 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 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: ;hg;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.
