



UDC Update Request Application

Part 1. Applicant Information

Name: Catherine Hernandez Organization (if applicable): Development Services
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Phone: 2102075085 Email: catherine.hernandez@sanantonio.gov
Signature: _____ Digitally signed by Michael Shannon Date: 10/20/2021
(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)

This amendment clarifies that accessory dwelling units, like the primary dwelling, may be built over a common property line. Further, this amendment updates the section to include new residential zoning districts created after the last UDC cycle (R-1, R-2) as well as the RM and MF districts.

Part 5. Cost Impact Statement

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.

The requested change to the UDC (please check appropriate box):

By how much?

(Indicate either a dollar amount or percentage above or below current construction and/or development costs)

A. ☒ Will not impact the cost of construction and/or development.

B. ☐ Will increase the cost of construction and/or development. _____

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

Part 6. Cost Impact Narrative and Back-Up Information

Please fully quantify the Cost Impact Statement that was provided in Part 5. Attach all relevant data and associated costs that you wish to have considered as well as a narrative explaining how the Cost Impact Statement was developed. If you need additional space, please attach additional sheets.

Be sure to:

- Consider and indicate initial and long-term maintenance costs;
- Consider city cost (i.e. personnel costs and costs to enforce);
- Indicate and be able to rationalize the baseline (current costs) and the cost projections associated with your request.

There is no direct cost increase. This amendment is to provide clarity and remove barriers to the development of accessory dwelling units built across common property lines.

UDC 2021 Proposed Amendment

Amendment 5-27

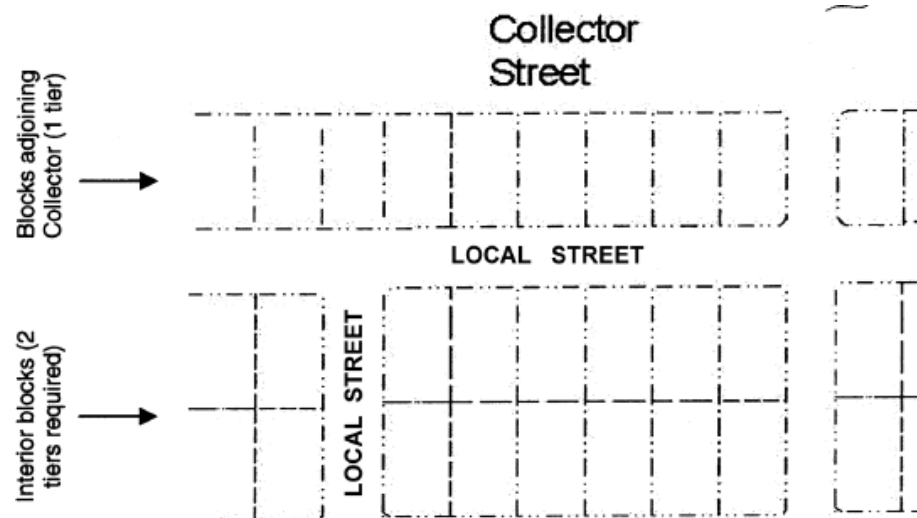
Applicant: Development Services

Amendment Title – ‘Sec. 35-515. - Lot Layout Regulations.’

Amendment Language:

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 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:

1. All of the subject lots shall be under ownership of a single person, partnership, corporation of other recognized legal entity.
2. The building, addition, or accessory structure to be constructed is for single-family use and no other use.
3. The lots must be platted unless the property is located in the original 36-square mile area of San Antonio, and the boundaries of the lots were recorded in the Deed and Property Records of Bexar County prior to June 14, 1927. It shall be the obligation of the applicant to provide documentation of the lots' platting or recording prior to June 14, 1927.
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 department of planning and development services that the above five (5) conditions have been met. In addition if the subject property is in a historic district and/or neighborhood conservation district the director of planning and development services must make a finding of compliance and compatibility with the provisions of the applicable historic and/or neighborhood conservation district prior to issuance of a building permit.
