

City of San Antonio



MINUTES

Planning Commission

Development and Business Services
Center
1901 South Alamo

Monday, February 28, 2022

12:30 PM

1901 South Alamo

****Planning Commission Technical Advisory Committee****

The Planning Commission Technical Advisory Committee (PCTAC) is a subcommittee that advises the Planning Commission on matters as requested by the Commission. Members of the PCTAC are appointed by the Planning Commission.

To watch and listen to this meeting, visit www.sanantonio.gov/DSD/Boards/MeetingVideos. To listen to audio only, call 210 206 LIVE (5483).

Public Comment

Members of the public may provide comment on any agenda item, consistent with procedural rules governing the Planning Commission Technical Advisory Committee meetings and state law. Public comment may also be provided as follows:

1. Submit written comments by email to udcamendments@sanantonio.gov or drop off written comments at 1901 S Alamo by 8am the day of the meeting. Please include your full name, home or work address, item # and/or address of the request. Written comments will be part of the official written record only.

2. Leave a voice message of a maximum of two minutes by dialing 210206(PLNG)7564. Your message will be played during the meeting. Please include your full name, home or work address and agenda item number.

*Note: Written comments, voicemails, and request to make comments during the live meeting must be received by Monday (February 28, 2022) at 8am to give time for translation.

12:30 PM Call to order

Roll Call:

Present: George Peck, Julia Carrillo Haynes, Michael Garcia, Robert Sipes, Maria Cruz, Allison Cohen, Susan Wright, Ashley Farrimond, Cara Tackett, Bob Liesman, Ryan Plagens, Michael Taylor, Robert Hanley, Christopher Fullerton, Robert Tapia, Erik Estrada, Phillip Manna, Deborah Reid, Jesse Vasquez, Bianca Maldonado, Joe Nix, Michael Moore

Absent: Seth Teel, Ken Brown, Jody Sherrill, Alex Ramirez

City Staff: Melissa Ramirez, Logan Sparrow, Monique Mercado, Lauren Chavez, Valerie Huerta-Rodriguez, Riley Boesiger, Susan Guinn, Joseph Harney, Catherine Hernandez, Daniel Hazlett, Stephan Stokinger, Christina De La Cruz, Rachel Holder

Public Comment – 1 voice mail was received.

Steve Versteeg, spoke in support of amendment 4-1.

Monique Mercado, Principal Planner, Development Services Department, read the following written comments that were received into the record:

Amendment 18-6, neutral

Amendment 23-1, support

Amendment 18-7, support

Amendment 4-1, applicant providing 2 written comments explaining his amendments.

She stated these public comments were provide to TAC Committee Members.

Old Business

- 1 Approval of minutes from the February 22, 2022 meeting.

MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Tapia to approve as presented.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

New Business

- 2 Discussion and possible action on UDC amendment item 18-7, affecting section 35-398 (b): Renewable Energy Systems. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Doug Melnick, Office of Sustainability, stated the proposed amendment is regarding renewable energy systems. He stated the goal is to bring it in line with the best practices. He stated the current language focuses on solar farms. This amendment would include rooftop solar rays and solar canopies. He stated some of the other proposed changes were to incorporate language in item number 6, "Discontinuation" section of this amendment.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to table to the end of the agenda for further clarification.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 3 Discussion and possible action on UDC amendment item 5-28, affecting section 35-403 (d): Notice Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services Department, stated this proposed amendment is to incorporate "NR", which is a noise restrictive district into the matrix.

MOTION

A motion was made by Committee Member Wright and seconded by Committee Member Maldonado to approve as presented.

Amendment 5-28

Applicant: Development Services

Amendment Title – 'Sec. 35-403. - Notice Provisions.'

Amendment Language:

(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.

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

- iii. Request of the property owner for imposition of "NA", "[NR](#)" or "R" suffix for "C-2" or "C-3" districts.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 4 Discussion and possible action on UDC amendment item 22-22, affecting section 35-421(d): Zoning Amendments. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Micah Diaz, Planning and Community Development, stated this item is updating references to the sub area plans, sector plans and general plan types.

MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Maldonado to approve as presented.

Amendment 22-22
Applicant: Planning Department
Amendment Title – "Sec. 35-421. – Zoning Amendments."
Amendment Language:

(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 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 ~~existing~~ 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.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 5 Discussion and possible action on UDC amendment item 4-1, affecting section 35-421(h): Withdrawal of Zoning Applications. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Logan Sparrow, Policy Administrator, this amendment was submitted by an outside applicant, Steve Versteeg. Unfortunately, he was unable to attend but did submit a voice mail comment that was played at the beginning of the meeting.

Committee Member Fullerton arrived at 1:12 pm

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Wright to approve as amended.

Amendment 4-1

Applicant: Stephen Versteeg

Amendment Title – '35-421 Withdrawal of Zoning Application

Amendment Language:

35-421 (h) Subsequent Applications.

(1)

Applicability. The provisions of this subsection shall not apply to any application for a rezoning which is initiated by the city council.

(2)

Withdrawal of Zoning Application.

A. Withdrawal without time penalty. An applicant may withdraw a zoning application up to the time that it is called forward and the city staff begins presentation of the application during a duly advertised public ~~Commission at City Council~~ meeting without a time penalty on resubmission of another rezoning application for the property whether by the original applicant or a new applicant.

B. Withdrawal with time penalty. An applicant may withdraw a zoning application after it has been called forward for discussion and staff has begun presentation ~~to Planning Commission, Zoning Commission or City Council~~ however such withdrawal shall be penalized by imposing an automatic six-month time period following the date of withdrawal before the same or another application for the same property can be submitted for processing.

C. Waiver of time penalty in subsection B. above for resubmission. At the time of withdrawal of an application for rezoning the zoning commission may consider a request by the applicant to bring the application or a modification of the application back prior to the expiration of six (6) months subject to all notifications and postings of the case being observed. If the zoning commission fails to approve such resubmission prior to continuing with the next agenda item the six-month submission limitation shall stand. ~~This waiver applies to only the same applicant who withdrew the application. The time penalty still applies to other applicants.~~

D. Request of relief of time penalty. If new relevant and substantial written evidence which could not have been secured at the time set for the original hearing shall be produced by applicant, under a sworn affidavit to that effect, then in that event, the zoning commission may elect to hear and consider such application prior to the expiration of the time penalty.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 6 Discussion and possible action on UDC amendment item 5-17, affecting section 35-431 (h): Application for Plat Identification Number/Letters of Certification. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Daniel Hazlett, Development Service Department, stated this amendment is simply to remove the 9-month requirement on Letters of Certifications.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Reid to approve as presented.

Amendment 5-17

Applicant: Development Services

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

Amendment Language:

(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.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 7 Discussion and possible action on UDC amendment item 27-43, affecting section 35-432(i): Procedures for Subdivision Plat Approval. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Sabrina Santiago, Flood Plain Manager, Public Works, stated this proposed amendment is to add clarification and codify references to IB 553, Detention Pond Conformance Requirements. This policy has been in place however it is now being incorporated into the code.

MOTION

A motion was made by Committee Member Reid and seconded by Committee Member Tackett to approve as presented.

Amendment 27-43
Applicant: Public Works

Amendment Title -- 'Sec. 35-432 -- Procedures for Subdivision Plat Approval.'
Amendment Language:

- (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.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 8 Discussion and possible action on UDC amendment item 5-47, affecting section 35-440(a): Replatting Without Vacation Preceding Plat. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Logan Sparrow, Policy Administrator, stated this amendment is adding to the code proposed by RID 2019-004. He stated in 2019 the legislative session, House Bill 3314 established new laws in the notification process of citizens for residential replats. This amendment is to update the code to align the state law mandate.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Manna to table to the end of the agenda.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 9 Discussion and possible action on UDC amendment item 5-21, affecting section 35-441(b): Amending Plats. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Logan Sparrow, Policy Administrator, stated there is currently a section of the code that states if an amending plat is seeking to modify, add or delete an easement except for a no build easement, limited circulation shall not apply. He stated this proposed amendment is to provide more flexibility.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Tapia to approve as presented.

Committee Member Tackett amended motion to delete “planning and” and was seconded by Committee Member Tapia

Amendment 5-21

Applicant: Development Services

Amendment Title – ‘Sec. 35-441. - Amending Plats.’

Amendment Language:

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.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 10 Discussion and possible action on UDC amendment item 5-46, affecting section 35-481(a): Appeals to Board of Adjustment. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Catherine Hernandez, Development Services Department, stated this amendment is because of a RID (Rule Interpretation Decision). She stated would just codify the language.

MOTION

Amendment 546
Applicant: Development Services

Amendment Title – Sec. 34-31.1 – Appeals to Board of Adjustment.”

Amendment Language:

(i) Applicability.

(1) Generally. Pursuant to Section 211.02 of the Texas Local Government Code, there hereinafter establishes separate tiers of appeal to the Board of Adjustment:

(A) Tier One Appeal. A Tier One appeal is an appeal of a decision by an administrative officer 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 an appeal. A Tier One appeal may be filed 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 interested by the decision and is the owner of land 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.

Enacted pursuant to Subsection (2)(i), any of the following persons may appeal the board of adjustment or the board of adjustment may be an administrative officer:

—A person aggrieved by the decision; or

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

(1) Initiation.

(i) Application. As each appeal shall be made begin by filing with the director of planning and development services and with the board of adjustment the time provided by this chapter and notice of appeal specifying the decision to be appealed, the grounds for appeal, 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 fee and recording fees in Subsection 2(2)(i) below, the director of planning and development services shall transmit the record to board of adjustment all of the original documents and materials, or true copies thereof, constituting the record upon which the several decision appeared from which based

(2) Review for Appeal Tier and Standing. Upon receipt of a complete appeal, submitter, the director of development services shall make an initial determination as to the appropriate tier of the appeal as defined in Subsection (2)(i) above. Upon determination of the appropriate tier, the director of development services shall make a determination as to whether the applicant has standing to bring the appeal.

(3) Automatic Stay for Tier Two Appeals. An appeal from a decision made by the director of planning and development services to the board of adjustment for a Tier Two appeal shall stay all proceedings unless the director or board development services certifies that, by reason of the facts stated in the certificate, a stay in this matter would cause removal of the case from the public. When such a certificate is filed, proceedings shall not be stayed by a restraining order granted by the court.

(4) Time Limit to Appeal. The board of adjustment shall not or reasonable time for the appeal beginning and shall give public notice of the hearing and shall relate to the time for the appeal to the zoning board of adjustment or the board of adjustment. the time for the appeal shall be determined by an administrative officer in the enforcement of this chapter shall be made within the 15 days after the date the decision is made or the date of the decision by the board of adjustment 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 officer in the enforcement of this chapter shall be made by file a notice of appeal with the director of adjustment or the board of adjustment no later than the 20th day after the decision was made.

(5) Time Limit for Board of Adjustment to make an Appeal Decision. The board of adjustment that hears and decides an appeal to which the applicant has standing at the time and manner in which public notice can be provided, in no case shall any such hearing or decision occur later than 30 days after the date the appeal is filed. Public notice shall be given and 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 shall be made within 15 days after the date the decision is made or the date of the decision by the board of adjustment or planning and development services by an administrative officer in the enforcement of this chapter shall be made not later than the twentieth (20th) day after such notice, 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.

(6) 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 Local Government Code §211.006(b), the board may review an appeal, in whole or in part, or modify the administrative officer’s requirement, decision or determination from which an appeal is taken and make the correct requirement, decision or determination. The board may also suspend the board’s review authority as the administrative officer. Pursuant to Texas Local Government Code §211.006(b), the occurring of events outside the board’s control may require the board to suspend necessary to review again or reconsider decision, decision or determination of an administrative officer.

(2) Time Limit for Decision. The board shall decide the appeal at the next meeting for which public notice is accordance with the Texas Local Government Code and this Chapter can be provided that the filing of a complete appeal and the decision shall not be later than 30 days after the date the appeal is filed and within a reasonable time.

MOTION CARRIED

- Logan Sparrow, Policy Administrator, stated language has been corrected.

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to approve as amended.

[illegible]

MOTION CARRIED

- 8

Historic and Design Review. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Cory Edwards, Office of Historic Preservation, stated Historic currently has two places where they have provisions in the code, Article 4 and Article 6. He stated Article 6 is simply the applicable standards and guidelines and Article 4 is procedures. This amendment is to consolidate the both articles.

MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Tapia to approve as presented.

20-8

Amendment 20-8

Applicant: Office of Historic Preservation

Amendment Title – 'Article IV, Division 5. – Historic and Design Review'

Amendment Language:

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.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 13 Discussion and possible action on UDC amendment item 21-3, affecting section 35-501: General Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

David McDaniel, Solid Waste, stated the City Solid Waste Department provides collection services to single family homes in the city. He stated this amendment is simply to add chapter 14 to the code.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Estrada to approve as presented.

Amendment 21-3

Applicant: Solid Waste

Amendment Title – 'Sec. 35-501 – General Provisions.'

Amendment Language:

ARTICLE V. DEVELOPMENT STANDARDS

DIVISION 1. - GENERAL PROVISIONS

Sec. 35-501. - General Provisions.

(a) Applicability. The provisions of this chapter shall apply to any application for development approval, except as otherwise provided.

Sec. 35-504. – Solid Waste. 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. Reserved.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 14 Discussion and possible action on UDC amendment item 28-2, affecting section 35-501(g): General Provisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Logan Sparrow, Policy Administrator, this amendment is a Disability Access Office item however they are not available to present. He stated this amendment replaces 2012 Texas Accessibility Standards and adds a new section for public right of way and moves the multi family housing portion to sub section 3.

MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Tapia to approve as presented.

Amendment 28-2
Applicant: DEI Disability Access Office

Amendment Title: 'Sec.35-501 – General Provisions'
Amendment Language:

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 <http://www.tdlr.texas.gov/ab/abtas.html>.

(2) **Public Rights-of-Way.** As established by the Texas Administrative Code, RULE §68.102 Public Right-of-Way Projects. For public right-of-way projects, 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 (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/fhe/hag.html>. See also HUD Fair Housing Assistance Providers Web site: <http://www.hud.gov/fairhsg1.html>.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 15 Discussion and possible action on UDC amendment item 5-10, affecting section 35-502(b): TIA and Roughly Proportionate Determination Study. (Logan Sparrow, Policy Administrator, 210- 207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Rachel Holder, Development Services Department, stated the purpose of this amendment is to clarify when circulation studies are required. She stated the intent is for school renovations that do not change the number of students or staff to not require circulation study if there are no on-site operations are adjusted.

1st MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Reid to approve as presented.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

Committee Member Maldonado requested this item be reopened for reconsideration.

2nd MOTION

A motion was made by Committee Member Hanley and was seconded by Committee Member Maldonado to rescind the previous motion.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

FINAL MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Hanley to approve as presented.

Amendment 5-10

Applicant: Development Services

Amendment Title – ‘Sec. 35-502. – Traffic Impact Analysis and Roughly Proportionate Determination Study.’

Amendment Language:

(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.~~

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.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 16 Discussion and possible action on UDC amendment item 5-52, affecting section 35-502: TIA and Roughly Proportionate Determination Study. (Logan Sparrow, Policy Administrator, 210-207- 8691, UDCamendments@sanantonio.gov, Development Services Department).

Christina De La Cruz, Development Services Department, stated the proposed amendment is a result of RID 2020-004 that was adopted in May 2020. She stated is simply to add the language into the code.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to approve as amended.

Amendment 5-52
Applicant: Development Services
Amendment Title – ‘Sec. 35-502-Traffic Impact Analysis and Roughly Proportionate Determination Study.’
Amendment Language:
(e) Roadway Classification, Turn Lanes, and New Traffic Signal Construction.

(2) Turn Lane Requirements at Site Access Locations.

D. Where a right or left-turn lane at a driveway or street ~~that~~ 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 as 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.

Table 506-4C. Minimum Turn Lane Lengths per the TxDOT Roadway Design Manual (20 MPH Speed Differential)

Posted Speed (MPH)	Minimum Left-Turn Lane Length Including Taper (Feet)	Minimum Right-Turn Lane Length Including Taper (Feet)	Taper (Feet)
	(Feet)	(Feet)	
30	175	105	50
35	210	140	50
40	225	150	50
45	245	165	100
50	275	200	100
55	445	325	100

(7) Spacing and Location on Major Thoroughfares. This subsection applies to driveway approach spacing and location along or adjacent to major thoroughfares
D. Driveways shall not be located within two hundred and forty-five feet (245') of frontage road-to-arterial and arterial-to-arterial intersections or one hundred and twenty-five feet (125') feet for all other intersections measured from the curb return of the intersecting street along the centerline perpendicular to the right-of-way of the intersecting street and cannot be located within the limits of the right-turn acceleration or deceleration lanes. Along either side of any corner commercial or industrial property

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

17 Discussion and possible action on UDC amendment item 18-6, affecting section 35-506: Transportation and Street Design. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Doug Melnick, Office of Sustainability, stated this section had a few items that were recommendations when developing that it is consistent with the climate plan.

MOTION

A motion was made by Committee Member Manna and seconded by Committee Member Maldonado to approve as presented.

Amendment 18-6
Applicant: Office of Sustainability
Amendment Title – ‘Sec. 35-506 – Transportation and Street Design.’
Amendment Language:
• Urban Design, Policy 5B: Consider the use of alternative surface materials to increase durability, as well as increasing reflectivity as a means to reduce urban heat island (UHI) effects.
• Urban Design, Policy 5C: Consider the use of low-carbon materials, as these materials are less carbon-intensive than conventional concrete materials, and can be identified by evaluating Environmental Product Declarations (EPDs) or low-carbon materials.
(8) Street Lights
Streetlights shall be provided in all subdivisions within the city. Streetlights are not required in the RTZ. However, if provided 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 with houses, business, or service areas as determined by CPS Energy. Streetlight fixtures shall be dark-sky compliant and conform with standards set by the Illuminating Engineering Society (IES).
(9) 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 505-5 shall be used for pavement design. Electrically generated or incorporated areas shall be appropriate, and soil pavement should be examined or concrete with a water reflectivity of at least 25% are encouraged for residential streets to mitigate urban heat island (UHI) impacts. Low carbon materials are also encouraged and can be identified by evaluating concrete Environmental Product Declarations (EPDs).

(10) Sidewalk Standards.

(1) Applicability.

• Low carbon concrete is encouraged and can be identified by evaluating material Environmental Product Declarations (EPDs).

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 18 Discussion and possible action on UDC amendment item 18-7, affecting section 35-398 (b): Renewable Energy Systems. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Doug Melnick, Office of Sustainability, stated Development Services did confirm that solar farms are not permitted in residential districts. He stated with regards to roof top solar or solar carports, they are allowed by the state by right.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to table this item pending definitions from CPS (City Public Service).

A verbal vote was taken, and all voted in affirmed.

For the record, Chair Peck stated Committee Member Wright stepped out and did not vote on this item.

MOTION CARRIED

- 19 Discussion and possible action on UDC amendment item 24-3, affecting section 35-506(c): Roadway Cross Section and Classification Revisions. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Jacob Floyd, Transportation Planning Manager, stated this item is proposed to consolidate multiple related sections of the code pertaining to roadway design criteria into a single table.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Hanley to forward this amendment along with Item 18, UDC amendment item 24-1, affecting section 35-506(d)(4) to the TAC Sub Committee for further review and be brought back for consideration. Sub Committee would consist of the following Committee Members:

Chair George Peck, Robert Hanley, Joe Nix, Robert Tapia and Bianca Maldonado

A verbal vote was taken, and all voted in affirmed.

For the record, Chair Peck stated Committee Member Wright was back in the meeting and present to vote on this item.

MOTION CARRIED

Committee Member Carrillo Haynes ask to consider Amendment 18-7 next.

- 20 Discussion and possible action on UDC amendment item 18-7, affecting section 35-398 (b): Renewable Energy Systems. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

MOTION

A motion was made by Committee Member Carrillo Hayes and seconded by Committee Member Tackett to continue this amendment to March 8th to allow CPS (City Public Service) more time to provide definitions and clarification for solar rays, solar canopy and solar farms.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 21 Discussion and possible action on UDC amendment item 11-1, affecting section 35-506(c): Transportation and Street Design. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Logan Sparrow, Policy Administrator, stated this amendment conflicts with the amendment that was just heard and forwarded to the Sub Committee.

MOTION

A motion was made by Committee Member Tackett and seconded by Committee Member Maldonado to tabled to the Sub Committee and when review it, it be incorporated into the other two amendments that have been sent to the Sub Committee so that they may be seen wholistically.

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 22 Discussion and possible action on UDC amendment item 24-1, affecting section 35-506(d)(4): Bicycle Facilities. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

This item was motioned to be forwarded to TAC Sub Committee as mentioned above in the motion in Item 19.

- 23 Discussion and possible action on UDC amendment item 23-1, affecting section 35-506(d): Transportation and Street Design. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Rachel Smith, Neighborhood Housing Department, stated the amendment is being brought on behalf of the Housing Commission. The proposed amendment is to add affordable housing developments by at least 50% affordable units to the exception for substandard existing streets. She stated the reason behind this amendment is to ease cost burden on affordable housing developments.

1st MOTION

A motion was made by Committee Member Maldonado and seconded by Committee Member Garcia to table this until the amendment for the definition of affordable housing is considered.

AYES: Garcia, Sipe, Cruz, Fullerton, Estrada, Maldonado

NAYS: Peck, Carrillo Haynes, Cohen, Wright, Farrimond, Tackett, Liesman, Plagens, Taylor, Hanley, Tapia, Manna, Reid, Vasquez

MOTION FAILED

2nd MOTION

A motion was made by Committee Member Hanley and seconded by Committee Member Wright to approve as presented.

Amendment 23-1

Applicant:

Amendment Title – 'Sec. 35-506. – Transportation and Street Design.'

Amendment Language:

(d)Cross-Section and Construction Standards.

(9) Substandard Existing Streets.

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.](#)

AYES: Peck, Carrillo Haynes, Cohen, Wright, Farrimond, Tackett, Liesman, Plagens, Taylor, Hanley, Tapia, Manna

NAYS: Garcia, Sipe, Cruz, Fullerton, Estrada, Maldonado

ABSTAIN: Reid, Vasquez

MOTION CARRIED

- 24 Discussion and possible action on UDC amendment item 5-45, affecting section 35-506(d): Transportation and Street Design. (Logan Sparrow, Policy Administrator, 210-207-8691, UDCamendments@sanantonio.gov, Development Services Department).

Logan Sparrow, Policy Administrator, stated this amendment is to incorporate recommended modifications to the code put forward thru RID 2016-002 (Rule Interpretation Decision) with regards to paper streets.

MOTION

A motion was made by Committee Member Reid and seconded by Committee Member Cohen to approve as amended.

Amendment 5-45

Applicant: Development Services

Amendment Title --'35-506. --Transportation and Street Design.'

Amendment Language:

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

(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, 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 and in either case it is proposing to use the paper street for access.](#)

A verbal vote was taken, and all voted in affirmed.

MOTION CARRIED

- 25 Directors Report: Update on UDC Amendment Process.

Logan Sparrow, Policy Administrator, went over the upcoming amendments.

26 **ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:53 pm

APPROVED

George Peck, Chairman

ATTEST:

Logan Sparrow, Executive Secretary