



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

### ***Part 1. Applicant Information***

Name: Sabrina Santiago Organization (if applicable): City of San Antonio-PWD  
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Phone: 210-207-0182 Email: sabrina.santiago@sanantonio.gov  
Signature: Razi Hosseini Digitally signed by Razi Hosseini  
(Include title if representing a governmental agency or public/private organization) Date: 2022.02.01 09:21:52 -06'00' Date: \_\_\_\_\_

### ***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)***

Appendix F, Section 35-F-126 proposed amendments for Substantial Improvement/Substantial Damage (SI/SD) are required to be in line with the federal government, FEMA's, minimum standards. The language proposed in this section came directly from FEMA's SI/SD manual (Dated May 2010). Now that CoSA will be in FEMA's Community Rating System (CRS) it is important that our floodplain ordinance is at least meeting FEMA's minimum standards.  
This is imperative to keep our CRS rating as a community to provide flood insurance discounts to our residents.

## 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.**

Section 35-F126 will not impact the cost of construction or development nor to the City. PWD Floodplain Management is and has been keeping track of all properties and structures that are currently in the FEMA floodplain that propose improvements to said structures which we/FEMA call the 50% rule.

The current code provisions did not go into detail as to what constitutes a substantial improvement. These amendments will provide clear guidance to the general public and development community as well as providing PWD staff clear language when referencing this section of the UDC.

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## *UDC 2021 Proposed Amendment*

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**Amendment 27-34****Applicant: Public Works****Amendment Title** – ‘Sec. 35-F126. – Substantial Improvement/Substantial Damage (SI/SD) Determination.’**Amendment Language:**

- (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 a cumulative 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>
<u>2020</u>	<u>0 year</u>	<u>\$ 100,000</u>	<u>\$ 10,000</u>	<u>10%</u>	<u>10%</u>
<u>2023</u>	<u>3 years</u>	<u>\$ 110,000</u>	<u>\$ 33,000</u>	<u>30%</u>	<u>40%</u>
<u>2026</u>	<u>6 years</u>	<u>\$ 120,000</u>	<u>\$ 8,000</u>	<u>6.7%</u>	<u>46.7%</u>
<u>2029*</u>	<u>9 years</u>	<u>\$ 130,000</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>
<b><u>2020</u></b>	<u>N/A</u>	<u>\$ 100,000</u>	<u>\$ 10,000</u>	<u>10%</u>	<u>10%</u>
<b><u>2023</u></b>	<u>0 years</u>	<u>\$ 110,000</u>	<u>\$ 33,000</u>	<u>30%</u>	<u>40%</u>
<b><u>2026</u></b>	<u>3 years</u>	<u>\$ 120,000</u>	<u>\$ 8,000</u>	<u>6.7%</u>	<u>46.7%</u>
<b><u>2032**</u></b>	<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-F1267—35-F130. - Reserved.

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