



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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Signature: Razi Hosseini Digitally signed by Razi Hosseini
(Include title if representing a governmental agency or public/private organization) Date: 2022.02.01 09:22:42 -06'00'

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-135 proposed amendments provides guidance for Capital Improvement Projects (CIP) where a variance will be required.
The current code was written more towards platting and permitting where a variance might be required. It did not
provide clear guidance for CIP projects. This amendment will provide that guidance in the event that a CIP project will need to process a variance.

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-F135 is only providing guidance on the rare occasion a federally funded CIP project need to process a variance.

UDC 2021 Proposed Amendment

Amendment 27-37**Applicant: Public Works****Amendment Title – ‘Sec. 35-F135. – Variance Procedures.’****Amendment Language:**

- (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. 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.
