



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

Part 1. Applicant Information

Name: Veronica Soto Organization (if applicable): NHSD/Housing Commission
Address: 100 W Houston St
Phone: 210-207-6620 Email: veronica.soto@sanantonio.gov
Signature: Verónica R. Soto Digitally signed by Verónica R. Soto
(Include title if representing a governmental agency or public/private organization) Date: 1/26/2022
Date: 2022.01.31 14:23:34 -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)

The amendment proposes to update table 523-1A and 35-523 B(7) by removing the language that
exclude trees in the right of way from counting toward the tree canopy for projects. The proposed changes preserves more trees for projects
and adds more shade to sidewalks around projects. Actual text is attached.

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.

\$600

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.*

The proposed changes would decrease the initial costs of construction by \$600 per lot.

UDC 2021 Proposed Amendment

Amendment 23-5

Applicant: Neighborhood & Housing Services Department/ Housing Commission

Amendment Title – ‘Sec. 35-523. – Tree Preservation.’

Amendment Language:

- (f) **Minimum Tree Preservation Requirements.** To comply with the minimum final tree canopy cover requirements of subsection (e) an applicant shall elect either to perform a tree survey to identify trees for preservation in accordance with the provisions of this subsection below or to conduct a tree stand delineation as an alternative to the tree survey technique.

(2) **Tree Survey Methodology.**

- A. **Standards.** Table 523-1A establishes the minimum percentage of all diameter inches of significant or heritage trees or tree stand delineation canopy area that must be preserved or mitigated. In environmentally sensitive areas, the minimum percentage shall include the understory of the preserved trees. For all development projects, applicants may elect to preserve trees at the MDP, platting or permitting stage; if an applicant elects to preserve trees at the MDP or platting stage, this method must be used throughout completion of the project.

Table 523-1A

Significant Trees	Single-Family Dwellings	Multi-family and Nonresidential Uses
6" DBH or greater	35% within each platted lot, excluding street right-of-way and easements . Plus each builder on a single-family dwelling lot shall also be required to plant two (2) one and one-half (1.5) inch caliper new trees, which trees shall generally be native, large canopy trees.	40% within the entire site excluding the street rights-of-way and easements; or for athletic fields, 25% of the entire site to be developed as such.
Significant Trees under 6" DBH	35% within each platted lot, excluding the street right-of-way and easements or 35% of the number of total count of all such trees.	40% within the entire site, excluding street rights-of-way, and easements; or 40% of the number of total count of all such trees; or for athletic fields, 25% of the entire site to be developed as such.
Heritage Trees	100% within each platted lot	100% within the entire site.
100-year floodplain(s)	80% of all the trees within the floodplain, which shall not apply toward preservation requirements on the remainder of the lot.	80% of the trees within the floodplain, which shall not apply toward preservation requirements on the remainder of the site.
Environmentally Sensitive Areas	80% of all the trees within the environmentally sensitive area including	80% of all the trees within the environmentally sensitive area

	easements and rights-of-way. Such areas shall apply toward preservation on the remainder of the site.	including easements and rights-of-way. Such areas shall apply toward preservation of the remainder of the site.
Mitigation Maximum	Up to 80% of significant and heritage trees may be mitigated rather than preserved.	Up to 80% of significant and heritage trees may be mitigated rather than preserved.

- (3) **Tree Stand Delineation Alternative.** Mitigation trees will be as set forth in the standards of table 523-2 using the shade value in Appendix E.

- A. **Standards.** As an alternative to a tree survey, a tree stand delineation may be used to meet the preservation requirements (see submittal requirements section 35-B125). In order to utilize this provision the site must have area(s) of tree canopy; however, the presence of understory is not required except in environmentally sensitive areas where the minimum percentage shall include the understory of the preserved trees. The application of this provision will be based on the total tree canopy of a site or project outside the 100-year floodplain and environmentally sensitive areas, with no exclusions for rights-of-way or easements. A tree stand delineation shall meet the following standards:

Table 523-1B

	Minimum Preservation Requirements	Other Requirements
Total tree canopy cover on site outside of the regulatory floodplain	35% of total non-heritage tree canopy with subdivision, building permit or other permit after the master development plan stage or 30% of total non-heritage tree canopy with master development plan.	Tree save areas must be designated as such when the area is platted. Tree canopy area(s) to be preserved as tree save area(s) must include tree canopy in environmentally sensitive areas if such are present on site.
Heritage trees	Heritage trees shall be preserved at 100% using the tree stand delineation method only.	
Environmentally sensitive areas within the project boundaries	80% of the total canopy area and 100% of the heritage trees.	Tree save areas in environmentally sensitive areas shall count toward preservation on the remainder of the site.
Regulatory floodplain	80% of the total canopy area and 100% of the heritage trees.	The trees or tree canopy in the floodplain may not be used to meet preservation requirements set forth above for the developable portion of the land.
Mitigation Maximum	Up to 80% of the total tree canopy area and up to 80% of the heritage trees may be mitigated rather than preserved.	A minimum of 20% of the existing pre-development tree canopy and 20% of the heritage trees shall be preserved and may not be mitigated.

- (4) **Subsequent Removal.** Removal of the tree save area or any portion thereof will require the applicant to reforest to the required preservation or tree canopy cover amount. Mitigation trees will be as set forth in the standards of table 523-2 using the shade value in Appendix E.
- (5) **Mitigation.** Protected trees that are required to be preserved are to be mitigated at the ratio described in Table 523-2.
- (6) **Diversity and Desirability.** As the particular site conditions warrant, the applicant shall make a reasonable effort to preserve a diversity of species of trees as determined by the city arborist.
- (7) **Site Design.** The location of all proposed buildings and improvements shall be oriented by the applicant, to the extent the applicant determines possible, in a manner which allows for preserving of the greatest number of trees and in doing so the applicant is encouraged to design by taking into consideration the site's limitations and assets. ~~Trees located within the existing right-of-way shall not be counted as it pertains to the minimum preservation percentage when using the tree survey methodology.~~ Applicants are encouraged to preserve trees to meet the landscape and streetscape standards which could reduce or eliminate the irrigation requirements.

UDC 2021 Proposed Amendment

*****Recommended Denial by PCTAC on March 14, 2022*****

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