



## *UDC Update Request Application*

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

Name: Catherine Hernandez Organization (if applicable): Development Services

Address: 1901 South Alamo Street

Phone: (210) 207-5085 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)**

Amend Section 35-514 to add that an 8' fence may be permitted if a side/rear residential lot line abuts a railroad ROW.  
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\_\_\_\_\_  
\_\_\_\_\_

**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.**

This amendment is not a requirement for property owners. This amendment will not impact the cost of construction/development.

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*UDC 2021 Proposed Amendment*

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**Amendment 5-22**

**Applicant:** Development Services

**Amendment Title** – ‘Sec. 35-514.- Fences.’

**Amendment Language:**

**(c) Height Limitation.**

(2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:

A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or

B. The fence is erected along a side or rear lot line which abuts an alley, [railroad ROW](#), or a street with a classification other than a local street; or

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*UDC 2021 Proposed Amendment*

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**\*\*\*Recommended Approval by PCTAC on March 8, 2022\*\*\***

**Amendment 5-22**

**Applicant:** Development Services

**Amendment Title** – ‘Sec. 35-514.- Fences.’

**Amendment Language:**

**(c) Height Limitation.**

(2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:

A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or

B. The fence is erected along a side or rear lot line which abuts an alley, [railroad ROW](#), or a street with a classification other than a local street; or

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Phone: (210) 2017-5085 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)**

Amend Section 35-399.01 to remove "One Operator Beauty Shops and Barber Shops" from Authorized Special Exceptions.  
Update Section 35-378 to prohibit "barber and beauty shops with more than one salon station at any one time."  
The Board of Adjustment has not denied any special exception requests for a one operator beauty of barbershop.

**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.

\$400.00

**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.

This amendment will remove the requirement for a special exception for a one operator barber or beauty shop.

The removal of the special exception will nullify the standard \$400.00 filing fee for the special exception.

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## *UDC 2021 Proposed Amendment*

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**Amendment 5-23****Applicant:** Development Services**Amendment Title** – ‘Sec. 35-378. - Home Occupations.’**Amendment Language:**(b) **Prohibited Uses.** The following uses are prohibited as home occupations:

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- (2) ~~Barber and beauty shops with more than one salon station at any one time. Barber and beauty shops; however, both beauty shops and barber shops are permitted as a specific use permit.~~

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**Amendment Title** – ‘DIVISION 8. - AUTHORIZED SPECIAL EXCEPTIONS’**Amendment Language:**

A special exception may be granted for the following uses subject to the conditions specified. The granting of any special exception may be revoked if the conditions specified for each special exception are not maintained at all times.

Sec. 35-399.01. – ~~RESERVED One Operator Beauty Shops and Barber Shops.~~

~~Beauty shops and barber shops may be permitted in all residential zones established by this chapter subject to the following limitations, conditions and restrictions:~~

- ~~(a) A site plan shall be submitted indicating the size and location of all structures on the property. In addition, photographs of the structure in which the beauty shop or barber shop is to be located shall be submitted.~~
- ~~(b) The residential architectural appearance of the structure shall not be changed to that of commercial, although a separate entry for the beauty shop or barber shop shall be permitted.~~
- ~~(c) Signs advertising the beauty shop or barber shop are not permitted, but a name plate not exceeding one (1) square foot is permitted when attached flat to the main structure.~~
- ~~(d) The beauty shop or barber shop shall be located within the main structure on the lot and shall not utilize more than twenty five (25) percent of the gross floor area of the first floor. In the case of a beauty shop in a duplex, the twenty five (25) percent gross floor area shall be calculated on one (1) living unit of the duplex. In the case of a beauty shop in an apartment unit the board of adjustment shall determine the area to be used for said operation.~~
- ~~(e) The beauty shop or barber shop shall be limited to a one (1) operator shop.~~
- ~~(f) No person not residing on the premises may be employed in the operation of the beauty shop or barber shop.~~
- ~~(g) Hours of operation shall be regulated by the board of adjustment and shall be specified in the minutes of the case.~~
- ~~(h) That such use will not be contrary to the public interest.~~
- ~~(i) Granting of the permit for a beauty shop or barber shop in conjunction with a residential use is to be for a definite period of time not to exceed four (4) years and only after notice and hearings as provided in this chapter for appeals to the board of adjustment. Applications for subsequent permits must be submitted prior to the expiration of the previous permit.~~

~~(Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2010-11-18-0985, § 2, 11-18-10)~~

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## *UDC 2021 Proposed Amendment*

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**\*\*\*Recommended Approval by PCTAC on February 22, 2022\*\*\***

### **Amendment 5-23**

**Applicant:** Development Services

**Amendment Title** – ‘Sec. 35-378. - Home Occupations.’

#### **Amendment Language:**

(b) **Prohibited Uses.** The following uses are prohibited as home occupations:

\*\*\*\*\*

- (2) ~~Barber and beauty shops with more than one salon station at any one time. Barber and beauty shops; however, both beauty shops and barber shops are permitted as a specific use permit.~~

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**Amendment Title** – ‘DIVISION 8. - AUTHORIZED SPECIAL EXCEPTIONS’

#### **Amendment Language:**

A special exception may be granted for the following uses subject to the conditions specified. The granting of any special exception may be revoked if the conditions specified for each special exception are not maintained at all times.

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- ~~(g) Hours of operation shall be regulated by the board of adjustment and shall be specified in the minutes of the case.~~
- ~~(h) That such use will not be contrary to the public interest.~~
- ~~(i) Granting of the permit for a beauty shop or barber shop in conjunction with a residential use is to be for a definite period of time not to exceed four (4) years and only after notice and hearings as provided in this chapter for appeals to the board of adjustment. Applications for subsequent permits must be submitted prior to the expiration of the previous permit.~~

~~(Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2010-11-18-0985, § 2, 11-18-10)~~



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## *UDC 2021 Proposed Amendment*

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**Amendment 5-46****Applicant:** Development Services**Amendment Title** – ‘Sec. 35-481. -Appeals to Board of Adjustment.’**Amendment Language:****(a) Applicability.**

(1) **Generally.** Pursuant to Section 211.010 of the Texas Local Government Code, there are hereby established two separate tiers of appeals to the Board of Adjustment.

(A) Tier One Appeal. A Tier One appeal is an appeal of a decision by an administrative official 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 any project. A Tier One appeal may be filed by 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 aggrieved by the decision and is the owner of real property 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.

~~Except as provided by subsection (2), any of the following persons may appeal to the board of adjustment a decision made by an administrative official:~~

~~• A person aggrieved by the decision; or~~

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

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**(b) Initiation.**

(1) **Application.** ~~An~~ ~~Such~~ appeal shall be ~~made taken~~ by filing with the director of ~~planning and~~ development services and ~~with~~ the board of adjustment, ~~within the time provided by this chapter,~~ a notice of appeal specifying the particular grounds upon which the appeal is ~~made taken~~ and the payment of the fee specified in Appendix "C." The appeal must be filed no later than the 20<sup>th</sup> day after the date the decision is made. Upon receipt of a notice of appeal and after the appeal tier and standing review in Subsection (2) below, the director of ~~planning and~~ development services shall transmit to the board of adjustment all of the original documents and materials, or true copies thereof, constituting the record upon which the ~~order or~~ decision appealed from was based.

- (2) Review for Appeal Tier and Standing. Upon receipt of a complete appeal submittal, the director of development services shall make an initial determination as to the appropriate tier of the appeal as defined in Subsection (1) above. Upon determination of the appropriate tier, the director of development services shall also make a determination as to whether the appellant has standing to bring the appeal filed.
- (3) (2)Automatic Stay for Tier Two Appeals. An appeal from ~~an a decision order~~ of the director of ~~planning and~~ development services to the board of adjustment for a Tier Two appeal shall stay all proceedings unless the director of planning and development services certifies that, by reason of the facts stated in the certificate, a stay in his opinion would cause imminent peril to life or property. When such a certificate is filed, proceedings shall not be stayed except by a restraining order granted by the board of adjustment or a court of proper jurisdiction.
- ~~(3) Time Limit for Appeal. The board of adjustment shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. Appeals to the zoning board of adjustment from any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter shall be made within thirty (30) days after such order, requirement, decision or determination by filing with the director of the department 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 official in the enforcement of this chapter shall be made by filing a notice of appeal with the director of the department of development services and with the board of adjustment no later than the twentieth (20th) day after the decision was made.
- (5) Time Limit for Board of Adjustment to make an Appeal Decision. The board of adjustment shall hear and decide any appeal for which the appellant has standing at the next meeting for which public notice can be provided. In no case shall any such hearing or decision occur later than the 60th day after the date the appeal is filed. Public notice of the hearing and due 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 from any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter shall be made not later than the twentieth (20th) day after such order, 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.

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## (d) Decision.

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- (2) **Hearing.** The board of adjustment shall consider the appeal at a quasi-judicial public hearing pursuant to section 35-404. Pursuant to ~~Texas V.T.C.A.~~ Local Government Code § 211.009(b), the board may reverse or affirm, in whole or in part, or modify the administrative official's ~~order, requirement, decision, or determination~~ from which an appeal is taken and make the correct ~~order, requirement, decision, or determination~~, and for that purpose the board has the same authority as the administrative official. Pursuant to ~~Texas V.T.C.A.~~ Local Government Code § 211.009(b), the concurring vote of seventy-five (75) percent of the members of the board is necessary to reverse ~~a an o order, requirement, decision, or determination~~ of an administrative official.
- (3) **Time Limit for Decision.** The board shall decide the appeal at the next meeting for which public notice in accordance with the Texas Local Government Code and this Chapter can be provided after the filing of a complete appeal, but such decision shall not be later than the 60th day after the date the appeal is filed. ~~within a reasonable time.~~

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## *UDC 2021 Proposed Amendment*

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**\*\*\*Revised and Recommended Approval by PCTAC on February 28, 2022\*\*\***

### Amendment 5-46

**Applicant:** Development Services

**Amendment Title** – ‘Sec. 35-481. -Appeals to Board of Adjustment.’

### Amendment Language:

#### (a) Applicability.

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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 aggrieved by the decision and is the owner of real property 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.

~~Except as provided by subsection (2), any of the following persons may appeal to the board of adjustment a decision made by an administrative official:~~

- ~~• A person aggrieved by the decision; or~~
- ~~• Any officer, department, board, or bureau of the city affected by the decision.~~

\*\*\*\*\*

#### (b) Initiation.

- (1) **Application.** An ~~Such~~ appeal shall be ~~made taken~~ by filing with the director of ~~planning and~~ development services and ~~with~~ the board of adjustment, ~~within the time provided by this chapter,~~ a notice of appeal specifying the particular grounds upon which the appeal is ~~made taken~~ 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 tier and standing review in Subsection (2) below, the director of ~~planning and~~ development services shall transmit to the board of adjustment all of the original documents and materials, or true copies thereof, constituting the record upon which the ~~order of~~ decision appealed from was based.

(2) Review for Appeal Tier and Standing. Upon receipt of a complete appeal submittal, the director of development services shall make an initial determination as to the appropriate tier of the appeal as defined in Subsection (1) above. Upon determination of the appropriate tier, the director of development services shall also make a determination as to whether the appellant has standing to bring the appeal filed.

(3) Automatic Stay for Tier Two Appeals. An appeal from ~~an a decision order~~ of the director of ~~planning and~~ development services to the board of adjustment for a Tier Two appeal shall stay all proceedings unless the director of development services certifies that, by reason of the facts stated in the certificate, a stay in his opinion would cause imminent peril to life or property. When such a certificate is filed, proceedings shall not be stayed except by a restraining order granted by the board of adjustment or a court of proper jurisdiction.

~~(3) Time Limit for Appeal. The board of adjustment shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. Appeals to the zoning board of adjustment from any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter shall be made within thirty (30) days after such order, requirement, decision or determination by filing with the director of the department 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 official in the enforcement of this chapter shall be made by filing a notice of appeal with the director of the department of development services and with the board of adjustment no later than the twentieth (20th) day after the decision was made.

(5) Time Limit for Board of Adjustment to make an Appeal Decision. The board of adjustment shall hear and decide any appeal for which the appellant has standing at the next meeting for which public notice can be provided. In no case shall any such hearing or decision occur later than the 60th day after the date the appeal is filed. Public notice of the hearing and due 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 from any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter shall be made not later than the twentieth (20th) day after such order, 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.

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**(d) Decision.**

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(2) **Hearing.** The board of adjustment shall consider the appeal at a quasi-judicial public hearing pursuant to section 35-404. Pursuant to ~~Texas V.T.C.A.~~ Local Government Code § 211.009(b), the board may reverse or affirm, in whole or in part, or modify the administrative official's ~~order, requirement, decision, or determination~~ from which an appeal is taken and make the correct ~~order, requirement, decision, or determination~~, and for that purpose the board has the same authority as the administrative official. Pursuant to ~~Texas V.T.C.A.~~ Local Government Code § 211.009(b), the concurring vote of seventy-five (75) percent of the members of the board is necessary to reverse ~~a an o order, requirement, decision, or determination~~ of an administrative official.

(3) **Time Limit for Decision.** The board shall decide the appeal at the next meeting for which public notice in accordance with the Texas Local Government Code and this Chapter can be provided after the filing of a complete appeal, but such decision shall not be later than the 60th day after the date the appeal is filed. ~~within a reasonable time.~~



## *UDC Amendment Request Application for Internal Parties*

### *(City of San Antonio Departments)*

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

Name: Catherine Hernandez on behalf of BOA Organization (if applicable): Development Services

Address: 1901 S Alamo St

Phone: 210-207-5085 Email: catherine.hernandez@sanantonio.gov

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 (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)
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- 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)**

Update section to allow accessory structures less than 300 sq. ft in size instead of less than 200 sq ft in size to be exempt from buffer regulations; commercial/office zone property that abuts an industrial zoned property are not required to have a landscape buffyard as long as the industrial property has already installed a bufferyard per Table 35-510-1; and BOA may reduce or eliminate the depth or composition of any required bufferyard upon findings of fact that support the request for the variance Replace Major/Minor Arterial to Type X/X in Table 510-1 and add a note pertaining to adjoining street classification (12), (13), and (14) for when the adjoining street has an easement(s) that preclude provision of required buffer planting, a 5 ft strip for planting outside and abutting the outmost extent of these easements be provided in lieu of required bufferyard width

### 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):

- 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.

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

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### 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 amendment provides the Board of Adjustment more flexibility in determining whether a variance should or should not be approved.

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## *UDC 2021 Proposed Amendment*

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**Amendment 9-1****Applicant: Development Services on behalf of Boards of Adjustments****Amendment Title – ‘Sec. 35-510 - Buffers.’****Amendment Language:**

*The intent of buffering is to implement Policy 3c of the Neighborhoods Element of the Master Plan to provide landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the bufferyard as the land use intensity of the new or expanded development increases.*

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- (2) **Exemptions.** This section shall not apply to the following situations:

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- I. Accessory structures less than ~~two-hundred (200)~~ three-hundred (300) square feet in size such as decks, sheds, playhouses, gazebos, security guard huts and non-mobile food vending stands.

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- (4) **Reduction in Required Bufferyards.** Table 510-2 indicates net minimum bufferyard widths. Such minimum widths shall be provided in a linear fashion along abutting properties where applicable. The width of the bufferyard at any point along its length may be greater or less than the minimum required by Table 510-2 provided that the total calculated area of the bufferyard must remain the same and further provided that the minimum width of the buffer yard at any point is not less than fifty (50) percent of the minimum width indicated by Table 510-2. The net bufferyard area for a property to be developed shall be reduced by no more than fifty (50) percent where:

- A. A bufferyard exists on an abutting property, and the net bufferyard satisfies the minimum bufferyard requirements of this section; or
- B. The adjoining property owners have provided a written agreement restricting the use of an established or proposed use triggering the bufferyard requirement to the uses provided for in the current zoning district. Should the property that was subject to the bufferyard requirement be rezoned after the date of the written agreement, the adjoining property owner's written agreement shall be null and void and the applicable bufferyard shall be required.
- C. The required bufferyard area may be reduced in width up to twenty (20) percent where a natural area is provided in accordance with Table 510-2 (Type N).

- (5) The Board of Adjustment may reduce or eliminate the depth or composition of any required bufferyard upon findings of fact that support the request for the variance.

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**Table 510-1  
Required Bufferyards**

Zoning District	Adjoining Zoning District											Adjoining Street Classification		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	RP**	RE, R-20, NP-15, NP-10, NP-8**	R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR**	MF-18, MF-25, MF-33**	MF-40, MF-50, MF-65	NC *** ---	O-1, O-1.5, C-1, C-2, C-2P *** ---	O-2, C-3, BP, MXD, MPCD *** ---	D	L, I-1 *** ---	I-2 *** ---	Primary Major Arterial	Secondary Minor Arterial	Collector
(1) RP	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(2) RE, R-20, NP-15, NP-10, NP-8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(3) R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(4) MF-18, MF-25, MF-33	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	F	A	N/A	N/A
(5) MF-40, MF-50, MF-65	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	A	N/A	N/A
(6) NC	C	C	B	N/A	N/A	N/A	N/A	N/A	N/A	E	E	B	A	A
(7) O-1, O-1.5, C-	C	C*	B	N/A	N/A	A	N/A	N/A	N/A	E	E	B	A	A



1, C-2, C-2P															
(8) O-2, C-3, BP, MXD, MPCD	C	C *	C	C	N/A	A	N/A	N/A	N/A	N/A	N/A	D	B	B	A
(9) D	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(10) L, I-1	E	E	D	E	E	E	E	N/A	N/A	N/A	N/A	C	C	C	B
(11) I-2	F	F	F	F	F	E	E	D	N/A	N/A	N/A	C	C	C	B

Notes: ;hg;A, B, C, D, E, F: Bufferyard Type Designations as shown in Table 510-2 below.

N/A: Not applicable—Bufferyard not required.

\* Where a use zoned "O-1," "C-1," "C-2" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "D" buffer shall be applied. Where a use zoned "BP," "O-2" or "C-3" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "F" buffer shall be applied.

\*\* Where a nonresidential use is located in a single-family or multi-family district as indicated in Table 510-1 the required buffer is equivalent to that required of an O-1, C-1, C-2 use (column 7).

\*\*\*Where a commercial or office zoned property that is less than 1 acre and abuts an industrial zoned property, a landscaped bufferyard is not required provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1. Where a commercial or office zoned property that is equal to or greater than 1 acre, and abuts an industrial zoned property, a Type A bufferyard is required, provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1.

\*\*\*\* Note to adjoining street classification (12) Primary Arterial, (13) Secondary Arterial, and (14) Collector for when the adjoining street has an easement or easements that preclude provision of required buffer planting, a 5 ft strip for planting outside and abutting the outmost extent of those easements may be provided in lieu of the required bufferyard width.

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## *UDC 2021 Proposed Amendment*

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**\*\*\*Recommended Approval by PCTAC on March 8, 2022\*\*\***

### **Amendment 9-1**

**Applicant: Development Services on behalf of Boards of Adjustments**

**Amendment Title** – ‘Sec. 35-510 - Buffers.’

#### **Amendment Language:**

*The intent of buffering is to implement Policy 3c of the Neighborhoods Element of the Master Plan to provide landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the bufferyard as the land use intensity of the new or expanded development increases.*

(a) Applicability.

\*\*\*\*\*

(2) **Exemptions.** This section shall not apply to the following situations:

\*\*\*\*\*

- I. Accessory structures less than ~~two-hundred (200)~~ three-hundred (300) square feet in size such as decks, sheds, playhouses, gazebos, security guard huts and non-mobile food vending stands.

\*\*\*\*\*

(4) **Reduction in Required Bufferyards.** Table 510-2 indicates net minimum bufferyard widths. Such minimum widths shall be provided in a linear fashion along abutting properties where applicable. The width of the bufferyard at any point along its length may be greater or less than the minimum required by Table 510-2 provided that the total calculated area of the bufferyard must remain the same and further provided that the minimum width of the buffer yard at any point is not less than fifty (50) percent of the minimum width indicated by Table 510-2. The net bufferyard area for a property to be developed shall be reduced by no more than fifty (50) percent where:

- A. A bufferyard exists on an abutting property, and the net bufferyard satisfies the minimum bufferyard requirements of this section; or
- B. The adjoining property owners have provided a written agreement restricting the use of an established or proposed use triggering the bufferyard requirement to the uses provided for in the current zoning district. Should the property that was subject to the bufferyard requirement be rezoned after the date of the written agreement, the adjoining property owner's written agreement shall be null and void and the applicable bufferyard shall be required.
- C. The required bufferyard area may be reduced in width up to twenty (20) percent where a natural area is provided in accordance with Table 510-2 (Type N).

(5) The Board of Adjustment may reduce or eliminate the depth or composition of any required bufferyard upon findings of fact that support the request for the variance.

\*\*\*\*\*

**Table 510-1  
Required Bufferyards**

Zoning District	Adjoining Zoning District											Adjoining Street Classification		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	RP**	RE, R-20, NP-15, NP-10, NP-8**	R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR**	MF-18, MF-25, MF-33**	MF-40, MF-50, MF-65	NC *** ---	O-1, O-1.5, C-1, C-2, C-2P *** ---	O-2, C-3, BP, MXD, MPCD *** ---	D	L, I-1 *** ---	I-2 *** ---	Primary Major Arterial	Secondary Minor Arterial	Collector
(1) RP	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(2) RE, R-20, NP-15, NP-10, NP-8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(3) R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(4) MF-18, MF-25, MF-33	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	F	A	N/A	N/A
(5) MF-40, MF-50, MF-65	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	A	N/A	N/A
(6) NC	C	C	B	N/A	N/A	N/A	N/A	N/A	N/A	E	E	B	A	A
(7) O-1, O-1.5, C-	C	C*	B	N/A	N/A	A	N/A	N/A	N/A	E	E	B	A	A

1, C-2, C-2P															
(8) O-2, C-3, BP, MXD, MPCD	C	C *	C	C	N/A	A	N/A	N/A	N/A	N/A	N/A	D	B	B	A
(9) D	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(10) L, I-1	E	E	D	E	E	E	E	N/A	N/A	N/A	N/A	C	C	C	B
(11) I-2	F	F	F	F	F	E	E	D	N/A	N/A	N/A	C	C	C	B

Notes: ;hg;A, B, C, D, E, F: Bufferyard Type Designations as shown in Table 510-2 below.

N/A: Not applicable—Bufferyard not required.

\* Where a use zoned "O-1," "C-1," "C-2" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "D" buffer shall be applied. Where a use zoned "BP," "O-2" or "C-3" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "F" buffer shall be applied.

\*\* Where a nonresidential use is located in a single-family or multi-family district as indicated in Table 510-1 the required buffer is equivalent to that required of an O-1, C-1, C-2 use (column 7).

\*\*\*Where a commercial or office zoned property that is less than 1 acre and abuts an industrial zoned property, a landscaped bufferyard is not required provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1. Where a commercial or office zoned property that is equal to or greater than 1 acre, and abuts an industrial zoned property, a Type A bufferyard is required, provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1.

\*\*\*\* Note to adjoining street classification (12) Primary Arterial, (13) Secondary Arterial, and (14) Collector for when the adjoining street has an easement or easements that preclude provision of required buffer planting, a 5 ft strip for planting outside and abutting the outmost extent of those easements may be provided in lieu of the required bufferyard width.

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## *UDC Amendment Request Application for Internal Parties*

*(City of San Antonio Departments)*

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

Name: Catherine Hernandez on behalf of BOA Organization (if applicable): Development Services

Address: 1901 S Alamo St

Phone: 210-207-5085 Email: catherine.hernandez@sanantonio.gov

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*(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)**

Add language allowing the public to have an 8ft fence if "the fence is located in a side or rear yard of a single-family residential property that contains or abuts a single-family residential property that has a below ground swimming pool/hot tub or above ground swimming pool "

Update Figure 2 image to state Section 35-514(c)(2)G instead of Section 35-514(c)(2)F

**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.

This amendment gives the resident the opportunity to have an 8ft fence in the side or rear yard if they have or abut another resident who has one of the amenities listed in Part 4. This amendment is not a new requirement.

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## *UDC 2021 Proposed Amendment*

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**Amendment 9-2****Applicant: Development Services on behalf of Boards of Adjustments****Amendment Title – ‘Sec. 35-514 - Fences.’****Amendment Language**

\*\*\*\*\*

**(c) Height Limitation.**

- (1) Except for the provisions in section (b) above no fence shall exceed the following table of heights. In addition, the maximum permitted fence height shall not exceed that of the maximum permitted fence height for the abutting property except as provided in subsection (c)(2). The board of adjustment may allow fences of greater height by special exception, subject to section 35-399.04 of this chapter or by variance subject to Section 35-482 if the height of the fence exceeds that height allowances for a special exception. The height shall be the vertical distance measured from the lowest adjacent ground level (either inside or outside the fence) to the top of the tallest element of the fence material, excluding decorative features affixed to the top of any column, pillar or post. The height of any existing retaining walls, either an integral part of a fence or upon which a fence may be erected, shall be calculated in the height of the fence, except in the following instances:
- A. The retaining wall is necessary for structural soundness/integrity of building construction on the lot; or
  - B. The retaining wall is abutting a drainage easement or drainage infrastructure.
- (2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:
- A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or
  - B. The fence is erected along a side or rear lot line which abuts an alley or a street with a classification other than a local street; or
  - C. The fence is a sound barrier or a security fence for a public or institutional use; or
  - D. The additional fence height is permitted by the city council pursuant to a rezoning or specific use authorization; or
  - E. The fence is located on a side or rear lot line of a single-family, duplex, or mixed-residential use which abuts a multi-family residential, commercial, industrial, or park use.
  - F. [The fence is located in a side or rear yard of a single-family residential property that contains a below ground swimming pool/hot tub or above ground swimming pool in the rear yard or in the side or rear yard of a single-family property that abuts one with a below ground swimming pool/hot tub or above ground swimming pool.](#)
  - G. ~~F.~~ In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.

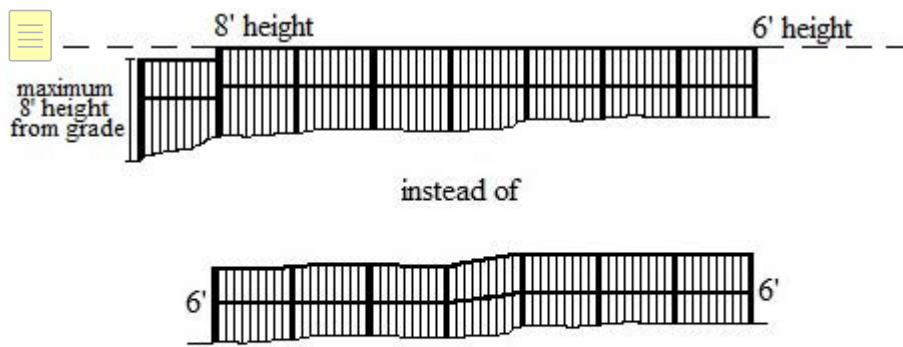


Figure 2: Example of Additional Height allowed pursuant to Section 35-514(c)(2)F.

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## *UDC 2021 Proposed Amendment*

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**\*\*\*Recommended Approval by PCTAC on March 8, 2022\*\*\***

### **Amendment 9-2**

**Applicant: Development Services on behalf of Boards of Adjustments**

**Amendment Title – ‘Sec. 35-514 - Fences.’**

### **Amendment Language**

\*\*\*\*\*

#### **(c) Height Limitation.**

- (1) Except for the provisions in section (b) above no fence shall exceed the following table of heights. In addition, the maximum permitted fence height shall not exceed that of the maximum permitted fence height for the abutting property except as provided in subsection (c)(2). The board of adjustment may allow fences of greater height by special exception, subject to section 35-399.04 of this chapter or by variance subject to Section 35-482 if the height of the fence exceeds that height allowances for a special exception. The height shall be the vertical distance measured from the lowest adjacent ground level (either inside or outside the fence) to the top of the tallest element of the fence material, excluding decorative features affixed to the top of any column, pillar or post. The height of any existing retaining walls, either an integral part of a fence or upon which a fence may be erected, shall be calculated in the height of the fence, except in the following instances:
  - A. The retaining wall is necessary for structural soundness/integrity of building construction on the lot; or
  - B. The retaining wall is abutting a drainage easement or drainage infrastructure.
  
- (2) Notwithstanding the provisions of subsection (c)(1), above, a fence may be erected or altered up to a height of eight (8) feet where:
  - A. The ground floor elevation of either the principal dwelling on the property or the principal dwelling on an abutting lot is at least four (4) feet higher than the elevation at the shared lot line; or
  - B. The fence is erected along a side or rear lot line which abuts an alley or a street with a classification other than a local street; or
  - C. The fence is a sound barrier or a security fence for a public or institutional use; or
  - D. The additional fence height is permitted by the city council pursuant to a rezoning or specific use authorization; or
  - E. The fence is located on a side or rear lot line of a single-family, duplex, or mixed-residential use which abuts a multi-family residential, commercial, industrial, or park use.
  - F. The fence is located in a side or rear yard of a single-family residential property that contains a below ground swimming pool/hot tub or above ground swimming pool in the rear yard or in the side or rear yard of a single-family property that abuts one with a below ground swimming pool/hot tub or above ground swimming pool.
  - G. F. In any side or rear yard where a slope is present, the height of a fence may be adjusted to allow the top of the fence to be level, and perpendicular to the support posts at a height greater than six (6) feet, provided that the height of the fence at the highest elevation does not exceed eight (8) feet. In order to maintain a uniform appearance, whenever a fence higher than six (6) feet is allowed by this subsection, all side and rear yard fences may be allowed up to eight (8) feet in height above grade.

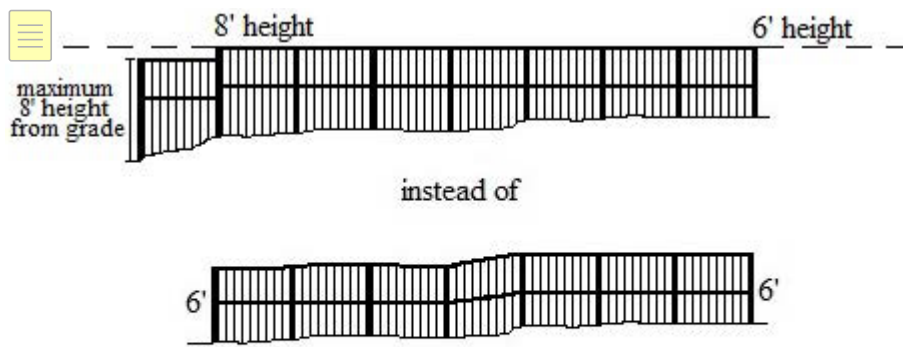


Figure 2: Example of Additional Height allowed pursuant to Section 35-514(c)(2)F.

\*\*\*\*\*



## *UDC Amendment Request Application for Internal Parties*

*(City of San Antonio Departments)*

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

Name: Catherine Hernandez on behalf of BOA Organization (if applicable): Development Services

Address: 1901 S Alamo St

Phone: 210-207-5085 Email: catherine.hernandez@sanantonio.gov

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*(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)**

Replace General to Professional in the example for 35-311(b)(2)  
\_\_\_\_\_  
\_\_\_\_\_

**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.

This amendment is a minor edit to be consistent with the language in the Use Matrix in the UDC

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## *UDC 2021 Proposed Amendment*

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**Amendment 9-3****Applicant: Development Services on behalf of Boards of Adjustments****Amendment Title – ‘Sec. 35-311 – Use Regulations.’****Amendment Language:**

\*\*\*\*\*

**(b) Uses Not Mentioned.**

- (1) **Uses Not Permitted Unless Specifically Enumerated.** No building permit shall be issued for a use not specifically mentioned or described by category in the Use Matrix. Evaluation of these uses shall be as set forth in subsection (3), below.
- (2) **Uses Preempted by State Statute.** Notwithstanding any provision of this section to the contrary, uses which are required to be permitted in any zoning district by state statute may be permitted in accordance with state law whether or not the use is included in the Use Matrix.

*Example: NAICS 5413 (Architectural Engineering, and Related Services) is coded under "Office, Professional General." Assume that the Use Matrix sets out a classification for "Laboratories, Testing," which is NAICS 54138 (a subheading of 5413). The latter 5-digit number is more specific than the 4-digit code. Accordingly, testing laboratories are not included within the same classification as general offices. However, if testing laboratories had not been separately listed, they would be permitted in all districts where general offices are permitted.*

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## *UDC 2021 Proposed Amendment*

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**\*\*\*Recommended Approval by PCTAC on February 14, 2022\*\*\***

**Amendment 9-3**

**Applicant: Development Services on behalf of Boards of Adjustments**

**Amendment Title – ‘Sec. 35-311 – Use Regulations.’**

**Amendment Language:**

\*\*\*\*\*

**(b) Uses Not Mentioned.**

- (1) **Uses Not Permitted Unless Specifically Enumerated.** No building permit shall be issued for a use not specifically mentioned or described by category in the Use Matrix. Evaluation of these uses shall be as set forth in subsection (3), below.
- (2) **Uses Preempted by State Statute.** Notwithstanding any provision of this section to the contrary, uses which are required to be permitted in any zoning district by state statute may be permitted in accordance with state law whether or not the use is included in the Use Matrix.

*Example: NAICS 5413 (Architectural Engineering, and Related Services) is coded under "Office, Professional ~~General~~." Assume that the Use Matrix sets out a classification for "Laboratories, Testing," which is NAICS 54138 (a subheading of 5413). The latter 5-digit number is more specific than the 4-digit code. Accordingly, testing laboratories are not included within the same classification as general offices. However, if testing laboratories had not been separately listed, they would be permitted in all districts where general offices are permitted.*

\*\*\*\*\*



## ***UDC Amendment Request Application for External Parties*** ***(neighborhoods, external agencies, stakeholders, etc.)***

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

Name: Antonio V Garcia Organization (if applicable): Tier One Neighborhood Coalition

Address: [REDACTED]

Phone: [REDACTED] 2 Email: [REDACTED]

Signature: Antonio V Garcia Digitally signed by Antonio V Garcia  
Date: 2022.01.27 12:10:06 -06'00' Date: 01/27/2022  
(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)

### ***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)***

Sec.35-374.01-(c)-(1) proposed amendments to control Type 2 STRs density.

The proposed amendment for the above referenced Section will help protect the residential character of neighborhoods by controlling the density of Type 2 STRs in a neighborhood block.

DSD FY2021 Annual STR Report confirms that Type 2 permits of 390 permits outnumber Type 1 permits of 80 permits. See attached amended code.

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## *UDC 2021 Proposed Amendment*

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**Amendment 16-2****Applicant:** Tier One Neighborhood Coalition – Antonio Garcia**Amendment Title** – ‘Sec. 35-374.01 – Short Term Rentals’**Amendment Language:****Sec. 35-374.01. - Short Term Rentals.**

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- (c) **Density Limitations for Short Term Rentals (Type 2) in Residential Areas.** In order to preserve the essential character of residential areas, the following density limitations are established:
- (1) Short term rentals (type 2) shall be limited to no more than one-eighth (12.5 percent) of the total number of single-family, duplex, triplex, or quadraplex units on the block ~~face~~, as defined in Appendix A of this chapter, in residential zoning districts. ~~At least one (type 2) short term rental shall be permitted per block face, regardless of density.~~ Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.
  - (2) Short term rentals (type 2) within multi-family (e.g. five (5) or more units) buildings or groups of buildings on the same land, lot or parcel, regardless of zoning district, shall be limited to the density requirements in table 374.01-1. Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.

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## *UDC 2021 Proposed Amendment*

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**\*\*\* Revised and Recommended Approval by PCTAC on April 25, 2022 \*\*\***

### **Amendment 16-2**

**Applicant:** Tier One Neighborhood Coalition – Antonio Garcia

**Amendment Title** – ‘Sec. 35-374.01 – Short Term Rentals’

**Amendment Language:**

### **Sec. 35-374.01. - Short Term Rentals.**

\*\*\*\*\*

- (c) **Density Limitations for Short Term Rentals (Type 2) in Residential Areas.** In order to preserve the essential character of residential areas, the following density limitations are established. [The permitted number of STR’s in any block face, or within any multi-family structure, shall not round up.](#)

[Example: 14 dwelling units on a residential block face x 12.5% = 1.75 STR’s \(1 Short Term Rental is permitted\).](#)

- (1) Short term rentals (type 2) shall be limited to no more than one-eighth (12.5 percent) of the total number of single-family, duplex, triplex, or quadraplex units on the block face, as defined in Appendix A of this chapter, in residential zoning districts. At least one (type 2) short term rental shall be permitted per block face, regardless of density. Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.

[On or after January 1, 2023, renewal applications formerly administratively approved by means of rounding will be eligible for renewal without acquiring a special exception from the Board of Adjustment. New applications will be required to obtain a special exception, in accordance with Section 35-399.03, if the density exceeds 12.5% of the units on the block face.](#)

- (2) Short term rentals (type 2) within multi-family (e.g. five (5) or more units) buildings or groups of buildings on the same land, lot or parcel, regardless of zoning district, shall be limited to the density requirements in table 374.01-1. Authorized bed and breakfast establishments shall be considered in the calculation of these density requirements.

\*\*\*\*\*



***UDC Amendment Request Application for External Parties***  
*(neighborhoods, external agencies, stakeholders, etc.)*

**Part 1. Applicant Information**

Name: Cynthia Spielman Organization (if applicable): Tier One Neighborhood Coalition  
 Address: [REDACTED]  
 Phone: [REDACTED] Email: [REDACTED]  
 Signature: Cynthia Spielman Date: 1/30/2022  
*(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)

**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)**

To enhance public engagement, in accordance with the city's adopted principles of public participation, to notify stakeholders registered with the City of San Antonio to include registered Neighborhood Associations Homeowner Association, and Community organizations. To ensure existing codified plan areas and those created through the SA Comprehensive plan are notified of changes to their communities.

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## *UDC 2021 Proposed Amendment*

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**Amendment 16-8****Applicant:** Tier One Neighborhood Coalition – Cynthia Spielman**Amendment Title** – ‘Sec. 35-403. – Notice Provisions.’**Amendment Language:**

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Notes:

- (1) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property, within two hundred (200) feet of the property. Notice for zoning cases shall be sent prior to the tenth day before the date of the public hearing at the zoning commission. Notice for demolition applications shall be sent prior to the seventh day before the date of the public hearing at the historic design and review commission. Notice shall not be required for text amendments to the Community, Neighborhood, Perimeter or Sector Plans.
- (2) Notices shall be sent to registered neighborhood associations, [registered community organizations, and planning team members from a neighborhood plan, community plan, perimeter plan, sector plan or any plan adopted pursuant to V.T.C.A. Local Government Code ch. 213](#), within two hundred (200) feet of the project.

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*UDC 2021 Proposed Amendment*

**\*\*\* Revised and Recommended Approval by PCTAC on April 25, 2022 \*\*\***

**Amendment 16-8**

**Applicant:** Tier One Neighborhood Coalition – Cynthia Spielman

**Amendment Title** – ‘Sec. 35-403. – Notice Provisions.’

**Amendment Language:**

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(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)
Type of Notice	Amendments to Master Plan	Amendments to future land use or text changes to the Community, Neighborhood, Perimeter or Sector Plans	Rezoning	Master Development Plan	Items Requiring Public Hearing Before the Board of Adjustments	Subdivision Plat, Major	Subdivision Plat, Minor	Certificate of Appropriateness (Not Including Administrative Approval Certificates)	Permits, Orders or Approvals Not Mentioned Requiring Public Hearing	Report for Demolition of a Historic Landmark or Potential Historic Landmark	Historic Designation Application Approved by Historic Preservation Officer	Applications within Neighborhood Conservation Districts and Historic Districts
<b>Publication:</b> Publication in an official newspaper of general circulation before the 15th day before the date of the hearing.	*	*	*	—	*	*(6)	*(6)	—	*	—	—	
<b>Mail:</b> Written notice of the public hearing shall be sent.	—	*(1)(2)	*(1)(2)	—	*(1)(2)	*(6)	*(6)	—	*(1)	*(1)(2)	*(2)(8)	
<b>Internet:</b> Post notice on the city's Internet website until the process has been completed.	*(7)	*	*	*(7)	*	*(7)	*(7)	*	*	*	—	
<b>Signage:</b> Post a sign on the property subject to the application. Signs to be installed and provided by the city	—		*(4)(5)	—	—	—	—	*	—	*(3)	—	
<b>E-Mail:</b> Courtesy Reports of Applications shall be sent.												*(9)

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**Notes:**

- (1) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property, within two hundred (200) feet of the property. Notice for zoning cases shall be sent prior to the tenth day before the date of the public hearing at the zoning commission. Notice for demolition applications shall be sent prior to the seventh day before the date of the public hearing at the historic design and review commission. Notice shall not be required for text amendments to the Community, Neighborhood, Perimeter or Sector Plans.
- (2) Notices shall be sent to registered neighborhood associations [and registered community organizations, per Sec. 35-408](#), within two hundred (200) feet of the project.



***UDC Amendment Request Application for External Parties***  
*(neighborhoods, external agencies, stakeholders, etc.)*

**Part 1. Applicant Information**

Name: Steve Versteeg Organization (if applicable): Tier One Neighborhood Coalition

Address: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

Signature: [Handwritten Signature] Date: 1/30/2022  
*(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)

**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)**

Add Community Organizations to the registry which gets notified by DSD.  
 A community organization registry already exist with the city, currently in  
 Government and Public Affairs

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## *UDC 2021 Proposed Amendment*

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**Amendment 16-10****Applicant:** Tier One Neighborhood Coalition – Steve Versteeg**Amendment Title** – ‘Sec. 35-408. – Neighborhood Registration.’**Amendment Language:**

\*\*\*\*\*

Sec. 35-408. - Neighborhood and Community Organization Registration.

- (a) **Applicability.** Neighborhood and community organization registration is established in order to provide citizen notification ~~of neighborhoods~~ for purposes of zoning cases, neighborhood plans, community plans and perimeter plans as provided in other sections of this chapter. The purpose of this section is to establish procedures for the registration of neighborhoods associations and community organizations.
- (b) **Contents.** A neighborhood registry shall be maintained by the department government and public affairs of planning and community development. In order to be included within the neighborhood and community organization registry, the neighborhood association or community organization shall provide the following information:
- A map or written description of the boundaries for which notice should be provided ~~neighborhood~~.
  - A primary and alternate contact ~~list of the officers in the association~~, including their mailing address, email address, and textable cell phone number.
  - A signed copy of the adopted by-laws.
  - A regular meeting location and a regular meeting date.
  - Date the association or organization was founded.
  - Number of association or organization members.
  - Approximate number of housing units in the area.
  - ~~Approximate population of neighborhood.~~

The neighborhood association or community organization shall contact the department of planning and development services in the event of a change in the above-referenced information. An applicant shall be entitled to rely on the above-referenced information for purposes of preparing any notices or otherwise contacting neighborhood associations or community organizations where required by this chapter.

- (c) **Effect of ~~the Neighborhood Registry~~.** When a neighborhood association and/or community organization has been registered as provided herein, the department of development services shall notify the neighborhood association and/or community organization of any application for rezoning or planned unit development plan filed within the boundaries requested for notification ~~of a registered neighborhood association~~ or within two hundred (200) feet of the site boundary of a neighborhood association and/or community organization. ~~Individual citizens who reside outside the two hundred foot notice required by this chapter, but within the boundaries of a registered neighborhood association are considered notified when any such notification is sent to the neighborhood association within two hundred (200) feet of the subject site. This notice is a courtesy and hearings may proceed despite claims of a lack of notice.~~

UDC 2021 Proposed Amendment

\*\*\* Revised and Recommended Approval by PCTAC on April 11, 2022 \*\*\*

Amendment 16-10

Applicant: Tier One Neighborhood Coalition – Steve Versteeg

Amendment Title – ‘Sec. 35-408. – Neighborhood Registration.’

Amendment Language:

\*\*\*\*\*

Sec. 35-408. - Neighborhood and Community Organization Registration.

- (a) **Applicability.** Neighborhood and community organization registration is established in order to provide notification ~~of neighborhoods~~ for purposes of zoning cases, neighborhood plans, community plans and perimeter plans as provided in other sections of this chapter. The purpose of this section is to establish procedures for the registration of neighborhoods and associations and community organizations.
- (b) **Contents.** A neighborhood registry shall be maintained by the communications and engagement department ~~of planning and community development~~. In order to be included within the neighborhood and community organization registry, the neighborhood association or community organization shall provide the following information:
  - A map or written description of the boundaries for which notice should be provided ~~neighborhood~~.
  - A primary and alternate contact ~~list of the officers in the association~~, including their mailing address, email address, and textable cell phone number (as applicable).
  - A signed copy of the adopted by-laws.
  - A regular meeting location and a regular meeting date.
  - Date the association or organization was founded.
  - Number of association or organization members.
  - Approximate number of housing units in the area.
  - ~~Approximate population of neighborhood.~~

The neighborhood association or community organization shall contact the communications and engagement department ~~of planning and development services~~ in the event of a change in the above-referenced information. An applicant shall be entitled to rely on the above-referenced information for purposes of preparing any notices or otherwise contacting neighborhood associations or community organizations where required by this chapter.

- (c) **Effect of the Neighborhood Registry.** When a neighborhood association and/or community organization has been registered as provided herein, the department of development services shall notify the neighborhood association and/or community organization of any application for rezoning or planned unit development plan filed within the boundaries requested for notification ~~of a registered neighborhood association~~ or within two hundred (200) feet of the site boundary of a neighborhood association and/or community organization. Individuals ~~citizens~~ who reside outside the two hundred-foot notice required by this chapter, but within the boundaries of a registered neighborhood association are considered notified when any such notification is sent to the neighborhood association within two hundred (200) feet of the subject site. This notice is a courtesy and hearings may proceed despite claims of a lack of notice.





## ***UDC Amendment Request Application for External Parties*** ***(neighborhoods, external agencies, stakeholders, etc.)***

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

Name: \_\_\_\_\_ Organization (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(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)

### ***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)***

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## *UDC 2020 Proposed Amendment*

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**Amendment 25-1****Applicant:** Hill Country Alliance – Dawn Davies**Amendment Title** – ‘Sec. 35-339.04 – Military Lighting Overlay Districts.’**Amendment Language:**

Sec. 35-339.04. - Military Lighting Overlay Districts.

*STATEMENT OF PURPOSE*

*The purpose of this section is to establish regulations for outdoor lighting impacting military operations five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, and Lackland Air Force Base.*

*Specific purposes of these lighting districts are as follows:*

- *To reduce glare and potential distractions to night time training exercises occurring within this area.*
- *To balance the needs of the military, the City of San Antonio, and property owners regarding responsible development including outdoor lighting within this area.*
- *To permit the use of outdoor lighting that does not exceed the minimum level as guided by Illuminating Engineering Society (IES) recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.*
- *Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.*
- *To restore and preserve our heritage of a clear, dark night-sky.*

*Designation Criteria. To be designated as a military lighting overlay district, an area must be five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, or Lackland Air Force Base; provided, however, that if a Joint Land Use Study determines that lighting regulations are required in a smaller area than those required in a designated district, the City may initiate a rezoning to remove properties from a military lighting overlay district. If a Joint Land Use Study determines that different regulations are required or recommended, the City may modify the district regulations accordingly.*

\*\*\*\*\*

- (b) **Military Lighting Regions (MLRs) within Military Lighting Overlay Districts (MLODs).** Overall geographic areas shall be known as Military Lighting Regions within the Military Lighting Overlay District and shall be specified as described below.

\*\*\*\*\*

- (3) This will ensure the following:
- A. Consistent color temperature of the lights.
  - B. Color temperatures do not exceed 3000K ~~4100K~~ (~~white light or~~ warm light) depending on MLR.
  - C. Fully shielded lights.
  - D. No light emitted above ninety (90) degrees.
  - E. Appropriate amount of light where needed.
  - F. Glare restrictions are in place.

\*\*\*\*\*

(f) **District Standards.**

\*\*\*\*\*

- (2) All public and private outdoor lighting installed after the effective date(s) of an MLOD district designation shall conform to the requirements established by this section.
- (3) Any luminaire in a new development that is aimed, directed, or focused so as to cause direct light from the luminaire to be directed toward an adjacent military base, camp or installation is prohibited. Such luminaire must be redirected or its light output controlled to eliminate such conditions.
- (4) For new development properties situated at or above one thousand two hundred (1,200) feet in elevation (above sea level), and which are situated within one (1) mile from the perimeter of the affected military installation, all lighting shall be fully screened from the affected military installation(s). Methods of screening can include, but are not limited to, fencing and landscaping.
- (5) Maximum CCT of 2700K ~~3000K~~ for all outdoor light sources within MLR1.
- (6) Maximum CCT of 3000K ~~4100K~~ for all outdoor light sources within MLR2.

\*\*\*\*\*

(15) **Street Lighting.**

- A. This subsection regulates the illumination levels and CCT for the MLR's street lights that are installed on any street and must follow the American National Standard Practice for Roadway Lighting under the IESNA.
- B. Street light illumination must follow the guidelines in paragraph C, D, and E. of this subsection unless a licensed professional engineer, trained and experienced in the science of illumination engineering, deems other illumination levels based on IESNA standards more appropriate for existing conditions and staff concurs with this assessment.
- C. Street lights installed in residential areas on IESNA classified local roads shall have a max CCT of 2700K ~~3000K~~. Street lights installed on IESNA classified collector and major roads shall have a max CCT of 3000K ~~4000K~~.
- D. All standard streetlights must utilize full cutoff type luminaires that are installed level to the ground in two (2) intersecting perpendicular planes (see Figure 5), and should be horizontally level in all directions.

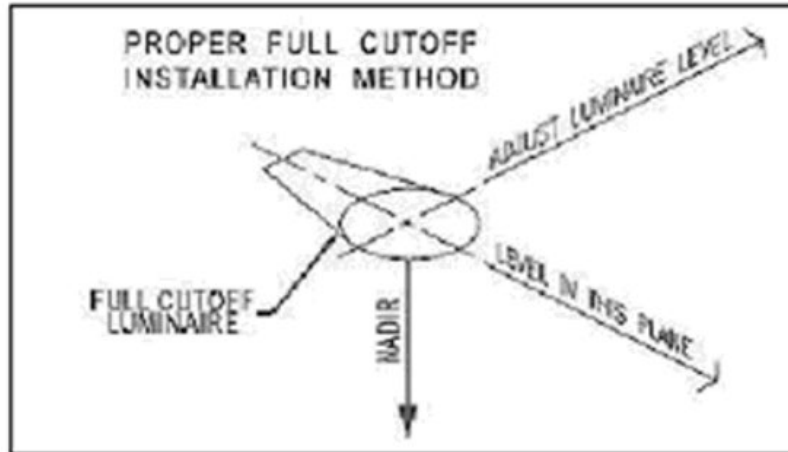


Figure 5

- E. New ornamental street lights must be classified as either IES "Full Cutoff" or IES "Cutoff" as determined by a valid photometric report. This report must be generated for the specified model by a qualified testing lab (testing to IES standards) and must include a full vertical evaluation through one hundred eighty (180) degrees, otherwise that fixture will be unacceptable.

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## *UDC 2020 Proposed Amendment*

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**\*\*\*Revised and Recommended Approval by PCTAC on May 9, 2022\*\*\***

### **Amendment 25-1**

**Applicant:** Hill Country Alliance – Dawn Davies

**Amendment Title** – ‘Sec. 35-339.04 – Military Lighting Overlay Districts.’

**Amendment Language:**

Sec. 35-339.04. - Military Lighting Overlay Districts.

### *STATEMENT OF PURPOSE*

*The purpose of this section is to establish regulations for outdoor lighting impacting military operations five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, and Lackland Air Force Base.*

*Specific purposes of these lighting districts are as follows:*

- *To reduce glare and potential distractions to night time training exercises occurring within this area.*
- *To balance the needs of the military, the City of San Antonio, and property owners regarding responsible development including outdoor lighting within this area.*
- *To permit the use of outdoor lighting that does not exceed the minimum level as guided by Illuminating Engineering Society (IES) recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.*
- *Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.*
- *To restore and preserve our heritage of a clear, dark night-sky.*

*Designation Criteria. To be designated as a military lighting overlay district, an area must be five (5) miles or less from the perimeter of Camp Bullis/Camp Stanley, Randolph Air Force Base, or Lackland Air Force Base; provided, however, that if a Joint Land Use Study determines that lighting regulations are required in a smaller area than those required in a designated district, the City may initiate a rezoning to remove properties from a military lighting overlay district. If a Joint Land Use Study determines that different regulations are required or recommended, the City may modify the district regulations accordingly.*

\*\*\*\*\*

- (b) **Military Lighting Regions (MLRs) within Military Lighting Overlay Districts (MLODs).** Overall geographic areas shall be known as Military Lighting Regions within the Military Lighting Overlay District and shall be specified as described below.

\*\*\*\*\*

- (3) This will ensure the following:
- A. Consistent color temperature of the lights.
  - B. Color temperatures do not exceed 3000K ~~4100K~~ (white light or warm light) depending on MLR.
  - C. Fully shielded lights.
  - D. No light emitted above ninety (90) degrees.
  - E. Appropriate amount of light where needed.
  - F. Glare restrictions are in place.

\*\*\*\*\*

**(f) District Standards.**

\*\*\*\*\*

- (2) All public and private outdoor lighting installed after the effective date(s) of an MLOD district designation shall conform to the requirements established by this section.
- (3) Any luminaire in a new development that is aimed, directed, or focused so as to cause direct light from the luminaire to be directed toward an adjacent military base, camp or installation is prohibited. Such luminaire must be redirected or its light output controlled to eliminate such conditions.
- (4) For new development properties situated at or above one thousand two hundred (1,200) feet in elevation (above sea level), and which are situated within one (1) mile from the perimeter of the affected military installation, all lighting shall be fully screened from the affected military installation(s). Methods of screening can include, but are not limited to, fencing and landscaping.

(5) Wwithin MLR-1:

A. Maximum CCT of 3000K for all outdoor light sources.

B. All Night Security Lighting (ANSL) installed by CPS Energy and used to light private property areas and/or non-dedicated streets shall be a maximum CCT of 3000K and contain a full cut-off.

(6) Wwithin MLR-2:

A. Maximum CCT of 3000K ~~4100K~~ for all outdoor light sources.

B. All Night Security Lighting (ANSL) installed by CPS Energy and used to light private property areas and/or non-dedicated streets shall be a maximum CCT of 4000K and contain a full cut-off.

\*\*\*\*\*

**(15) Street Lighting.**

- A. This subsection regulates the illumination levels and CCT for the MLR's street lights that are installed on any street and must follow the American National Standard Practice for Roadway Lighting under the IESNA.
- B. Street light illumination must follow the guidelines in paragraph C, D, and E. of this subsection unless a licensed professional engineer, trained and experienced in the science of illumination engineering, deems other illumination levels based on IESNA standards more appropriate for existing conditions and staff concurs with this assessment.

- C. Street lights installed in residential areas on IESNA classified local roads shall have a max CCT of 3000K. Street lights installed on IESNA classified collector and major roads shall have a max CCT of 4000K.
- D. All standard streetlights must utilize full cutoff type luminaires that are installed level to the ground in two (2) intersecting perpendicular planes (see Figure 5), and should be horizontally level in all directions.

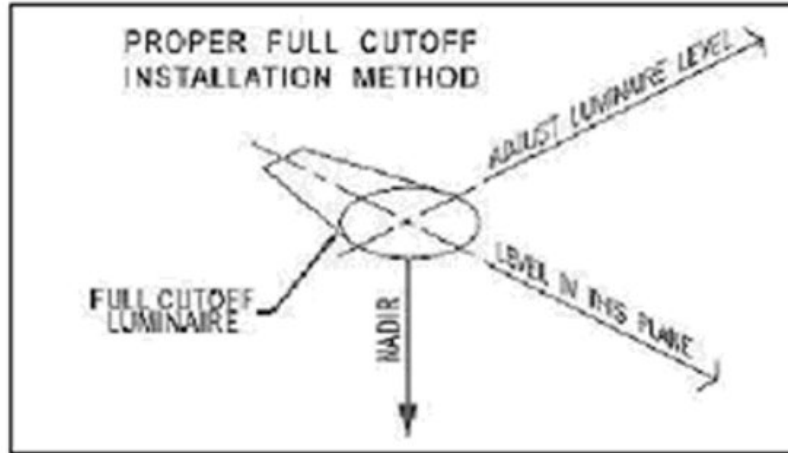


Figure 5

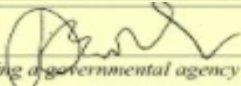
- E. New ornamental street lights must be classified as either IES "Full Cutoff" or IES "Cutoff" as determined by a valid photometric report. This report must be generated for the specified model by a qualified testing lab (testing to IES standards) and must include a full vertical evaluation through one hundred eighty (180) degrees, otherwise that fixture will be unacceptable.

\*\*\*\*\*



## ***UDC Amendment Request Application for External Parties*** ***(neighborhoods, external agencies, stakeholders, etc.)***

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

Name: D'Ette Cole Organization (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Signature:  Date: 1/31/2022  
(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)

### ***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)***

San Antonio has made a choice to be a leader in environmental sustainability and reach net-zero carbon neutrality by 2050. Air pollution like that from benzene vented from gas stations must be distanced with any new development away from residential districts and neighborhoods which according to COSA must become more dense. Child health safety needs to be a higher priority

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*UDC 2020 Proposed Amendment*

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**Amendment 26-1**

**Applicant:** D’Ette Cole

**Amendment Title** – ‘Sec. 35-397 – Auto and Light Truck Repair and Motor Vehicle Sales.’

**Amendment Language:**

**DIVISION 7. - SUPPLEMENTAL USE REGULATIONS**

\*\*\*\*\*

Sec. 35-397.xx - Gas Stations.

(a) Spacing. Notwithstanding any other provisions of this chapter, no gas or fueling station shall be established or maintained within the distances in table 3xx from of any of the following uses:

- (1) Single family or multi-family residences.
- (2) Hospitals.
- (3) Schools.
- (4) Community Centers
- (5) Day Care Facilities.
- (6) Assisted Living Facilities, Boarding Homes and Community Homes.

Table 3xx

Total Capacity of All Tanks on Property in U.S. gallons	Minimum distance (feet) from nearest tank or tank vent to line of property nearby with listed use
1,200 and less	50
Over 1,200 to and including 30,000	150
Over 30,000 to and including 70,000	300
Over 70,000 to and including 500,000	500
Over 500,000	1,000



(b) **Measurement of Spacing.** Measurement shall be made in a straight line from the tank or tank vent whichever is nearest the boundary of property so zoned for a gas station to the nearest boundary of property in which such listed use is made.

(c) **Existing Nonconforming Uses.** Any properties devoted to the supplemental use which are so located at the time of the addition of this section, shall be exempt until the property is sold. Any change of such nearby use after the fact will not result in nonconformance of the supplemental use.

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*UDC 2021 Proposed Amendment*

**\*\*\*Revised and Recommended Approval by PCTAC on May 9, 2022\*\*\***

**Amendment 26-1**

**Applicant:** D’Ette Cole

**Amendment Title** – ‘Sec. 35-397 – Auto and Light Truck Repair and Motor Vehicle Sales.’

**Amendment Language:**

**DIVISION 7. - SUPPLEMENTAL USE REGULATIONS**

\*\*\*\*\*

Sec. 35-397.01 – Gasoline Stations.

(a) Spacing. Notwithstanding any other provisions of this chapter, any use in Table 397.01-1 listed as permitted in Table 311-2 and 311-2a shall require Specific Use Authorization Zoning approval within the distances in Table 397.01-1 from any of the following uses:

- (1) Single family or multi-family residences.
- (2) Schools.
- (3) Day Care Facilities.
- (4) Assisted Living Facilities, Boarding Homes and Community Homes.

Table 397.01-1

<u>Use</u>	<u>Minimum distance (feet) from the nearest building or structure of the gasoline use to the property line of any designated property uses specified above*</u>
<u>Gasoline Filling Station or use with gasoline having 50,000 gallons or less total tank capacity</u>	<u>100 feet</u>
<u>Gasoline Filling Station or use with gasoline having over 50,000 gallons</u>	<u>200 feet</u>

\*The distance shall be inclusive of setbacks, buffers, and intervening property.

(b) The installation of gasoline stations within the required distance shall be allowed by specific use authorization in accordance with Sec. 35-423.

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**Amendment Title** –‘Sec. 35-311 – Use Regulations.’  
**Amendment Language:**

**TABLE 311-2 NONRESIDENTIAL USE MATRIX**

	PERMITTED USE	O-1& O-1.5	O-2*	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Retail	Convenience Store (With Gasoline) <a href="#">See Section 35-397.01</a>					P	P	S	P	P	P	NA	2152
Retail	Convenience Store (With Gasoline And Carwash) <a href="#">See Section 35-397.01</a>					S	P		P	P	P	NA	2152
Service	Gasoline Filling Station (Without Repair Or Carwash) <a href="#">See Section 35-397.01</a>					P	P	S	P	P	P	NA	2116
Service	Gasoline Filling Station (With Repair) <a href="#">See Section 35-397.01</a>						P		P	P	P	NA	
Service	Gasoline Filling Station (With Repair And/Or Carwash) <a href="#">See Section 35-397.01</a>					S	P	S	P	P	P	NA	
Service	Gasoline Filling Station – Fleet <a href="#">See Section 35-397.01</a>						S		P	P	P	NA	

**TABLE 311-2a NONRESIDENTIAL USE MATRIX**

	PERMITTED USE	Urban		Rural		Farm		Mixed Industrial					
		UD Major Node	UD Minor Node	RD Major Node	RD Minor Node	FR Ag Commercial	VILLAGE CENTER FR/FR Minor Node	MI - 1	MI-1 Minor Node	VILLAGE CENTER - M1	MI - 2	MI-2 Minor Node	VILLAGE CENTER - M2
Retail	Convenience Store (With Gasoline) <a href="#">See Section 35-397.01</a>	P		P		P	P		P	P		P	P
Retail	Convenience Store (With Gasoline And Carwash) <a href="#">See Section 35-397.01</a>	P		P		P	P		P	P		P	P
Service	Gasoline Filling Station (Without Repair Or Carwash) <a href="#">See Section 35-397.01</a>	P		P		P	P		P	P		P	P
Service	Gasoline Filling Station (With Repair) <a href="#">See Section 35-397.01</a>	P		P		P	P		P	P		P	P
Service	Gasoline Filling Station (With Repair And/Or Carwash) <a href="#">See Section 35-397.01</a>	P		P		P	P		P	P		P	P
Service	Gasoline Filling Station - Fleet <a href="#">See Section 35-397.01</a>							P			P		