

AN ORDINANCE 2008-06-12-0532

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS BY ADOPTING PROCEDURES TO INCORPORATE LOT SIZE AND FRONTAGE RELIEF IN THE INFILL DEVELOPMENT ZONE DISTRICT, AS REQUESTED BY COUNCILMEMBER CISNEROS, DISTRICT 1.

* * * * *

WHEREAS, Council Member Cisneros District 1 submitted a Council Consideration Request to adopt procedures to incorporate lot size and frontage relief in the Infill Development Zone District; and

WHEREAS, the Planning Commission, the Zoning Commission and the City South Management Authority have recommended approval of adopting procedures to incorporate lot size and frontage relief in the Infill Development Zone District; and

WHEREAS, City Council now desires to amend the Unified Development Code to adopt procedures to incorporate lot size and frontage relief in the Infill Development Zone District; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35 of the City Code of San Antonio, Texas is hereby amended by adding language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text as set forth in this Ordinance.

SECTION 2. Chapter 35 of the City Code of San Antonio, Texas is hereby amended as follows:

Chapter 35, Sec. 35-343. "IDZ" Infill Development Zone is amended by adding:

Sec. 35-343. "IDZ" Infill Development Zone

- (c) **Lot and Building Specifications.** The side, front and rear setback provisions of the zoning regulations (article III) shall not apply to an approved infill development provided, however, that no new or existing building shall be erected, constructed or expanded to extend *within the public right-of-way or within five (5) feet of the rear lot line.* In a Master Development Plan or Development Plat with an area of 5 or more contiguous acres located within an approved infill development zone, lots may be platted without a minimum lot area requirement and/or without frontage on a public or private street, provided that lots without frontage on a public or private street shall be provided with vehicular and/or pedestrian traffic access by means of private drives with perpetual access easements, pedestrian walk ways, service drives,

parking facilities, or other alternative means dedicated on the plat or simultaneously recorded by separate instrument.

SECTION 3. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

SECTION 4. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 5. Notice of these changes to the Unified Development Code shall not require the publication in an official newspaper of general circulation in accordance with Chapter 35, Article IV, Division 1, Table 403-1.

SECTION 6. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 7. This ordinance shall become effective the 22nd day of June, 2008

PASSED AND APPROVED this the 12th day of June, 2008.



M A Y O R

PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney



Request for
**COUNCIL
ACTION**

City of San Antonio



Agenda Voting Results - 26

Name:	8, 9, 12, 14, 15, 18, 20, 22, 23, 24, 26, 27, 28A, 28B, 29A, 29B, 30, 31, 32, 33, 37, 38, 39A, 39B, 39C
Date:	06/12/2008
Time:	10:17:35 AM
Vote Type:	Motion to Approve
Description:	An Ordinance amending Chapter 35, Unified Development Code of the City Code of San Antonio, Texas to incorporate lot size and frontage relief in the Infill Development Zone district, as requested by Councilmember Cisneros, District 1. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Development Services]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

2008 FEB 27 PM 4:30

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

TO: Mayor & City Council

FROM: Councilwoman Mary Alice Cisneros

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Pat DiGiovanni, Deputy City Manager; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; Catherine J. Hernandez, Special Projects Manager; Ramiro Gonzales, Senior Management Analyst

SUBJECT: Amendment to the UDC regarding the IDZ zoning district

DATE: February 27, 2008

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

I respectfully request that the Development Services Department Staff take appropriate steps in bringing forward to the City Council for final action an amendment to the Unified Development Code (UDC) to incorporate lot size and frontage relief, similar to what is allowed in Planned Unit Development (PUD) zoning, into the Infill Development Zone (IDZ) zoning regulations. Specifically, I request that the following language be added to UDC Section 35-343(c) Lot and Building Specifications:

...Lots may be platted in areas larger than 15 or more contiguous acres located within an approved infill development zone without a minimum lot area requirement and are not required to front on a public or private street, provided that such lots shall be provided with vehicular and/or pedestrian traffic access by means of private drives, access easements, pedestrian walk ways, service drives, parking facilities, or other alternative means pursuant to documentation approved by the Director.

Brief Background

In 2001, San Antonio's City Council adopted the current UDC which includes a zoning classification intended to provide flexible standards for the development and reuse of certain underutilized parcels – IDZ (Infill Development Zone). IDZ zoning has been frequently used as a flexible redevelopment tool for inner-city tracts, however mostly for individual lots. The general UDC requirement that lots both have a minimum area and front on a street can hamper redevelopment of larger tracts where the IDZ could otherwise offer opportunities for mixed use benefits. With larger properties often characterized by irregular property limits, the benefits of the IDZ are severely limited by the need to convert to a suburban style PUD zoning classification just to gain the ability to plat lots without street frontage. Providing this relief for IDZ-zoned tracts would promote more flexible mixed-use redevelopment and adaptive reuse of larger underutilized tracts within San Antonio's inner-city.

Submitted for Council consideration
by:

Mary Alice P. Cisneros /yz
Sponsoring Councilmember

Supporting Councilmembers' Signatures (4 only)

District No.

- | | | |
|----|---|-----------|
| 1. | <u><i>[Signature]</i> ON BEHALF OF COUNCIL WIMAN DIANE G. CIBRIAN</u> | <u>D8</u> |
| 2. | <u><i>[Signature]</i> Sheila McNeil</u> | <u>D2</u> |
| 3. | <u><i>[Signature]</i> Jennifer V. Ramos (AM)</u> | <u>D3</u> |
| 4. | <u><i>[Signature]</i> Dennis Hoover</u> | <u>D6</u> |

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2008 FEB 27 PM 4:30



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # 26
Council Meeting Date: 6/12/2008
RFCA Tracking No: R-3412

DEPARTMENT: Development Services

DEPARTMENT HEAD: Roderick Sanchez

COUNCIL DISTRICT(S) IMPACTED:
City Wide

SUBJECT:
Amendment to the Unified Development Code - Infill Development Zone (IDZ)

SUMMARY:

An amendment to the Unified Development Code (UDC) to incorporate lot size and frontage relief in the IDZ (Infill Development Zone) zoning district.

BACKGROUND INFORMATION:

In 2001, San Antonio's City Council adopted the UDC which included a zoning classification intended to provide flexible standards for the development and reuse of certain underutilized parcels – IDZ (Infill Development Zone). IDZ zoning is available to property within the Community Revitalization Action Group (CRAG) target area, which generally includes the territory located inside the corporate boundaries of San Antonio as they existed in 1940. Properties eligible for IDZ zoning tend to be difficult to redevelop, particularly if they are comprised of larger, irregular shaped parcels. IDZ zoning currently offers relief to some of the conventional development standards, including parking and setbacks, however not to minimum lot size or to street frontage requirements. On February 27, 2008, the Development Services Department received a Council Consideration Request (CCR) from Councilwoman Cisneros to bring forward an amendment to the IDZ section of the UDC that would alleviate some of these barriers to larger tract IDZ redevelopment. This item was reviewed by the Governance Committee on March 5, 2008 and the Infrastructure and Growth Committee on May 21, 2008. Both committees voted to move the item forward for full City Council consideration.

ISSUE:

IDZ zoning has been frequently used as a flexible redevelopment tool for inner-city tracts, however, mostly for individual lots. The general UDC requirements for minimum lot area, and the requirement that lots front on a street, can hamper redevelopment of larger tracts where the IDZ could otherwise offer opportunities for mixed use benefits. With larger properties often characterized by irregular property limits, the benefits of the IDZ are severely limited by the need

to convert to a suburban style Planned Unit Development (PUD) zoning classification in order to plat lots without street frontage.

ALTERNATIVES:

If City Council chooses to not approve the amendment, the current street frontage requirements and lot size requirements will remain resulting in impeding incentivizing development within the Infill Development Zone.

FISCAL IMPACT:

The fees for any rezoning requests will cover the costs associated with the zoning change process.

RECOMMENDATION:

This item received favorable responses from the Planning Commission's Technical Advisory Committee on March 24, the Zoning Commission April 15, City South Management Authority (CSMA) Board April 22, and the Planning Commission April 23.

Staff recommends approval of the IDZ zoning amendment.

ATTACHMENT(S):

File Description	File Name
CCR Memo	CCR Memo.pdf
IDZ PROPOSED CODE AMENDMENT	IDZ Proposed Amendment.doc
Voting Results	
Ordinance/Supplemental Documents	200806120532.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Roderick Sanchez Director Development Services

APPROVED FOR COUNCIL CONSIDERATION:

T.C. Broadnax Assistant City Manager