

AN ORDINANCE 2009-05-07-0355

AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS BY ADOPTING A NEW ZONING DISTRICT AND REGULATIONS FOR GOLF COURSES, AS REQUESTED BY COUNCILMAN CLAMP, DISTRICT 10.

* * *

WHEREAS, Council Member Clamp, District 10 submitted a Council Consideration Request to adopt a new zoning district and regulations for golf courses; and

WHEREAS, a public hearing was held regarding this amendment at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission and the Planning Commission has recommended approval of adopting a new zoning district and regulations for golf courses; and

WHEREAS, City Council now desires to amend the Unified Development Code to adopt a new zoning district and regulations for golf courses; **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, Article III, Table 311-1 Residential Use Matrix, is amended as follows:

35-311 Use Regulations

TABLE 311-1 RESIDENTIAL USE MATRIX																				
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-18	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS FUNCTION	LCBS STRUCTURE
Golf Course (Accessory To A Residential Subdivision)(see 35-346 "G" district)	P	P	P	P	P	P	S	P	S	P	S	P	P	P	P	P	P	S	5370	

effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 5. The City Clerk is directed to publish notice of these amendments to Chapter 35, Unified Development Code of the City Code of the City of San Antonio, Texas. Publication shall be in an official newspaper of general circulation in accordance with Section 17 of the City Charter.

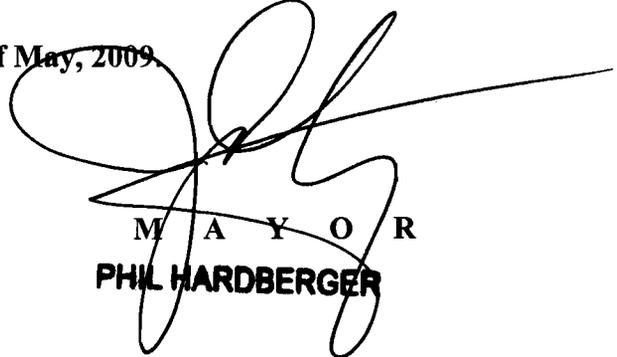
SECTION 6. The publishers of the City Code of San Antonio, Texas are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 7. This ordinance shall become effective the 17th day of May, 2009.

PASSED AND APPROVED this the 7th day of May, 2009.

ATTEST:


City Clerk


M A Y O R
PHIL HARDBERGER

APPROVED AS TO FORM:


For City Attorney

Agenda Item:	19						
Date:	05/07/2009						
Time:	05:44:53 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance amending Chapter 35 of the City Code of San Antonio, Texas, entitled "Unified Development Code", by amending and adopting provisions for a new zoning district for golf courses, as requested by Councilman Clamp, District 10. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and 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				x
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5	x					
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				

Chapter 35, Article III, Table 311-2 Non-Residential Use Matrix, is amended as follows:

TABLE 311-2 NON-RESIDENTIAL 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)
Recreation	Golf Course – Private (See Residential Use Table)(see 35-346 “G” district)						\$	\$					\$	5370
Recreation	Golf Course – Publicly Owned	\$	\$	\$	\$	\$	\$	\$	\$	\$			\$	

Chapter 35, Article III, is amended by adding Section 35-346:

35-346. “G” Golf Course District. – Repealed.

STATEMENT OF PURPOSE

A golf course district “G” is a special zoning district permitting the operation of a private or public golf course, including accessory uses and activities. Golf courses can be “stand alone” or in association with a residential subdivision/community or a commercial, office or business park. Golf courses shall be allowed only within “G” Golf Course districts in order to achieve compatibility with adjacent uses through the provisions of this section.

(a) Permitted Uses.

- (1) Golf courses, public or private. Accessory uses for a golf course may include the following:
 - a. Clubhouse facilities which may include, but not be limited to a pro shop, administrative offices for the golf course, tavern, meeting rooms, and a food service establishment.
 - b. Driving ranges.
 - c. Maintenance facilities: outdoor storage of equipment and materials shall be screened from any adjacent residential zoning districts.
- (2) Parks.
- (3) Conservation Subdivisions, which shall meet the requirements of Section 35-203. For a conservation subdivision within a “G” District, golf courses with accessory uses may serve as an alternative use to meet the parks and open space requirements set forth in 35-203(j).
- (4) The following uses may be permitted within the “G” District only with approval of a specific use authorization by City Council:
 - a. Archery range
 - b. Athletic fields – noncommercial
 - c. Clubhouse – private including lodges and meeting halls
 - d. Golf driving range
 - e. Neighborhood recreational facility
 - f. Neighborhood swimming pool

g. Tennis, racquetball, handball, volleyball or basketball courts – noncommercial

(b) Setback Requirements.

- (1) The perimeter setback for all buildings and structures shall be twenty-five (25) feet when abutting a residentially developed tract or a residential zoning district.
- (2) No perimeter setback is required where the golf course does not abut a residentially developed tract or residential zoning district.
- (3) Internal to this district there are no zoning setback requirements, however building and fire code requirements must still be met.
- (4) For uses requiring a specific use authorization, stricter setbacks may be governed by the required site plan.

(c) Height Requirements.

- (1) The height of buildings shall not exceed thirty-five (35) feet at the required perimeter setbacks as specified in subsection (b).
- (2) The height of buildings may be increased two (2) feet for each one (1) foot they are set back beyond the required perimeter setback.
- (3) For uses requiring a specific use authorization, stricter height limits may be governed by the required site plan.

(d) Lighting.

- (1) Lights illuminating an accessory driving range shall be arranged so that the source of light is deflected away from and not directed toward any abutting residential uses or residential zoning districts, and shall meet the requirements of Section 35-392(a).
- (2) All other lighting shall be in accordance with Section 35-392.
- (3) For uses requiring a specific use authorization, stricter lighting standards may be governed by the required site plan.

(e) Signs.

- (1) No sign, display or other exterior indications of accessory uses shall be visible from a public thoroughfare.
- (2) All other signage shall be in accordance with Chapter 28 of the City Code.
- (3) For uses requiring a specific use authorization, stricter sign standards may be governed by the required site plan.

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.

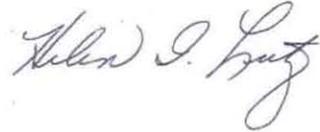
SECTION 4. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand

AFFIDAVIT OF PUBLICATION

Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, deposes and says that she is the Publisher of ***The Hart Beat***; that said newspaper is generally circulated in San Antonio, Bexar County, Texas; that the attached notice was published in said newspaper on the following date(s):

May 13, 2009

Subscribed and sworn to before me this 13th day of May, 2009, to certify which witness my hand and seal of office.



Helen I. Lutz, Publisher

PUBLIC NOTICE

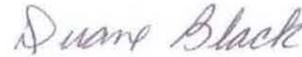
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PASSED AND APPROVED this 7th day of May, 2009.

/S/ PHIL HARDBERGER
MAYOR

ATTEST: LETICIA VACEK
CITY CLERK
5/13

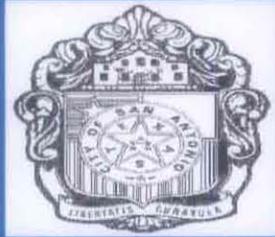


Notary Public in and for the State of Texas

Duane Black

Name of Notary

My commission expires August 7, 2012



UDC Amendment Golf Course Zoning District

AGENDA ITEM # 19

May 7, 2009

1

BACKGROUND

- Currently, golf courses are allowed by-right in many residential and commercial zoning districts
- Concern over potential development on abandoned or former golf course property that would be incompatible with adjoining development
- CCR – Councilman John Clamp, District 10
- Requested a specific zoning designation for golf courses

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PROPOSED CHANGES

- New zoning district: "G" Golf Course District
- Would allow:
 - Golf courses and their incidental accessory uses by-right
 - Parks
 - Various individual recreational uses with approval of a specific use authorization

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PROPOSED CHANGES

- Golf courses no longer allowed by-right in other districts
- No changes to the current requirement for a specific use authorization over the ERZD

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EFFECT

- New golf courses would require "G" zoning before being developed
- A rezoning would be required for re-development of golf courses
- Existing golf courses would be (grandfathered)
- Any existing golf courses of concern could be addressed through the rezoning process

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COORDINATION

- Parks and Recreation
- City Attorney's Office
- Municipal Golf Association
- Golf San Antonio
- Recommendations of approval from:
 - Planning Commission's Technical Advisory Committee (TAC) – March 23, 2009
 - Zoning Commission – April 7, 2009
 - Planning Commission – April 8, 2009
- Briefed CSMA Board – March 24, 2009

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RECOMMENDATION

STAFF RECOMMENDS APPROVAL

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