

**CITY OF SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Florencio Peña, III, Director Development Services

SUBJECT: Public Hearing on the 2005 Unified Development Code Annual Update Program

DATE: December 1, 2005

SUMMARY & RECOMMENDATIONS

At the direction of the City Council Urban Affairs Committee, the Development Services Department will present in a City Council public hearing the 2005 UDC Annual Update Program. A 2nd public hearing and consideration of the amendments will be held by the City Council on December 15, 2005. The recommendations for the amendments came from multiple sources such as community stakeholders, city staff, legal directives and case studies.

BACKGROUND INFORMATION

The UDC provides for an annual updating of the UDC. The updating process requires all amendments be submitted to the Development Services Department no later than July 1st of each year. The amendments must be forwarded for consideration to the Planning Commission Technical Advisory Committee (PCTAC), Planning Commission and Zoning Commission no later than October 30th and then to City Council by December 1st. Adopted amendments become effective January 1st of the following year.

This year 67 amendments have been reviewed and approved by the PCTAC, the Planning Commission and the Zoning Commission after more than eight public meetings and two Public Hearings. All, except four, of the proposed amendments come with a recommendation for adoption by the two Commissions and the PCTAC. The amendments were presented to the City Council Urban Affairs Committee on November 14th. The City Council Urban Affairs Committee directed staff to hold one additional public hearing before the City Council on December 1st.

POLICY ANALYSIS

This year's Annual Update Program generated 67 amendments of which 63 are being forwarded with the unanimous vote of the PCTAC, Planning Commission and Zoning Commission. Two of the remaining four amendments (Items 2 & 3) were forwarded with differing recommendations from the Planning and Zoning Commissions. The Planning Commission approved the remaining two amendments (Items 1 and 4) but after that approval the amendments were changed for legal purposes and then approved by the Zoning Commission. The Planning Commission could not revise their recommendation due to the advertising requirements of the UDC.

The four amendments with differing recommendations are as follows:

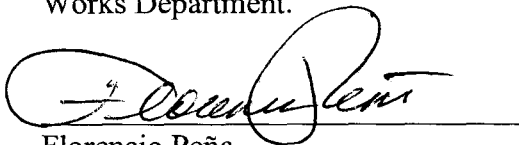
1. **Planning Commission** recommended a change in terminology from "Specific Use Permit" to "Special Exception".
Zoning Commission recommended a change in terminology from "Specific Use Permit" to "Specific Use Authorization".
City Staff concurs with Zoning Commission. This is a minor editorial change.
2. **Planning Commission** recommended a change to provide VIA with a blanket exemption from the zoning ordinance.
Zoning Commission recommended incorporation of certain VIA transportation uses into Section 35-311 and 35.311-a (Tables of Residential Use Matrix) and 35-311-2 and 35-311-b (Tables of Non-Residential Use Matrix).
City Staff concurs with Zoning Commission.
3. **Planning Commission** recommended removing the 30-acre maximum size for an enclave subdivision.
Zoning Commission recommended changing the maximum size of an enclave subdivision from 30-acres to 150-acres.
City Staff concurs with Zoning Commission because a size limit provides for better connectivity and more efficient delivery of municipal services.
4. **Planning Commission** recommended adding the wording "or floodplain" to the definition of "adjacent".
Zoning Commission recommended replacing the current definition of "adjacent" with the Webster's Dictionary definition of "adjacent".
City Staff concurs with Zoning Commission because it provides a better definition.

FINANCIAL IMPACT

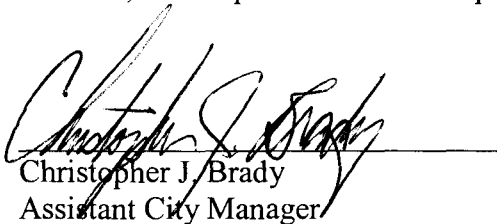
There is no anticipated financial impact.

COORDINATION


This item was coordinated with the City Attorney's Office, Planning Department and Public Works Department.



Florencio Peña
Director, Development Services Department



Christopher J. Brady
Assistant City Manager



Sheryl Sculley
City Manager