

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.

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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