



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-3498

**Type:** Staff Briefing - Without Ordinance

**In control:** Transportation Committee

**On agenda:** 5/22/2018

**Title:** Briefing and update on the establishment of a Sidewalk Mitigation Fund and a Bicycle Facilities Mitigation Fund allowing developers to pay a fee if there are compelling reasons why the required sidewalk or bicycle facilities cannot be constructed with their development project. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director/City Engineer, Transportation & Capital Improvements]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:** Sidewalk & Bicycle Facilities Mitigation Fund

### SUMMARY:

A briefing and update on the establishment of a Sidewalk Mitigation Fund and a Bicycle Facilities Mitigation Fund allowing developers to pay a fee if there are compelling reasons why the required sidewalk or bicycle facilities cannot be constructed with their development project.

### BACKGROUND INFORMATION:

The City of San Antonio is projected to grow significantly over the next two decades and developing a plan to accommodate that growth was the driving objective in developing the SA Tomorrow Plans (Comprehensive Plan, Multimodal Transportation Plan, and Sustainability Plan). All three SA Tomorrow plans were adopted by City Council in August 2016.

The Comprehensive Plan provides policy guidance on where and how to grow. The Multimodal Transportation

Plan provides a vision for the future that utilizes technology and innovation to transform our existing transportation system into a dynamic, balanced, and forward thinking system. The Sustainability Plan articulates the City’s sustainability strategy, serving as a roadmap to make our community and municipal operations more sustainable, improving quality of life for all residents, and building overall community resilience.

The City of San Antonio (City) currently has an extensive street and sidewalk network, with an emerging bicycle network. However, with San Antonio expected to nearly double in population by 2040, much more work is needed to become a sustainable, multimodal community and achieve “growth without congestion”. As shown below, there are nearly 2,000 miles of gaps in the City’s sidewalk network.

<u>Network</u>	<u>Type</u>	<u>Inventory</u>
Street	Street Centerline Miles	4,121
Sidewalk	Sidewalk Miles	5,037
Sidewalk	Gaps/Missing Miles	1,898

<u>Network</u>	<u>Type</u>	<u>Inventory</u>
Bicycle	Lane Miles	166
Bicycle	Path Miles	11
Bicycle	Route Miles	73

**ISSUE:**

The current Unified Development Code (UDC) allows for exemptions from building sidewalks if certain criteria are met. However, there is no exemption criteria currently provided in the UDC for bicycle facilities. Currently, a developer does not contribute any funding in-lieu of constructing sidewalks if exemption criteria are met or bicycle facilities if a variance is allowed.

The establishment of a Sidewalk Mitigation Fund and a Bicycle Facilities Mitigation Fund will amend the UDC to create a fund that would require developers to pay a fee if there are compelling reasons why the required sidewalk or bicycle facilities could not be constructed with their development project at the same time. The policy framework for the amendments is described below. Contribution into either fund will not exceed the proposed development’s Roughly Proportionate Determination.

On March 2, 2018, the Planning Commission Technical Advisory Committee approved the proposed UDC amendments. On March 27, 2018 TCI briefed the City Council Transportation Committee and two main concerns were raised regarding the management of the funds and also the potential impact on affordable housing.

**Fund Management:**

Several of the City Council Transportation Committee members had concerns about collecting funds within one Council District and spending those funds within a different Council District. To mitigate those concerns, TCI will manage the collection and spending of funds on a Council District basis.

**Affordable Housing:**

Several of the City Council Transportation Committee members had concerns about how the establishment of the mitigation funds may impact affordable housing. On April 17, 2018, TCI briefed the San Antonio Housing

Commission to Protect & Preserve Dynamic & Diverse Neighborhoods on the proposed funds. The Commission made a recommendation to move forward with the proposed funds but to include a stipulation that if an affordable housing project is eligible to pay into the funds that there be a proportionate discount on the fund payment in relation to the percentage of affordable housing units in the development. As an example, if a development was to include 50 of the planned 100 units as affordable housing, then the proposed development would be entitled to a 50% discount on the mitigation fund contributions for either sidewalks or bike facilities.

Subsequent to this City Council Transportation Committee briefing, TCI anticipates presenting to the following boards and commissions:

- Planning Commission - June 2018
- City Council - August 2018 (As part of the City Manager's FY 2019 Proposed Budget)

### **ALTERNATIVES:**

As an alternative, the City Council Transportation Committee may choose not to move forward with approving actions needed to amend the Unified Development Code Section 35-506(d)(4) and Section 35-506(q)(2). However, this action would result in a missed opportunity for the City to expand needed sidewalk and bicycle facilities.

### **FISCAL IMPACT:**

Amendments to the Unified Development Code Section 35-506(d)(4) will establish a Bicycle Facilities Mitigation Fund and Amendments to the Unified Development Code Section 35-506(q)(2) will establish a Sidewalk Mitigation Fund. It is estimated that both funds would collect a total of nearly \$1 million annually.

### **RECOMMENDATION:**

Staff recommends approval of the amendments to the Unified Development Code Section 35-506(d)(4) and Section 35-506(q)(2) to create the Sidewalk and Bike Mitigation Fund, and including these new funds as part of the FY 2019 Proposed Budget for City Council consideration.