



City of San Antonio

Agenda Memorandum

File Number:18-3587

Agenda Item Number: 30.

Agenda Date: 6/13/2018

In Control: Planning Commission

DEPARTMENT: Transportation & Capital Improvements

DEPARTMENT HEAD: Mike Frisbie, P.E.

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT: Sidewalk & Bicycle Facilities Mitigation Funds

SUMMARY:

Consideration, discussion, and action on the establishment of a Sidewalk Mitigation Fund and a Bicycle Facilities Mitigation Fund by amending the Unified Development Code (UDC) to create two funds allowing 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.

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 in the table below, there are nearly 2,000 miles of gaps in the City’s sidewalk network. In addition, the “San Antonio Bike Plan 2011 + Implementation Strategy” approved in 2011 by City Council identified a 1,768 bicycle network of lanes, paths, and routes which leaves a current gap of approximately 1,500 miles.

<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 is 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.

Sidewalk Mitigation Fund:

The current UDC allows for the following exemptions from building sidewalks. If conditions A, B, or E apply, then the proposed project would contribute into the Sidewalk Mitigation Fund.

- A. When the proposed sidewalks will interfere with or disrupt existing drainage systems.
- B. When public construction which would require proposed sidewalk replacement will take place on the street within three (3) years.
- C. On Local Type A streets in single or two-family residential subdivisions with a density less than one (1) residential unit per acre.
- D. On streets utilizing the county road cross-section as allowed in UDC Section 35-506(b)(1).
- E. Where the preservation of trees warrants the reduction in width or modification to the sidewalk and curb requirements in accordance with the tree preservation standards.

Bicycle Facilities Mitigation Fund:

The conditions listed below would determine when a project would contribute into the Bicycle Facilities Mitigation Fund.

- A. Bicycle facilities shall be installed where, in combination with existing bicycle facilities, there will be a contiguous block length of bicycle facilities, or if the proposed bicycle facility represents the entire block.
- B. To promote build-out of the network, bicycle facilities shall be installed if the adjacent block on either side of the development also has a bicycle facility even when the proposed facility will not directly connect to the existing adjacent facilities.
- C. The proposed development should pay into the Bicycle Mitigation Fund if conditions (A) or (B) are not met.
- D. The proposed development should pay into the Bicycle Facilities Mitigation Fund when the Director of Development Services or County Engineer, in consultation with the Director of Transportation & Capital Improvements, determines that public construction which would require bicycle facility replacement will take place on the street within three (3) years following the completion of the subject development.

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.

On May 22, 2018 TCI briefed the City Council Transportation Committee and the committee approved the proposed UDC amendments.

ALTERNATIVES:

As an alternative, the Planning Commission 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.

RECOMMENDATION:

Staff recommends approval of the amendments to the Unified Development Code Section 35-506(d)(4) and Section 35-506(q)(2).