

Agenda item #18

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

TO: Mayor and City Council
FROM: Florencio Peña III, Director, Development Services Department
SUBJECT: Residential sidewalk exception
DATE: April 20, 2006

SUMMARY & RECOMMENDATION

An Ordinance amending Chapter 35 (Unified Development Code) of the municipal code to allow for establishment of an exception to the requirement for construction of residential sidewalks.

Staff recommends approval.

BACKGROUND INFORMATION

This ordinance will provide exceptions that would eliminate the requirement for homeowners to build sidewalks when 70% of a developed block does not have sidewalks and neither property on each side of a lot has sidewalks as directed by Council Consideration Request (CCR) memorandum sponsored by City Council Member Patti Radle, District 5.

POLICY ANALYSIS

The City of San Antonio presently requires all applicants for new residential structures or for remodeling projects greater than 25% of the value of a home to construct residential sidewalks. In some areas of the City, there are residential areas developed without sidewalks or curbs. In such cases, the requirement to construct the sidewalk results in a single walk, which will never be connected to other walks to provide a complete pedestrian circulation facility. The imposition of the cost to construct the sidewalk then becomes an unfair financial burden on the individual who will never realize the benefit of a complete circulation system. This amendment will also encourage more infill development to occur.

The exception as proposed would apply only to residentially zoned or residentially developed lots that are 70% developed with no existing sidewalks and where connecting sidewalks do not exist on either side of the property.

A second portion of the amendment is to insert an errata statement into the code that advises applicants that when making ADA improvements to commercial property such as the

construction or reconstruction of sidewalks that they may be eligible for a federal income tax credit.

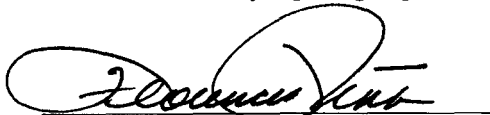
FISCAL IMPACT

There is no impact to the general fund associated with this ordinance.

COORDINATION

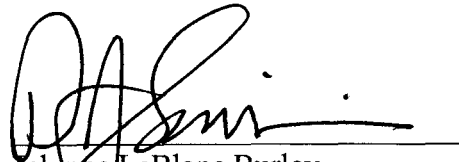
This ordinance was coordinated with the Disability Access Division of Public Works and the City Attorney's Office. In addition, the item was coordinated with the Governance Council Committee, Urban Affairs Council Committee, and the Planning and Zoning Commissions.

The Zoning Commission recommended approval. Planning Commission recommended approval with some clarifying language and requested quarterly reports on lots meeting this exception.



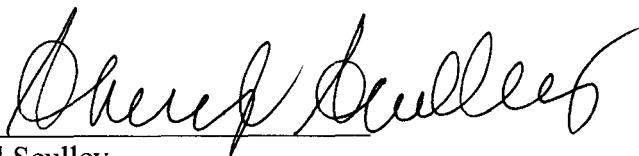
Florencio Peña III

Director, Development Services Department

FOR 

Jelyne LeBlanc Burley
Deputy City Manager

Approved for Council Consideration:


Sheryl Sculley
City Manager

CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
INTERDEPARTMENTAL CORRESPONDENCE

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2005 NOV 18 P 1:53

TO: Mayor and Councilmembers

FROM: Councilwoman Patti Radle, District 5

COPIES TO: City Manager; City Clerk; City Attorney; Director of Development Services; Assistant to City Council and Mayor; File

RE: Proposed UDC Sidewalk Amendment

DATE: November 17, 2005

Your support is requested to ask our City Manager to direct the Department of Development Services to prepare an amendment to the sidewalk provisions of the Unified Development Code. The primary intent of the proposed amendment is to provide exceptions that would eliminate the requirement for homeowners to build sidewalks when remodeling if certain exceptions are met. Primarily the exceptions would be that 70% of the block face in which the house was located does not have sidewalks and neither property on each side of the house being remodeled. Thank you for your consideration.


PATTI RADLE, DISTRICT 5


PHIL HARDBERGER, MAYOR


DELICIA HERRERA, DISTRICT 6

ESP. SINCE
I have
advocated
for this
since
2000!


ROGERO O. FLORES, DISTRICT 1


ELENA GUAJARDO, DISTRICT 7



SHEILA D. MCNEIL, DISTRICT 2


ART A. HALL, DISTRICT 8


ROLAND GUTIERREZ, DISTRICT 3


KEVIN WOLFF, DISTRICT 9


RICHARD PEREZ, DISTRICT 4


CHIP HAAS, DISTRICT 10

I think that that would
be counterproductive
to our goal of providing
sidewalks. maybe the threshold should be
a certain % amount of remodeling.