

RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time	DSD Assigned RID # 112
Customer RID	<input type="checkbox"/>	24 hours	<input type="checkbox"/>
Internal Staff RID	<input checked="" type="checkbox"/>	10 working days	<input type="checkbox"/>
		As time available	<input checked="" type="checkbox"/>

1. Project Name: Applicability of passenger depot and transit station uses

2. Project Number: n/a
(Plat #, Zoning Case #, etc.)

3. Project Street Address: n/a
(If not available nearest intersection of two public streets)

4. Applicant Name: n/a

5. Applicant Address: n/a

6. Applicant Telephone #: n/a

7. Applicant e-mail Address: n/a

8. Rule in Question:
(Section and/or policy of UDC, Sign Code, etc)
Applicability of passenger depot and transit station uses.

9. Applicant's Position:
(Including date position presented and name of city staff point of contact)
n/a

10. Staff Finding:
(Including date of finding and name of city staff person formulating finding)

Date: July 23, 2012 **Contact:** Andrew Spurgin **Contact Telephone #:** 207-8229

Staff has historically interpreted that the applicable use for interurban transportation services in Table 311-2 is a "Passenger Depot" which requires a "S" specific use authorization in the C-3 and D districts and is "P" permitted by right in the L, I-1 and I-2 districts. Specifically zoning cases Z2002153S and Z2004066C requesting a "bus passenger depot" followed this interpretation.

The 1965 zoning regulations were incorporated in the adoption of the 1987 Unified Development Code and, allowed the passenger depot use to be permitted by right in the B-3, B-4, I-1 and I-2 districts pursuant to Section 35-3262. Though the term was contained in the 1987 UDC, it was not defined.

Staff has researched several interurban rail and motorcoach operators in San Antonio and has found that all of them either operate in a zoning district that currently allows a passenger depot or that previously allowed a passenger depot prior to code changes.

<i>Operator</i>	<i>Address</i>	<i>1965 zoning</i>	<i>2001 UDC zoning</i>
Americanos http://www.autobusesamericanos.us/	301 Broadway	B-4	D
Amtrak http://www.amtrak.com/servlet/ContentServer?pagename=am/am2Station/Station_Page&code=SAS	380 Hoefgen	B-4	D
Greyhound www.greyhound.com/	500 N. St. Mary's	B-4	D
Tornado Bus Company http://www.tornadobus.com/	7914 IH-35 S	I-2	I-2
Turimex http://ticket.gruposenda.com/	518 N Alamo	I-1	I-1*
Valley Transit Company http://www.valleytransitcompany.com/	500 N St. Mary's	B-4	D

**Subsequently rezoned by City of San Antonio to FBZ*

On December 15, 2005 and January 12, 2006 City Council, responding to meet the needs of VIA Metropolitan Transit adopted Ordinance #101816 and 2006-01-12-49, respectively. The ordinances added the uses below to the zoning use matrix and corresponding definitions in Appendix A of the UDC. These amendments were intended to apply to VIA Metropolitan Transit and not to interurban transportation operators.

Bus shelter. A roofed structure located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the weather protection and convenience of waiting bus passengers.

Bus stop. A fixed location where passengers board and alight usually identified by a sign.

Transit center (public operated system). A fixed location where passengers interchange from one route or vehicle to another that has significant infrastructure such as a waiting room, seating, restrooms, sales outlet, ticket or pass vending machines and/or waiting areas for passenger pick-ups.

Transit park-and-ride facility (public operated system). A facility used for parking by transit riders, while they use transit agency services. Park-and-ride facilities are generally established as collector sites for transit service. Park-and-ride facilities may also serve as collector sites for vanpools and carpools, and as transit centers. The facility may have limited passenger amenities such as shelters, seating and posted route/schedule information.

Transit transfer center (public operated system). A fixed location where passengers interchange from on route or vehicle to another. The amenities at this facility

would include but not be limited to shelters, seating, lighting and posted route/schedule information.

The definition for “transit station” was included in the adoption of the May 3, 2001 UDC. The transit station definition is as follows:

Transit station. A building, structure, or area designed located on a busway or a light rail line and used for passenger pickup, drop off, embarking, or changing transportation modes. Facilities and improvements may include shelters, benches, signs, structures, and other improvements which provide security, weather protection, and access to nearby services.

The term “transit station,” as adopted in the 2001 UDC, was specifically intended for the location criteria to establish a transit oriented development (“TOD”) pursuant to Section 35-208(d) and for this reason was not included in the table of permitted uses (Table 311-2). The transit station itself was a not use, the TOD around a transit station was the use in question for this provision. TODs are common high density development formats around local mass transit stations. Specifying a definition for transit station in the context of the 2001 UDC was purely a mechanism to limit where the high density format of a TOD could locate, rather than serving as a binding determinate for the required zoning of the actual transit facility.

The images shown below of the DART Mockingbird Station in Dallas show a typical TOD centered around the station of a local mass transit facility.



The addition of a transit station by ordinance 2006-01-12-49 to the table of permitted uses clarifies where a local station may be located.

11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

Date: July 23, 2012 **Contact:** Andrew Spurgin **Contact Telephone #:** 207-8229

The bus and transit related additions to the UDC requested by VIA in 2005 were intended for local mass transit agencies and not for interurban carriers, whether bus, rail or other mode. The transit station use also refers to a local mass transit agency and specifically was intended as part of the location criteria for establishing a TOD.

A passenger depot, by contrast, is a facility for interurban transportation operators and for this reason, this was the use classification determined for interurban motorcoach services in previous zoning cases. This interpretation requires any operator of interurban rail or motorcoach service to have the zoning for a passenger depot in order to establish a location for boarding and alighting within the City of San Antonio regardless of whether there is a formal station facility constructed.

The locations identified in Section 10 above by staff for Americanos, Amtrak, Greyhound, Turimex and Valley Transit Company allowed a passenger depot prior to the February 2002 conversion from the 1965 zoning ordinance to the 2001 Unified Development Code. These locations are now considered nonconforming uses. The Tornado Bus Company passenger depot is a conforming use in the I-2 district.

12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director)

Date of policy/action: July 23, 2012 **Effective Date of policy/action:** immediate

The Director supports the position of staff outlined in Section 11 above. The Director directs staff to add a definition of passenger depot in a future UDC update as follows:

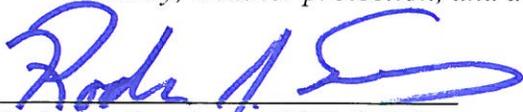
Passenger Depot. Establishments in this classification operate over long distances between metropolitan areas, although some provide additional regional transportation services. This use may include temporary storage or parking of bus or rail rolling stock, facilities for passenger boarding and alighting as well as ticketing facilities, toilets, food service and limited retail uses.

The Director recommends the following changes in definitions to ease future interpretation:

Bus shelter (public operated system). A roofed structure located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the weather protection and convenience of waiting bus passengers.

Bus stop (public operated system). A fixed location where passengers board and alight usually identified by a sign.

Transit station (public operated system). A building, structure, or area designed located on a busway or a light rail line and used for passenger pickup, drop off, embarking, or changing transportation modes. Facilities and improvements may include shelters, benches, signs, structures, and other improvements which provide security, weather protection, and access to nearby services.



Roderick Sanchez, AICP, C.B.O
Director

8-23-12
Date