



**2015 Update Proposed Amendment Form (1 of 3)  
Performance Agreement and Time of Construction**

**Submittal Number:** \_\_\_\_\_  
**Amendment Number:** \_\_\_\_\_

**Date:** \_\_\_\_\_  
**Name/Organization:** \_\_\_\_\_

- a. **Address:** \_\_\_\_\_
- b. **Telephone Number:** \_\_\_\_\_
- c. **Email Address:** \_\_\_\_\_

**Signature:**   
Anthony Chikwale

**Date:** 4/29/2015

**Reason for Proposed Update**

- A. Modify procedures and standards for workability and administrative efficiency.
- B. Eliminate unnecessary development costs.
- C. Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design.
- D. None of the above.

**Basis for Update:**

- A. Request of the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, Resolution, or signature of the chair of the board/ commission required).
- B. Editing change that does not alter the impact of the provision being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinances, statutes or case law.
- C. Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC. Clarification amendments should not change or alter the intent or meaning of the existing UDC provisions.
- D. Rule Interpretation Decision (RID)
- E. None of the above.

## Summary of Changes:

The City of San Antonio's Transportation and Capital Improvements Department (TCI) in consultation with the Disability Access Office, Disability Access Advisory Committee, and Development Services proposes to amend Article V, Div. 2, Sec. 35-506 (Q), Sub-Section (4) of the Unified Development Code, titled: "Performance Agreement and Time of Construction". The amendment addresses the exception of the construction of sidewalks as required in the UDC performance agreement (Sec. 35-437). In its current form, the language exempts a developer from constructing sidewalks as part the Performance Agreement defined in Sec. 35-506, for the following reason:

*"...with exception to sidewalks along street frontage of lots within the city limits for which building permits will be required."*

Simply put, the simultaneous construction of new sidewalks at the time of new street construction is not required. Only after building permits have been issued for the individual properties along the street are sidewalks required. When permits are eventually issued, the property owner is responsible only for the construction of sidewalks along the frontage of the individual property; historically this code exception has resulted in gaps in pedestrian right-of-way at properties which have yet to be issued building permits. The current wording allows for the exemption of the construction of sidewalks along **all** street types (not including those already excluded in Sec. 35-506 (Q), sub-section (4)). While a lack or absence of sidewalks in residential (low traffic) streets, such as Local A or B, is not necessarily hazardous to pedestrians, an absence or lack of sidewalks along Collector and Arterial streets is extremely dangerous, especially to those in wheelchairs and those using other ambulatory devices.

Currently San Antonio has 4,066 miles of existing sidewalks and 2,584 miles of missing sidewalk. Gaps in sidewalks along streets with bus routes (often high traffic) fragment the connectivity of the City's infrastructure, particularly for those living with impaired mobility. Currently there are 798 VIA stops located on such gaps, this is roughly 10% of the total stops in the city.

TCI proposes to alter the wording of the code to exclude Collector and Arterial streets from the sidewalk

exemption; this action will better insure the safety of pedestrians and the public's access to the city's right-of-way infrastructure

Not This



Current Allows

This



Proposed Changes

2

San Antonio

currently has over 2,500 miles of sidewalk gaps much like this

### Suggested Text Changes:

(4) **Performance Agreement and Time of Construction.** All sidewalks shall be included as part of the performance agreement required by section 35-437 of this chapter with exception to sidewalks along Local street frontage (includes Conservation Access, Local Type A, and Local Type B) of lots within the city limits for which building permits will be required. All sidewalks within a subdivision must be completed when ninety-five (95) percent of the lots within the subdivision are built out, excluding lots for which a building permit is pending.

### Related Code Section:

Article V, Div. 2, Sec. 35-506 (Q), Sub-Section (4)



**2015 Update Proposed Amendment Form (2of 3)  
Sidewalk Exceptions: Drainage**

Submittal Number: \_\_\_\_\_  
Amendment Number: \_\_\_\_\_

Date:  
Name/Organization:

- a. Address:
- b. Telephone Number:
- c. Email Address:

Signature: 

Date: 4/29/2015

**Reason for Proposed Update**

- A. Modify procedures and standards for workability and administrative efficiency.
- B. Eliminate unnecessary development costs.
- C. Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design.
- D. None of the above.

**Basis for Update:**

- A. Request of the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, Resolution, or signature of the chair of the board/ commission required).
- B. Editing change that does not alter the impact of the provision being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinances, statutes or case law.
- C. Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC. Clarification amendments should not change or alter the intent or meaning of the existing UDC provisions.
- D. Rule Interpretation Decision (RID)
- E. None of the above.

**Summary of Changes:**

The Transportation Capital Improvements Department (TCI) in consultation with the Disability Access Advisory Committee and Development Services proposes to amend Article V, Div. 2, Sec. 35-506 (Q), Sub-Section (2) of the Unified Development Code titled: Sidewalk Exceptions: A. This exception allows for the construction of sidewalks to be omitted if in doing so would “interfere with or disrupt drainage”. The proposed changes would exclude areas of new development from the exception. That is, areas where a drainage system has not yet been established.

It is evident that the design and construction of sidewalks in areas where drainage systems are already in place creates technical difficulties and feasibility issues. However, the design and placement of sidewalks should be a priority in the design of new construction where a drainage system is also being developed. Gaps in sidewalks are dangerous to pedestrians, especially those using wheelchairs or other ambulatory devices. Additionally, gaps in sidewalks along streets with bus routes fragment the connectivity of the City’s right-of-way infrastructure. This amendment would help reduce the inflation of the City’s 2,500 miles of missing sidewalks, which will increase pedestrian safety and access to public amenities.

**Suggested Text Changes:**

A. When the director of planning and development services, in consultation with the director of public works, determines that the sidewalks will interfere with or disrupt existing drainage.

**Related Code Section:**

Article V, Div. 2, Sec. 35-506 (Q), Sub-Section (2: A)

**Examples of Drainage Sidewalk Exception**



## 2015 Update Proposed Amendment Form (1 of 3) Performance Agreement and Time of Construction



**140 ft. of sidewalk was not constructed on this newly developed frontage along South New Braunfels as a result of the use of this administrative exception**



**Sidewalks will not be built along the remaining frontage of Oak Dr (next door to Ellison Elementary) at a newly constructed apartment complex**



**2015 Update Proposed Amendment Form (3 of 3)  
Sidewalk Width and Setback Requirements**

Submittal Number: \_\_\_\_\_  
Amendment Number: \_\_\_\_\_

Date:  
Name/Organization:

- a. Address:
- b. Telephone Number:
- c. Email Address:

Signature: 

Date: 4/29/2015

**Reason for Proposed Update**

- A. Modify procedures and standards for workability and administrative efficiency.
- B. Eliminate unnecessary development costs.
- C. Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design.
- D. None of the above.

**Basis for Update:**

- A. Request of the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, Resolution, or signature of the chair of the board/ commission required).
- B. Editing change that does not alter the impact of the provision being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinances, statutes or case law.
- C. Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC. Clarification amendments should not change or alter the intent or meaning of the existing UDC provisions.
- D. Rule Interpretation Decision (RID)
- E. None of the above.

### **Summary of Proposed Changes:**

Remove option permitting the construction of sidewalks on street types B and above with a minimum unobstructed width of 4' separated from the back of the curb by a planting strip with the minimum width of 3'. Removing that option will require all newly constructed sidewalks, on street types B and above, to have a minimum width of 6' with or without a setback planting strip.

### **Reasons for Proposed Changes:**

The Disability Access Office proposes the aforementioned amendment to the UDC in an effort to better align the standards set forth in the UDC with its intent; as stated in the Statement of Purpose preceding Article V: Development Standards:

*“Urban Design, Policy 1B: Create and adopt urban design guidelines and standards which specifically encourage pedestrian safety and comfort, transit access, street level amenities, and circulation between neighborhood centers.”*

*“Urban Design, Policy 5k: Accommodate the specific needs of disabled individuals in all transportation modes.”*

The amendment would also circumvent the need to install passing zones every 200 feet (ADA, 2010), allowing for a continuous “passing zone” along the entirety of the path, making moving safer and more comfortable for all users, particularly for wheel chair users.

## THIS



A six foot sidewalk, with or without a buffer zone, is safer and easier for pedestrians to navigate; especially for those in wheel chairs, allowing for a continuous passing zone for the entirety of the path.

## NOT THIS



4' and 5' wide sidewalks are often constructed without passing zones for hundreds of linear feet; this forces those in wheel chairs or other ambulatory devices into the street or buffer zone.

### **Suggested Text Changes:**

(5) ~~In residential areas within the city limits and ETJ the minimum width of sidewalks adjoining a planting strip shall be four (4) feet. In nonresidential areas the minimum width of sidewalks shall be six (6) feet.~~ Sidewalk width does not include curb width.

In residential areas within the city limits and the ETJ the minimum width of sidewalks along street types Local A and smaller shall be 4 (four) feet, and 6 (six) feet for sidewalks along street types Local B and greater. Sidewalks width does not include curb width.

• **Table 506-3  
Conventional Street Design Standards**

Street Type	Marginal Access	Alley	Access to Conservation Subdivision	Local Type A	Local Type B	Collector	Secondary Arterial <sup>1</sup>	Primary Arterial <sup>2</sup>
R.O.W. (min.) <sup>1,2,10</sup>	36'	24'	34'	50'	60'	70—90'	86—110'	120' <sup>11</sup>
Pavement Width	26'	18—24'	24' <sup>7</sup>	28'	40'	44—55'	48—81'	48—81'
Design Speed (mph)	30	20	30	30	30—35	40—45	45	45
Grade (max.) <sup>3</sup> ICL	12%	12%	12%	12%	12%	7%	5%	5%
Grade (max.) <sup>3</sup> ETJ	10%	10%	10%	10%	10%	7%	5%	5%
Grade (min.) <sup>4</sup>	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Centerline Radius (min.)	100'	50'	100'	100'	100'	400'	700'	1,200'
Curb	NR	NR	NR	Yes	Yes	Yes	Yes	Yes
Median	NR	NR	NR	NR	NR	NR	16' min.	16' min.
Sidewalk Width (see subsection (q)(5)) <sup>5</sup>	NR	NR	4/6 <sup>8</sup> one side only	4' <sup>8</sup>	<del>4'-6'</del> <sup>9</sup>	<del>4'-6'</del> <sup>9</sup>	<del>4'-6'</del> <sup>9</sup>	<del>4'-6'</del> <sup>9</sup>
Bicycle Facilities <sup>5,6</sup>	NR	NR	NR	NR	NR	Yes <sup>5</sup>	Yes <sup>5</sup>	Yes <sup>5</sup>
Streetscape Planting	NR	NR	NR	NR	NR	Yes	Yes	Yes
Planting Strips	NR	NR	NR	NR	<del>3'-Min.</del> <u>NR</u>	<del>3'-Min.</del> <u>NR</u>	<del>3'-Min.</del> <u>NR</u>	<del>3'-Min.</del> <u>NR</u>

• Notes and Rules of Interpretation:

NR designates the item is "not required."

ICL designates inside city limits.

ETJ designates within the extraterritorial jurisdiction Table 506-3 is required for conventional option subdivisions (see [section 35-202](#)) or subdivisions not subject to Table 506-4, below, except for access to conservation subdivision (section [35-203](#)).

<sup>1</sup>For secondary arterial type B streets the minimum width of right-of-way shall be 70 feet and at intersections with other major arterials on the major thoroughfare plan 86 feet to 110 feet as determined by the director of development services.

<sup>2</sup>For primary arterial type B streets the minimum width of right-of-way shall be 70 feet and at intersections with other major arterials illustrated on the major thoroughfare plan the right-of way shall be 86 feet to 120 feet subject to the findings of the TIA as determined by the director of planning and development services.

<sup>3</sup>Refer to [35-506\(d\)\(3\)](#) for grades exceeding maximum values specified in the table.

<sup>4</sup>0.4% Optional with concrete curb and gutter.

<sup>5</sup>Bicycle path and sidewalks can be combined. See subsection [35-506\(d\)\(4\)](#).

<sup>6</sup>When designated on bicycle master plan as approved by city council.

<sup>7</sup>Entry portion without parking.

<sup>8</sup>In residential areas sidewalks shall be located to provide improved safety, to improve walkway intersection alignment and to reduce sidewalk conflicts with utility poles and mail boxes.

<sup>9</sup>Sidewalks shall be ~~four (4) foot in width with a planting strip~~ or six (6) foot in width [with or](#) without a planting strip.

<sup>10</sup>R.O.W. width and construction design of state maintained streets and certain inner-city streets and certain primary arterials (approved by city council ordinance) pertaining to R.O.W. dedication and design standards within the CRAG area boundary shall take precedence over the standard UDC street R.O.W. and design provisions outlined in Table 506-3 above.

<sup>11</sup>120 feet is the maximum right-of-way width but may be varied in accordance with the adopted major thoroughfare plan.

• **Table 506-4  
Traditional Street Design Standards**

Street Type	Trail	Alley	Lane	Local	Avenue	Main Street	Boulevard	Parkway
R.O.W. (min.)	14'	20'	38'	48'	82'	58'	124'	86'
Pavement Width <sup>1</sup>	8'—14'	10'—12'	16'—18'	22'— 27'	27'—48'	28'—36'	44'—70'	44'+
Design Speed (mph)	N/A	20	30	30	35	40	45	45
Grade (max.) Grade (min.) <sup>4</sup>	Follow AAS HTO	10% 0.5%	10% 0.5%	10% 0.5%	7% 0.5%	7% 0.5%	5% 0.5%	5% 0.5%
Curb Radius	N/A	15'	15'	15'	25'	25'	25'	25'
Centerline Radius <sup>2</sup>	95'	50'	90'	90'	250'	300'	500'	1,000'
Curb	NR	NR	Yes	Yes	Yes	Yes	Yes	NR
Median	NR	NR	NR	NR	16' min.	NR	16' min.	16' min.
Sidewalk Width (see subsection (q)(5)) <sup>5</sup>	NR	NR	4 <sup>7</sup> /6 <sup>7</sup>	4 <sup>7</sup> /6 <sup>7</sup>	<del>4<sup>5</sup>/6<sup>7</sup></del>	<del>4<sup>5</sup>/6<sup>7</sup></del>	<del>4<sup>5</sup>/6<sup>7</sup></del>	<del>4<sup>5</sup>/6<sup>7</sup></del>
Bicycle facilities <sup>3,6</sup>	NR	NR	NR	NR	Yes	Yes	Yes	Yes Path
Streetscape Planting	Yes	NR	Yes	Yes	Yes	Yes	Yes	Yes
Planting Strips	NR	NR	<del>6'</del>	<del>6'</del>	<del>6'</del>	City	<del>6—11'</del>	<del>7—20'</del>

			NR	NR	NR	Option	NR	NR
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- Notes and Rules of Interpretation:

NR designates the item is "not required."

R.O.W. width and construction design of state maintained streets and certain inner-city streets and certain primary arterials (approved by city council ordinance) pertaining to R.O.W. dedication and design standards within the CRAG area boundary shall take precedence over the standard UDC street R.O.W. and design provisions outlined in Table 506-4 above.

Table 506-4 applies only to the following development options: Commercial Center (section [35-204](#)), Commercial Retrofit (section [35-206](#)), Traditional Neighborhood development (section [35-207](#)), and Transit-oriented development (section [35-208](#)), except as provided in footnote 5, below.

<sup>1</sup>See Table 506-4A below. The smaller street width with on-street parking prohibited, or the larger street width coupled with on-street parking on one (1) or both sides of the street, may be provided if the adjoining buildings are provided with (1) an NFPA 13D fire sprinkler system for Single-Family Dwelling Units, One-Family Attached Dwelling Units, Two-Family (Duplex) Dwelling Units, Two-Family Attached Dwelling Units; (2) an NFPA 13R fire sprinkler system for Multi-Family buildings; or (3) an NFPA 13 fire sprinkler system for Commercial Building.

<sup>2</sup>Lesser radius can be approved by the director of development services.

<sup>3</sup>Bike path and sidewalks can be combined. See subsection [35-506\(d\)\(4\)](#).

<sup>4</sup>Optional 0.4% with concrete curb and gutter.

<sup>5</sup>Any provision in Table 506-3 (entitled "conventional street design standards") notwithstanding, interior streets in a subdivision that would otherwise be required to comply with the provisions of Table 506-3 may instead comply with the provisions of Table 506-4 (entitled "traditional street design standards"), regarding pavement width requirements only, provided that the connectivity ratio (see subsection (e), below and subsection [35-207\(g\)](#) of this chapter) shall comply with the requirements for a Traditional Neighborhood development. The proposed development shall comply with footnote 1 hereto. Pursuant hereto, street types in such subdivisions shall comply with Table 506-4 as follows: An Alley shall be required to meet the street width standards for an Alley as provided in Table 506-4; a Conservation Access street shall be required to meet the street width standards for a Lane; a Local Type A street shall be required to meet the street width standards for a street; a Local Type B street shall be required to meet the street width standards for an Avenue; a Collector street shall be required to meet the street width standards for a Main street; a Secondary Arterial shall be required to meet the street width standards for a Boulevard; and Primary Arterial shall be required to meet the street width standards for a Parkway.

<sup>6</sup>When designated on bicycle master plan as approved by city council.

<sup>7</sup>Sidewalks shall be ~~four (4) foot in width with a planting strip or~~ six (6) foot in width [with or](#) without a planting strip.

**Related Code Sections:**

Article V, Div. 2, Sec. 35-506 (Q), Sub-Section (5-A)

Article V, Div. 2, Sec. 35, Table 506-3 (Including Notes and Rules of Interpretation)

Article V, Div. 2, Sec. 35, Table 506-4 (Including Notes and Rules of Interpretation)