

NEW BUSINESS: CODE AMENDMENT INITIATION REVIEW SHEET

Amendment: Initiate an amendment to Title 30 (Austin/Travis County) Subdivision Regulations regarding sidewalks.

Description: Travis County seeks to amend Title 30 In accordance with the Agreement on Subdivision Platting in the Extra Territorial Jurisdiction (ETJ) in order to permit the payment of a fee instead of sidewalk installation under certain requirements. The proposed amendments are consistent with sidewalk requirements for subdivision found in Title 25 of the Land Development Code.

Proposed Language: See attached exhibit.

Background: Code amendment approved by Travis County Commissioners Court on December 15, 2017.

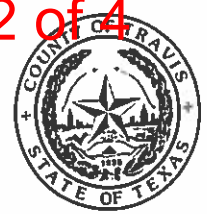
Staff Recommendation: Recommended

Board and Commission Actions: NA

Council Action: NA

Ordinance Number: NA

City Staff: Chris Yanez **Phone:** (512) 974-1253 **Email:** chris.yanez@austintexas.gov



TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

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Austin, Texas 78767
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February 9, 2018

Joe Pantalione
Interim Assistant City Manager
Development Services
City of Austin
PO Box 1088
Austin, Texas 78767

Dear Mr. Pantalione:

In accordance with the Agreement on Subdivision Platting in the Extra Territorial Jurisdiction (ETJ) between Travis County and the City of Austin, Travis County Transportation and Natural Resources is notifying you that the Travis County Commissioners' Court would like to modify Title 30 to include a Sidewalk Payment In Lieu provision that is similar to the payment structure that the City of Austin uses inside their corporate limits. Travis County has funded several sidewalk improvement projects and continues to be asked to fund several more sidewalk projects. As a result of the 2017 bond election Travis County citizens are going to be funding over \$8 million dollars of pedestrian safety projects. A sidewalk fund could be used to offset the costs associated with filling in the gaps in the sidewalk network.

The Travis County Commissioners approved the attached code provisions on December 5, 2017 and a companion amendment to Chapter 82 Travis County Development Standards went into effect on January 1 of this year. If you have any questions or concerns regarding this amendment, or would like to further discuss this request, please contact Anna Bowlin at 512-854-7561. She would be happy to work with you on this code amendment and answer any questions that might arise.

Regards,

A handwritten signature in black ink, appearing to read "S. Manilla", is written over the word "Regards,".

Steven M. Manilla, P.E.
County Executive
Transportation and Natural Resources
Travis County

cc: Andrew Linseisen, Elizabeth Robinson

Title 30, Austin-Travis County Subdivision Regulations, would be amended by adding § 30-3-192 to read as follows:

§ 30-3-192 - PAYMENT INSTEAD OF SIDEWALK INSTALLATION.

- (A) A person who subdivides property may request to pay a fee instead of installing a sidewalk by filing a written request at the time the person submits a permit application for approval of a Final Plat in the manner prescribed by the platting official. A person who subdivides property who has not filed a request at the time of application may later amend the application to request to pay a fee instead of installing a sidewalk.
- (B) For a sidewalk required under Section 30-3-191 (*Sidewalk Installation in Subdivisions*), the platting official may approve payment of a fee instead of installation of a sidewalk if the subdivision:
 - (1) consists of five or fewer lots;
 - (2) only includes residential lots, each of which contains no more than two dwelling units;
 - (3) is a resubdivision of land that was originally subdivided on a date when applicable regulations did not include a sidewalk requirement;
 - (4) less than 50 percent of the block face on which the property is located has a sidewalk.
- (D) The platting official may approve payment of a fee instead of installation of a sidewalk if the platting official determines that installation is impractical because:
 - (1) there are no sidewalks in the vicinity, and it is unlikely that there will be development nearby that would require the installation of sidewalks;
 - (2) installation of the sidewalk would require the removal of a protected tree or other major obstruction within the right-of-way;
 - (3) a stormwater drainage ditch or similar public utility facility prevents the installation of the sidewalk, and neither the sidewalk nor the facility can be reasonably relocated to accommodate both the sidewalk and the facility;
 - (4) the topography would require the construction of a retaining wall more than two feet high to accommodate the sidewalk; or
 - (5) other unusual circumstances make the sidewalk installation requirement unreasonable or inappropriate.
- (E) The fee paid under this section must be used to install a sidewalk or curb ramp in the same Commissioners Court precinct as the subdivision.
- (F) The platting official may refund the fee to the person who submitted the request to pay a fee instead of installing a sidewalk if it is not spent within 10 years of the date of its collection.



Affordability Impact Statement
 Neighborhood Housing and Community Development Department
Title 30 – Sidewalk In-lieu Fee

Proposed Regulation	The proposed ordinance would amend Title 30 of the Land Development Code and add an option allowing the current requirement that sidewalks be installed as a provision of subdivision to be met through the payment of a fee-in-lieu of installation, in certain circumstances.
Land Use/Zoning Impacts on Housing Costs	<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input checked="" type="checkbox"/> Neutral No impact foreseen.
Impact on Development Cost	<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input checked="" type="checkbox"/> Neutral No impact foreseen.
Impact on Affordable Housing	<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input checked="" type="checkbox"/> Neutral No impact foreseen.
Imagine Austin Housing and Neighborhood Policies Implemented	None.
Strategic Housing Blueprint Strategies Implemented	<u>Increase bikeability and walkability</u> by collecting fees which may be used to construct sidewalks in areas of the highest priority.
Other Policy Considerations	None.
Proposed Alternative Policy Language	None.
Date Prepared	August 15, 2018
Manager's Signature	<u>Rh Copie</u>