



UDC Amendment Request Application for Internal Parties
(City of San Antonio Departments)

Part 1. Applicant Information

Name: Deborah Scharven Organization (if applicable): DEI Disability Access Office
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Signature: Deborah Scharven Date: January 31, 2022
(Include title if representing a governmental agency or public/private organization)

Part 2. Basis for Update (check only one)

- ☐ Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- ☒ Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- ☐ Completed Rule Interpretation Determination (RID)
- ☐ Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)
- ☐ City of San Antonio Staff Amendment

Part 3. Reason(s) for Update (check all that apply)

- ☐ Modify procedures and standards for workability and administrative efficiency
- ☐ Eliminate unnecessary development costs
- ☒ Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- ☒ See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)

UDC Chapter 35, Sec. 35-501 General Provisions, (g) Americans with Disabilities Act, (1) Infrastructure change 2012 Texas Accessibility Standards (TAS) Online site, address to tdlr.texas.gov/ab/abtass.htm and remove <http://www.tdlr.texas.gov/ab/abtass.html>, which leads to Server Error Message 404.
Replace (g) (2) Multi-Family Housing with Public Rights-of-Way, and move Multi-family Housing to (3).

Part 5. Cost Impact Statement

Section 35-11(a) of the UDC requires that all requests for amendments include a Cost Impact Statement. The Cost Impact Statement should be justified with substantiating information, such as cost estimates or studies.

The requested change to the UDC (please check appropriate box):

By how much?
(Indicate either a dollar amount or percentage above or below
current construction and/or development costs)

- A. ☒ Will not impact the cost of construction and/or development.
- B. ☐ Will increase the cost of construction and/or development. _____
- C. ☐ Will decrease the cost of construction and/or development. _____

Part 6. Cost Impact Narrative and Back-Up Information

Please fully quantify the Cost Impact Statement that was provided in Part 5. Attach all relevant data and associated costs that you wish to have considered as well as a narrative explaining how the Cost Impact Statement was developed. If you need additional space, please attach additional sheets.

Be sure to:

- Consider and indicate initial and long-term maintenance costs;
- Consider city cost (i.e. personnel costs and costs to enforce);
- Indicate and be able to rationalize the baseline (current costs) and the cost projections associated with your request.

The Public Works Department Design Guidance Manual (2017) states pedestrian elements shall be designed in accordance with the Public-Right-of-Way Accessibility Guidelines (PROWAG).

This amendment is formalizing a current City practice as allowed under the Texas Administrative Code, Rule §68.102 Public Right-of-Way Projects.

UDC 2021 Proposed Amendment

Amendment 28-2**Applicant:** DEI Disability Access Office**Amendment Title:** 'Sec.35-501 – General Provisions'**Amendment Language:**

Sec. 35-501. - General Provisions.

(g) Americans With Disabilities Act.

- (1) **Infrastructure.** Infrastructure construction and improvements of facilities shall comply with the Americans with Disabilities Act of 1990 (42 U.S.C. subsection 12181 et seq., Pub. L 101-336 and implementing regulations at 28 C.F.R. parts 35 and 36) and the latest version of the Texas Accessibility Standards of the Texas Department of Licensing and Regulation. Applicants should consult the ADA Technical Assistance Manual from the U.S. Department of Justice on the Internet at <http://www.usdoj.gov/crt/ada/taman3.html>, and Technical Assistance Manual for State and Local Governments @ <http://www.usdoj.gov/crt/ada/taman2.html> and the latest version of the Texas Accessibility Standards available at [tdlr.texas.gov/ab/abtas.htm](http://www.tdlr.texas.gov/ab/abtas.htm) ~~<http://www.tdlr.texas.gov/ab/abtas.html>~~.
- (2) **Public Rights-of-Way.** As established by the Texas Administrative Code, RULE §68.102 Public Right-of-Way Projects. For public right-of-way projects, in addition to accepting compliance with applicable Texas Accessibility Standards (TAS) requirements, the City will also accept compliance with the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), published by the Architectural and Transportation Compliance Board (U.S. Access Board). Applicants shall consult the PROWAG Manual from the U.S. Access Board at <https://www.access-board.gov/prowag/>.
- (3) **Multi-Family Housing.** Multi-family housing development shall comply with section 804 (f)(5)(C) Fair Housing Amendments Act of 1988 and the implementing regulations codified at 24 CFR 100.205. Applicants should consult the Fair Housing Accessibility Guidelines from the U.S. Department of Housing and Urban development on the Internet at <http://www.hud.gov/fhefhag.html>. See also HUD Fair Housing Assistance Providers Web site: <http://www.hud.gov/fairhsg1.html>.
