

## COUNTY OF GUADALUPE

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE UNIFIED DEVELOPMENT CODE (UDC), SECTION 5.4 - SIDEWALKS; AS DESCRIBED HEREIN; PROVIDING A SEVERABILITY CLAUSE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Seguin City Council adopted the Unified Development Code (UDC) to encourage better planning and development throughout the city; and

**WHEREAS**, the Seguin City Council adopted sidewalk regulations to ensure accessible sidewalk networks that create pedestrian access create complete streets with opportunities for safer pedestrian and automobile traffic; and

**WHEREAS**, on July 10, 2018, after conducting a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the amendments to the UDC as described herein be adopted.

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Seguin, Texas, as follows:

**PART ONE.** Section 5.4.2 of the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~striketrough~~ indicates deleted text):

#### **Section 5.4.2 Applicability**

This section applies to all properties located within the Seguin City Limits and to all properties within the Extraterritorial Jurisdiction (ETJ) of Seguin that are subject to the subdivision platting requirement of the City of Seguin.

**PART TWO.** Section 5.4.3 of the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~striketrough~~ indicates deleted text):

#### **Section 5.4.3 General Requirements**

##### A. Location

1. Sidewalks must be ~~installed on both sides of~~ constructed along all public streets including new streets constructed within a development and existing streets abutting or bordering a development.
2. Sidewalks shall be located ~~on the front of lots and along the street sides of corner lots~~ along all sides of lots where there is frontage on a public street, regardless of where access is taken.
3. Sidewalks shall be located within the right-of-way, with the ~~(exact location shall be coordinated with City staff)~~ determined by the public entity that maintains the abutting street. Sidewalks may be placed in an access easement of private property only when existing right-of-way is limited.

4. Sidewalks may meander to avoid trees, utility poles, and utility boxes, and other obstacles; and for aesthetics.

B. Timing of Construction

1. New Construction- Construction of sidewalks must take place at the time of development and all required sidewalks must be built before a certificate of occupancy is issued for a new residential and nonresidential development.
2. Existing Sites/Structures- Modification of an existing site and/or structure, other than a single family residential site, must be brought into conformance with these requirements to the maximum extent practicable if the extent of the proposed modifications is 50% or more of the site's assessed value over a 5 year time period. For the purposes of the code the assessed value of a structure shall be the value cited by the Guadalupe County Appraisal District.
3. ~~Sidewalks adjacent to public spaces- When streets are constructed, the developer must also install sidewalks along streets adjacent to amenity center, open space, and land dedicated for parks and other public purposes which are not required to secure a building permit and subsequent certificate of occupancy.~~ Perimeter Sidewalks – At the time of platting, prior to the recording of a subdivision plat, the developer must construct sidewalks along new and existing streets on lots where no building permit will be issued. This includes but is not limited to streets adjacent to amenity centers, open space, detention ponds, land dedicated for public and/or private parks, and on the rear lot lines of double-frontage lots.

C. Connectivity

Sidewalks must connect to existing adjacent sidewalks, or be designed and placed to allow connection to future adjacent sidewalks. Required sidewalks serving non-residential lots must connect to parking in the lot and to primary building entrances (connections may include street crosswalks, crush granite pathways, other methods may be approved by the City Engineer and Planning Director).

D. Minimum Size and Design

Sidewalks in residential developments shall be a minimum of four feet in width and ADA compliant. Sidewalks in nonresidential and multi-family developments, sidewalks abutting the street curb or pavement ~~located within the right-of-way (exact location shall be coordinated with City staff)~~, and sidewalks located along new and existing arterials, collector streets, and state rights-of-way shall be a minimum of five feet in width and ADA compliant. Please see technical manual for construction specifications.

**PART THREE.** Section 5.4.4 of the Seguin Unified Development Code is hereby amended as follows (underlining indicates added text, ~~strikethrough~~ indicates deleted text):

**Section 5.4.4 Specific Requirements**

A. Development within the City Limits.

1. Single or Two-Family Developments- New Street Construction. The developer shall be responsible for construction of a sidewalk in conformance with the general requirements outlined above.
2. Single or Two-Family Developments- No New Street Construction.

- The developer of a single family or two-family lot whose lot is within 300' feet of an existing sidewalk (on the same side of the street, measured property line to property line) shall be responsible for construction of a sidewalk in conformance with the general requirements outlined above.
  - The developer of a single family or two-family lot created prior to July 5, 2011 that is more than 300' feet from an existing sidewalk (on the same side of the street) shall have the option of either constructing the sidewalk in conformance with the general requirements outlined above or paying a fee-in-lieu of construction (see below for specifics on fee-in-lieu).
3. All Other Development. The developer shall be responsible for construction of a sidewalk in conformance with the general requirements outlined above.

B. Development within the ETJ

1. Sidewalks are required in subdivisions involving five or more lots.
2. Subdivisions with four or fewer lots fronting on an existing street and not requiring the creation of a new street shall not be required to install sidewalks.
3. When sidewalks are required, a plat note shall be placed on the final plat indicating that sidewalks are required, upon which streets they are required, and who is responsible for installation.

**PART FOUR.** If any word, phrase, clause, sentence, or paragraph of this ordinance or the Unified Development Code is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance or the Unified Development Code will continue in force if they can be given effect without the invalid portion.

**PART FIVE.** All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**PART SIX.** City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

**PART SEVEN.** This ordinance shall be published in a newspaper of general circulation.

**PART EIGHT.** This ordinance shall be effective upon ten (10) days following passage on second reading and shall be published in a newspaper of general circulation.

**PASSED AND APPROVED** on the first reading this 17th day of July 2018.

**PASSED AND APPROVED AND ADOPTED** on the second reading this 7th day of August 2018.

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Don Keil, Mayor

ATTEST:

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Naomi Manski  
City Secretary