

MEMORANDUM

To: Seguin Planning & Zoning Commission

From: John Foreman, Assistant Director of Planning & Codes

Subject: UDC Amendments

Date: July 20, 2017

Now that City Council has adopted Roadway Impact Fees, Staff has identified some necessary revisions to Section 4.8 of the Unified Development Code, which deals with the developer's obligations for new roadways.

Section 4.8.1 General

This section currently states that there must be a rough proportionality between the traffic impacts of the development and the requirements placed on the developer for roadway improvements. An addition to this section would refer to the Technical Manual for the method of determining proportionality. Staff anticipates in the Technical Manual to identify the maximum roadway impact fee as the proportional impact of the development.

Section 4.8.2 Boundary Street Improvements

This section outlines requirements for constructing or paying for a street on the Thoroughfare Plan if adjacent to the development. The code currently requires that the developer pay the City the cost of improving the half of the street adjacent to the development from its current condition to the standard established in the Thoroughfare Plan. For example if the road is currently two lanes but proposed as four lanes on the Thoroughfare Plan, the developer is required to pay for the cost of one additional lane as well as curb and gutter. The City Engineer may allow construction of these improvements instead of payment.

The proposed revision reverses this requirement. The developer is responsible for construction, but the City Engineer may allow payment instead of construction. By establishing construction as the default, the City has more ability to ensure that when a section of improvements is necessary it is constructed. This has several other benefits. Typically a developer is able to construct a street at a lesser expense than the City. Accepting the funds from the developer places the responsibility to construct the street on the City, and construction cost increases between the time of the payment and construction would be the responsibility of the City.

Another proposed addition clarifies that if a boundary street is identified on the Capital Improvement Plan for Roadway Impact Fee, the developer may recover some of the cost of constructing the roadway through Impact Fee Credits.

Attached please find the proposed amendments to the UDC. Staff will make a presentation at the meeting to demonstrate how these revisions will enhance the City's ability to enforce site compliance.

Sec. 4.8. - Road adequacy standards.

4.8.1. *General.* New development must be supported by an adequate roadway network. It is necessary and desirable to obtain rights-of-way for off-site, abutting, and internal streets to support new development at the time of platting or development of the land. There must be a rough proportionality between the traffic impacts created by a new development and requirements placed on the property owner to dedicate and improve off-site and abutting street rights-of-way. The method for determining proportionality shall be identified in the Technical Manual. The City desires to assure both that development impacts are mitigated through contributions of street rights-of-way and improvements and that a development project contribute no more than its fair share of street costs.

4.8.2. *Boundary Street Improvements.*

A. *Applicability.* The developer's obligations concerning boundary streets are as follows:

1. For developments adjacent to minor streets and collector streets the developer shall be responsible for dedicating land for one-half of the required right-of-way of an adjacent minor street and/or collector street; and ~~pay for the improvements of~~ constructing improvements for one-half of the required width of adjacent minor street and/or collector streets, including curbs, gutters and storm drainage (if the applicable cross section requires curb and gutter). The City may allow construction cash payment in lieu of ~~cash payment~~construction upon approval by the City Engineer.
2. For developments adjacent to major thoroughfare/arterials and larger streets the development shall be responsible for dedicating land for one-half of the required right-of-way (up to the developments proportional share of the right-of-way); and ~~pay for the improvements of~~ constructing the proportional share of the required street, including curb, gutter and storm drainage (if the applicable cross section requires curb and gutter). The City may allow construction cash payment in lieu of ~~cash payment~~construction upon approval by the City Engineer.
3. When a roadway or other improvement listed in #1 or #2 above is included in the Capital Improvement Plan for Roadway Impact Fees, the developer may request offset or credits against capital recovery fees for roadways in accordance with the City's Code of Ordinances dealing with Capital Recovery Fees [102-364].

B. *Exemptions for Boundary Street Construction Payment and/or Construction.*

1. For developments adjacent to designated, state or federal roadways no financial contribution other than dedication of right-of-way is required.
2. Developments in the ETJ that create 4 lots or less.
3. Development in the ETJ which front on a street which is not identified on the Thoroughfare Plan.
4. Developments in the City that create 4 single-family lots or less and front on a street which has not been identified as a collector, major or minor thoroughfare (only applicable to streets already improved and accepted by the City).



PLANNING & CODES

Planning and Zoning Commission Report Amendments to the City of Seguin Unified Development Code (UDC)

Amendments to the City of Seguin Unified Development Code Section 4.8, Roadway Adequacy Standards were considered during a public hearing at the Planning & Zoning Commission meeting on August 8, 2017.

Pamela Centeno presented the recommended amendments to Section 4.8, Road Adequacy Standards. She mentioned that John Foreman, former Assistant Director prepared the memo. Ms. Centeno explained that in review of the Thoroughfare Roadway Impact Fee Process staff identified some necessary revisions that need to be made in the UDC which deals with the developer's obligation for new roadways. The proposed changes are to Chapter 4, Subdivisions, Section 4.8 Road Adequacy Standards as follows:

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Published notice in the newspaper on July 23, 2017. No comments were received.

The regular meeting was then recessed and a public hearing was held.

There being no responses from the public the regular meeting reconvened for action.

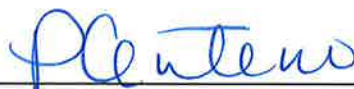
After consideration of the staff report and all information given regarding Amendments to the Seguin Unified Development Code Section 4.8, Road Adequacy Standards, the Planning and Zoning Commission voted 7-0-0 to Recommend to City Council Approval of the Amendments.

RECOMMENDATION TO APPROVE AMENDMENTS

MOTION PASSED 7-0-0



Francis Serna
Planning Assistant



ATTEST: Pamela Centeno
Director of Planning & Codes