

## MEMORANDUM

**To:** City of Seguin Mayor and Council Members  
Douglas Faseler, City Manager

**From:** Pamela Centeno, Director of Planning & Codes

**Through:** Rick Cortes, Assistant City Manager

**Subject:** **Amendments to Section 4.8 of the Unified Development Code (UDC), Road Adequacy Standards**

**Date:** August 28, 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.

Staff presented the amendments to the Planning and Zoning Commission on August 8, 2017. Following a public hearing, the Commission voted to recommend approval of the UDC amendments as presented. Attached please find a copy of the Final Report of the Commission and the Ordinance for the proposed amendments.