

Ordinance amending the Unified Development Code regarding subdivision design and improvements, design standards, regarding sidewalks.

WHEREAS, the Planning Commission has forwarded to the City Council its final report and recommendation regarding this amendment of the City's Unified Development Code ("UDC");

WHEREAS, with proper notice to the public, public hearings were held on _____, 2019, during a meeting of the Planning Commission when the Planning Commission recommended approval of the proposed UDC amendments, and on _____, 2019, during a meeting of the City Council, during which all interested persons were allowed to appear and be heard; and

WHEREAS, the City Council has determined that this amendment to the UDC would best serve the public's health, necessity, convenience, and the general welfare of the City and its citizens.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. UDC Article 8 "Subdivision Design and Improvements", Section 8.2 Design Standards, Subsection 8.2.1.B Street Right-of-Way Dimensional Standards are amended by adding the following language that is underlined (added) and deleting the language that is stricken (deleted) as delineated below:

Table 8.2.1.B Local Street Standards

Local Street Section Type	Right of Way Width	Planting/ Utility Area	Street Section Width (BC)	Bump-Out *	Required Sidewalk Width	Tied Sidewalk	Sidewalk Required Both sides	Thru Lane	Traffic Lanes	Parking Sides Allowed	Design Speed (MPH)	Max Trips/Day and Max Length	Cul-de-sac and Max Length
L-1A	50 feet	6 feet	28 feet	With= 6 feet Without = 0 feet	4 feet	Not Allowed	Yes **	One	2-way	Two	25	1,600 trips/day- NTE 2,640 feet	Yes (800')
L-1B	50 feet	7 feet	28 feet	6 feet	4 feet	Required	Yes **	One	2-way	Two	25	1,600 trips/day- NTE 2,640 feet	Yes (800')
L-1C	46 feet	7 feet	28 feet	With= 6 feet Without = 0 feet	4 feet	Not Allowed	No	One	2-way	Two	25	1,600 trips/day- NTE 2,640 feet	Yes (800')
L-1D	46 feet	7 feet	28 feet	6 feet	4 feet	Required	No	One	2-way	Two	25	1,600 trips/day- NTE 2,640 feet	Yes (800')
L-1E	40 feet	7 feet	22 feet	With= 6 feet Without = 0 feet	4 feet	Not Allowed	No	One	1-way	One	25	800 trips/day- NTE 1,320 feet	No
L-1F	40 feet	7 feet	22 feet	6 feet	4 feet	Required	No	One	1-way	One	25	800 trips/day- NTE 1,320 feet	No

* Bump-Out spacing parallel to curb: Minimum 150 feet, Maximum ~~300-~~ 200 feet.

~~**Sidewalks not required on Residential Estate Zoning District, unless required for ADA compliance.~~

~~[Illustrations for each local street section are provided in the Appendix to Article 8]~~

Table 8.2.1.C Non-Local Street Standards Table

	ROW Width (ft.)	BB Width (ft.)	Through Lanes	Median/ Turn Lane	Spacing (miles)	Sidewalk** (ft.)	Back of Curb to Property Line (ft.)	Avg. Daily Trips
Non-local Streets*								
Minor Res. Collector (C1)	60	40	2	No	0.25 to 0.50	5	10	1,000 - 3,000
Secondary Collector (C2)	65	41	3	Center turn	0.25 to 0.50	5	12	2,000 - 5,500
Primary Collector (C3)	75	50	4	No	0.25 to 0.50	5	12.5	4,000 – 8,500
Parkway Collector (P1)	80	40	2	--	0.25 to 0.50	5 to <u>or 8 to 10**</u>	14.5 to 25.5	1,000 – 3,000
Minor Arterial (A1)	95	64	4	Center turn	1.0 to 1.5	5	15.5	15,000 - 24,000
Secondary Arterial (A2)	100	54	4	Median	1.0 to 1.5	5	15	20,000 – 32,000
Primary Arterial (A3)	130	79	6	Median	1.0 to 1.5	5	17.5	30,000 – 48,000
Freeway (FR)	400	Varies	4-10	Median	--	No	19	60,000 – 200,000

*Non-local streets contain curb, gutter and underground drainage.
~~**Sidewalks are not required in industrial areas.~~ ****For Oso Parkway, see Oso Parkway Plan.**

(Ordinance 030769, 02/16/2016) (Ordinance _____)

Table 8.2.1.D Rural Street Standards

	ROW Width (ft.)	Pavement Width (ft.)	Lanes	V-Ditch or Left Turn	Bikeway Capable	Sidewalk*	Roadside Ditch Width
Local rural Streets	60	26	2	--	No	No	34
Minor Rural Arterial (RA1)	125	44	2	--	No	No	40.5
Secondary Rural (RA2)	150	82	4	Center turn	No shoulder	No	41.5
Primary Rural Arterial (RA3)	250	76	4	Median v-ditch	No shoulder	No	48

~~* Sidewalks are not required in industrial areas.~~

(Ordinance 030769, 02/16/2016) (Ordinance _____)

SECTION 2. UDC Article 1 “General Provisions”, Section 1.11 Definitions, Subsection 1.11.3 Defined Terms are amended by adding the following language that is underlined (added) as delineated below:

1.11.3. Defined Terms

Walkway: an accessible pedestrian facility other than a sidewalk including but not limited to a trail or striped pedestrian lane.

SECTION 3. UDC Article 8 “Subdivision Design and Improvements”, Section 8.2 Design Standards, Subsection 8.2.2 Sidewalks are amended by adding the following language that is underlined (added) and deleting the language that is stricken (deleted) as delineated below:

8.2.2. Sidewalks

A. Required Improvements

2. All required sidewalks ~~generally~~ shall be 1 foot from the property line within the street right-of-way (unless ~~tied, or~~ otherwise approved ~~in an Alternate Pedestrian Plan~~) and shall extend along all street frontages, including the side of corner lots and block ends. ~~If it is impractical for the developer to provide sidewalks on the side lot lines abutting major thoroughfares or drainage ditches, sidewalks shall not be required at such locations.~~

B. Exceptions for Required Sidewalk Improvements

Sidewalks are not required if a street right-of-way:

1. is not on any City master plan, including the City's ADA Master Plan, Strategic Plan for Active Mobility, and Urban Transportation Plan,
2. is not greater than 50 feet in width, and
3. meets one of the following conditions: A waiver may be granted to the standard in paragraph 8.2.2.A in accordance with paragraph 3.8.3.D by the Assistant City Manager of Development Services and only when the following conditions are satisfied:
 - ~~1. Sidewalks shall not be required along each side of a street right-of-way where such street is a permanent dead-end street and where there is pedestrian access from the permanent dead-end street to a paved hike and bike trail. In such instance, a sidewalk only shall be required on one side of the street right-of-way.~~
 - ~~a. 2. Sidewalks shall not be required along street rights-of-way where each lot fronting on such street has direct access from the side or rear to a paved hike and bike trail.~~
 - ~~b. 3. Sidewalks shall not be required for lots one acre or greater having a single-family residential use in a subdivision where all lots are one acre or greater. residential subdivisions in the Farm-Rural and Residential Estate zoning districts.~~
 - ~~4. Sidewalks adjacent to private streets may be allowed to be placed on only one side of the street if the sidewalk width is 6 feet or greater and approved by the Assistant City Manager of Development Services.~~
 - c. Sidewalks shall not be required for lots of residential single-family or two-family use, if at least 75% of the block face (as measured by front footage, on the same side of the block as the lot in question) does not have sidewalk and 75% of the lots on that block face are developed with a principal structure, unless an adjacent lot has

sidewalk.

C. Sidewalks shall not be required on streets outside city limits that are built to rural street standards in Table 8.2.1.D

D. Alternative Pedestrian Plan

1. Where there are extraordinary or exceptional conditions or circumstances which are peculiar to the land, including but not limited to, topography, drainage, wetlands, or trees, that would make sidewalk construction impractical, or if there is an alternate design that can serve the public, the Assistant City Manager of Development Services may approve an alternate pedestrian plan, which may include requiring an access easement and sidewalk or walkway construction on the property.

2. The plan shall contain at minimum the following information:

- a. the location and arrangement of proposed sidewalks or walkways;
- b. a phasing / time schedule for construction;
- c. identification of the sidewalks that will not be constructed.

If the proposed sidewalk or walkway, trail, or striped pedestrian lane is not located in a public right-of-way, a private street, or an irrevocable platted ingress/egress easement, then a pedestrian easement shall be included on the plat.

3. Denials of proposed Alternative Pedestrian Plans may be appealed to Planning Commission as a waiver in accordance with subparagraph F below.

E. Waivers from Required Sidewalk Improvements

1. A waiver may be granted to the standard in paragraph 8.2.2.A in accordance with paragraph 3.8.3.D, after consideration of the factors in that paragraph, and also the following factors:

- a. The street right-of-way's designation on the ADA Master Plan, Mobility CC Plan, Urban Transportation Plan, area development plan, or other master plan;
- b. The property's proximity to existing sidewalk;
- c. The property's proximity to a school, public or civic uses, commercial uses, mixed uses, employment, neighborhood amenities, or public transit or school bus/transit route stops;
- d. Whether the property is on a corner lot;

- e. Such other factors as the Planning Commission may consider relevant in making its determination.
 - f. The granting of a waiver does not preclude the City from installing sidewalk at a later date.
- 2. The Planning Commission shall make findings regarding the sidewalk waiver request. The Planning Commission may authorize a waiver if it satisfies the factors in Section 3.8.3.D.

F. Cash in lieu of Construction of Sidewalk

- 1. The City may accept cash in lieu of construction of sidewalk if there is a scheduled capital improvement project or other circumstance that makes construction impractical or presents issues in the coordination of construction projects. Right-of-way for the required sidewalk shall be dedicated, or pedestrian easement shall be conveyed, by the land owner.
- 2. If the City accepts the fee in lieu of construction of sidewalk, the fees shall be placed in a fund and shall be used for sidewalk construction most likely to serve the residents of the subdivision. The sidewalk most likely to serve a subdivision shall in no case be located more than 0.25 mile from the subdivision, taking into consideration factors such as the proximity of major barriers to accessibility, including freeways, navigable streams and bodies of water.

SECTION 4. If for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance is held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it may not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance be given full force and effect for its purpose.

SECTION 5. A violation of this ordinance, or requirements implemented under this ordinance, constitutes an offense punishable as provided in Article 1, Section 1.10.1, and Article 10 of the UDC.

SECTION 6. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2019, by the following vote:

Joe McComb _____

Michael Hunter _____

Roland Barrera _____

Ben Molina _____

Rudy Garza _____

Everett Roy _____

Paulette M. Guajardo _____

Greg Smith _____

Gil Hernandez _____

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2019, by the following vote:

Joe McComb _____

Michael Hunter _____

Roland Barrera _____

Ben Molina _____

Rudy Garza _____

Everett Roy _____

Paulette M. Guajardo _____

Greg Smith _____

Gil Hernandez _____

PASSED AND APPROVED on this the _____ day of _____, 2019.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor