

RESOLUTION R-18-4282

**ADOPTING A NEW SIDEWALK POLICY FOR THE
CITY OF COLLEYVILLE AND RESCINDING ALL
PREVIOUS SIDEWALK POLICIES**

- WHEREAS,** it is the desire of the citizens of Colleyville to have a walkable community; and
- WHEREAS,** sidewalks and trails are an inherent part of a walkable community; and
- WHEREAS,** the City Council appointed a Colleyville Sidewalk Ad Hoc Committee by Resolution R-17-4133, and
- WHEREAS,** the Colleyville Sidewalk Ad Hoc Committee and City staff developed the attached City of Colleyville Sidewalk Policy and presented the policy to City Council; and
- WHEREAS,** the City Council is committed to the best interests of the health, safety, and welfare of the citizens of Colleyville; and
- WHEREAS,** all legal prerequisites for the approval of this Resolution have been met, including but not limited to the Open Meetings Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF COLLEYVILLE, TEXAS:**

- Sec. 1. THAT all of the above findings are found to be true and correct and are incorporated herein by reference as if copied in their entirety.
- Sec. 2. THAT the City of Colleyville Sidewalk Policy, attached as Exhibit "A", is hereby adopted.
- Sec. 3. THAT all previous Sidewalk Policies are hereby rescinded.
- Sec. 4. THAT this resolution and the Sidewalk Policy shall become effective immediately from and after its passage.

AND IT IS SO RESOLVED.

APPROVED BY A VOTE OF **6** AYES, **1** NAYS AND **0** ABSTENTIONS ON THIS THE
2ND DAY OF JULY 2018.

Mayor Richard Newton	<u>Aye</u>	Mayor Pro Tem Bobby Lindamood	<u>Aye</u>
Place 1, Tammy Nakamura	<u>Nay</u>	Place 3, Kathy Wheat	<u>Aye</u>
Place 4, George Dodson	<u>Aye</u>	Place 5, Chuck Kelley	<u>Aye</u>
Place 6, Callie Rigney	<u>Aye</u>		

ATTEST:



Christine Loven, TRMC
City Secretary

CITY OF COLLEYVILLE



Richard Newton
Mayor

CITY OF COLLEYVILLE SIDEWALK POLICY

Purpose

The purpose of this policy is to provide for the adequate construction of, or funding for, pedestrian walkways within the City in order to promote the health, safety and general welfare of the community.

Objective

This policy is intended to bridge the divide between the *Supplemental Sidewalk System Map* (November, 2008) and the haphazard installation of sidewalks in isolated locations devoid of the connectivity the Map extols. Allowing for fees in lieu of isolated or incongruent sidewalk construction seeks to serve two objectives: (1) avoidance of disjointed application of sidewalk installation; and (2) funding for community-wide pedestrian walkway construction.

Background

For the purposes of this policy the Master Thoroughfare Plan (MTP) refers to the plan adopted by Ordinance O-15-1972. The *Supplemental Sidewalk System Map* refers to the "Colleyville Pathways Plan" map adopted by Resolution R-08-3031. *Non-local Streets* refer to all streets indicated as Minor Collectors and larger.

Sidewalk Requirements

Sidewalk installation shall be determined using the standards outlined herein.

New Development: requiring a new roadway

Residential: both sides of roadway; Exception = single-loaded roadway (houses/ development on one side of the street only)

Commercial: both sides of roadway

New Development: adjacent to existing roadway

Residential: (1) required if fronting a roadway designated on the Master Thoroughfare Plan as a non-local street; or (2) on a street designated for sidewalk placement on the Supplemental Sidewalk System Map (2008). Exception = large lot with more than 300' of frontage

Commercial: along frontage of all roadways

Existing Development/Single Family Home Construction

Residential: (1) required if fronting a roadway designated on the Master Thoroughfare Plan as a non-local street; (2) on a street designated for sidewalk placement on the Supplemental Sidewalk System Map (2008); or (3) on a street where sidewalks exist on 50% or more of the properties on the block face; Exception = large lot with more than 300' of frontage

Commercial: along frontage of all roadways

Master Thoroughfare Plan

Sidewalks required on both sides of roadway on non-local streets; Exception = Roadway project listed on CIP 5-year list and planned for full reconstruction, must be installed by City. Developments along these roadways shall contribute cash-in-lieu funds to the City equivalent to the cost of installation at the time of development.

Repairs/Replacement/Maintenance

The City shall be responsible for the maintenance and replacement of sidewalk segments congruent with this policy. This is to ensure a safe and well connected network. In the event a sidewalk segment is damaged by misuse or neglect, the adjacent property owner shall be responsible for the cost of appropriate maintenance or replacement.

Design Standards

All sidewalks shall be a minimum of four (4') feet in width, except a sidewalk located within or abutting a collector street, or larger, as shown on the Master Thoroughfare Plan, which shall not be less than five (5') feet in width. All sidewalks and pathways shall be constructed in the area between the curb or grade line of the public street and the abutting property line unless the pathway is situated within a dedicated pathway easement or right-of-way. The edge of the sidewalk or pathway shall generally be parallel with the curb line and be situated no more than one (1') foot from the abutting property line. The Director of Public Works may approve a plan to alter the location and size of a sidewalk to preserve a tree or for aesthetic purposes. One additional foot of width shall be added to a sidewalk that abuts a street curb.

Waivers/Variances

A complete waiver of the requirement for the construction of sidewalks for a specific development should be rare and allowed only where there are unusual factors. The City Manager or designee shall make a determination as to whether or not the waiver should be granted, and document that determination with supporting data

that states the basis for the decision. The waiver must be reviewed by both the Director of Community Development and the Director of Public Works and a recommendation provided to the City Manager or designee. Regardless of the reason for the waiver grant, payment shall be collected by the City for the cash-in-lieu value of the sidewalk improvements waived. The City shall use said funds for the maintenance and installation of pedestrian sidewalks and trails throughout the community and in keeping with the Master Plan.

Unusual factors include:

- (1) Projects where the cost of establishing sidewalks or walkways would be unreasonably disproportionate to the cost of the associated roadway construction or overall project costs (however a partial waiver may be granted in lieu of a full waiver to reduce the cost of required sidewalks such that the costs will not be unreasonably disproportionate),
- (2) Areas with severe topography or other natural constraints that will constrain proper implementation of this plan,
- (3) Situations inherently adverse to pedestrian activity, such as harmful noise, dust creation, and high volume truck traffic, in certain areas, such as agricultural, heavy commercial, and industrial developments, or
- (4) Situations where an applicant can show other factors or circumstances amounting to reasonably justifiable good cause to support such waiver.

A denial of a request for a waiver of these requirements may be appealed to the City Council.

- (1) A written appeal must be filed with the Director of Public Works within ten (10) days of the denial.
- (2) The appeal must provide justification for the requested waiver based on the criteria described in (1), (2), (3), and (4) above.
- (3) The Council must make findings based on these criteria in order to approve a waiver. If substantial new information, not provided as part of the original request, is provided by the applicant within 14 days of the City Council meeting, or during the City Council meeting, the item shall be referred back to the Director of Community Development and Director of Public Works for reconsideration prior to a decision by the City Council.

Remediation (local streets only)

The City recognizes the existence of disjointed/disconnected sidewalk segments throughout the city that serve little purpose in furthering the welfare or walkability of the community. Where such sidewalks exist, the City should pursue funding

options to complete the segment, block or area sidewalk installation. Requests to remove existing sidewalks within the segments identified in the Supplemental Sidewalk System Map (2008) should only be permitted as the exception rather than the rule. Unless specifically identified on the Supplemental Sidewalk System Map as "sidewalks NOT required," sidewalk removal shall require cash-in-lieu equivalency payment to the City for the value of the removed sections. In cases where removal is deemed appropriate, the property owner shall be responsible for all removal and restoration.

Funding

The City Council should develop a multi-year plan for the installation of sidewalks in compliance with the Supplemental Sidewalk System Map (2008). Such plans should include a funding source and annual allocation to specific projects.