

## Sidewalk Ordinance – Summary of proposed standards

Under the City of San Angelo's current ordinances, whether sidewalks are required for a development is decided on a case-by-case basis. Both developers and City staff agree that more clearly defining this would be helpful for everyone. The goal of the proposed ordinance is to provide better guidance on when and where sidewalks will be required.

### **Standards for all options:**

- Sidewalks will continue to be triggered by subdivision plats, replats and site plans for non-residential development
- For single-family homes, sidewalks would be built when the home is built. For all other development, sidewalks would be required either when the property is subdivided or at the time of development. To ensure consistency and connectivity, sidewalk construction plans would be required with the subdivision plat.
- Sidewalks would be required on all major streets (major collector and arterial streets) when new development or major redevelopment occurs adjacent to those streets.
- Sidewalks would be required on local streets in most non-residential areas (commercial, office, medical, etc.) and near parks, schools, churches, apartments, etc., when new development or major redevelopment occurs adjacent to those streets.
- Sidewalks would not be required in existing neighborhoods that don't have sidewalks. In addition, there are exceptions for industrial and heavy commercial areas, as well as for rural development where lots are more than one acre.
- Waivers and deviations from standards can be approved administratively by staff (instead of having to go to the Planning Commission) but denials can be appealed to the Planning Commission and City Council.
- As under current ordinances, the maintenance of sidewalks is the responsibility of the adjacent property owner. So, any maintenance related to new sidewalk construction would be the responsibility of the property owner.

### **Options for local streets and minor collectors in new neighborhoods:**

- Require sidewalks on all neighborhood streets, including local streets and minor collectors

- Require sidewalks on only one side of neighborhood streets, including local streets and minor collectors
- Only require sidewalks within certain distance of schools, parks, churches and near commercial areas, but not throughout the neighborhood

**Exhibit B:**

**Amendments to Chapter 12. Planning and Development,  
Exhibit C. Land Development and Subdivision Ordinance, Chapter 3.  
Definitions and  
Chapter 9. Subdivision Design Policies**

**Amend to rename Chapter 9 as “Chapter 9. Land Development and Subdivision Design Policies”**

Restate in its entirety **Chapter 9, Section V. Sidewalks** to read as follows:

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**A. Purpose**

1. The purpose of these sidewalk standards is to promote the health, safety, and welfare of residents, property owners, and visitors to the City of San Angelo and to implement the vision and strategies of the San Angelo Comprehensive Plan.
2. These standards will:
  - a. Improve the safety of walking by providing separation from motorized transportation and improving travel surfaces for pedestrians.
  - b. Improve public welfare by providing an alternate means of access to transportation and social interaction, especially for children, other citizens without personal vehicles, or those with disabilities.
  - c. Facilitate walking as a means of physical activity recognized as an important provider of health benefits.
  - d. Establish minimum criteria for the development of sidewalks as a part of the pedestrian element of the transportation system within the City and its extraterritorial jurisdiction (ETJ).

**B. Policy Statements**

1. Walking is a primary form of transportation that should be accommodated in the design of public roadways and transportation systems.
2. A continuous system of sidewalks is critical to achieve the benefits of a functional pedestrian transportation system.
3. Where this document is silent, the design of pedestrian facilities shall follow the City's Sidewalk Design Standards and standards applicable under State and Federal laws and regulations, including but not limited to Texas Accessibility Standards and the Americans with Disabilities Act of 1990, as amended.
4. These requirements are intended to apply within the City and its Extraterritorial Jurisdiction (ETJ).
5. These requirements are intended to apply to both public and private streets.
6. **OPTION 1 (Staff recommendation)**  
These requirements are not generally intended to apply to local streets in already developed single-family neighborhoods where sidewalks are not present and have not historically been provided, with some exceptions as identified in this Section. However, these requirements are intended to apply to any expansions of existing neighborhoods into undeveloped areas.

**OPTION 2**

These requirements are not generally intended to apply to local and minor collector streets in residential neighborhoods. On local streets in neighborhoods, with lower speeds and traffic volumes, it is accepted that walking in the street is an acceptable accommodation for pedestrians.

**C. General Requirements**

1. Except for permitted waivers and deviations as provided under Part F of this Section V, sidewalks shall have a minimum clear path width of four feet on local streets in districts zoned for primarily single-family residential purposes and a minimum clear path width of five feet in all other zoning districts.
2. The timing of sidewalk construction shall be as required by this Ordinance, or as approved by the Planning Commission and pursuant to a written development agreement by and between the property owner or developer and the City.
3. Except for permitted waivers and deviations as provided under Part F of this Section V, at any time an existing sidewalk is removed, the property owner shall contemporaneously construct a new sidewalk to standards required under this ordinance.
4. Except as otherwise provided under this Section V or adopted City policy, the property owners shall be responsible for maintenance of the sidewalks within the parkway adjacent to their property, or within a public sidewalk easement on their property, in a safe, functional condition consistent with applicable sidewalk design standards.
5. An existing sidewalk may not be removed unless a replacement sidewalk is constructed to standards current at the time of removal, unless such removal is authorized in writing by both the City Engineer and Planning Director.
6. In addition to sidewalks within the right-of-way, internal pedestrian circulation shall be provided by sidewalk or other like approved improvement in any new development or redevelopment serving commercial, retail, office, service or similar use and at any governmental facility, school, church, or other place of public assembly. Sidewalks, or other accessible pedestrian routes, shall be designed and installed to connect all buildings to one another and to parking areas, and to connect the development to the public street system as depicted on an approved site plan. All such sidewalks or routes shall be protected from encroachment by parked vehicles.

**D. Sidewalk Requirements for New Streets**

1. **OPTION 1 (Staff recommendation)**  
Sidewalks shall be required on both sides of all new streets except local streets in a single-family residential subdivision where all lots are at least 1 acre.  
  
**OPTION 2**  
Sidewalks shall be required on both sides of all new streets, except for local streets or minor collector streets in a single-family residential subdivision where sidewalks are required on only one side of the street. Sidewalks are exempt for single-family residential subdivisions where all lots are at least 1 acre.  
  
**OPTION 3**  
Sidewalks shall be required on both sides of all new streets, except for local streets or minor collector streets in a single-family residential subdivision where sidewalks are not required.
2. Sidewalks shall be constructed concurrently at the time of road construction on streets where the street abuts non-development areas such as common areas, drainage features, utility rights-of-way, or publicly owned areas. Otherwise, sidewalks may be deferred by the Planning Commission, through a development agreement, until such time as the property is developed.

## **E. Sidewalk Requirements for Existing Streets**

1. Sidewalks shall be required on both sides of existing major collector streets, arterial streets, and the external sides of the frontage roads of freeways. The property owner or developer is only responsible for the required sidewalk on the side of the street or streets adjacent to their property.
2. Sidewalks shall be required along block faces of existing local streets in any of the following categories or combinations of categories:
  - a. The Central Business District designated by the San Angelo Comprehensive Plan or the City's Zoning Ordinance.
  - b. Designated pedestrian routes in a neighborhood plan, corridor plan, Safe Routes to School Plan, or other small area plan adopted by the City of San Angelo.
  - c. Locations that would connect existing or otherwise required sidewalks by closing, or partially closing, gaps of less than 250 feet.
  - d. Locations in which a property has a public sidewalk along the same block face.
  - e. Street frontages in all land use zones except the following:
    - (1) **OPTION 1 (Staff recommendation)**  
Zones intended primarily for single-family residential purposes and where sidewalks are not present. (Example: Existing RS and MH subdivisions).
    - OPTION 2**  
Zones intended primarily for single-family residential purposes. (Example: RS and MH subdivisions).
    - (2) Zones intended primarily for multi-family residential purposes where the current use of the property is for single-family residential and where sidewalks are not present. (Example: RM districts).
    - (3) Zones intended primarily for heavy commercial, warehousing, manufacturing, and industrial uses (Examples: CH, OW, ML, MH).
    - (4) Zones intended for large-lot residential and to preserve agricultural activities and open space (Example: R&E).
3. No plat or subdivision of land along an existing collector street, arterial street, or freeway frontage road may be approved without provision for the installation of public sidewalks along such streets and roads where required.
4. No new or amended site plan, including a residential site plan, may be approved for development on any property unless applicable provisions for sidewalks are included in the site plan where required.

A certificate of occupancy, or final inspection approval for development that does not require a certificate of occupancy, may not be issued until required sidewalks are installed or brought up to applicable standards when there is development activity requiring a major site plan or a site plan for a new residence.

## **F. Waivers & Deviations**

1. A complete waiver of the requirement for sidewalks should be allowed only where there are unusual factors or circumstances. The waiver must be defined in writing, include data supporting the basis for granting the waiver, and be approved by both the Planning Director and the City Engineer. Unusual factors or circumstances may include:

- a. 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);
  - b. areas with severe topography or other natural constraints that make proper implementation of this ordinance impractical;
  - c. situations inherently adverse to pedestrian traffic, such as substantial truck traffic or other circumstances that present health and safety concerns, more prone in agricultural, heavy commercial, and industrial developments; or
  - d. other factors or circumstances constituting reasonably justifiable good cause to support such waiver.
2. Deviations from the requirements of this Section V or from the city's Sidewalk Design Standards may be allowed when necessary due to the physical circumstance of the street, or when necessary to accomplish adopted development goals of the City, or in situations where an applicant can show other factors or circumstances amounting to reasonably justifiable good cause to support such a deviation.
    - a. The specific nature and justification for permitting a deviation must be described in writing, include data supporting the basis for granting the described deviation, and approved by both the Planning Director and the City Engineer.
    - b. Deviations should be minimal and consist primarily of changes to required width of clear path or alignment within the right-of-way.
    - c. Deviations shall not allow a minimum clear path width of less than 3 feet.
  3. A denial in whole or part of a request for a waiver or deviation of these requirements may be appealed to the Planning Commission.
    - a. A written appeal must be filed with the Planning Director within 10 days of service upon the property owner or developer of a written notice of the denial of the requested waiver or deviation.
    - b. The written notice of appeal must provide justification for the requested waiver or deviations based on the criteria described in F.1. and F.2. above. The Commission shall make findings based on these criteria. The Commission may sustain the denial or grant the application for waiver or deviation in whole or part.
  4. The applicant or Planning Director may appeal the decision of the Planning Commission to the City Council.
    - a. A written appeal must be filed with the Planning Director within 10 days of service of the Planning Commission decision on the property owner or developer.
    - b. The appeal must provide justification based on the criteria described in F.1. and F.2. of this Section V. The Council may sustain the decision of the Planning Commission or deny or grant the application for waiver or deviation in whole or part. The Council shall make findings based on criteria described in F.1. and F.2. of this Section V.

**Amend Chapter 3. Definitions by adding or restating the following definitions:**

Block face – one side of a street between major intersecting features, such as a road, railroad, stream, etc., but not an alley right-of-way.

Clear path – an unobstructed way free from obstacles or overhanging projections to a height of 7½ feet above the ground, sidewalk, or surface.

Common area – a portion of a real estate development that is held for the common use or benefit of multiple owners or tenants: such as parking lots, malls, common recreational areas, landscaping lots, group detention facilities, etc.

Drainage feature – a natural or man-made feature that collects, conveys, or stores surface water or storm water runoff: such as a channel, stream, detention area, wetland, or lake.

Parkway – the area located within the public right-of-way between the curb line of a street, or edge of roadway, and the property line at the edge of right-of-way.

Obstacles – fixed or portable obstructions to the safe passage of pedestrians including, but not limited to signs, street lights, mailboxes, landscaping, utility poles, trash cans, parked vehicles, merchandise, furniture, junk, and debris.

Project costs means the following:

- a. If a sidewalk is triggered by the subdivision process, project costs include the other infrastructure improvements required in the platting process, such as road construction, water lines, sewer lines, drainage facilities, etc.
- b. If a sidewalk is triggered by the site plan process or any process other than through subdivision, project costs include all development costs associated with the site plan, including site development, buildings, parking lots, etc.

Property – any platted lot or other parcel of land.

Right-of-Way – a strip of land occupied or intended to be occupied by a street, **sidewalk**, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use. The usage of the term “right-of-way” for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, **sidewalks**, crosswalks, water mains, sanitary sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

Road construction – as used in the context of this Chapter shall mean any new construction, widening of roadways, or adding curb and gutter.

Roadway – that portion of a street or highway between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic.

Sidewalk – an improved facility intended to provide for pedestrian movement; often located in the public right-of-way adjacent to a roadway.

Unreasonably Disproportionate – exceeding twenty percent of the project costs or exceeding three times the cost of a standard sidewalk with no topographic constraints or other unique issues that would raise the cost of a sidewalk. For transportation projects, right-of-way acquisition costs shall not be included in the calculation.

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# **Sidewalk Design Standards**

DRAFT: June 24, 2021



## A. Policy Guidance

- A.1. If the provisions of any part of this plan are inconsistent with the provisions of any other applicable law, policy or regulation, the provision(s) establishing the more restrictive standard shall be enforced.
- A.2. Sidewalks, shared use paths, street crossings, pedestrian signals, signs, street furniture, transit stops and facilities, and all connecting pathways should be designed, constructed, operated and maintained so that all pedestrians, including people with disabilities, can travel safely and independently.
- A.3. Where pedestrians are prohibited by law from using the roadway, an effort should be made to accommodate pedestrians elsewhere within the same transportation corridor.
- A.4. The design and development of the transportation infrastructure should improve conditions for pedestrians through the following additional steps:
- a. Planning projects for the long-term: Transportation facilities are long-term investments that remain in place for many years. The design and construction of new transportation facilities should anticipate likely future demand for pedestrian facilities, even where not currently required, and not preclude the provision of future improvements. For example, a street that currently does not require sidewalks due to type or intensity of adjacent land uses should be designed with right-of-way, utility locations, and landscaping that will allow retrofit of sidewalks should land uses or transportation corridor designations change.
  - b. Addressing the need for pedestrians to cross corridors as well as travel along them: Even where pedestrians may not commonly use a particular travel corridor that is being improved or constructed, they will likely need to be able to cross that corridor safely and conveniently. Therefore, the design of intersections and interchanges shall accommodate pedestrians in a manner that is safe, accessible and convenient.
- A.5. Where these Standards are silent, the design of pedestrian facilities should follow current best practices and standards, such as those listed below, upon approval of the Planning Director and City Engineer.
- (1) *Guide for Planning, Design, and Operation of Pedestrian Facilities*, American Association of State Highway and Transportation Officials (AASHTO),
  - (2) *Design and Safety of Pedestrian Facilities*, Institute of Transportation Engineers (ITE),
  - (3) *Building a True Community: Final Report*, Public Rights-of-way Access Advisory Committee (PROWAC), United States Architectural and Transportation Barriers Compliance Board (ATBCB) , and
  - (4) *Designing Sidewalks and Trails for Access*, United States Department of Transportation, Federal Highway Administration.
- A.6. Examples of situations that may merit deviations from these standards, especially when retrofitting sidewalks along existing streets, are: insufficient right-of-way width, obstacles that are infeasible to remove or relocate, and existing trees worthy of preservation.
- A.7. Where it is not possible, or not desirable, to locate a public sidewalk within the public right-of-way, the City may authorize the location of a sidewalk within a public access easement.

## B. Standards for Public Sidewalks

All new sidewalks in the public right-of-way must meet the following minimum standards:

- B.1. All sidewalks must comply with the City's **Standard Specifications and Details for Construction.**
- B.2. All sidewalks must comply with applicable standards established for the removal of architectural barriers to mobility effective at time of construction.
- B.3. Sidewalks must have a minimum clear path width of five feet, except four feet width is permitted on local streets in a district zoned for primarily single-family residential purposes. Additional width may be required based on width of adjoining sidewalk, anticipated pedestrian use, character of the area, and neighborhood plans.
- B.4. All sidewalk surfaces must be firm, stable, smooth, and slip resistant when dry and must be free of surface gaps greater than 0.5 inch in width.
- B.5. The clear path of all sidewalks must be kept free from fixed or portable obstacles (including, but not limited to, signs, street lights, mailboxes, landscaping, utility poles, refuse containers, parked vehicles, merchandise, furniture, and debris) and shall also be kept free from any overhanging projections (including, but not limited to, vegetation, signs, awnings and parked vehicle bumpers) to a height of 7½ feet above the sidewalk surface.
- B.6. The clear path requirements for sidewalks shall also apply to crosswalks and other projections of sidewalks across driveways.
- B.7. A shy distance shall be maintained between the required clear path of a sidewalk and obstacles near the clear path to maintain the usable width of the clear path.
- (i) A shy distance of 2 feet shall be maintained adjacent to vertical barriers (including structures, walls, fences, signs, hedges, etc.) that extend to a height greater than 3.5 feet above the sidewalk surface **and** extend more than 4 feet in length parallel to the sidewalk.
  - (ii) A shy distance of 1 foot should be provided for all other fixed obstacles except that soft vegetative landscaping (grasses, annuals, succulents, and woody plants with stems less than one inch in diameter) less than 3.5 feet in height do not require a clear zone.
  - (iii) Shy distances do not apply where handrails are required on ramps, slopes, or stairs.
- B.8. Landscaping beside sidewalks should be pedestrian friendly, and free from barbed wire, spiky plants, rapidly growing vines, and other landscaping that may cause puncture wounds, tripping hazards, or could interfere with the clear path width of the sidewalk.
- B.9. Required sidewalks must be connected such that, when complete, a continuous path is formed along the full length of a block face, including across driveways and alleys and that connects to sidewalks on intersecting block faces.
- B.10. Alignment in right-of-way:
- a. The clear path of a required sidewalk shall be separated from the back of curb or edge of pavement by a minimum of 3 feet along local and collector streets or 5 feet along arterial streets and expressways, including frontage roads.
  - b. Meandering walkways may be used to avoid obstacles and minimize conflicts with driveways. If a meandering walkway is desired, the number of curves should be minimized to avoid creating a route that is too awkward and indirect or is difficult to maneuver by the visually impaired or otherwise disabled.
- B.11. Sidewalks at a street or alley intersection must meet the level of the street or alley or be equipped with an appropriately designed ramp.
- B.12. A sidewalk must be separated from any parking space by a physical barrier that will obstruct vehicles from intruding into the required clear path or shy distance. At any location where parking is allowed adjacent to the sidewalk, a minimum separation of 5 feet must be maintained between the required clear path of the sidewalk and a curb, wheel stop, or other barrier low enough to be overhung by portions of a vehicle.

- B.13. Sidewalks must also comply with any additional design requirements that may be included in neighborhood plans, designated school route plans, other city plans or ordinances, or state and federal requirements.
- B.14. Otherwise compliant sidewalks existing as of January 1, 2022 with a clear path width of at least 3 feet will satisfy sidewalk design requirements regardless of placement within the external right-of-way until replaced or reconstructed at which time the sidewalks should be brought into full compliance.
- B.15. Any drainage feature that passes under a public roadway must be bridged by a section of sidewalk or paved shoulder on at least one side of the street to make provision for the safe passage of pedestrians out of the vehicle lanes of travel, even where there is no other requirement for a connecting sidewalk.
- B.16. The external right-of-way of all public streets should be graded and maintained in a manner to allow safe and unimpeded passage by a person afoot even where there is no requirement for a built sidewalk. Artificial barriers, including landscaping, that prevent pedestrians from using the external right-of-way shall not be allowed.

## C. Internal Pedestrian Walkways

Internal pedestrian walkways should be provided in accordance with the following standards:

- C.1. Walkways should be provided to connect all on-site pedestrian circulation systems and all public entrances and exits to the public sidewalk system in a manner that minimizes out of direction pedestrian travel.
- C.2. Internal walkways shall have a minimum clear path width of 4 feet.
- C.3. Walkway/driveway crossings should be minimized and internal parking lot circulation design should maintain ease of access for pedestrians from abutting streets, pedestrian facilities, and transit stops.
- C.4. With the exception of walkway/driveway crossings, walkways should be separated from vehicle parking or maneuvering areas by grade, different paving material, landscaping, or other such barrier.
- C.5. Internal sidewalks shall meet the requirements of applicable accessibility standards and other design and construction standards adopted by the City.

## D. Definitions

- D.1. "Clear path" means an unobstructed way free from obstacles or overhanging projections to a height of 8 feet above the ground, sidewalk, or surface.
- D.2. "Shy distance" means a designated width or buffer area along a path to allow for the pedestrian to instinctively avoid proximity to objects such as buildings, retaining walls, curbs, poles, and fences.

## E. Sidewalk Design Technical Specifications

Technical specifications for sidewalk construction and design are established and maintained by the City Engineer. Construction of sidewalks within the right-of-way, or within an easement for public sidewalks, shall be in compliance with these specifications. Where there is a conflict, the more restrictive standards shall apply.