

Adopted 7/9/13

## ORDINANCE

AMENDING SECTION 8.2.A OF THE UNIFIED DEVELOPMENT ORDINANCE, "SUBDIVISION DESIGN/IMPROVEMENTS; SUBDIVISION DESIGN STANDARDS; STREETS," TO CLARIFY WHERE SIDEWALK CONSTRUCTION IS REQUIRED

WHEREAS, the Unified Development Ordinance requires that sidewalks be constructed during the subdivision process as part of development of new streets; and

WHEREAS, the ordinance is unclear as to when sidewalks should be constructed when the land being subdivided is served by existing streets; and

WHEREAS, the ordinance requires that sidewalks be a minimum of 4' in width; and

WHEREAS, the current standard for new sidewalks is minimum 5' width; and

WHEREAS, staff has prepared an amendment to the Unified Development Ordinance that clarifies where new sidewalks are required as part of subdivision and increases the minimum width of new sidewalks from 4' to 5'; and

WHEREAS, this amendment has been presented to the Beaufort--Port Royal Metropolitan Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding this ordinance amendment on June 11, with notice of the hearing published in *The Beaufort Gazette* on May 20, 2013;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that Section 8.2.A of *The Unified Development Ordinance of the City of Beaufort, South Carolina*, "Subdivision Design/Improvements; Subdivision Design Standards; Streets," be revised by deleting the current paragraph 11, "Sidewalks," and be replaced with a new paragraph 11, "Sidewalks," to read as follows:

### **11. Sidewalks**

- a. Sidewalks shall be required on both sides of all new streets, except for streets that serve five (5) or fewer single-family residential lots. Sidewalks shall be placed within the right-of-way. On lots zoned for commercial or mixed use, and for major subdivision of residential lots, sidewalks shall be installed within the right-of-way of all existing public streets on which the property has frontage which do not have a sidewalk. If an encroachment permit cannot be secured for construction within the right-of-way of an existing street, the sidewalk shall be constructed within the street setback area as close to the front property line as feasible.
- b. Sidewalks shall have a minimum of five feet and shall be placed such that a minimum four foot planting strip is maintained between the back of curb and the inside edge of the sidewalk.

