

ORDINANCE NO. 1162

AN ORDINANCE OF THE CITY OF KYLE, TEXAS, AMENDING ARTICLE II, CHAPTER 38, OF THE CITY OF KYLE CODE OF ORDINANCES, TO INCLUDE A SECTION 38-23 ROUNDABOUTS, REQUIRING USE OF ROUNDABOUTS IN CERTAIN INTERSECTIONS, REQUIRING CONSIDERATION OF ROUNDABOUTS IN CERTAIN INTERSECTIONS, REQUIRING COMPLIANCE WITH NATIONAL STANDARDS IN THE CONSTRUCTION OF ROUNDABOUTS, REQUIRING NOTICE OF EXCLUSIONS, PROVIDING SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

Whereas, the City of Kyle, Texas (the "City") regulates the design and construction of roadways in the City limits and extraterritorial jurisdiction (the "City jurisdiction");

Whereas, the City has experienced growth causing the City jurisdiction to expand necessitating the creation of new roadways and alternation of existing roadways;

Whereas, the growth of City jurisdiction has resulted in an increase in population and accompanying roadway traffic which results in greater wear and tear on roadways and an increase in traffic congestion;

Whereas, roundabout style intersections have an associated decrease in traffic congestion, lower collision rates, and lower long-term maintenance;

Whereas, the City Council for the City desires to ensure that new and altered roadways are built in a way that is reliable, durable, safe and more efficient for the flow of traffic;

Whereas, the National Cooperative Highway Research Program compiled data and released a report describing standards for the construction of roundabout style intersections; and

Whereas, the City Council desires to ensure that all standards within National Cooperative Highway Research Program (NCHRP) Report 672 are complied with in the construction of roundabouts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

Section 1. Findings of Fact. The findings and recitations set out in the preamble of this Ordinance are found to be true and correct, and that they are hereby adopted by the Council and made a part hereof for all purposes.

Section 2. Amendment of Streets and Sidewalk Ordinance. Article II – Streets and Sidewalks, Chapter 38, City of Kyle Code of Ordinances, is hereby amended to include Section 38-23 Roundabouts.

38-23. Roundabouts

- (a) **Purpose.** Use of properly designed roundabouts encourages a safer and more efficient flow of traffic at intersections in residential areas.
- (b) **Inclusion of Roundabouts in Residential Areas.** Intersections of collector streets and major roadways, major thoroughfare streets, or arterial streets shall be constructed as a roundabout style intersections in compliance with this Section unless construction of the roundabout is not feasible due to one of the following reasons, as determined by the City Engineer: (1) there is not sufficient space on available land or land that can be acquired by the applicant or the City to locate the roundabout; or (2) land conditions or existing roadway design do not allow for installation of a roundabout that complies with this Section. The location of the roundabouts must be identified when an applicant submits a concept plan application or, if platting is not required for the project, when the applicant submits a site development plan application.
- (c) **Consideration of Roundabouts generally.** A traffic control study to consider the potential positive impact of a roundabout style intersection is required for all non-residential construction of intersections with anticipated traffic levels requiring traffic control measures greater than a stop-sign. When studies indicated both feasibility and a positive impact on traffic congestion, a roundabout style intersection shall be required unless City Engineer grants an exclusion request under subsection (e).
- (d) **Design Standards for Roundabouts.** All roundabouts must be designed and constructed in compliance with the standards promulgated in the National Cooperative Highway Research Program (NCHRP) Report 672, as amended from time to time.
- (e) **Exclusion Request.** Applicants wishing to exclude roundabouts where required herein, must notify the City that they are claiming an exclusion to this section and must submit a specific explanation for that exclusion when submitting plans to the City. The request must be submitted with the concept plan application, or site development application, as appropriate. The City Engineer may grant an exclusion request if one or more of the conditions set forth in Section 38-23(b)(1) or (2) exist.
- (f) **Appeal.** An applicant aggrieved by the City Engineer's decision regarding an exclusion request submitted under this section may appeal the City Engineer's decision to the City Council by submitting a written

request for appeal within ten days after the date of the City Engineer's decision. The appeal shall be placed on the agenda for the next available City Council meeting for which agenda-posting deadlines can be met.

Section 3. Amendment of Conflicting Ordinances. Article II is hereby amended as provided in this ordinance. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 4. Effective Date. This Ordinance shall be in full force and effect immediately upon its final passage.

Section 5. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any section, paragraph, sentence, clause or phrase of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid section, paragraph, sentence, clause or phrase. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

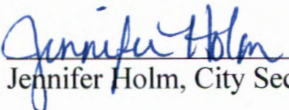
Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED on first reading this the 6th day of July, 2021.

FINALLY PASSED AND APPROVED on this the 3rd day of August, 2021.

ATTEST:

CITY OF KYLE, TEXAS


Jennifer Holm, City Secretary


Travis Mitchell, Mayor