

City of Charlotte Sidewalk Retrofit Policy

**Adopted by City Council on
6/13/2011**



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City of Charlotte Sidewalk Retrofit Policy

Original Adoption by City Council May 23, 2005
Amended and Adopted by City Council June 13, 2011

I. BACKGROUND

The City of Charlotte is committed to becoming a more “walkable” community as part of an overall strategy for advancing a balanced transportation system that accommodates motorists, transit users, pedestrians and bicyclists.

The City’s Transportation Action Plan (TAP) calls for the prioritization, design, construction and maintenance of convenient and efficient transportation facilities to improve safety, neighborhood livability, promote transportation choices and meet land use objectives. Objective 2.7 of the draft 2011 TAP calls for the City to construct 375 miles of new sidewalks by 2035. Policy 2.7.3 calls for sidewalks to be constructed consistent with Urban Street Design Guidelines (adopted in 2007), and every effort shall be made to meet the intent of the guidelines when designing sidewalk projects.

A. Walk Friendly Community

In April 2011, Charlotte was designated a Walk Friendly Community at the Bronze Level in part due to the Complete Streets initiative, realized through the Urban Street Design Guidelines, connectivity policy and a “robust sidewalk policy.”

The City’s commitment to becoming a more “walkable” community is seen in its annual Sidewalk Program \$7.5 million allocation to construct and maintain sidewalks in addition to many other capital improvement programs that construct sidewalk. In addition, the City’s adopted Urban Street Design Guidelines, emerging light rail transit system and pedestrian oriented design standards have laid a foundation for Charlotte to become a walkable community.

The focus of this policy document is to implement a revised prioritization process for retrofit projects under the Sidewalk Program, Neighborhood Improvement Program and the Area Plan Implementation Program. The revised process focuses on the implementation of sidewalk projects on existing streets which lack sidewalks and which serve a public need and purpose. The process also allows for more public participation.

B. Sidewalk Installation in the City of Charlotte

Sidewalks in the City of Charlotte are installed under the following programs:

- **Sidewalk Program** – The City constructs new sidewalks on existing thoroughfare, collector and local streets. Sidewalk Program projects are funded by Street Bonds.
- **City and State Roadway Projects** – The City constructs sidewalks on all roadway construction projects within the City of Charlotte, including projects constructed by the City and the North Carolina Department of Transportation. The only exception is along controlled-access freeways where pedestrians are not allowed.
- **Land Development Requirements** – As of July 1, 1998, developers are required to build sidewalks on both sides of streets within a subdivision. In most cases, developers are also required to build sidewalk along their property frontage
- **Neighborhood Improvement Program** – The City started this program in the late 1980's to revitalize, stabilize and maintain infrastructure of the City's neighborhoods. Neighborhood improvement projects are prioritized and funded by Neighborhood Improvement Bonds. The project may include construction of sidewalks depending on the identified neighborhood's sidewalk infrastructure needs.
- **Area Plan Implementation** – The Charlotte-Mecklenburg Planning Department receives funding each year to implement projects identified within Area Plans. If a sidewalk is identified in a particular Area Plan, funds can be allocated towards sidewalk construction.
- **Individual Property Owner Installation** – Individual property owners have the ability to install their own sidewalks, and are required to notify CDOT prior to construction. The City will review the plans to ensure the installation meets minimum construction standards.
- **Neighborhood Petition Assessment** – Residents can petition for sidewalk construction to be financed by all property owners in the area where sidewalk is requested. The process requires majority consent of 51% of the property owners in the improvement area, and a formal petition for no less than one block of the street. Provided City Council approves the request, 100% of the property owners will be required to pay for the sidewalk. If those 51% decide only to build sidewalk on one side of the street, all of the residences along both sides of the street will

be required to pay for the sidewalk.

- **State Highway Participation** – Sidewalks are constructed on state roads through municipal agreements with the North Carolina Department of Transportation (NCDOT). Under the current NCDOT Pedestrian Policy, if a project is initiated by NCDOT, the City of Charlotte will request sidewalk and the two agencies will share in the cost of sidewalk equally. If the City initiates a project on an NCDOT roadway, the City will pay 100% of the cost to install sidewalk.

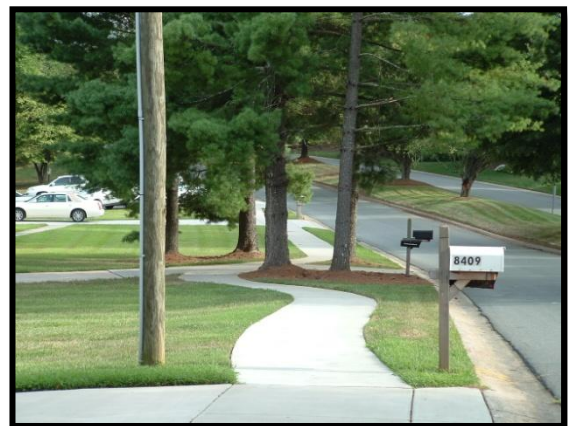
Although sidewalks are required of all new development and are constructed along roadway projects (except limited-access freeways), there are still approximately 479 miles of thoroughfares (both sides) and 1,635 miles of collectors/locals (one side) in Charlotte that lack sidewalk due to previous City and State policies that did not require sidewalk construction.

Sidewalk Mileage Completed and Deficient in Charlotte in 2010

Street Type	Sidewalk Miles Constructed	Sidewalk Miles Not Complete	Total Street Miles	Percent Complete
Thoroughfares	584	479 (both sides)	1,063	55%
Locals/Collectors	1,016	1,635 (one side only)	2,651	38%
Total of All Street Types	1,600	2,114	3,714	43%

II. PURPOSE

A pedestrian-friendly environment is desired throughout the city. The purpose of this policy is (1) to align public involvement procedures between the Sidewalk Program, Neighborhood Improvement Program, and the Area Plan Implementation Program, and (2) use a petition based process for local and collector streets except for those exempt under use of reserved authority.



III. SCOPE AND APPLICABILITY

The following policy and procedures apply to all sidewalk retrofit projects along streets within the City limits. Specifically, the following City programs are affected: the Charlotte Department of Transportation’s Sidewalk Program, the Neighborhood

and Business Services' Neighborhood Improvement Program and the Charlotte-Mecklenburg Planning Department's Area Plan Implementation Program. This policy does not apply to sidewalks constructed in other programs; such as, but not limited to, part of roadway projects, business corridor projects, new subdivisions, or other land development which have distinct requirements.

IV. SIDEWALK RETROFIT POLICY STATEMENT

It is the policy of the City of Charlotte to:

- A. Install sidewalks on both sides of all existing thoroughfares and one side of all existing local and collector streets in accordance with the prioritization procedure set forth in this policy.
- B. Prioritize sidewalk requests in accordance with the processes identified for each program in Section VII of this document. The affected City programs will follow the public involvement process described in Section VIII of this document.

V. DEFINITIONS

Thoroughfare – Any public street, which is designed to carry higher volumes of traffic and longer trip distances through and within the city. Major and minor thoroughfares are identified on the adopted *Mecklenburg-Union Metropolitan Planning Organization (MUMPO) Thoroughfare Plan*, which is updated periodically. Thoroughfares are also commonly called arterials.

Collector Street – Any public street which “collects” traffic from local streets and/or major activity centers and channels the traffic onto thoroughfare streets. Major collectors are identified on the *Existing and Proposed Major Collector Map*, which was adopted by City Council on November 27, 2000.

Local Street - Any public street that carries traffic from adjacent land uses to the thoroughfare/collector system. Local streets are intended to carry the lowest traffic volumes, and primarily provide access to abutting land.

AAWT - Average Weekday Traffic Volumes Traffic is counted for 48-hours between Monday and Friday (no weekends) on thoroughfares. The average of two days is used to arrive at a 24-hour volume. Non-thoroughfare counts are taken for a 24-hour period, on school days only unless it is determined by staff that school traffic does not influence the street's traffic volume. Holidays and special events are avoided. Count tubes are placed approximately 200 feet away from an intersection to avoid cars waiting and gather a more accurate count.

Park – For the purposes of defining the ranking criteria, a park is defined as a recreational area, which includes City or County owned or maintained public parks, greenways, or recreation centers.

Greenway Overland Connector – A planned greenway trail that consists of a sidewalk or multi-use pathway along a street that serves as the greenway and is part of the *Mecklenburg County Greenway Master Plan*.

School – For the purposes of defining the ranking criteria, a school is defined as any educational institution with an enrollment of 200 or more students in Grades 12 and under. Schools can be either public or private.

Neighborhood Serving Land Uses – For the purposes of defining the ranking criteria, a neighborhood serving land use is a land use which primarily serves the surrounding neighborhood and includes, but is not limited to, grocery stores, pharmacies, post offices, libraries, banks, churches, restaurants, medical facilities, and YMCA/YWCAs.

Land Uses Serving Elderly or People with Disabilities – For the purposes of defining the ranking criteria, land uses which serve the elderly or people with disabilities, includes, but is not limited to, independent and dependent living facilities, active adult retirement communities, and disability specific organizations such as the Programs for Accessible Living, Lions Club and the Metrolina Association for the Blind.

Roadway Design Safety Need – A condition that warrants consideration of a sidewalk due to roadway design features such as limited horizontal and/or vertical curves that obstruct driver and pedestrian visibility. Engineering judgment by City staff will be used to determine if increased risks are present on the roadway.

VI. SIDEWALK IMPLEMENTATION CATEGORIES AND PROCESS

Potential locations for sidewalk retrofit projects will be divided into three categories based on each roadway's functional classification. The categories are as follows:

- Thoroughfares
- Collectors
- Locals

The procedure for identifying and prioritizing sidewalk projects under each category is summarized below and followed by descriptive text. As with any category identified below, City staff is responsible for determining the point system associated with these criteria and for making additions or deletions to the criteria as needed. Any changes to the criteria or point system will apply to all potential

projects and must be made by City staff before the project lists are ranked for each program.

A. Ranking Criteria:

- AAWT (Average Annual Weekday Traffic)
- Connectivity to other sidewalks
- Proximity to a school
- School Type
- Proximity to a park
- Greenway Overland Connector
- Proximity to land uses serving elderly or people with disabilities
- Proximity to transit
- Proximity to neighborhood serving land uses
- Evidence of a worn path
- Roadway related safety need
- Length of proposed sidewalk
- Existence of curb/gutter/drainage
- Pedestrian Friendly Index Rating (From the Charlotte Neighborhood Quality of Life Study)
- Proximity to pedestrian overlay district

B. Reserved Authority

A proposed or requested sidewalk will be exempt from the procedure identified in Section VIII if the Transportation Director, or his designee, determines that the project is necessary because of factors including, but not limited to:

- High traffic volumes and speeds
- Pedestrian safety
- Accessibility to transit
- Street primarily consists of land uses other than single family residential
- Street has reverse frontage lots

VII. PRIORITIZATION PROCESS FOR EACH PROGRAM

This policy includes implementation procedures for each of the following programs:

- Charlotte Department of Transportation’s Sidewalk Program
- Neighborhood and Business Service Department’s Neighborhood Improvement Program
- Charlotte-Mecklenburg Planning Department’s Area Plan Implementation

Each program will be responsible for implementing a process to identify sidewalks proposed under their respective areas of responsibility. The following describes the sidewalk request process per capital program:

A. Sidewalk Program

CDOT Staff will accept nomination forms from residents and property owners along non-thoroughfare streets. Any resident may request a sidewalk on a street in this category provided he or she shows that the project has support of the residents along the street. In order to have a sidewalk request added to the City's Sidewalk Priority List, residents must submit a nomination form with at least twenty-five (25) percent of residents in support (based on the total number of parcels along both sides of the requested street). City staff will rank these requests and add them to the City's Sidewalk Priority List.

**Sidewalk projects will be programmed for design at the beginning of each fiscal year. CDOT staff will update and re-rank the list of eligible streets for each category of the sidewalk retrofit program annually to determine the highest priority projects for the upcoming fiscal year.

Process Steps

1. Resident requests a sidewalk. Staff can also identify sidewalk needs, however if the street is a non-thoroughfare street it must follow the process outlined in Section VIII.
2. Staff determines if petition based or not.
3. If petition based, residents must submit a nomination form with 25% of the tenants or property owners on the street.
4. When submitted staff ranks the requests among all others in accordance with the Evaluation Criteria.
5. At the beginning of each fiscal year, staff further reviews requests at the top of the list.
6. Staff determines how many projects to program. Non-petition based projects are implemented and public meetings held. Petition based requests follow the process outlined under the Public Involvement Section (VIII).

The City will build sidewalks along street sections with high ranking as funding becomes available. As an identified project nears the top of the ranking list, CDOT will hold a minimum two (2) public information meetings to provide residents with information about the project and to receive their input. In addition, CDOT will ask residents to provide feedback regarding design concerns. City staff will determine the most appropriate side of the street for sidewalk installation based on design consideration and property owner input.

Under the petition-based process, if there is insufficient project support, the request will remain on the ranking list and be reevaluated for public support after a 3-year period.

B. Neighborhood Improvement Program (NIP)

Neighborhood & Business Services staff will select projects through the Neighborhood Improvement Program planning process. Each NIP that is developed will identify sidewalk needs in each area. Sidewalk needs will be ranked based on the criteria identified in this policy. Sidewalk projects will be built by the Neighborhood Improvement Program as funding becomes available. **Residents in an NIP area still have the ability to request a sidewalk through the Sidewalk Program process.

Process Steps

1. NIP staff holds public meetings to determine which sidewalks are requested from residents.
2. NIP staff rank those streets nominated through the public meeting process using the Sidewalk Policy Evaluation Criteria (or determine through public input which streets are most critical/desirable).
3. The highest ranking streets (or most critical through public input) are further evaluated by the NIP staff to determine which streets will move forward.
4. Staff determines if petition based or not.
5. If not petition based, NIP implements project.
6. If petition based, requests follow the process outlined under the Public Involvement Section (VIII).

C. Area Plan Implementation Program

Planning Department staff will identify projects through the area planning process. Each Area Plan that is developed will identify sidewalk needs in each plan area. Sidewalk needs will be ranked considering the criteria identified in Section VIII of this policy. The Planning Department's Area Plan Implementation Program is intended to fund appropriate sidewalk and non-sidewalk capital projects. As such, sidewalks must compete for funding with other non-sidewalk recommendations. Sidewalk projects can be built as funding becomes available.

**Residents in an Area Plan boundary still have the ability to request a sidewalk through the Sidewalk Program process.

Process Steps:

1. Planning staff hold public meetings during the planning process to discuss sidewalk needs and to determine which sidewalks are most critical/desirable to residents.

2. Planning and CDOT staff rank those streets identified through the area planning process using the Sidewalk Policy Evaluation Criteria (or determine through public input which streets are most critical/desirable).
3. The highest ranking streets (or most critical through public input) are further evaluated by the Planning and CDOT staff to determine which streets will move forward.
4. Staff determines if petition based or not.
5. If not petition based, Planning and CDOT staff can implement project when funding is available.
6. If petition based, requests follow the process outlined under the Public Involvement Section (VIII).

VIII. PUBLIC INVOLVEMENT PROCESS

After sidewalk retrofit projects are selected, a minimum of two (2) public meetings will be held for all projects as referenced in **Table 1** below. The first meeting will introduce property owners about the City’s desire to create a more walkable city, and to identify the project scope and display a conceptual design. Subsequent meetings will illustrate design modifications made based on public input.

Table 1 – Sidewalk Prioritization Categories

Functional Class	Public Input	Design Considerations	Petition Process	% Support	Implementation
Thoroughfares	Public Meetings and Design Modifications	Sidewalk on both sides	None	N/A	Construct
Collector Streets	Public Meetings and Design Modifications	Sidewalk on one side based on design constraints and public input	City-administered petition	Minimum 60% of property owners on both sides of street	Construct if petition passes OR Reserved Authority used
Local Streets	Public Meetings and Design Modifications	Sidewalk on one side based on design constraints and public input	City-administered petition	Minimum 60% of property owners on both sides of street	Construct if petition passes OR Reserved Authority used

A. Petition Process

Each program will follow the petition based process outlined below:

- Thoroughfares – No petition process is required.

- Non-thoroughfares – The City will administer a petition to gauge the level of support for a project. At least sixty (60) percent of property owners must sign the petition in order for the project to move forward.
 - City administered petition is sent to property owners on both sides of the street.
 - Owners have 30 days to turn the petition into the City. The deadline date will be provided on the petition.
 - City staff validates the petition.
 - If the petition passes, sidewalk request is added to each program’s list and constructed subject to available funding.
 - **If the petition does not pass, property owners have an additional chance 3-years from the petition due date to go through the process again.**

B. Post Petition Notification

All owners of property on the nominated street shall be notified in writing that an adequate petition has been submitted and that the sidewalk will be added to each program’s list and constructed subject to available funding.

C. Appeals

Any property owner abutting the requested street may appeal by filing a written notice of appeal to CDOT within 30 days from receipt of notification. Implementation may be delayed if an appeal is filed. The reason for an appeal is to ensure the validity of the petition.

Appeals will be heard through a quasi-judicial proceeding before the CDOT Director, Deputy Director or hearing officer designated by the Director or Deputy Director.

IX. DESIGN GUIDELINES

Sidewalk retrofit efforts in older neighborhoods often present a number of construction challenges such as insufficient right-of-way, poorly defined road edge, hilly terrain and private landscaping in the right-of-way. To the extent practical, the City will design sidewalk retrofit projects to conform to the CDOT’s *Sidewalk Design Guidelines*. However, due to retrofit challenges, staff will consider context sensitive design techniques where necessary and appropriate. All newly constructed sidewalks will conform to the requirements set forth by the *Americans with Disabilities Act Accessibility Guidelines*.

X. FUNDING

The number of locations and amount of sidewalk addressed per year is dependent on funding levels. Staff from the affected programs will determine how sidewalk

funds will be appropriated on an annual basis. Due to the varying mileage and construction costs of individual projects, the number of projects constructed in each category will vary from year to year.

XI. PROGRAM IMPLEMENTATION AND ADMINISTRATION

CDOT shall have primary responsibility for the implementation and administration of this policy and will recommend amendments, from time to time, to the City Council, for the purpose of keeping this policy complete and current.

Two years after implementation of the revised policy, CDOT will evaluate the program for its effectiveness, public satisfaction and amount of staff time necessary to implement.

XII. EFFECTIVE DATE

This policy shall become effective upon adoption by the City Council on _____