

## Legislation Details (With Text)

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<b>On agenda:</b>	4/23/2018	<b>Final action:</b>		4/23/2018	
<b>Title:</b>	Charlotte WALKS: Sidewalk Construction Ordinance Revisions				
<b>Attachments:</b>	1. CH 19 Amendments - 2018 COUNCIL DRAFT - RCA Version 031518, 2. Sidewalk Retrofit Policy Amendment 031518 DRAFT (1)				
Date	Ver.	Action By	Action		Result
4/23/2018	1	City Council Business Meeting	Approve		Pass

## Charlotte WALKS: Sidewalk Construction Ordinance Revisions

### Action:

- A. Adopt an ordinance amending the sidewalk construction requirements in Chapter 19 of the City Code, and**
- B. Adopt an amendment to the Sidewalk Retrofit Policy to reimburse eligible affordable housing projects that reconstruct substandard sidewalk on thoroughfares.**

### Committee Chair:

Gregg Phipps, Transportation and Planning

### Staff Resource(s):

Liz Babson, Transportation  
Scott Curry, Transportation

### Explanation

- On February 27, 2017, City Council unanimously adopted Charlotte WALKS, Charlotte's first comprehensive pedestrian plan.
- The Plan outlines existing walkability initiatives and identifies new strategies for meeting pedestrian safety and walkability goals. The Plan has three key action items:
  - Addressing back-of-curb sidewalks as redevelopment occurs,
  - Amending the 50 percent rule sidewalk exemption, and
  - Providing more crossing opportunities on thoroughfares.
- The Charlotte WALKS plan directs City staff to develop amendments to Chapter 19 of the City Code to address two of these key issues, 1) back-of-curb sidewalks on thoroughfares, and 2) sidewalk gaps. City staff prepared Chapter 19 ordinance amendments to meet the recommendations of Charlotte WALKS.
- In addition, City staff prepared an amendment to the Sidewalk Retrofit Policy to address concerns raised by affordable housing developers during the public comment process.

### Proposed Chapter 19 Amendments

The proposed amendments to Chapter 19 focus specifically on new development activity along thoroughfares. Thoroughfares are the locations where poor sidewalk infrastructure presents the greatest

challenge for pedestrian safety and comfort.

Revisions to the current Chapter 19 sidewalk construction requirements include:

- Addressing the Back-of-Curb Sidewalk Issue on thoroughfares:
  - Amendments implement new triggers for replacing substandard/back-of-curb sidewalk to current standards along thoroughfares. Those triggers are tailored to:
    - The scale of new development activity, and
    - The width of the existing sidewalk and planting strip.
- Addressing the Sidewalk Gap Issue: The proposed text change prevents applicants from phasing development in a way that circumvents the City's sidewalk and drainage requirements.
- Reimbursement for Affordable Housing Projects: The proposed text change includes a mechanism for reimbursement (via the City's Pedestrian Program) for eligible affordable housing projects if required to replace substandard back-of-curb sidewalk.
- Expanded Flexibility: The proposed text change provides expanded variance provisions and flexibility in the application of the ordinance to prevent undue burden on applicants with unique constraints.

These proposed ordinance revisions were developed in coordination with the City's Development Services Technical Advisory Committee (DSTAC), the Unified Development Ordinance Advisory Committee and local affordable housing developers.

### **Proposed Sidewalk Retrofit Policy Amendment**

- On November 13, 2017, City Council received public comments on the proposed Chapter 19 amendments. Eight speakers spoke in support of the Charlotte WALKS amendments and one speaker expressed concerns about the unknown impacts on affordable housing projects.
- In addition, City Council received a letter from affordable housing developers who expressed concerns about cost implications for affordable housing developments.
- City staff addressed this concern by meeting with affordable housing developers and creating a reimbursement mechanism for affordable housing projects that would cover any potential additional costs created by reconstructing substandard sidewalks on thoroughfares.
- This mechanism is included as a revision to the City's Sidewalk Retrofit Policy and would be funded from the City's existing Pedestrian Safety and Sidewalk Program. The Pedestrian Safety and Sidewalk Program is funded through Transportation Bonds.
- City staff reviewed the potential cost impacts of subsidizing affordable housing developments from the Pedestrian Safety and Sidewalk program. Staff expects the costs will be minimal as it only applies to affordable housing developments along thoroughfares.

### **Attachment(s)**

Proposed Chapter 19 Text Amendments

Proposed Sidewalk Retrofit Policy Amendment