

GENESEE TRANSPORTATION COUNCIL

Bicycle and Pedestrian Supportive Code Language

Sidewalks Adjacent to Existing Development

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In many communities there are gaps within the existing sidewalk network. These result when new development includes sidewalks but the development site is not located adjacent to the existing sidewalk network with the number of gaps increasing over time. Communities have several options to consider if they wish to complete the existing sidewalk network for residents and visitors.

Benefits of Providing Sidewalks

In addition to improved pedestrian safety, providing sidewalks adjacent to existing development facilitates access between residential neighborhoods, parks, schools, and commercial activity centers and promotes public health through daily physical activity.

How It's Done

Local communities can provide sidewalks adjacent to existing development using the following techniques:

- Sidewalks constructed at the property owner's expense.
- Sidewalks constructed at the municipality's expense.
- Sidewalks constructed following petition by the affected property owners.
- Comprehensive sidewalk policy.

Examples

Sidewalks constructed at the property owner's expense

The Town of Ithaca, New York provides that the Town Board may require that sidewalks be constructed along streets and highways at the owner's expense. The code includes language to authorize the Town to construct the facility and then to assess the owner for the cost, plus any interest. The code allows but does not require the Town to pay some portion of the cost pursuant to an adopted local law.



A complete sidewalk network benefits individuals and communities.

Sidewalks constructed at the municipality's expense

The Town of Mamaroneck, New York authorizes the Town Board to direct the Town Superintendent to construct sidewalks along county roads and state highways (with permission) at Town expense. Sidewalks along town roads are the responsibility of, and must be voluntarily constructed by, the property owner at their own expense.

Sidewalks constructed following petition by the affected property owners

The Town of Union, New York adopted a regulation in 1946 that creates a mechanism for property owners to request sidewalks along their side of the street. When 51 percent of the property owners request the sidewalk, its construction becomes mandatory. The Town acts as agent for the construction and the property owners are required to pay all costs.

Comprehensive sidewalk policy

The Town of Penfield, New York's Sidewalk Policy applies to new development and also to existing development. This policy articulates the Town's intent to "Install sidewalks along all Minor Arterial, Major Collector and Minor Collector roads to develop safe pedestrian mobility and enjoyment."

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These roadways comprise what is referred to as the primary sidewalk system.

The installation of sidewalks along the primary sidewalk system is supported by the allocation of funds from the Town's General Fund, by grants, and by the sidewalk waiver fees paid when an exemption to the sidewalk requirement for new development is granted.

This policy is further supported by an officially adopted "Primary Sidewalk System Map" that identifies the improvements that will be made on an annual basis, as resources permit.

Summary

Local jurisdictions may wish to consider developing specific codes and/or policies that address the process and financial details that will apply if they seek to improve the existing sidewalk system.

Mandating that property owners pay for the installation of sidewalks may not be well received, and even a petition-based process could create hard feelings between neighbors depending on individual positions on the issue.

For these reasons, a policy-based approach that identifies and funds specific sidewalk improvements adjacent to existing development linked to a requirement that new development provide sidewalks or pay a fee that can be allocated for the construction of sidewalks adjacent to existing development (such as the Penfield example cited above) may represent a workable approach to improving the existing sidewalk system.

Resources

Federal Highway Administration, *Pedestrian Facilities Users Guide*, FHWA-RD-01-102, March 2002.

New York State Department of State, *Creating the Community You Want: Municipal Options for Land Use Control*, June 1998.

Office of the New York State Comptroller, Division of Local Government Services & Economic Development, *Smart Growth in New York State: A Discussion Paper*, May 2004.

The Rockefeller Institute of Government, *Local Governments in New York State*, May 2003.

State of New York, *Local Government Handbook*, 5th Edition, January 2000.

About the Project

The objective of the Bicycle and Pedestrian Supportive Code Language project was to develop information on and identify examples of noteworthy zoning code and site planning language and guidance that enhance access and safety for bicyclists and pedestrians.

The project is a joint effort between the Genesee Transportation Council (GTC) and the Genesee/Finger Lakes Regional Planning Council (G/FLRPC).

GTC staff surveyed county planning departments in the nine-county GTC region to identify those topics related to supporting bicyclists and pedestrians that could be addressed within the scope of the project. The survey identified the following key areas: (1) sidewalk requirements adjacent to new and existing development; (2) bicycle parking requirements; and (3) automobile parking design.

Within the identified key areas, research was conducted and relevant codes obtained through the G/FLRPC library and internet-based resources. Fact sheets and presentation materials were developed to provide examples that may be considered by jurisdictions that seek to improve bicycle and pedestrian safety, accessibility, and attractiveness within the community.

- Genesee Transportation Council - August 2007