

DEPARTMENT: Public Works

DATE ADOPTED: January 16, 2008

DATE OF LAST REVISION: N/A

601.01 Authority

City Commission action on January 16, 2008.

601.02 Scope And Applicability

This policy applies to subdivisions where the infrastructure was complete prior to the effective date of this policy, but had not been accepted by the City due to problems with sidewalk construction.

601.03 Policy Statement

This policy provides a mechanism and process for accepting existing subdivisions that have previously been denied for acceptance due to sidewalk construction issues.

601.04 Sidewalk Requirements By Category

Category 1 - No Sidewalks Constructed / Technically Infeasible

For those subdivisions, or portions thereof, where sidewalks are not constructed, and the developer can show, and staff agrees, that it is technically infeasible for the sidewalks to be installed in a substantially compliant manner, no sidewalks will be required and the developer will pay a "fee in lieu of" to the City. This fee has been set in the amount of \$4.00 per square foot for sidewalk not constructed. The fee will be collected and administered by Public Works and will be put into a fund to be used for sidewalk construction/enhancement within the City.

Construction of sidewalks will be considered technically infeasible if a significant portion of the sidewalk, including that portion crossing driveways, cannot be constructed within the limits of public right-of-way. If a vast majority of the sidewalk and most driveways can be constructed within the right-of-way, it will be not be considered technically infeasible.

Category 2 - No Sidewalks Constructed / Technically Feasible

For those subdivisions where sidewalks are not constructed, but it is technically feasible to build compliant sidewalks within the right-of-way, City staff will poll subdivision residents to determine their desire for sidewalks.

If the majority of the residents indicate an objection to the construction of sidewalks, no sidewalks will be constructed, and the developer will pay to the City a "fee in lieu of" for the sidewalks not installed.

If the majority of residents indicate a desire for sidewalks, the developer will be required to build sidewalks meeting ADA guidelines.

Category 3 - Sidewalks Installed and Non-compliant

For those subdivisions in which sidewalks are installed, but portions thereof are not compliant with ADA regulations, the developer will be given the option to repair the non-compliant sections of sidewalk or pay a \$4.00 per square foot "fee in lieu of" for all portions of sidewalk which are non-compliant and which the developer elects to leave in place.

After resolution of the sidewalk issues within these existing subdivisions, Public Works staff will provide the developer a punch list of any other remaining items of concern, which are to be addressed prior to acceptance of the subdivision infrastructure by the City for ownership and maintenance. Particular attention will be given to any stormwater facilities that are to be maintained by the City. These facilities will be required to be brought up to approved design standards prior to acceptance.

601.05 Administration

The Public Works Department shall have primary responsibility for the administration of this policy, and will recommend amendments to the City Commission, as required, for the purpose of keeping this policy complete and current.

601.06 Sunset Review

This policy is subject to sunset review by the City Commission at least once every five (5) years from the effective date. Revisions to this policy will become effective immediately upon City Commission approval.

601.07 Effective Date

This policy shall become effective February 1, 2008.