

Sidewalk Policy

Background:

While Garden City Code provides sidewalk standards, the Planning and Zoning Commission and Garden City Development Services staff have discussed the need to establish a protocol to be able to consistently apply the sidewalk standards equitably.

Proposed Policy:

Garden City Code requires that properties adjacent to roadways utilized by motor vehicles provide sidewalks. This is not an impact fee. This is a required on-site improvement for properties in Garden City. Properties without sidewalk contain an existing deficiency that poses a threat to the health, safety and welfare of pedestrians. This policy identifies possible thresholds and options for the construction of sidewalks. This document is a guideline to assist in the determination of the proportionality of required improvements. Following code, if there is *any new construction, addition, expansion, grading, alteration, or any new or more intense use of property* Garden City staff will note that sidewalk is required. However, at times, the requirement of curb, gutter, and concrete sidewalk may not be proportional to the requested project. The deciding body will make the determination of the required improvements on a case by case basis. Decisions will consider the unique circumstances of each proposal and therefore they may not strictly adhere to the guidelines as described in this policy.

Applicable Garden City Code

8-4E-2 APPLICABILITY:

- A. *This Article provides design standards that shall apply to any new construction, addition, expansion, grading, alteration, or any new or more intense use of property.*
- B. *Nothing in the provision of this chapter shall alter or negate the responsibilities of the Transportation Authority.*

8-4E-6 SIDEWALKS STANDARDS: All sidewalks shall be designed and constructed to the following standards.

- A. *Sidewalks shall be required along public rights of way intended for vehicular travel.*
- B. *All sidewalks shall be a minimum of five feet (5') except if detached sidewalks are provided on local streets in residential subdivisions, the minimum sidewalk width may be reduced to four feet (4').*
- C. *Detached sidewalks shall be required unless in conflict with a street plan adopted by the Transit Authority and/or the City or there is existing attached sidewalk on both sides adjacent to the property.*

Comment [JT1]: Recommended code change to state "authorities". This will be placed in the proposed code change log.

Comment [JT2]: Recommended code change to delete. This will be placed in the proposed code change log. The addition of a minimum 7' requirement adjacent to arterial roads will also be added to the log.

Comment [JT3]: Recommended code change to state "authorities". This will be placed in the proposed code change log.

D. Sidewalks shall be designed to flare around mail boxes, utility boxes and other impediments to pedestrian circulation to maintain a minimum five feet (5') of travel width.

Improvement Thresholds

It is Garden City’s preference that curb, gutter, and concrete sidewalk are installed in most instances. Thresholds related to sidewalk requirements are identified below. The thresholds identified do not preclude the installation of curb, gutter, and concrete sidewalk but rather set the minimum requirements.

Full Curb, Gutter, and Concrete Sidewalk installation

Prior to Certificate of Occupancy, curb, gutter, and concrete sidewalk is required to be *installed for the entire project site* when:

- The site is newly constructed; or
- The site is redeveloped in its entirety.

Pathway and Proportional Curb, Gutter, and Concrete Sidewalk installation

Prior to Certificate of Occupancy, curb, gutter, and concrete sidewalk *proportional* to the project is required to be *installed* when:

The project entails:

- A change to the site design ; or
- Value of the project including changes interior to a building >25% assessed value of the land; or
- There is an expansion of the site; or
- There is an intensification of the site.

The deciding body may require installation of sidewalk improvements for the entire site, a portion of the site, or no sidewalk based on a determination of proportionality and site specific considerations.

Pathway Required

A pathway will be required, however a curb, gutter, and concrete sidewalk will not be required when it is determined that the installation of a concrete curb, gutter, and sidewalk is not proportional to the project.

A pathway may be appropriate when:

The project is limited to:	And	Or
<ul style="list-style-type: none"> • A change of use to a conditionally permitted use; or • The addition of a conditionally permitted use on a site with multiple uses; or • Intensification of a legally nonconforming 	<ul style="list-style-type: none"> • The change to the site design or assessed value, including changes interior to a building is <25%; and • There is no expansion of the site; and • There is no intensification of the 	<p>The cost of installation would be disproportionate due to:</p> <ul style="list-style-type: none"> • An existing structure that will not be removed that impedes the installation; or • There is a public or irrigation structure that impedes the installation;

site (either conditionally permitted or with legal and established grandfather rights).	site; or <ul style="list-style-type: none"> The transportation authority is not requiring curb, gutter, and concrete sidewalk 	or <ul style="list-style-type: none"> Drainage would need to be redesigned and reconstructed *The loss of parking spaces will not be considered as a hardship
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The applicant will be required to provide adequate documentation to make this determination.

No Sidewalk or Pathway Requirement

No new sidewalk or pathway will be required when:

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| <ul style="list-style-type: none"> There is an existing attached or detached concrete sidewalk that 5'≥ in width and is in good repair and ADA compliant; or The property is at a 'dead end' where there is no possibility for a future extension of a roadway and is not a part of an existing or planned connection to the Greenbelt, a pathway, part of a cul-de-sac, or other amenity that may be utilized by the public. |
|--|

Or

When project entails:	And
<ul style="list-style-type: none"> The change of use is to a permitted use, or The property has most recently been utilized by a legal existing use (must have a Certificate of Occupancy for current use, or demonstrate legal grandfather rights) and there is no change of zoning use or building occupancy 	<ul style="list-style-type: none"> There is no change to the site design; and Proposed improvements, including changes interior to a building are <25% assessed value of the land; and There is no expansion of the site; and There is no intensification of the site; and Design Review Committee approval is not required.

Determination of Proportionality

The below identifies three potential ways that proportionality may be determined.

Flex Spaces

Where there are multiple units, suites, buildings, etc. on a site that are intended to be utilized by multiple tenants, proportionality shall be determined based on the proportion of the use of the units, suites, buildings, etc. utilized. For example if there is a facility with five suites, and the use will be occupying two suites, 2/5 of the required improvements would be proportional to the use.

Intensification of Use

Existing uses increasing the use of their site will be required 10' of improvement for every new parking space or every additional vehicle trip/ day anticipated (whichever is greater). Garden City will use the same standard that ACHD utilizes, which is currently the *Transportation Engineers Trip Generation Manual, 9th Edition*.

Expansion of Site

The property that the use will expand into will be required to meet thresholds. Also, if the existing site prior to expansion contains deficiencies in sidewalk, a sidewalk or pathway shall be required on the existing site based on the intensification of the area of the expansion.

For example, *Site A* does not contain sidewalk. The use of *Site A* expands into *Site B*. *Site B* is vacant, thus requiring full curb, gutter and sidewalk on *Site B*. The use on *Site B* will generate 20 vehicle trips/day. Up to 200' of sidewalk shall be provided on *Site A*.

Location Standards

All sidewalks or pathways should be installed in the public right of way when permitted by the transportation agency who controls the roadway. If the transportation agency who oversees the road will not permit detached sidewalk or pathway in right of way, the applicant must provide an easement for the public for an onsite sidewalk or pathway.

The sidewalk or pathway shall connect to adjacent sidewalks or pathways.

If there is no adjacent sidewalk or pathway, the sidewalk or pathway shall be installed to the property lines of adjacent properties so that adjacent properties may install connecting sidewalk or pathway at the time that they develop or redevelop.

The sidewalk or pathway shall be detached and provide for a 6' with root barrier/ 8' without root barrier landscape buffer prescribed by ACHD's policy for Class II or III trees unless:

- Impeded by an existing principle structure that will not be removed; or
- Contrary to an adopted street or master plan, or
- There is existing attached sidewalk or pathway on **both** adjacent sides of the property; or
- In some instances the buffer may need to be greater or on both sides of the sidewalk to accommodate power lines. In such situations the sidewalk shall still be detached by a minimum of a 2.5' landscape buffer and the remaining landscaping/ street trees may be accommodated at the back of sidewalk.

Construction Standards

Sidewalk

All sidewalks shall be constructed to the standards of the transportation authority of the road that sidewalk is on or adjacent to (ACHD or ITD) and be:

- At least 5' in width and be free of obstructions if on a local or collector road. If the sidewalk is adjacent to curb on an arterial roadway the sidewalk shall be at least 7' in width and be free of obstructions.
- *On site* drainage shall be designed to accommodate the curb, gutter, and concrete sidewalk and in conformance with the transportation authority's requirements.

- Right of way or an easement must be granted for the entire sidewalk to edge of property; and
- If curb, gutter, and concrete sidewalk is not provided to the entire site, a pathway for the entire site shall connect to the existing sidewalk or provide for connection to an adjacent future sidewalk.

Pathway

A pathway for the safe access of pedestrians may be constructed as a temporary sidewalk in lieu of a concrete sidewalk with curb, gutter, and concrete . The pathways shall adhere to the following standards:

1. Shall be clearly defined.
2. Outside of a vehicular travel way.
3. The path shall be 5’ wide adjacent to local and collector streets; 7’ wide adjacent to arterials.
4. May be identified with paint, pavers or otherwise approved appropriate material .
5. Adhere to location standards as identified above.

Right-of-way necessary to provide future curb, gutter, and sidewalk shall be dedicated.



Examples of paint or pavement color to delineate and pedestrian zones including HWY 20/26 in Boise (middle picture)