

New Sidewalk Program Policy

Revised: April 2018

Program Scope: A program to coordinate identification, selection, design, funding sources and construction management for new sidewalk projects in the City of Bowling Green. This program governs both commercial and residential areas. This program is not intended to supplant the separate annual sidewalk repair program – currently funded by Municipal Aid (Liquid Fuel Tax) revenues.

General Program Description and Purpose: The sidewalk program is intended to foster development of a “walkable” city by providing sidewalks in areas where none exist. Public Works is the proponent for, and provides general oversight of a program in which city staff, other public agencies (e.g. utilities), and neighborhood associations collaboratively advance the vision of increasing opportunities to travel throughout the community.

Program Components:

Project Identification:

The identification of potential candidate projects is via requests submitted through normal service request channels, through Neighborhood and Community Services, or by staff recommendation to Public Works. Projects thus identified proceed to Project Qualification.

Project Qualification:

In order for a candidate project to qualify for the program, several criteria must be met as described below (we refer to qualified projects as “candidate” projects for the remainder of this document):

1. Project Sponsorship – Anyone may sponsor a new sidewalk request including: citizens, staff, elected officials and committee representatives.
2. Grant of Easement – Adjacent property owners must grant right-of-way or easement, should said ROW or easement be necessary to build the sidewalk. Staff will explore all design options to avoid the need for easement. If that is not possible, staff will ascertain the sentiment of adjacent property owners toward the project and present the information to the BOC to assist in deciding whether to pursue the project.
3. Conformance with planned transportation improvements – A project cannot be at risk of subsequent removal or demolition to accommodate projects listed in the Long Range Transportation Plan, and cannot already have been designated to receive funding from other sources. A central goal of the sidewalk program is to promote sidewalks (or potentially similar improvements such as mixed use trails) throughout the community. However, it is not desirable to construct sidewalks or trail facilities only to have subsequent projects (e.g. utility installation, street or road widening, etc.) for which planning is well underway result in removal or demolition well short of the sidewalk’s useful life (20+ years). And, to ensure city funds are used to the best

advantage, we will not consider projects identified for Greenways funding, opting to spend valuable resources on unfunded projects.

4. Existing sidewalk – A project will not be considered if sidewalk exists on the other side of the roadway. (Exceptions may be made depending on location, traffic volumes and/or adjacent land use.)

Project Map:

A project map and report with prioritized locations will be maintained and posted on the City's website illustrating, among other things, locations that have been identified as potential candidate projects. At the beginning of each fiscal year, all new requests from the previous year will be added to the map. It is possible that potential candidate projects will be shown on each side of the roadway so that both sides will be considered for funding. However, only the higher scoring side, if selected among the other projects, will ultimately be constructed. In addition to being available on the City's website, the report will be shared with the Board of Commissioners as well as provided to individual citizens if requested.

Project Selection and Scheduling:

At the start of each fiscal year, a panel composed of representatives from PW & Neighborhood and Community Services evaluate candidate projects against a set of criteria to prioritize them into a sequence for property acquisition, design, and construction. Small projects may be designed and constructed in the same fiscal year. Large projects may unfold over successive fiscal years. We will schedule projects in accordance with a BOC-approved priority list, adjusting the yearly prioritized sequence only as necessary to respond to technical or budget considerations, or to achieve cost savings.

Project Prioritization:

To prioritize candidate projects we will score each against the criteria described below, in the context of a "higher-score-is-better" prioritization methodology.

- 1A. **Proximity – Generators (17.5 Points Max)** – Candidate projects based upon latent need representing pedestrian destinations and generators (focused on origin) that is predicted based upon each parcel's propensity for generating non-motorized trips each day. This model was identified by a recent multimodal study conducted by the Metropolitan Planning Organization (MPO). This score is based upon a GIS "heat" map produced by the consultant on that study that identify trip estimates that are aggregated to one-tenth of a mile grids. This model uses seven trip type assumptions including trips to school, recreation, retail, work, errands, transit stops, and large parking facilities. Scoring consideration is given to the accumulated influence of generators.

- 1B. Proximity – Destinations (17.5 Points Max)** – This criteria scores candidate projects on their influence on pedestrian movements to particular destinations only (schools, parks, commercial centers, industrial centers, community facilities, targeted medical facilities, and bus stops). These destinations were recommended by Public Works staff, Neighborhood and Community Service staff, a map study of commercial and community centers as well as exact bus stops taken from the most recently updated transit routes.

The proximity of candidate projects to schools, parks, commercial/industrial centers, community facilities, targeted medical facilities, and bus stops is a desirable project characteristic and indicative of need of pedestrian accommodation. This score is based upon a GIS “heat” map based upon the proximity influence of each of the identified and mapped destinations on the individual candidate projects. Again, scoring consideration is given to the accumulated influence of destinations that are no more than 2,500 feet away from the candidate projects.

- 2. Constructability (20 Points Max)** – Candidate projects deemed most technically/fiscally feasible would receive more points than projects less technically/fiscally feasible. In other words, affordability, as dictated by ease of design and construction, is a desirable project characteristic.

Constructability is based upon whether special construction challenges exist that materially escalate project cost (e.g. need for or existence of retaining walls, excessive grading requirements, utility relocation requirements, property acquisition needs, scope of drainage considerations, etc.).

- 3. Connectivity (20 Points Max)** – Candidate projects filling short gaps in the existing sidewalk network will receive relatively more points than projects that fill longer gaps (owing to the relatively greater fiscal feasibility of filling short gaps).

The existing sidewalk system contains gaps of varying length. By placing sidewalk in short gaps, the city receives benefits with minimal capital outlay, generally providing the “biggest bang for the bucks” and expediting completion of a “connected” network. This connectivity score is generated by a review committee within Public Works that looks at individual candidate projects and provides a score from 0 and 20.

- 4. Pedestrian Comfort (20 Points Max)** – Candidate projects most likely to reduce vehicle / pedestrian conflicts will receive relatively higher scores than projects less likely to reduce these types of conflicts.

This index considers the functional classification of a street along which the candidate project route lies. The underlying concept here is that separating pedestrians from high volume roadways will result in a greater reduction in the likelihood of pedestrian / vehicle conflicts than a project placed along streets with much lower traffic volumes.

Street Classification	Scoring
Major Collector	20
Minor Collector	20
Local Primary	17
Local Residential/Commercial	6
Local (Cul-de-sac)	1

5. **Demonstrated Need (5 Points Max)** – The demonstrated need for a candidate project is based upon actual, observed pedestrian usage with input from law enforcement, other City Departments, or the public. This demonstrated need score is generated by a review committee within Public Works that looks at individual candidate projects, and, if necessary, conducts actual pedestrian counts, and assigns scores from 0 and 5.

Project Funding:

Projects will be funded from an annual allocation of resources, authorized by the BOC. Potential funding sources include the general fund, municipal bonds, grants, special revenues and other funding sources. As part of the annual budget submission Public Works will recommend the amount of sidewalk program funding the department can feasibly administer within the upcoming FY.

Project Design:

Public Works will supervise all project design, whether contract or in-house. Designs will conform to other community development plans (e.g. Chapter 99, Greenways, Phase II Stormwater) and applicable standards (e.g. ADA, KYTC and City of Bowling Green). At a minimum, designs will be coordinated among Public Works (Engineering), Greenways, Planning and Zoning, Police, Fire, and Legal. At specific times during the design development phase, Public Works will meet with affected members from the neighborhood in which the project will be built. Designs will meet all applicable technical design standards, including (ADA). Necessary accommodation of site-specific conditions will be made, as they are routinely, during the design phase of each project.

Contracts and Contract Administration:

The Department of Public Works will be the proponent agency for soliciting and awarding design, property acquisition, construction management, and construction contracts. Public Works will also administer contracts during all phases of each project.

Property Acquisition / Easement and Compensation of Impacted Personal Items:

If the City must acquire property for right-of-way or a permanent or temporary easement, the City will obtain market research data from a licensed appraiser to determine fee simple, permanent and temporary easement compensation for owners. Owners may donate property / easements to the City if desired. The City will have sole discretion in identifying the limits of necessary easements and personal items that must be removed based on the project design.

Personal Items Scenario #1 – Compensation for loss of personal items located on newly acquired right-of-way or easement:

If the City must acquire an easement and personal items located within the easement must be removed, the City will compensate the owner an amount based on the Personal Property Reimbursement Schedule below. The most recent edition of Marshall and Swift Residential Cost Handbook for those personal items (e.g. flowers, flower beds, shrubs, berms trees, planters, mail boxes, fences, decorative drive entrance treatment, yard ornaments, etc.) may be referenced if the City and property owner cannot agree on a compensation amount. The City Attorney or his/her designee may negotiate payment amounts.

The City or its contractor will dispose of any abandoned personal items the City/Contractor removes from the new easement as construction debris. If the owner wishes to retain some or all of the personal items, the City may reduce compensation by a determined value as the owner chooses to remove and retain at their own expense.

Payments for personal property on newly acquired right-of-way or easements will be as follows:

Personal Property Reimbursement Schedule	
Personal Property Item	Compensation Amount*
Decorative Driveway Treatment (e.g. stamped concrete, brick)	\$10 per square foot
Landscaping (e.g. plants, shrubs, mulch, berms, block / brick / lumber edging, etc.)	\$7.50 per square foot of landscaped area
Fencing (non-masonry, of any description)	\$10 per linear foot
Trees - Small (1" ≤ diameter** ≤ 4", any variety / species)	\$100 per tree
Trees - Medium (4" < diameter ** ≤ 12", any variety / species)	\$250 per tree
Trees - Large (diameter** > 12" , any variety / species)	\$500 per tree
Masonry (pillars, walls, etc.)	\$10 per square foot of interior and veneer block surface area
<p>* This schedule applies only to this particular project / program.</p> <p>** Diameter measured 4 ½ feet above ground level. If the trunk splits below 4 ½ feet, measure just below the split. If the tree is less than 4 ½ feet tall, measure the stump below the first limb. If the tree is smaller than 1" in diameter make no payment without proof of recent purchase / planting.</p>	

Personal Items Scenario #2 –Removal of personal items from within existing public right-of-way:

In exercising its right to use the right-of-way for public benefit, the City of Bowling Green will make every attempt to design in such a way as to avoid all personal items.

When it is infeasible to bypass personal items that residents have placed in the right-of-way and achieve an acceptable project (e.g. ADA compliance, adequate drainage, etc.) the City will provide owners the opportunity to relocate/ remove their personal items from the right-of-way. If not removed by a stipulated date, these personal items will be removed by the City/Contractor. The City will have sole discretion in identifying those personal items that must be moved based on the project design, and will accommodate owners regarding abandonment dates as much as construction schedules will allow.

As a standard practice, the City will provide and install new mailboxes, if necessary, to replace existing mailboxes that are impacted by the sidewalk project. Should the property owner wish to keep their existing mailbox in place in lieu of a new mailbox, the contractor will be instructed to reinstall the existing mailbox in the location as dictated by the project construction.

Project Coordination with Neighborhoods:

Shortly after the beginning of each fiscal year, at the time in which the Public Works Department completes the annual evaluation of candidate projects, a priority list will be developed ranking projects from highest score to lowest. It is at that time that staff will determine how many projects from that list can be funded within the given year. Staff will work with Neighborhood and Community Services (NCS) to gather input from neighborhoods within the project areas in an effort to allow sufficient time for public comment and involvement.

1. Initial Neighborhood Mailing/Community Interaction

NCS may mail out letters to all property owners that may be affected by any one of the proposed projects for the current fiscal year. The intent of the letter is to provide information regarding the general details of the sidewalk proposed in their neighborhood. This includes the side of the street the sidewalk will be placed, material, width and other characteristics of the layout of the sidewalk. It is at this time that general compensation information will be presented to explain both the payment process for necessary property and/or easement as well as compensation schedules for impacted personal items on newly acquired rights-of-way or easements. An initial neighborhood meeting will also be announced in which citizens will be invited to attend to review conceptual layouts of the sidewalk projects and provide feedback.

Alternatively, input provided by citizens via planned community meetings or events, such as planned GovToGo events or Neighborhood Association Meetings, may serve as an alternative method to gather sentiment for the support or opposition to possible pedestrian accommodation in neighborhoods,

2. Neighborhood Coordination – Pre-Design Phase

At a proposed date identified in the initial mailing or otherwise publicly advertised, staff will hold a public meeting to present preliminary conceptual layouts of each proposed sidewalk location in those neighborhoods affected. Based upon the size of each affected

area and number of property owners involved, staff will determine the most appropriate way of information distribution (e.g. open house, door hangers, telephone, etc.) to ensure that every attempt is made to make contact with each owner. At this time staff will be available to address questions and concerns, provide details of the overall process and then take comments received into consideration for final design and prior to presenting project locations to the Board of Commission.

3. **Board of Commission Authorization**

Once feedback is received, the Public Works staff will present the comments/concerns received from property owners to the Board of Commissioners. At this same time, staff will recommend the highest ranking projects which can be funded in the fiscal year. Property owners will be welcome to attend this meeting with the BOC. The intent is for the BOC to have consensus on which projects shall move forward to the design phase while having an understanding of the individual neighborhood's concerns.

4. **Neighborhood Coordination – Post-Design Phase**

When survey and design have been completed, staff will meet once again with area property owners in order to provide detailed information regarding the sidewalk characteristics that were determined during the design process (concrete surface finish, width, drainage characteristics and impacts, driveway tie-ins, etc.) as well as proposed construction schedule. It will be at this meeting that property owners will gain a better understanding of the sidewalk section along their property and any impacts to personal property it might have. Staff will be able to inform owners of the amount of payment due to them based upon identified impacts.

After the final neighborhood meeting, staff will consider any reasonable requests and alter the design.. It is possible that additional meetings with individual property owners may be necessary during design development. Upon completion of the design, staff will work with the Legal Department to begin the property acquisition phase. It is during this phase that property owners will be contacted regarding the need to remove any personal items from ROW. A minimum of 14 calendar days shall be provided for owners to remove personal items from the project area. Any items that remain after this time will be considered abandoned by the owner and removed by the City prior to construction commencement.

Property owners will receive payment based upon property and/or easements acquisitions needed and personal items contained in those areas relocated or removed per the payment chart contained within this policy.