



# Transportation Advisory Board Regular Meeting

September 21, 2020 at 4:00 p.m.

Virtual Meeting Agenda

<https://cityofwinterpark.org/government/live-broadcasts/>

## Agenda Items

- 1) Call to Order
- 2) Approval of August 17, 2020 Meeting Minutes
- 3) Discussion/Action Items
  - A. Sidewalk Assessment Policy
- 4) Citizen Comments (3 Minutes per Speaker)
- 5) Planning & Transportation Update
  - A. Transportation Projects Update
  - B. Development Report
  - C. General Staff Updates
- 6) Board Updates & Comments
- 7) Upcoming Meeting Schedule

Next TAB Work Session: Discussion on best day/time/frequency for work sessions

Next TAB Regular Meeting: Monday, October 19, 2020 at 4:00 p.m.

## Adjourn

## appeals & assistance

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"If a person decides to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105).

"Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting."



401 South Park Avenue • Winter Park, Florida 32789

407-599-3324 • [planning@cityofwinterpark.org](mailto:planning@cityofwinterpark.org)  
[cityofwinterpark.org](http://cityofwinterpark.org)

**Planning &  
Transportation**

## **Transportation Advisory Board Staff Report for September 21, 2020 Meeting**

### **Sidewalk Assessment Policy**

#### **Background**

The City of Winter Park (CWP) Commission adopted the current Sidewalk Policy in April 2000. A copy of the adopted policy is included in this report. This policy identifies that areas of the City were developed in the past without sidewalks on one or both sides of the street and that City residents have requested new sidewalks within the City. The intent of the 2000 adopted policy is to clearly delineate who bears the cost for such construction.

While the adopted Sidewalk Policy addresses who bears the cost for construction, it does not document the process to request the neighborhood enhancement.

#### **Current Unadopted Policy**

The unadopted policy the City has been following is as follows:

Upon being contacted by a property owner also known as a "Residential Contact" (RC), an initial petition is provided by the CWP. The RC circulates the petition to each property within the limits of a sidewalk project requesting signatures to determine a level of interest. The CWP requests that a minimum of 66% of the property owners within the limits sign the initial petition which authorizes the CWP to spend the time to study an area and determine the best location for the installation of a sidewalk and any additional modifications that may be required.

When the initial study is complete the CWP prepares a formal voting letter and refers to the Orange County Property Appraisers (OCAFL) website for property owner information. In an effort to reach each property owner, the ballot is mailed to each physical address within the project limits as well as all additional addresses listed on the OCAFL website. Included in the voting package is a pre-addressed, stamped envelope for the return of the voting ballot. Each property owner has the option to vote 3 ways on the ballot; In Favor, Not In Favor, and by Not Responding, which is a vote Not In Favor. The property owners have thirty (30) days to respond to the project request.

In order for the project to pass, the CWP requires that the project receive no less than 66% (two-thirds) of the property owners to vote In Favor of the project. Should the project receive the required number of votes the project moves forward. Should it fail, then there is a 1 year waiting period before the project may be revisited. The CWP, a neutral party in the project(s), is always available to address each property owners (for or against) questions or comments during the process.

The voting process that the CWP is currently using has been satisfactory for most projects. Sidewalks projects continue to have considerable discussion regardless of whether they pass or fail. While one property owner may see the installation of a sidewalk as a positive enhancement another may view it as a detriment to their property and neighborhood. There is always room for improvement and the CWP is reviewing the Policies and Procedures with regards to sidewalk installations.

### **Enhancements Not Requiring Property Owner Approvals**

Enhancements that may be enacted without property owners' approvals would include improved lighting (not to be confused with decorative lighting), repaving and sidewalk installations (particularly if it relates to connectivity). These may be requested by a single resident contacting the appropriate CWP Department(s), which will evaluate the request.

### **Research**

City Staff researched existing sidewalk policies in other municipalities to see if there was consistency in their approaches. A summary of the findings is included with this report. As shown, each city or county has their own approach to sidewalk requests and that a majority do not require a formal petition or voting process by the residents within the project limits.

### **Additional Items for Consideration**

There are additional items to be considered for the revised policy. One would be potentially including a map of the project area identifying the property line boundaries so residents would have a better idea of where the sidewalk could be placed if the project receives the required number of yes votes to proceed. Another would be how to address a resident changing their mind after the final vote.

### **Summary**

City Staff is seeking input from the Transportation Advisory Board on the currently unadopted portions of the Sidewalk Policy. This feedback will be incorporated into the revised Sidewalk Assessment Policy that will be presented to the CWP Commission for approval and adoption. Revisions to this policy may be pertinent to other street enhancement policies such as the street bricking policy.

## CITY OF WINTER PARK SIDEWALK ASSESSMENT POLICY

### Purpose and Intent

Many areas of the City were developed in the past without sidewalks on one or both sides of the streets. From time to time, City residents have requested new sidewalks within the City. The intent of this policy is to clearly delineate who bears the cost for such construction.

### Construction of New Sidewalk

If sidewalk is requested to be installed where no sidewalk exists, the cost of construction of the sidewalk will be assessed proportionately to each property owner abutting the requested sidewalk. Implementation of the special assessment will comply with Chapter 170, Florida Statutes, or other applicable provisions of law.

The City may install sidewalk at its own expense where no sidewalk exists in order to provide a complete pedestrian link if all of the following conditions are met:

- 1) There exists over 400 feet of continuous sidewalk on both sides of the area lacking sidewalk.
- 2) Length of area without sidewalk is limited to the frontage of one lot.
- 3) Length of proposed sidewalk is less than 50% of the length of total property frontage on the same side of the street as proposed sidewalk.
- 4) None of the adjoining property has been assess for sidewalks within the past ten (10) years.

The City also reserves the right to install sidewalk at its own expense in the following scenarios:

- 1) Sidewalk is associated with a capital improvement project in order to provide safe pedestrian movement through or around the capital project.
- 2) Sidewalk is to improve pedestrian safety on roads having in excess of 10,000 vehicles per day.
- 3) Sidewalk is designated as a major pedestrian way by the Public Works Director.

### Repair of Existing Sidewalk

The City will repair sidewalks at its own expense if one of the following criteria are met:

- 1) Sidewalk is damaged as a result of the growth of City trees.
- 2) Sidewalk is broken or uneven creating a gap of a least one inch in vertical or horizontal direction and not a result of building construction or negligence of property owner driving over sidewalk.

The property owner will repair sidewalk at his expense in the following situations:

- 1) Sidewalk is damaged or destroyed through building construction activities on the property owner's property. Sidewalk must be replaced immediately upon completion of construction activities causing the damage or within 3 days after notification by the City, whichever comes first.
- 2) Existing sidewalk has deteriorated or failed as determined by the City Engineer due to actions by or for the property owner.

Signature: \_\_\_\_\_

Mayor

Date: April 25, 2000

<b>Sidewalk Policy Research</b>	
<b>Municipalities</b>	<b>Descriptions</b>
<b>City of Orlando</b>	<ul style="list-style-type: none"> <li>• Has a request a sidewalk on their website</li> <li>• Does not have petition/voting procedures for sidewalk construction on local roads.</li> <li>• Typical procedures of sidewalk requirement for new development</li> <li>• Street lighting: starts with a petition of homeowners showing at least 15% support.</li> <li>• City's Assessment Committee establishes a community workshop to explain process and special assessment.</li> <li>• Committee meets internally to finalize anticipated costs and authorize mailing of the ballots.</li> <li>• Ballots need to greater than 50% agreeing for the project.</li> <li>• Project goes to City Council for consideration, then coordinate a schedule for the project.</li> <li>• Absentee ballots are counted as a no vote.</li> <li>• Ballots are sent certified.</li> </ul>
<b>City of Maitland</b>	<ul style="list-style-type: none"> <li>• Does not have petition/voting procedures for sidewalk construction on local roads</li> <li>• Log in requests and make determination based on budget, design, location, and etc. Priority are ones in Bike Ped Master Plan adopted about a year ago.</li> </ul>
<b>City of Winter Garden</b>	<ul style="list-style-type: none"> <li>• No formal process for older neighborhoods when sidewalks were not installed with the infrastructure.</li> <li>• After receiving request, City evalutes it on a case by case basis and budget the following year if deemed to be required.</li> <li>• New developments are required to install sidewalks along property lines.</li> </ul>
<b>Orange County</b>	<ul style="list-style-type: none"> <li>• Has a request a sidewalk on their website.</li> <li>• There is a petition process to cancel or hold the project. It does not meant to initiate the project.</li> <li>• One citizen request is adequate to trigger the field investigation. No feasibility study only a field investigation occurs.</li> <li>• No voting system for sidewalk projects.</li> <li>• Funding comes from Public Works Engineering</li> </ul>
<b>Seminole County</b>	<ul style="list-style-type: none"> <li>• Receives requests from citizens, schools, sheriff department, and others. Once received, they get pulled into their request list.</li> <li>• County uses a prioritization pedestrian improvement tool. Variables selected and weighting based in the County's Comprehensive Plan.</li> </ul>
<b>City of Columbus, Ohio</b>	<ul style="list-style-type: none"> <li>• Based on Sidewalk Criteria Scoring System, such as Potential Demand, Safety, Underserved Area, Transit Service, Partnering Project, Schools, Senior Population, Population with Disabilities, Auto ownership, Children's activity centers, Sidewalk Gaps and Condition, Identified Need, and T&amp;P Commission. They use numerical values with a certain amount of weight of importance - the total weighted score determines the need/priority of the sidewalk construction.</li> <li>• Funding comes from CIP</li> </ul>
<b>City of Concord, North Carolina</b>	<ul style="list-style-type: none"> <li>• Developed this Sidewalk Policy because staff regularly received requests for sidewalks in residential areas, which establishes a formal request process and a point system for prioritizing the requests based on pedestrian needs.</li> <li>• Funding mostly comes from CIP and grants</li> <li>• Application for sidewalks are due October 1 of each year</li> <li>• Criteria are Street Classification, Connectivity, Schools, Public Facilities, Neighborhood, Private Facilities, Worn Path, Length of Sidewalk project, Traffic Volumes, On Street Parking, Curb &amp; Gutter, Drainage, ROW Available, Street Lighting, Petition by Residents, Other Considerations. Some of the criteria has no value, but are useful to know for staff.</li> <li>• Provides Sidewalk Design Guidelines, 5' min, 6' desired.</li> <li>• Requires 75% approval by the property owners adjacent to the improvement location</li> <li>• Does not explain for any no votes.</li> </ul>