



# Transportation Advisory Board Regular Meeting

October 19, 2020 at 4:00 p.m.

Virtual Meeting Agenda

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

## Agenda Items

- 1) Call to Order
- 2) Approval of September 21, 2020 Meeting Minutes
- 3) Discussion/Action Items
  - A. Sidewalk Policy
  - B. Work Session - selection of day/time/frequency
- 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, November 16, 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."



## **Transportation Advisory Board Staff Report for October 19, 2020 Meeting**

### Sidewalk Policy

#### **Background**

At the September 21, 2020 Transportation Advisory Board (TAB) meeting, the City of Winter Park Sidewalk Policy was discussed. City staff brought the topic to TAB to receive input on how to revise the existing Sidewalk Policy to document the process and procedures for residential requests. A draft of the revised policy is attached.

#### **Modifications to Existing Policy**

Included in the proposed revision to the policy is a "Process and Procedures" section. This section includes recommendations from TAB, including:

- 51% minimum initial property owner interest
- Clearly identify whether project is City funded or an assessment to the property owners
- Public meeting once preliminary study is complete
- Inclusion of map with voting letter
- Sixty (60) days to return ballot (starting at date of postmark)
  - o Unreturned ballots not counted
  - o City funded projects require responses from a minimum of 51% of property owners and a minimum of 51% of property owners who responded be in favor of the project

Clarification was also added to the policy for sidewalks installed at the expense and discretion of the City to include sidewalks identified by the City's Transportation Master Plan.

#### **Additional Items for Consideration**

During the September 21, 2020 discussion, it was determined that separate voting minimums should be established for sidewalk projects that would result in a property assessment for property owners. Based on the previous TAB meeting, City staff felt that, for property assessed projects, a response from a minimum of 66% of the property owners and a minimum of 66% of the property owners who responded be in favor of the project would be appropriate.

## **Summary**

City Staff is seeking input from the Transportation Advisory Board on the minimum percentages proposed for a property assessed project to move forward. 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 (Draft)**

### **Purpose and Intent**

Many areas of the City of Winter Park 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 as well as establish the official process and procedures for sidewalk requests from residents.

### **Construction of New Sidewalk**

#### Property Owner Sidewalk Assessment

If a 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 within the project area. Implementation of the special assessment will comply with Chapter 170, Florida Statutes, or other applicable provisions of law.

#### City Funded Sidewalk Projects

The City may install a sidewalk (or portion thereof) at its own expense where no sidewalk exists in order to provide a complete pedestrian link if ~~all~~ at least one (1) 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 assessed for sidewalks within the past ten (10) years.

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

1. Sidewalk is identified as a project in the City's Transportation Master Plan.
2. Sidewalk is associated with a capital improvement project in order to provide safe pedestrian movement through or around the capital project.
3. Sidewalk is to improve pedestrian safety on roads having in excess of 10,000 vehicles per day.
4. Sidewalk is designated as a major pedestrian way by the Public Works Director or Planning & Transportation Director.
5. City funds are available for a sidewalk improvement project requested by residents and no other projects are identified in the scenarios above. This process is outlined below.

## Process and Procedures

If a resident expresses interest in the installation of a sidewalk, it shall be determined at the beginning of the process whether the project would be funded via an assessment to the property owner's or installed at the City's expense (if it falls under Scenario #5 described above in City Funded Sidewalk Projects).

The process shall be as follows:

1. Upon being contacted by a property owner, also known as the Resident Contact (RC), an initial petition is provided to the RC by the City of Winter Park (CWP).
2. The RC circulates the petition to each property within the limits of a sidewalk project area requesting signatures to determine a level of initial interest. The petition shall include identifying who shall fund the sidewalk project if it moves forward.
3. If a minimum of 51% of property owners within the project limits express interest through signing the petition, the City shall move forward and spend time to study the area and determine the best location for installation of the sidewalk and any modifications that may be required. At this juncture, the City shall also determine whether the project would be funded via an assessment to the property owners or installed at the City's expense (if it falls under Scenario #5 described above in City Funded Sidewalk Projects).
4. Once the preliminary study is completed, the City shall hold a public meeting to discuss potential sidewalk locations.
5. After the public meeting, the City shall prepare a formal voting letter and refer to the Orange County Property Appraisers (OCAFL) website for property owner information. In an effort to reach each owner, the ballot shall be mailed to each physical address within the project limits as well as additional addresses listed on the OCAFL website. Each ballot shall be mailed certified. Included in each voting packet shall be a pre-address, stamped envelope for the return of the voting ballot. Also included shall be a map showing the project area, property lines and preliminary potential option(s) for the location of the sidewalk. Each property owner has the option to vote two (2) ways on the ballot: In Favor or Not In Favor. An unreturned ballot shall not be counted. The property owners have sixty (60) days to return the voting ballot (time period starts at the date of postmark).
6. In order for the project to proceed, the City must receive a minimum number of responses from property owners and a minimum percentage of In Favor votes of the ballots returned. If a request fails to meet the minimum criteria, then there is a one (1) year waiting period before the project may be revisited.

- a. For City funded projects: response from a minimum of 51% of the property owners and have a minimum of 51% of the property owners who responded be in favor of the project.
  - b. For property assessed projects: response from a minimum of 66% of the property owners and have a minimum of 66% of the property owners who responded be in favor of the project.
7. Upon a sidewalk request passing, the City shall confirm the final location and layout of the proposed sidewalk, notify the property owners and coordinate installation, which will be subject to scheduling and funding (if funded by the City).

### **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 at 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.