



CITY OF RAPID CITY

RAPID CITY, SOUTH DAKOTA 57701-5035

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MEMORANDUM

TO: Planning Commission

FROM: Monica Heller, Community Planning Coordinator

DATE: May 28, 2008

RE: Sidewalk Requirements

As the price of gasoline continues to increase, there is an increase in demand from the public for adequate bicycle and pedestrian facilities. In order to address this growing concern, staff has reviewed the current City Ordinances regarding sidewalks.

Bicycling and walking are important elements of an integrated, intermodal transportation system. Therefore, these modes must be included in the local policies and regulations. Sidewalks provide a pedestrian network, serve as meeting places for friends and neighbors; play areas for children, retail display areas and settings for special events. If people are to choose walking over driving, the walking experience must be pleasant, safe and efficient. Sidewalks, just like roadways, must form an unbroken coordinated network if they are to provide an effective transportation system for pedestrians.

Section 12.16.080 of the Rapid City Municipal Code allows six exceptions to the requirements for construction of sidewalks. These six exceptions are listed below:

1. When the Common Council, pursuant to Chapter 17.50 of this code, approves a planned unit development or planned residential development incorporating a sidewalk plan unique to the development;
2. When the property is zoned Light Industrial or Heavy Industrial;
3. When the lot has a frontage in excess of 200 feet per dwelling unit located on the lot; however, if the lot abuts or is adjacent to a lot with existing sidewalk, this exception shall not apply;



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4. When any dwelling unit is located on a corner lot and when the frontage of either intersecting street is in excess of 200 feet per dwelling unit on the lot; however, if the corner lot abuts or is adjacent to a lot with existing sidewalk, this exception shall not apply;
5. When the lot has a grade in excess of 12% on that portion where a sidewalk would normally be located; or
6. When the Common Council, in its sole discretion, approves a variance from sidewalk requirements.

Exception 1 appears to be appropriate since it still requires a sidewalk plan for the residential subdivision, but allows for some flexibility. Exceptions 2-5 do not appear to be consistent with developing a continuous coordinated pedestrian network throughout the City. If special conditions exist that would negate the need for a sidewalk; Exception 6 allows the Common Council to grant an exception variance.

In addition to the above exceptions, it is not uncommon for developers to seek a subdivision variance to waive the requirement for sidewalks. In most cases, if there are not sidewalks in the immediate area, the sidewalk requirement is waived if the developer agrees to sign a waiver of right to protest. While the waiver of right to protest stays with the property even if the property is sold, it is not always apparent to the new owner. Sidewalk assessment projects are also very difficult to complete due to the unpopularity of them with the adjacent landowners.

The current City Ordinance does not require a pedestrian circulation plan to be part of the development review. Of particular concern is the lack of a requirement for a pedestrian path from the sidewalk within the right-of-way to the on-site buildings. In most cases the pedestrians are forced to walk in the driving aisles.

Summary

The current City Ordinance and policy have been effective in getting sidewalks constructed in new residential developments, but they do not always provide for the coordinated pedestrian network that is needed to have a truly walkable city due to the lack of required on-site pedestrian improvements and the number of exceptions and variances granted.

Staff Recommendation

Direct staff to develop and bring specific ordinance language forward to eliminate exceptions and to require pedestrian connections from non residential buildings to the sidewalk along the roadway.