



# City of Fayetteville

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## Master

**File Number: 18-615**

**File ID:** 18-615

**Category:** Consent

**Status:** Agenda Ready

**Version:** 1

**Case  
Number:**

**Mtg Type:** City Council  
Regular Meeting

**File Created:** 01/15/2019

**File Name:**

**Final Action:**

**Title: Adoption of Capital Project Ordinance Amendment (CPOA) 2019-28 to Appropriate Payment In-Lieu-Of Sidewalk Revenue for FY19 Sidewalk Projects**

**Notes:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Itemized Listing of Payment-In-Lieu of Sidewalk Received, CPOA 2019-28 (FY19 Sidewalks)

**Enactment Number:**

**Contact:**

**Hearing Date:**

**Entered by:** ljernigan@ci.fay.nc.us

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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#### Text of Legislative File 18-615

**TO: Mayor and Members of City Council**

**THRU: Kristoff Bauer, Deputy City Manager**

**FROM: Sheila Thomas-Ambat, PE, Interim Director of Public Services  
Lee Jernigan, PE, City Traffic Engineer  
Tracey Broyles, Budget and Evaluation Director**

**DATE: February 25, 2019**

**RE:**

**Adoption of Capital Project Ordinance Amendment (CPOA) 2019-28 to Appropriate Payment In-Lieu-Of Sidewalk Revenue for FY19 Sidewalk Projects**

**COUNCIL DISTRICT(S):**

All

**Relationship To Strategic Plan:**

Goal IV: Desirable Place to Live, Work and Recreate

Objective C: To improve mobility and connectivity by investing in traffic flow strategies, sidewalks, trails and bike lanes

**Executive Summary:**

Capital Project Ordinance Amendment (CPOA) 2019-28 will appropriate \$30,159 of payments-in-lieu-of sidewalk funding to the FY19 Sidewalk Project.

**Background:**

The provisions set forth in Chapter 30-5.F.9 Sidewalks of the City Code of Ordinances permit a developer to request to provide a payment in-lieu of installing all or a portion of required sidewalks when the following situations exist:

1. The street is designated as a state highway or route subject to widening or improvement in the foreseeable future;
2. The street is planned for improvement in accordance with the City's transportation plan(s);
3. Alternative on-site pedestrian facilities, such as trails, greenway, or multiuse paths, are adequate; or
4. The right-of-way, developing lot, or lot abutting a proposed sidewalk is not suitable for sidewalks due to floodplains, wetlands, riparian buffers, required tree canopy retention areas, slopes exceeding 25 percent, or other unique site conditions.

The City Manager may approve the requested payment-in-lieu of side or disapprove the request and require a comparable amount of on-site pedestrian or multi-purpose facilities elsewhere on site. Fees received in accordance with this subsection may only be used for the development of new sidewalks and multi-use paths.

**Issues/Analysis:**

The in-lieu-of sidewalk payments will be appropriated to the FY19 Sidewalk Projects and used to construct sidewalk projects as outlined in the CIP and Comprehensive Pedestrian Plan. An itemized listing of the payments-in-lieu-of sidewalk received is attached.

**Budget Impact:**

There is no impact to the General Fund as the \$30,159 additional appropriation is to be funded by payments received in-lieu-of sidewalk construction which are restricted to this purpose.

**Options:**

- Adopt CPOA 2019-28.
- Do not adopt CPOA 2019-28 and provide further direction to staff.

**Recommended Action:**

Staff recommends that Council move to adopt CPOA 2019-28 as presented.

**Attachments:**

- Itemized List of Payments In-Lieu-Of Sidewalk Received
- Capital Project Ordinance Amendment 2019-28