Proposed Amendments to Article 30 of the City Code Covering Sidewalk Exemptions During Development

June 17, 2025







Text Amendment 30-3.F.9.a

Sidewalks shall be required on both sides of all streets, except:

- 1. On lots or sites engaged in active agricultural uses in the AR district (in these instances, no sidewalks are required);
- 2. On lots or sites petitioning for voluntary annexation with an initial zoning designation of LI and/or HI (Industrial) and engaged in active industrial uses (in these instances, no sidewalks are required);
- 3. In residential subdivisions where the average lot size is greater than 35,000 square feet in area (in these instances, sidewalks are required on one side of the street);
- 4. Along alleys;
- 5. On frontages adjacent to NCDOT full control access roadways;
- 6. When an in-lieu fee consistent with the City's fee schedule is determined to be appropriate by the City; and,
- 7. When a roadway improvement project has been programmed by NCDOT and appears on a STIP

Staff Analysis

- Contradictions to other Code of Ordinances sections
- Reliance on NCDOT STIP
- Raeford Road U-4405 Case Study
- Unintended Consequences
- City's Sidewalk Program
- Sidewalk Plans and Funding

Contradictions to other Code of Ordinances sections

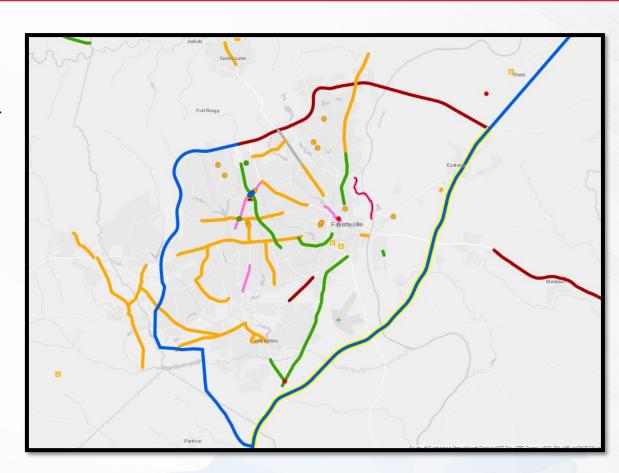
• Section 30-5.F.9.c: Permits developers to waive sidewalk installation along state highways or routes slated for future widening or improvements by opting to provide a <u>Payment In Lieu of Sidewalks</u> for all or part of the required sidewalk infrastructure. Payment in Lieu of Sidewalks also allows for other unique site conditions to qualify for not constructing sidewalk.

• Section 24-101(b): 'Where any new driveway is constructed or an existing driveway reconstructed that requires a driveway permit, a city standard sidewalk shall be constructed along the entire length(s) of the property served by such driveway that abut(s) a public street.'



Reliance on NCDOT STIP

- State Transportation Improvement Program (STIP):
 - Multi-year, fiscally constrained plan that outlines transportation projects across North Carolina that are scheduled for funding and implementation over a 10-year period
 - Required by both state and federal law.
 - NCDOT updates every two years
- Staff Concerns:
 - City staff has no control or input into NCDOT's budget or schedule.
 - Construction schedules are often pushed into outer years in updated STIPs.
 - Projects appearing on STIP may not be funded or are funded for Preliminary Engineering Only.
 - Projects can be removed from STIP without construction.





Reliance on NCDOT STIP

| Project 🚅 | Highway - | Project Limits | Proposed Construction | |
|-----------|----------------------------------|---|----------------------------|----------------------------|
| | | | Approved 2024-2033 STIP 🔻 | Proposed 2026-2035 STIP - |
| HP-0015 | Pamalee | Bragg Blvd to Murchison Rd | | Funded for Prelim Eng Only |
| HS-2006N | Gensford Rd | Raeford to Cliffdale Rd | 2025 | 2025 |
| U-3422A | Camden Rd | Proposed Fay outer to RockFish Rd | 2025 | 2025 |
| U-3422B | Camden Rd | Rockfish Rd to Hope Mills Rd | 2026 | 2027 |
| U-4403B | Ramsey Street | Country Club Dr to MLK Jr Fwy | Funded for Prelim Eng Only | Funded for Prelim Eng Only |
| U-4403C | Ramsey Street | Country Club Dr to Bethunes Dr | 2029 | 2033 |
| U-4404 | Oiffdale Road | Morganton Rd to McPherson Ch Rd | 2030 | 2032 |
| U-4405A | Raeford Rd | Old Raeford Rd to Bunce Rd | 2022 | 2022 |
| U-4405B | Raeford Rd | Bunce to Brighton Rd | 2025 | 2025 |
| U-4405C | Raeford Rd | Brighton to Robeson St | 2026 | 2026 |
| U-4414 | All American Freeway | Owen Drive to Sante Fe Dr | Funded for Prelim Eng Only | Removed from STIF |
| U-4900 | Murchinson Rd | Pamalee Country Fay outer loop | NOT FUNDED | 2026 |
| U-5015 | Murchinson Rd | Langdon Pamalee/Country Club | NOT FUNDED | Removed from STIF |
| U-5101A | Shaw Rd | Bragg to Murchison Rd | 2028 | 2033 |
| U-5753 | Wayside Rd & Lindsay Rd | Raeford Rd to Plank Rd & Raeford Rd to Rockfish Rd | 2026 | 2026 |
| U-5798A | Gillis Hill Rd | Stoney Point Rd to Raeford Rd | 2022 | 2022 |
| U-5798B | Gillis Hill Rd | Lindsay Rd to Stoney Point Rd | 2026 | 2026 |
| | | Gillis Hill Rd Ext Rockfish Rd Camden Rd to Westfeild | | |
| U-5857 | Rockfish Rd; Gillis Hill Rd Ext. | Dr & Gillis Hill to Lindsay Rd | 2029 | 2034 |
| U-6073 | Fisher Rd | Strickland Bridge Rd to Bingham Dr | 2028 | 2033 |
| U-6152 | Robeson St | Raeford to Walter St | NOT FUNDED | Funded for Prelim Eng Only |
| U-6209 | Oiffdale Road | Bunce Rd to McPherson Ch Rd | Funded for Prelim Eng Only | Removed from STIF |
| U-6210 | Strickland Bridge Road | Raeford Rd to Fisher Rd | NOT FUNDED | Removed from STIF |
| U-6213 | Ireland Dr | Cumberland to Raeford Rd | NOT FUNDED | Removed from STIF |
| U-6229 | Bragg Blvd | Skibo to Genville Ave | 2023 | 2023 |



U-4403 Ramsey Street Example

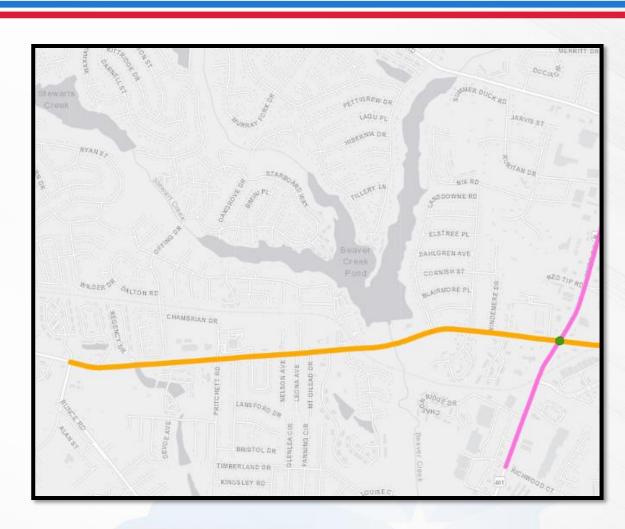
- First Appeared on NCDOT's STIP in the 2012-2021 Cycle
- U-4403B (Country Club Drive to MLK Jr. Fwy)
 - Approved 2024 STIP Funded for Preliminary Engineering Only
 - Proposed 2026 STIP Funded for Preliminary Engineering Only
- U-4403C (Country Club Drive to Bethunes Drive)
 - Approved 2024 STIP 2029 Construction
 - Proposed 2026 STIP 2033 Construction





U-6209 Cliffdale Road

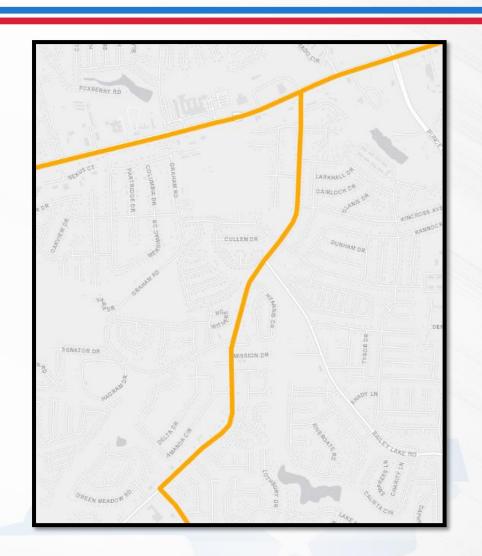
- First Appeared on NCDOT's STIP in the 2018-2027 Cycle
- U-6209 (Bunce Rd to McPherson Ch Rd)
 - Approved 2024 STIP Funded for Preliminary Engineering Only
 - Proposed 2026 STIP Removed from STIP





U-6210 Strickland Bridge Road

- First Appeared on NCDOT's STIP in the 2018-2027 Cycle
- U-6210 (Raeford Rd to Fisher Rd)
 - Approved 2024 STIP Not Funded
 - Proposed 2026 STIP Removed from STIP





Reliance on NCDOT STIP

- Many projects are not funded or are currently funded for only Preliminary Engineering.
- Many projects do not have an identified construction date.
- Some projects are scheduled to be removed from the STIP.
- Construction schedules are fluid and often extended.
- Sidewalk construction on these major thoroughfares would be deferred until NCDOT advances the roadway project.
- If sidewalk doesn't exist, the City is responsible for covering 20%-50% of the sidewalk construction cost as part of NCDOT's construction.



- The Raeford Road Corridor Study, completed in 2010, was a collaborative effort between FAMPO, NCDOT, and the City of Fayetteville.
- The U-4405 project was introduced in the 2012– 2018 State Transportation Improvement Program (STIP) as a plan to widen and improve Raeford Road.
- Project has been divided into three separate phases.
 - U-4405A began construction in 2022
 - U-4405B to begin construction in 2025
 - U-4405C is scheduled to begin construction in 2026









- If the proposed amendment was in effect during this time......
 - No development along Raeford Rd would have been required to construction sidewalk dating back to 2012.
- Due to the existing UDO......
 - 23 Developments constructed sidewalk along the corridor.
 - 12,708 linear feat (2.4 miles) of sidewalk has been constructed.
 - Improved pedestrian connectivity, mobility, and safety along the corridor.
 - Estimated \$650k cost savings to the City to install sidewalk as part of U-4405.









Sheetz at Bunce Rd – 1,140 LF sidewalk





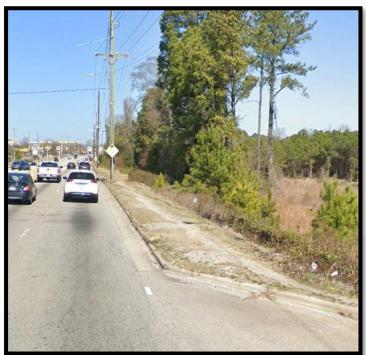


Raeford Corporate Park (Neighborhood Walmart) – 1,440 LF sidewalk



Unintended Consequences

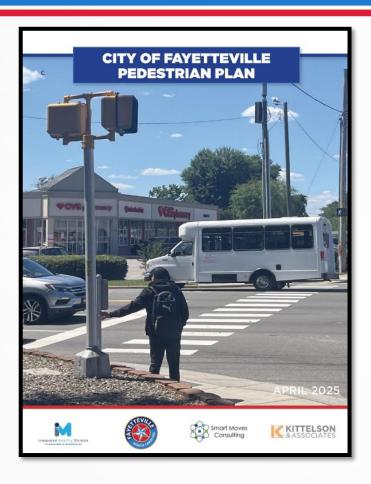
- Properties along major thoroughfares with existing sidewalks could be redeveloped without any requirement for developers to reconstruct sidewalks or implement necessary pedestrian improvements, such as ADA-compliant wheelchair ramps.
- This amendment could lead to a reduction in the existing sidewalk network, compromising pedestrian safety and connectivity.
- Jeopardizes safety along high-volume roads.



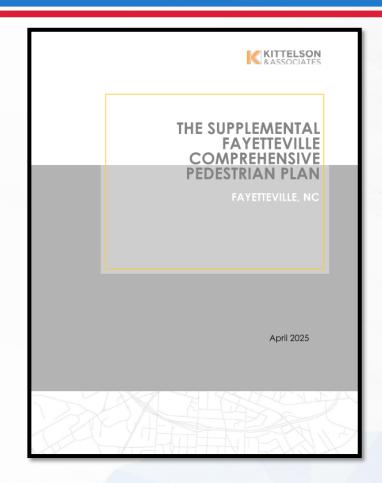




City's Sidewalk Program



City is finalizing an update to the 2020 Pedestrian Plan with the study yielding 144 recommended pedestrian projects totaling \$770M.



City is finalizing a Supplemental Pedestrian Plan analysis of all school service areas.



City's Sidewalk Program

- Proposed amendment directly conflicts with City Council Strategic Priority 4: Evaluate and Expand Transportation and Other Connectivity for Residents.
- City's Walk Score is 21 (Next to last out of 130 Cities with population of 200k or greater)
- Fayetteville has been labeled "Least Walkable city in the US"
- Proposed amendment undermines efforts to enhance pedestrian safety, promote walkability, and ensure equitable access to transportation infrastructure.
- Proposed amendment would be a significant step backward in achieving a more connected, inclusive, and resilient city.



Options for Consideration

- 1. Move to approve the proposed text amendments.
- 2. Move to approve some of the proposed text amendments.
- Remand some or all the proposed text amendments back to the Planning Commission for further consideration and specific changes.
- 4. Move to recommend denial of all proposed text amendments. (Staff Recommended)





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