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

June 23, 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

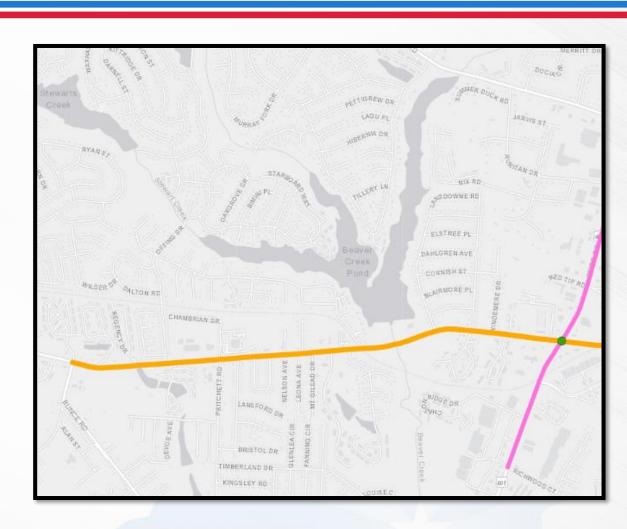
			Proposed Construction	
Project 🚅	Highway ▼	Project Limits 🔻	Approved 2024-2033 STIP	Proposed 2026-2035 STIP
HP-0015	Pamalee	Bragg Blvd to Murchison Rd		Funded for Prelim Eng Only
HS-2006N	Glensford Rd	Raeford to Cliffdale Rd	2025	2025
U-3422A	Camden Rd	Proposed Fay outer to RockFish Rd	2025	2025
U-3422B	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	Cliffdale 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 STIP
U-4900	Murchinson Rd	Pamalee Country Fay outer loop	NOT FUNDED	2026
U-5015	Murchinson Rd	Langdon Pamalee/Country Club	NOT FUNDED	Removed from STIP
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	Cliffdale Road	Bunce Rd to McPherson Ch Rd	Funded for Prelim Eng Only	Removed from STIP
U-6210	Strickland Bridge Road	Raeford Rd to Fisher Rd	NOT FUNDED	Removed from STIP
U-6213	Ireland Dr	Cumberland to Raeford Rd	NOT FUNDED	Removed from STIP
U-6229	Bragg Blvd	Skibo to Glenville Ave	2023	2023

Developers would not be required to construct sidewalk for an unknown period of time.



U-6209 Cliffdale Road

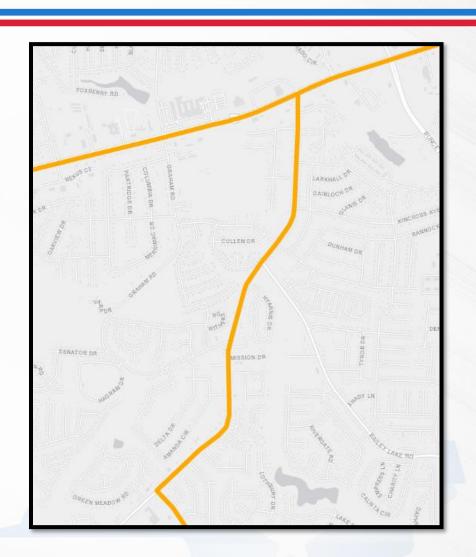
- First Appeared on NCDOT's STIP in the 2018-2027 Cycle
- U-6209 (Bunce Rd to McPherson Ch Rd)
 - Approved 2024 STIP Funded for Preliminary Engineering Only
 - Proposed 2026 STIP Removed from STIP





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



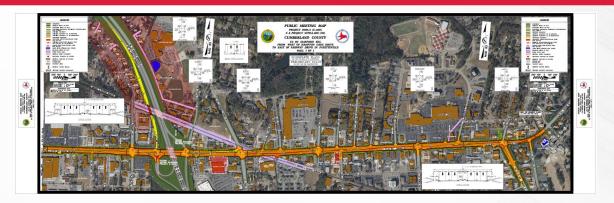


Reliance on NCDOT STIP

- 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 int three separate phases.
 - U-4405A began construction in 2022
 - U-4405B to begin construction in 2025
 - U-4405C is scheduled for 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.



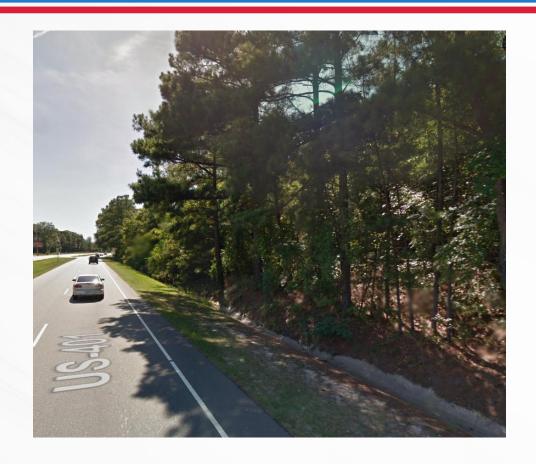






Sheetz at Bunce Rd – 1,140 LF sidewalk







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



Unintended Consequences

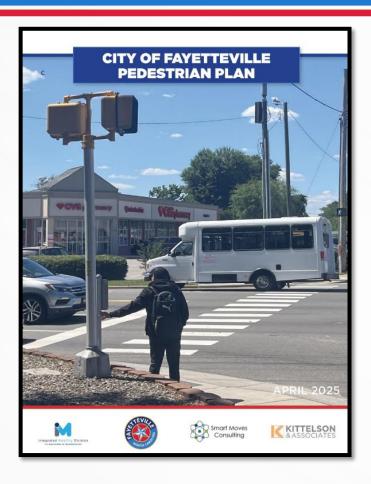
- Properties along major thoroughfares with existing sidewalks could be redeveloped without any requirement for developers to reconstruct sidewalks or implement necessary pedestrian improvements, such as ADA-compliant wheelchair ramps.
- This amendment could lead to a reduction in the existing sidewalk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



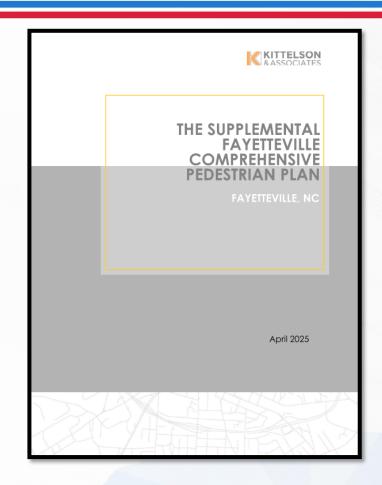




City's Sidewalk Program



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)
- Proposed amendment creates challenges to enhance pedestrian safety, promote walkability, and ensure equitable access to transportation infrastructure and place of commerce.
- Proposed amendment presents challenges to achieving a more connected, inclusive, and resilient city.



Options for Consideration

 Accept the recommendation of the Planning Commission and remand all the proposed text amendments back to City Staff for further consideration and specific changes and explore the opportunity for a site-specific waiver recommendation

2. Do not accept the recommendation of the Planning Commission and set the item for a public hearing.





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