

DR 65-6 - Consideration of amendment
to Subdivision Rules & Regulations
Re: Letters of Intent for sidewalks

Smead

No. 103½C

HASTINGS, MINN. - LOGAN, OHIO U.S.A.

ACTION

S/K COMMITTEE Forward to PC ^{DATE} 3-25-65

M.A.P.C. Advertise for public 4-1-65
Hearing

B.C.C./B. CO. C.

Maps Approve 5-6-65

Sec Refer 2 weeks 6-15-65

Sec Amendment not 7-6-65
approved - policy established
to enforce sidewalk construction
by prior construction as
by Corporate Surety Performance
Bond

Closed 7-7-65

Also contains papers from S-196

See ~~all~~ Also S-152 for
addn Related information

DR 65-6 - Consideration of amendments
to Subdivision Rules & Regulations
Re: Letters of Intent for sidewalks

July 8, 1948

SIDEWALKS IN WICHITA

BACKGROUND Probably twenty-five years ago, at least when it became apparent that nearly every family was going to own an automobile, it became the custom to eliminate sidewalks. This probably gave one a front yard that appeared to be more spacious and it would subtract one very small item of building cost. It is probably safe to state that at the very beginning of the period when we eliminated sidewalks it came about to a great extent because of the belief on the part of the individual that he would always ride in the family car no matter where he went. We probably forgot that when Dad drove the car to work, the youngsters still had to go to school and back, they had to play, the Mother had to go to the community center to purchase groceries.

In areas built up prior to this era, sidewalks were considered "standard equipment." Today our City Commission is besieged with petitions for sidewalks. Where? Primarily in the areas built up during the twenty-five years just past. Why? To correct an error made by our subdividers, builders, home owners, and all others connected with the development of residential property. And it was an error or the people would not be trying to correct it now.

Our City Commission requested the Planning Commission to study the problem and make recommendations to alleviate this situation and to prevent a recurrence thereof. At the June 15th meeting of the Planning Commission, a recommendation was made but it covered only one phase and this must await legislation. The City Commission has again repeated its request for help and thrown the whole thing back in our laps, asking particularly that the City Planning Commission submit some specific recommendations for the inclusion of sidewalks in newly platted areas. We should, therefore, give this matter further serious consideration and do so at once.

THE PROBLEM

Actually we have four problems to consider and they are divided as follows:

- A. Sidewalk installations in new subdivisions where the raw land is already within the city limits.
- B. Sidewalk installations in new subdivisions where the raw land lies outside the city limits but which subdivisions are to be annexed as platted.
- C. Sidewalk installations in subdivisions already platted but now lying outside the city limits, whether wholly or partially improved with residences or entirely devoid of improvements, as and when such subdivisions request annexation or are otherwise annexed by the city.
- D. Existing subdivisions within the city limits. (These are the ones that are now causing the trouble.)

The first three can be handled by changes in our present Subdivision Rules and Recommendations, although it may be necessary to implement the operation of same by the adoption of an additional city ordinance. The last, to be taken care of properly, will require state legislation and such legislation should tie into any changes that might be made in the Subdivision Rules and Regulations. These will be taken up and discussed later herein.

THE NEED FOR AND
DESTRABILITY OF
SIDEWALKS

The automobile, rather than making sidewalks obsolete, has actually made them more necessary. Children playing in the streets, darting from behind parked cars, etc., are more apt to be struck by a car at this time than to have been run over by a horse and buggy years ago. Without sidewalks, all members of the family wishing to go anywhere when the car is gone, are now forced to walk in the streets. In bad weather they must trudge through the snow and slush

or water, as the case may be, and they are subject to being splashed by every passing vehicle. Health, safety, and convenience demand sidewalks.

The very fact that so many requests and petitions in areas now not served is the best proof that they are a necessity.

As the city grows, sidewalks take on added importance because of the ever increasing distances from the outer perimeter of the city. More and more people use mass transportation and expect sidewalks over which to walk safely and conveniently to and from such service. The congestion of the central business district, with its ever increasing parking problems, aggravate the situation more and more and force an ever greater number of people, shoppers, as well as office and store workers, to leave their private automobile at home.

We locate our grade and elementary schools as conveniently as possible to serve each area in the city and yet we make it as hard as possible and as unsafe as is conceivable for the children to get to and from those same schools.

The objection to sidewalks making the front yard less attractive and appealing no longer holds good. This is especially true in the new areas in that the front porch is no longer the American family's leisure spot. It is now in the back yard where privacy is at its best and the front of the house is dolled up as much as possible to cover up what it is really becoming--a service entrance.

During the past several weeks, an attempt has been made to find out what other cities are doing and also what some of the leading and really successful subdividers in our country are thinking. Dave Rowlands has been requested to obtain such information as might be available and has received several answers. I have likewise done so and was able while in Fort Worth and Dallas last week to pick up additional information. Such information, as is pertinent to this subject, is briefly summarized herein and in the case of some letters or booklets, we quote directly therefrom.

To Mr. J. C. Nichols, "the Daddy" of all community builders, the builder of the Country Club District and Plaza District in Kansas City, who is now devoting most of his time to passing on the accumulated knowledge of some fifty years of actual experience to subdividers, home builders, community builders, and city organizations, we owe this bit of interesting information.

"Answering your letter of the 18th. Simply in an effort to reduce costs we omitted sidewalks in some of our areas, and I am inclined to think it was a mistake. We are now putting sidewalks on one side of the street in our smaller & larger homes' areas, where we have say, hundred foot lots, and in closer-in property, we are putting sidewalks on both sides.

"In some of our sections where we have two or three acre sites we are not putting in sidewalks. However, my son who recently bought a home for himself in one of these sections of larger sites, has put in a sidewalk in front of his own particular house because he has two little girls and they wanted a place to ride their bicycles.

"Our Urban Land Institute has gone on record that there should be sidewalks at least on one side of the street, and I am not certain but what our company is making a mistake in leaving out sidewalks in our areas of larger sites."

The Urban Land Institute, as you know, is an independent organization created to study trends affecting real property and to advance research and education in replanning and rebuilding cities. It has rendered great service to many cities as well as to individuals and has been responsible for raising the subdivision standards all over the United States. The executive committee of its Community Builders Council is composed of twenty-five of the leading realtors, developers,

and builders in America. We quote from a letter, dated June 22, as follows:

"The general feeling of our Community Builders' Council has been that sidewalks should probably be provided on at least one side of the street in all but areas developed for high-class estate properties. There is a discussion of this subject in the Community Builders Handbook on page 61. It is advisable, however, if sidewalks are omitted entirely or located only on one side of the street in the initial development, to retain the minimum 50 foot street width so that they may be added in the future.

"It is unfortunate that as development tends to reach the lower income groups, that the cost of necessary public utilities such as sidewalks, sewer and water mains, etc., go up. The reasons of course, are obvious; more population per acre; more children; fewer persons depending on private automobiles for transportation, etc. It's probably advisable in home development with 50 to 60 foot lots to provide sidewalks on both sides of the street, except in cul-de-sac or loop streets where a very small amount of traffic is generated. A considerable amount of saving can be realized in development costs if the city will permit rolled curbs with contiguous or integral sidewalks on minor streets."

Referring to Page 61 of the Community Builders Handbook which was published this year and is the only comprehensive book ever produced covering subdivision, development of store centers, protecting them for the future, etc., we find:

"(b) Sidewalks. Many cities require the construction of sidewalks on both sides of the roadway in all residential subdivisions. However, on minor streets in single family areas, two sidewalks are frequently unnecessary and in open development of large lots or 100 foot frontage or more, sidewalks may be eliminated without objection. . . . In general, the Council recommends a sidewalk on at least one side of the street.

"On major residential streets which serve as collectors of traffic from minor streets, as approaches to the school, bus stop, shopping center, and other focal point of the community, and where densities exceed five families per net acre, sidewalks are usually needed on both sides of the street.

"Four foot sidewalks are sufficient on minor streets, although sidewalks three feet six inches in width have proved entirely satisfactory where combined with rolled curbs. Greater widths are unnecessary except where leading and adjacent to shopping centers and other focal points. In any case all utilities such as poles and fire hydrants should be kept out of the paved area.

"The integral sidewalk and curb is favored although its use in northern climates may complicate snow disposal, and this construction has been objected to for this reason by city engineers. Driveway aprons which break the sidewalk level are an objectionable feature of the combined sidewalk and vertical curb, but can be obviated by the use of the rolled curb. One feature to watch in the construction of the sidewalk contiguous to the curb is settlement. This may be avoided if the sidewalk subgrade is thoroughly prepared prior to placing."

The American Public Health Association, which I understand consists of a group of public spirited individuals, does not even go into the question of desirability. Apparently because in all its past studies it has found such a preponderance of evidence in favor of sidewalks that the question no longer is, "do we need them," but "how many do we need." In its book, "Planning the Neighborhood," just off the press, we find:

PEDESTRIAN CIRCULATION

"Walks from all dwellings should provide convenient and safe access to elementary schools, shops, playgrounds, and other chief pedestrian objectives. In addition, paved walks are used by children for roller skating, riding bicycles, velocipedes, etc. This use should not be overlooked in laying out walks. The emphasis should be on a system of continuous main walks connected to dwellings by service walks. The purposes of various walks should be clearly recognized and they should be differentiated in width, location, etc. in a manner similar to the articulated treatment of streets. Walks may be classified into three general types:

"Entrance walks: to individual dwellings or to entrances of multiple dwellings;

"Service walks: serving a group of residential structures, connecting entrance walks to major walks;

"Major walks: direct pedestrian connection between main parts of the neighborhood, to neighborhood community facilities, to public transit facilities, to main pedestrian thoroughfares outside the neighborhood.

"The circulation system should be so laid out as to minimize accidents to pedestrians, especially to children. This can be accomplished by substantial separation of vehicular and pedestrian traffic, especially of major walks and neighborhood feeder streets. However, such separation is effective only if the walks are laid out to provide more direct access to normal pedestrian destinations than do the streets.

"Separate walks in the block interior do not necessary eliminate the need for walks bordering streets. The latter should be provided wherever any pedestrian traffic along streets is anticipated except on short minor service streets.

"A sidewalk on only one side of a street is permissible under favorable conditions such as:

- a) a very low pedestrian load on one side of the street;
- b) a street paralleling the boundary;
- c) a short street.

"Unsuitable topographic conditions may necessitate such a sidewalk on one side of the street only.

.....

"Walks should be laid out to channel pedestrian traffic and force street crossings insofar as possible at safe, regulated points. Under- or overpasses may be desirable at heavy pedestrian crossings of major or minor streets. Details of crossings are discussed in Section 29."

Neither Fort Worth or Dallas, by ordinance or otherwise, require a sidewalk but we are told both cities have effectively obtained them in a rather clever manner. The Regional Land Planning Offices of the FHA are located at Dallas. Practically every subdivider whether he intends to build under FHA or not has FHA clear his subdivision

plans and the FHA requires sidewalks. Those few who do not go through the FHA have gone along with the program without any difficulty. We are told that, if FHA would change its policy, both cities would take immediate steps to force installation.

Mr. Hugh Prather, developer of Highland Park District, the most outstanding and beautiful in Dallas, tells us sidewalks are a necessity. Here again we have some forty to forty-five years of successful experience speaking.

Harland Bartholomew, whom we all know, advises that St. Louis and St. Louis County, as a general rule, do not require sidewalks but adds:

"Many other cities, such as New Orleans, do require sidewalk construction at least along one side of the street, and in a compact city such as yours I feel that it is a desirable requirement, especially along streets carrying a considerable volume of traffic and leading to schools. I question that it is necessary that they be installed on both sides of a street.

"I personally feel that there is some justification in omitting the construction of the sidewalk until many of the homes are erected. For example in St. Louis County we frequently permitted the developer to put down only the base of the roadway and then to install the surface coat after much of the construction was completed. However, this surface is required to be installed within at least two years and is covered by a bond. It is my personal opinion that a similar procedure would be satisfactory in connection with sidewalks. If the majority of the homes were erected within a year the sidewalks should then be constructed. Even if only a few were erected within two years the sidewalks should then be required for the benefit of the few that are living there."

The City Planning Engineer of Kansas City, Missouri, indicates they are getting walks without, at present, having the power to require them. However, his letter implies that subdivision rules need revising. His letter reads as follows:

"Our subdivision rules are in need of revision at the present time. The legal department indicates the need of additional enabling legislation before we can require the installation of improvements or posting of a bond before approval of the final plat. However, most of these arrangements are presently made by the subdivider with the Public Works Department and presently there is no problem of subdividers attempting to sell lots without improvements.

"Many developers hold to the ideas expressed in your letter and for that reason, many cities allow the installation of sidewalks as the last improvement to be done. FHA of course, can be very effective in insisting upon sidewalks if they believe these are necessary. I have the impression that having the sidewalks placed in a subdivision is not a particular problem except, in the outlying areas outside the city, where the County Planning Commission has jurisdiction."

The city of Memphis, Tennessee, for the past 25 years, has required sidewalks and the Secretary of the Planning Commission says everyone is happy.

A very interesting letter was received from Cincinnati, the first sentence of which reads:

"The City of Cincinnati has required the installation of all public utilities including sewers, water, paving and sidewalks as a condition to the approval of a final plat for record for the past twenty-two years."

A copy of Cincinnati's rules was enclosed.

All original letters and any books and rules referred to herein are available to the members of this commission.

While the evidence contained herein may not be conclusive and it would be possible to hear from many additional cities and individuals, it is to be noted that, in not one case, have we received a recommendation which even remotely suggested that sidewalks were not desirable. All have been 100% for sidewalks.

It should also be noted that the controversy involving the installation of sidewalks in Wichita in areas that are already developed arises primarily from the fact that the property owners object to the destruction of their trees and shrubbery which have been planted in the City's parking. By settling the sidewalk question at the time an area is platted or annexed, this difficulty would be obviated.

SUGGESTED PROCEDURE Referring back to "The Problem"--A, B, and C can be taken care of by amending the Subdivision Rules and Recommendations. It might be necessary to adopt one city ordinance to implement same, but this is rather doubtful. In the following suggested revision of existing rules, the capital letters indicate the present rules, the capital letters struck out indicate deletions from the presently existing wording, and the small letters indicate additions to the present rules. Anything in parenthesis will indicate an explanatory note only.

The first full paragraph on Page 13 of Subdivision Rules and Recommendations could be amended as follows:

~~PROVIDED, HOWEVER, THAT WHERE THE SUBDIVISION UNDER CONSIDERATION LIES WITHIN OR IMMEDIATELY ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF WICHITA, AND WHERE THE SUBDIVIDER HAVING SUBMITTED A SCHEDULE AND ORDER OF BUILDING IN THE SUBDIVISION~~ or lies adjacent to the City of Wichita and is to be annexed or is an existing subdivision heretofore platted and subdivided outside of the city limits, whether improved in whole or in part with residential and/or other structures or entirely devoid of improvements and such subdivision is to be annexed to the City of Wichita by petition of property owner or owners or otherwise, and THE CITY PLANNING COMMISSION FINDS THAT THE IMPROVEMENTS LISTED IN SUBSECTIONS A, B, C, D AND E CAN JUSTIFIABLY BE CONSTRUCTED BY THE CITY OF WICHITA AS NEEDED, OR WITHIN A REASONABLE TIME THEREAFTER, ~~OR WHERE THE SUBDIVIDER HAS EXPRESSED IN WRITING HIS DESIRE TO BE BROUGHT INTO THE CORPORATE LIMITS OF WICHITA~~ THE ABOVE PROVISIONS REQUIRING THE INSTALLATION OF IMPROVEMENTS OR THE POSTING OF A BOND MAY BE WAIVED.

Paragraph headed "C", Sidewalks, on Page 14 of the same Rules and Recommendations could be amended as follows:

~~WHEREVER THE STREETS ARE NOT PAVED WITH CONCRETE, ASPHALT, OR SOME SIMILAR SURFACING MATERIAL, SIDEWALKS SHALL BE CONSTRUCTED ALONG OFFICIALLY DESIGNATED MAJOR STREETS AND ALONG AT LEAST ONE SIDE OF MINOR STREETS WHENEVER THE SUBDIVISION IS LOCATED WITHIN THE FUTURE URBAN AREA AS SHOWN ON THE PLAN "FUTURE DISTRIBUTION OF POPULATION"~~ city limits of the City of Wichita except as noted below. WHENEVER THE SUBDIVISION IS LOCATED BEYOND THE FUTURE URBAN AREA said city limits, SIDEWALKS SHALL BE CONSTRUCTED ALONG AT LEAST ONE SIDE OF OFFICIALLY DESIGNATED MAJOR STREETS, ~~WHERE DEEMED ESSENTIAL FOR THE PUBLIC SAFETY BY THE COMMISSION.~~

At time of platting, if already within the city limits of the City of Wichita, or at time of annexation, whether the subdivision is just being platted or has been platted heretofore, the City Planning Commission, the City Traffic Engineer, and the City Engineer shall determine on which

streets and on which side of such streets sidewalks shall be required.

If the subdivision being platted is within the city limits of the City of Wichita or is to be annexed thereto

- (a) Sidewalks shall be required on all "front" streets in areas zoned "B" or under. In other words, if sites on both sides of a front street are zoned "B" or under, sidewalks shall be required on both sides of said street.

(If "RB" on one side and "B" on the other, may require walks on both sides but need not do so.)

- (b) Sidewalks need not be required on "side" streets in any area unless deemed necessary at time of platting or annexation by the City Planning Commission, the City Traffic Engineer and the City Engineer.

(School, Park and Community Shopping facilities will govern.)

- (c) No petition for curb, gutter and/or surfacing shall be considered by the Board of City Commissioners on any street on which sidewalks are required unless petition for sidewalk is included.

(This ties it all into streets of which sidewalks are actually a part.)

- (d) Installation of sidewalks shall not be made before streets are installed and may be deferred after installation of streets upon approval of City Engineer and provided that at least 25% of frontage involved is still unimproved, if such deferment is requested by petition signed by the fee owners of 25% of the frontage involved, but such sidewalk installation shall not be deferred more than one year after installation of the street.

(Answers objection about damaging sidewalks. Also, City Commission has adopted policy of ordering in pavement only in those areas which have shown substantial development.)

- (e) In new subdivisions being platted or annexed, sidewalks shall be paid for by special assessment to be spread over not to exceed five years. On "front" streets abutting property owners on both sides of the street shall be assessed. On "side" streets where sidewalks are required, property owners on both sides of the street and back to the middle of the block shall be assessed.

(Since this is not legal until new legislation is available, change basis of assessment to conform to present laws but provide for above method when it becomes legal.)

- (f) Where front or side streets of a subdivision being platted or annexed adjoin unplatted property or an existing subdivision already within the city limits the above regulations shall likewise apply as regards spreading assessments on both sides of streets affected.

(This is likewise not legal unless and until new legislation on sidewalks in existing subdivisions is enacted. This provision should be put in as soon as it becomes legal.)

(g) Subdividers and/or property owners, by petition of the owner or owners of 50% of frontage involved, may elect to install sidewalks on both sides of any street provided petition is filed for same simultaneously with filing of petition for required sidewalk, and cost shall be spread as set forth in (e) above. Request for construction of sidewalks other than those required subsequent to original installation of required sidewalk shall be governed by ordinance or law covering sidewalks in existing subdivisions but payment therefore shall be assessed as in (e) above.

(h) As a condition of annexation of any subdivision already partially or wholly built up, where streets are already surfaced, the City Planning Commission, the City Traffic Engineer and the City Engineer shall determine location of sidewalks and petition therefore shall be filed immediately.

(Would be in form of agreement prior to annexation.)

The above changed Rules and Recommendations should effectively take care of all sidewalk problems except in existing subdivisions inside of the present city limits, this being referred to as "D" under "The Problem" on Page 1. Here we are actually confronted with two hurdles and, in any event, we will need legislation.

At present a petition signed by twenty-five property owners in any Ward puts the decision for sidewalks right up to the City Commission. Usually at the same time there will be a petition by other property owners against the sidewalks. It has been suggested that a majority of the property owners affected should be required to petition for sidewalks rather than people anywhere in the Ward, but after much thought the conclusion is reached that the present law in that particular respect may be desirable and should be continued. It is easy to see that a majority of owners in any one block or area could easily and effectively resist all efforts to the installation of a badly needed and well planned sidewalk system. Actually is it not possible that one of the greatest stumbling blocks toward obtaining sidewalks where they are needed at this time is the present system of assessment? Would it not be better to assess for sidewalks in these existing subdivisions as we do for paving in any area? As a matter of fact, this is actually what we have incorporated herein above in our suggested new Subdivision Rules and Recommendations for the new subdivisions.

It would be our recommendation, therefore, that hurdle #1 -- twenty-five petitioners in a Ward -- be left alone but that hurdle #2 -- the basis of assessment -- be changed. This, of course, will necessitate legislation and the following recommendations for change in legislation are submitted:

In existing subdivisions within the City of Wichita and to legalize assessment basis on all new subdivisions coming into the city or to be subdivided within the city,

1. The cost of sidewalks on "front" streets, even though installed on one side of the street only, shall be assessed against abutting property owners on both sides of the street.
2. The cost of sidewalks on "side" streets, even though installed on one side of the street only, be assessed against property owners on both sides and back to the center of the block.
3. The City Commission shall be permitted to order in, up to three blocks, connecting sidewalks.

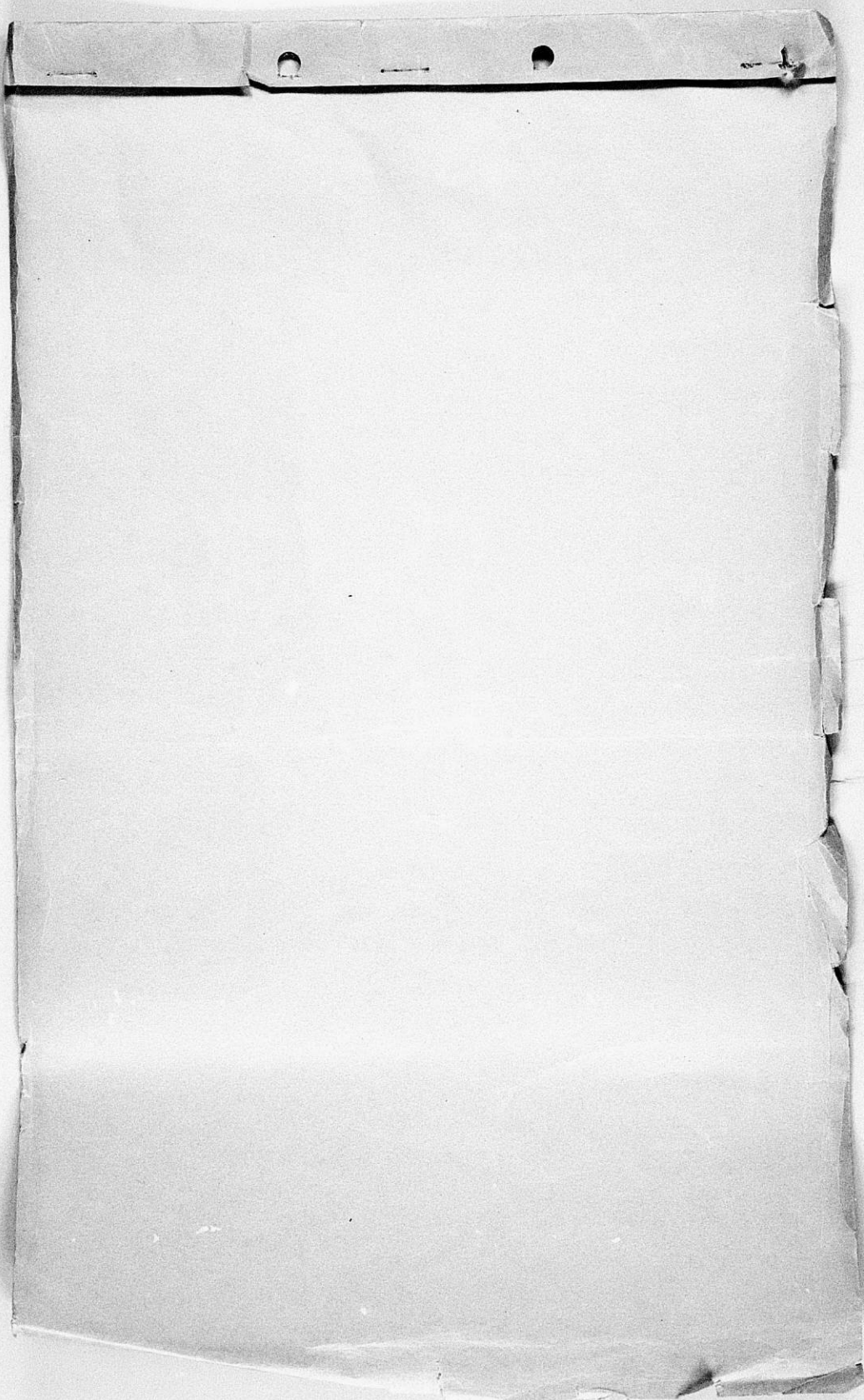
4. The City Planning Commission, the City Traffic Engineer, and the City Engineer shall determine on which side of the street sidewalks shall be installed.
5. When sidewalks have been installed on one side of the street prior to the adoption of this legislation and paid for by the abutting property owners, whether by special assessment or otherwise, same shall be given credit for such installations and to that extent should not be assessed for new sidewalks when, as, and if installed on the other side of the street.

If this legislation can be obtained, it will tie in with the suggested revised Subdivision Rules and Recommendations. Furthermore, if such suggested revision now contains any provisions which may not be legally enforceable, this legislation should remedy such weaknesses.

Urban A. Denker

Urban A. Denker
Member of the Streets and Plats Committee
Wichita City Planning Commission

UAD:la



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
Wichita, Kansas

October 3, 1966

TO: Metropolitan Area Planning Commission, Board of Commissioners of the City of Wichita, and Board of Commissioners of Sedgwick County

FROM: C. Bickley Foster, Secretary, Wichita-Sedgwick County Metropolitan Area Planning Commission

SUBJECT: New Subdivision Regulations for Sedgwick County and the City of Wichita (MAPD File S-152)

You have been forwarded copies of the new Subdivision Regulations which will be considered by the Metropolitan Area Planning Commission at a public hearing on Monday, November 7, 1966, at 1:30 p.m. in the Planning Commission Meeting Room. We are attempting to meet with as many groups as possible to discuss the new regulations with them. Nearly 400 copies have now been distributed to various groups and interested persons on a county-wide basis.

Attached is a tentative schedule (which may change as to meeting date and place) that we hope to follow in meeting with such groups. We believe that this is fairly representative of those people having a direct interest in these regulations. If you have any additional suggestions as to groups which should be made aware of these proposals, or groups which you think may want to have the material presented to them, please contact me.

It is most desirable that members of the Metropolitan Area Planning Commission and City and County Commissioners attend some of the meetings listed to gauge the reaction to the proposal. We would particularly encourage that, if at all possible, you attend the meetings with the homebuilders and realtors, the joint Planning Commission group, and the Sedgwick County Mayor's Conference.

CBF:RAL:bgs

Attachment

PRESENTATION SCHEDULE
ON SUBDIVISION REGULATIONS

<u>DATE</u>	<u>TIME</u>	<u>PLACE</u>	<u>GROUP</u>
Oct. 7	2:00 p.m.	Planning Commission Meeting Room	Metropolitan Area Planning Department Staff
Oct. 13	2-5:00 p.m.	Planning Commission Meeting Room	Utility Advisory Committee
Oct. 13	7:30 p.m.	Room 825, County Courthouse	Wichita Association of Homebuilders and Wichita Realtors
Oct. 14	9:30 a.m.	City Commission Room	City-County Staffs
Oct. 14	3:30 p.m.	Planning Commission Meeting Room	Comprehensive Planning and Capital Improvement Programming Committee of Wichita Council for Community Development
Oct. 17	7:30 p.m.	Court of Common Pleas Division 2 - County Courthouse	Metropolitan Area Planning Commission, Derby City Planning Commission, Haysville City Planning Commission, Mulvane City Planning Commission, and Valley Center City Planning Commission
Oct. 18	7:30 p.m.	Room 825, County Courthouse	Township Officials
Oct. 19	1:30 p.m.	Planning Commission Meeting Room	Savings & Loan, Fiscal Groups and Abstractors
Oct. 20	7:00 p.m.	Campus Activity Center - Wichita State University	Sedgwick County Mayors' Conference

October 3, 1966

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

October 3, 1966

TO Russell E. McClure, City Manager
FROM C. Bickley Foster, Director of Planning *CBF*
SUBJECT New Subdivision Regulations for Sedgwick County and the City of Wichita (MAPD File S-152)

Copies of new Subdivision Regulations have been distributed to you and other public agencies and interested groups and organizations. A formal public hearing has been scheduled before the Metropolitan Area Planning Commission November 7, at 1:30 p.m.

In order to provide an informal session to answer questions and receive comments concerning the text and application of the new regulations, we would like to have an opportunity to meet with you and all those receiving this memorandum to review the proposals. Such a meeting will be held at 9:30 a.m., Friday, October 14, 1966, in the City Commission Room.

Please be assured that the proposed regulations are not final, but can be amended up to and at the public hearing of the Metropolitan Area Planning Commission. Please bring your copy of the regulations with you as our supply is limited.

CBF:RAL:bgs

cc: Ralph Wulz	Emory Cox	Wilmer Freund
B. E. Smith	W. R. Fleck	County Engineer
Dick Linn	T. J. Scanlon	
Dean Sellers	Don Anderson	Scottie Cronin
George Wilton	Don Ferguson	County Zoning Admin.
M. S. Mitchell	Ralph Klose	
Glen E. Lytle	John Dekker	
Gary Burr	M. Leon Bauman	
Clyde Potts	Eugene Pirtle	
Paul Graves	James Aiken	
R. C. DesMarteau	Don Cross	
Robert H. Hess	T. A. McGaughey	
Foster Burba	Lawrence Carney	
Bill Otten	James Clancy	
Vic Pickering	Robert G. Finch	
Lee Ayres	C. Henry Nathan	

September 30, 1966

The Staff

Jack H. Galbraith, Senior Planner

Presentation of new Subdivision Rules and Regulations

Bob Lakin has asked that all professional staff be present at 2:00 p.m., Friday, October 7, 1966, in the Planning Commission Meeting Room to hear the presentation of the proposed Subdivision Rules and Regulations.

JHG:bgs

September 13, 1966

Russell E. McClure, City Manager

C. Bickley Foster, Director of Planning

**Status of Implementation of Enforcement of the
Improvement Section of the Subdivision Rules**

Since the approval of the City Commissioners to enforce the Improvement section of the Wichita Subdivision Rules on September 6, we have proceeded "posthaste" to put into affect their desires. The following implementation procedures have been initiated:

1. Our staff was immediately briefed on its responsibilities in administering the new requirements, and all applicants submitting applications after 3:20 p.m. on September 6 were informed that the new procedure would be applicable. As a result, no new applications have been received since that date, although the closing date for the next submittal is September 19. Several applicants have evidenced a hesitancy in proceeding until they can better determine the full impact of their obligations.
2. The MAPC, at its rescheduled meeting of September 7, did pass an off-agenda item to authorize the staff to advertise for public hearing to amend the present regulations to close any loopholes or inadequacies that definitely exist. It is the intention of the Planning Commission to proceed with the concept which had been developed earlier this year of countywide subdivision regulations.
3. A meeting was held last Thursday morning to brief other City staff personnel on the new procedures.
4. Evening meetings have been held with the Planning Commissions of Mulvane and Derby to explain the affect of new regulations on their area, and meetings were arranged for this evening with Haysville and Andale.
5. The County Commissioners have been informed of the action of the City Commission, and the County engineering staff has also been apprised of the new responsibilities which may be assigned to it.

Page 2 - Russell E. McClure, City Manager
September 13, 1966

6. Arrangements are being made to hold a meeting of the smaller cities throughout Sedgwick County to acquaint them with the affect of new regulations, and the immediate affect of the action of the City Commission. Because of the availability of parking space, and due to the street condition next to the City Building, this meeting will be arranged for in the County Courthouse. It is hoped that this can be done in the next ten days to two weeks.
7. A briefing session has been held for all the engineers and land planners in Wichita who prepare plats to be submitted to MAPC. This appeared to be the most effective way of informing applicants, i.e., through their engineering representative.
8. A meeting has been arranged for this Thursday, September 15, to review with City and County staff personnel any changes needed in the current regulations to plug the loopholes, inconsistencies and inadequacies.
9. Because of the immediacy of the administrative program in implementing the current regulations and preparing amendments, we have not had an opportunity to review the affects with the homebuilding industry. We hope this can be adequately arranged before the public hearing before the Planning Commission.

Please advise me if there are other areas of attention which should be considered in this matter.

CBF:ber

cc: Tom Scott, Chairman
Board of County Commissioners

H. W. Kratzer, Chairman
Metropolitan Area Planning Commission

C3F

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

August 25, 1966

TO Russell E. McClure, City Manager

FROM Robert A. Lakin, Assistant Planning Director *RL*

SUBJECT Enforcement of Existing Subdivision Rules and Regulations - Sewer

At the meeting of August 16, 1966, the Commission set August 30, 1966 as the time to consider, as a policy matter, requiring sewer under the provisions of the existing Subdivision Rules and Regulations. At this time, the staff is to indicate where this type of action might be applied. Wulz and I both view the Commission action as requesting a policy statement which can be adopted by the Commission. Such a policy statement follows, which the Commission may wish to consider.

PLATS AND SEWER

INSTALLATION POLICY

1. The existing adopted Subdivision Rules and Regulations will be followed except as otherwise noted in this policy statement.
2. Installation of City sewer laterals will be required where there is an existing (or approved for construction) submain; or where such lateral will tie directly to a main sewer.
3. All engineering and inspection will be supplied by the City Engineer and such costs will be reimbursed by the platlor. Contracts for construction will be handled by the developer, provided, however, that the City Engineer be authorized, in writing, to issue stop orders for faulty procedures or materials.
4. Guarantees for such construction shall be by:
 - a. Filing of a corporate surety bond guaranteeing construction in accordance with City specifications within a period of two years. The sewer may be ordered in at the expiration of the two-year period or the corporate surety bond may be extended at the option of the governing body.

- b. Deposit with the local unit of government of a cashier's check or cash (to be placed in a trust account) in the amount of the required sewer construction. The sewer may be ordered in at the expiration of the two-year period or the cashier's check, or other monies, may be retained at the option of the governing body.
 - c. Filing with the local unit of government of an irrevocable letter of credit in the amount of the sewer construction. The sewer may be ordered in at the expiration of the two-year period or the irrevocable letter of credit may be extended at the option of the governing body.
 - d. Whenever actual construction of sewer is proposed by the plat, the plat shall be presented to the governing body for its review.
 - e. Petitions for sewer construction will be accepted only upon approval of the governing body, while other means of guaranteeing the financing and construction may be accepted by the Metropolitan Area Planning Commission without the approval of the governing body. Petitions are acceptable only in unusual situations.
5. In the event the plat is in or next to an improvement district, the improvements shall be made using the Improvement District engineer and using the same procedure as outlined for the City.

Adoption of such a policy is not recommended by the staff (either Public Works or Planning) for implementation at the present time, for reasons set out later in this memo. In application, item 2 of the policy will be applicable, with rare exception, only within the City of Wichita and then only where there are already existing submain sewer districts.

Adoption of the policy will result in substantial inequities, particularly to the owner of small tracts of land involving only a few lots. It should be pointed out again that the problem is "Will there be sewer, water, drainage and streets when development occurs?"; not "Who provides the financing". In the final analysis, the property owner pays. How much and

who carries the paper is incidental as long as it does not hurt the City or deprive it of doing other needed things with its money. The use of petitions on a special assessment basis to guarantee that the facility will be built will meet the land purchaser and the City's needs. Use of this device will eliminate many mechanical, timing and equity problems.

The following problems will be forthcoming if they decide to enforce existing requirements. First, the Commission should recognize the manner in which our sewer system is built. The mains are paid for by the city at large or from the sewer utility funds. Submain or major branches from the mains are assessed against a benefit district, which normally covers many acres (200-600). From these submains, branch the laterals. (See Fig. 1) Laterals often connect with each other, as Lateral 3 to Lateral 2 to Lateral 1.

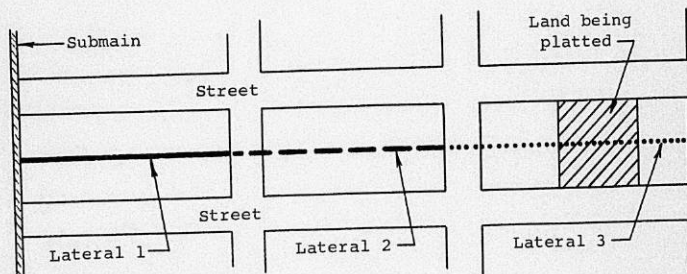


Fig. 1

If land is subdivided along Lateral 3 before Laterals 1 and 2 are built, the costs to get to the submain will not be equitable to the p'attor. Someone gets a free ride; those along the area of Laterals 1 and 2. (See Fig. 1).

Also, land being platted in only one tier of lots presents another problem in equity. The unplatted land (that which will be another tier of lots in the future) gets a free ride. (See Fig. 2)

Page 4 - Russell E. McClure, City Manager
August 25, 1966

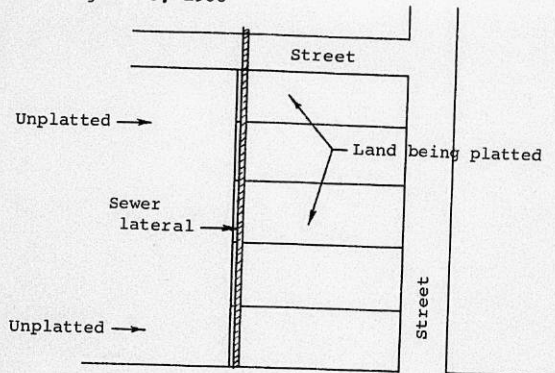


Fig. 2

Another problem will be requiring sewer installation by some but not requiring it of others. (Examples are along east-west Kellogg and in the south part of the City.) When inequities of this nature occurs, the anticipated result will be for subdividers to go into the three-mile ring area where there are no sewers and, therefore, no requirements, or out completely beyond the three-mile area. The small-tract owner now in the City will have to sell to land developers as initial development costs will be beyond the financial capabilities of the holder of small 3-6 acre semi-suburban tracts. This stifles the much needed fill-in development for vacant city land, resulting in loss of real value for taxation purposes, and defeats the growth policies of the City.

RAL:ber

Approved

Ralph Wulz
Ralph Wulz
Director of Public Works

WICHITA-SEDEWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

City Building Annex
104 South Main
Wichita, Kansas

POLICY STATEMENT

SUBJECT: URBAN SIDEWALKS
BCC APPROVED: AUGUST 10, 1965
EFFECTIVE: AUGUST 10, 1965

It is recognized in the urban area of this community that sidewalks are needed to serve the urban population by:

- a. providing a convenient means of access for pedestrian traffic; providing a facility for use going to major activity centers, including shopping areas, churches, community centers, parks; providing an area for face-to-face contacts and associations between people within neighborhoods; and for providing for a means of exercise and relaxation for residents of areas in taking walks.
- b. providing a safe area of activity for children and by providing a safe route to schools and other places of children's activity within neighborhoods.
- c. providing a more safe way of travel for the aged.

In view of this need, it is desirable that sidewalks be located in accordance with the following policies and guidelines:

Arterials

Sidewalks shall be required along both sides of all arterials except:

- a. those arterials having either their beginning or ending within an industrial¹ district (e.g. Hydraulic, 29th to 37th, or 29th, Broadway to Hydraulic); or those industrial areas bounded or intersected by

¹Industrial shall mean all manufacturing, fabrication, wholesaling, storage uses normally requiring industrial or heavy commercial zoning. Not included are such areas as auto sales, recreation areas, etc., found in heavy commercial areas. When in doubt, the area shall be required to provide sidewalks.

other major arterials which would normally break up normal pedestrian traffic (e.g., West Street between U. S. 54 and K-42). This exception would not include those arterials passing through industrial areas having urban residential, commercial, or public uses on both sides of the industrial area (e.g., 37th North, Broadway to Hillside; 21st Street, Broadway to Hydraulic).

- b. along those arterials having complete access control (e.g., U. S. 54 West, I-235, I-35W). Where there are service or marginal access roads, sidewalks shall be required as non-arterial or non-collector-type streets.
- c. along those arterials with lots having double frontage wherein the lot will have sidewalk along its interior street and where access control has been granted to the public. In these instances, it shall be the City's responsibility to install such sidewalk with the City paying as great a share of the cost as is permitted legally.

Half-Mile Line Streets (or those streets serving as half-mile line streets) and Collectors (as defined by future studies using the Development Area Report of the Metropolitan Area Planning Department

Sidewalks shall be required in the same manner as that for arterials.

All Other Streets

Sidewalks shall be required on both sides of all other streets, including those serving residential, commercial, public and quasi-public uses and including cul-de-sacs and deadend streets, except:

- a. along streets adjacent to large non-pedestrian generating uses as may be determined by the Planning Commission (e.g., internal streets along cemeteries - 25th Street, east of Hillside; streets along parks that are developed with walks and trails (e.g., Park Villa and Oak Park).

- b. in industrial areas where either so zoned or when indicated as an industrial area in the Comprehensive Development Plan for the Metropolitan Area; provided, however, that sidewalks may be required where such an industrial area abuts an area not zoned for industry, or when the location of such industrial area is so situated in relation to non-industrial uses that a sidewalk is indicated to complete the existing pattern of usages or service; or such industrial district is located along a street leading to a school, church or other place likely to generate pedestrian traffic.

All of the foregoing guidelines are subject to modification by the Planning Commission, based on special problems of land use, traffic conditions or alternate facilities. Sidewalks may be required or waived when it is apparent that it is in the public interest that the foregoing policies and guidelines shall be modified. However, financial hardship shall not be construed as a sufficient reason for the granting of a waiver.

For all areas beyond the City of Wichita limits, implementation of the sidewalk policies shall be held in abeyance pending an en banc meeting of the City and County Commissions and representatives of the Metropolitan Area Planning Commission concerning the above policies.

To: The Honorable Board of City Commissioners CC 368
Subject: Amendment to the Subdivision Rules and Regulations July 1, 1965
Concerning the Installation of Sidewalks

This communication will review the current alternatives for satisfying the City Commission's requirements for the installation of sidewalks and propose an additional alternative.

HISTORY

At the meeting of January 19, 1965, the City Commission adopted a policy that all plats filed with the Metropolitan Area Planning Commission after January 19, 1965, would provide for sidewalks in accordance with the Subdivision Rules and Regulations. At the present time, these regulations provide for three different methods of guaranteeing the installation of sidewalks in conjunction with plat approval. These three methods are:

1. Construction of sidewalks prior to the City Commission's approval of the plat.
2. Filing of a corporate surety bond in an amount approved by the City Engineer which would guarantee the construction of sidewalks to city specifications within a period of two years or at such time as development occurs.
3. Filing of a letter of intent that sidewalks would be constructed within two years in accordance with city specifications. It is further required that such letter of intent be approved by the Planning Commission.

ADDITIONAL ALTERNATIVE

At the Subdivision Committee meeting of March 25, 1965, these various methods of guaranteeing the installation of sidewalks in conjunction with new plats was reviewed and a fourth alternative means was proposed. This method would allow the acceptance of a valid signed petition for the sidewalk improvement. This petition would then be accepted by the City Commission, and the City Engineer instructed to forego the construction of such sidewalk until the development justified it.

On May 6, 1965, the Metropolitan Area Planning Commission recommended that the Subdivision Rules and Regulations be amended to provide for acceptance of a valid petition as an alternate means for requiring installation of sidewalks and passed a resolution to that effect.

Amendment to the Subdivision Rules and Regulations
Concerning the Installation of Sidewalks

CC 368-2
July 1, 1965

RECOMMENDATION:

The City Manager recommends that the City Commission concur in the resolution adopted by the Planning Commission which authorizes this fourth method of guaranteeing the installation of sidewalks.

Respectfully submitted,

Russell E. McClure
Russell E. McClure
City Manager

REM:ld

June 10, 1965

Board of City Commissioners
City Building
Wichita, Kansas

Gentlemen:

Re: DR 65-6 - Consideration of an amendment to the Subdivision Rules and Regulations to accept valid petitions as an alternate means of providing for sidewalks

On January 19, 1965, the Board of City Commissioners adopted a policy that all plats filed with the Metropolitan Area Planning Commission after January 19, would provide for sidewalks as provided in the Subdivision Rules and Regulations. At the present time, Section 15 of the Subdivision Rules and Regulations, provides three methods for guaranteeing the installation of sidewalks in conjunction with a plat. These three methods are as follows:

1. Construction of sidewalks prior to City Commission approval of the plat; or
2. Filing of a corporate surety bond in an amount approved by the City Engineer and approved as to form by the City Legal Department, guaranteeing construction in accordance with City specifications within a period of two years, or at such time as development occurs; or
3. Filing of a letter of intent that the sidewalk will be constructed within two years according to City specifications. (This method may be utilized only after Planning Commission approval.)

Board of City Commissioners
June 10, 1965

At the Subdivision Committee meeting of March 25, 1965, the methods of guaranteeing the installation of sidewalks in conjunction with new plats was discussed and it was the general consensus of the Subdivision Committee that as an alternate means of guaranteeing the installation of sidewalks, the platlor be allowed to submit a valid petition for the improvement. The City could then install the improvement based upon the petition at such time as development occurs or at such time as deemed necessary by the Engineering Division of the Department of Public Works.

On May 6, 1965, the Metropolitan Area Planning Commission recommended that the Subdivision Rules and Regulations be amended to provide for the acceptance of a valid petition as an alternate means for requiring the installation of sidewalks.

It is recommended that the Board of City Commissioners concur in the recommendation of the Planning Commission and adopt the change to the Subdivision Rules and Regulations.

Attached is a resolution which, if approved, would effectuate the adoption of this amendment.

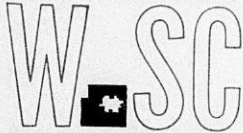
Respectfully submitted,

C. Bickley Foster
Secretary

CBF:JWH:ber

Attachment

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

AMHERST 2-9211 AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

C E R T I F I C A T E

I, C. Bickley Foster, duly elected, authorized and acting as Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Sedgwick County, Kansas, do hereby certify that the attached Resolution was duly adopted by the Wichita-Sedgwick County Metropolitan Area Planning Commission on May 6, 1965, as an amendment, extension and addition to the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area.

Given under my hand and seal this 6th day of May, 1965.

C. Bickley Foster

C. Bickley Foster Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commission

(SEAL)

R E S O L U T I O N

WHEREAS, pursuant to authority granted by statutes of the State of Kansas, the City of Wichita created a City Planning Commission, which Commission, pursuant to statutory authority applicable to the City of Wichita, has heretofore duly made and adopted a Master Plan and various amendments, extensions and additions thereof for the physical development of a municipality, and of any land outside the municipality which, in the opinion of the Commission, bears relation to the planning of the municipality, which Master Plan and amendments, extensions and additions thereto have been published and made a public record and such plan, amendments, extensions and additions are all incorporated herein by reference; and

WHEREAS, pursuant to statutory authority, a Wichita-Sedgwick County Metropolitan Area Planning Commission was created to take over the functions of the Wichita City Planning Commission and to expand and broaden the territorial jurisdiction thereof, including authority to amend, extend and add to said Master City Plan; and

WHEREAS, the Planning Commission did, on July 17, 1958, adopt rules and regulations governing the subdivision of land within its jurisdiction, which rules and regulations were approved by the governing body of the City; and

WHEREAS, said Subdivision Rules and Regulations were last amended by the Wichita-Sedgwick County Metropolitan Area Planning Commission on October 1, 1964, and which amendment was approved by the Board of Commissioners of the City of Wichita, Kansas, on November 10, 1964; and

WHEREAS, the Planning Commission now deems it advisable to make certain amendments and additions to the Subdivision Rules and Regulations; and

WHEREAS, the Planning Commission, pursuant to law (Section 13-1111 G.S. 1949 as amended by the 1961 Supplement to the General Statutes of Kansas), did give notice by publication in the official city paper of a public hearing to be held on the adoption of said amendments and additions; and

WHEREAS, pursuant to notice given of a public hearing on May 6, 1965, at 2:00 p.m. in Room 401, City Building Annex, 104 South Main, the Planning Commission did hold the public hearing, at which hearing more than a majority of all members of the Wichita-Sedgwick County Metropolitan Area Planning Commission were present; and

WHEREAS, a majority of all members of said Wichita-Sedgwick County Metropolitan Area Planning Commission favored the adoption of said amendments and additions.

NOW, THEREFORE, BE IT RESOLVED by the majority of all members of the Wichita-Sedgwick County Metropolitan Area Planning Commission in meeting duly assembled that the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area as heretofore adopted and amended be and the same are hereby added to and extended by inclusion of the following:

SECTION XV. IMPROVEMENTS

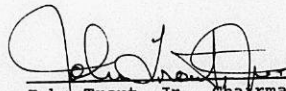
Add and include as follows to the last of the first paragraph of said Section XV:

Provided, however, that within the City of Wichita, a valid petition for such improvements may be accepted in lieu of any other requirements or alternates thereto as to the installation of improvements required in this section, provided, that such petition is filed with the Planning Commission for submission to the Board of City Commissioners for their approval; and provided further, that such petitions are to be executed in accordance with the standards and specifications of the City Engineering Division of the Department of Public Works and in accordance with all statutes applicable thereto.

BE IT FURTHER RESOLVED that John Trout, Jr., Chairman and C. Bickley Foster, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission record the amendment and extension heretofore adopted on the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area as heretofore adopted and amended.

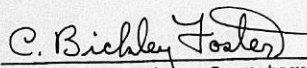
BE IT FURTHER RESOLVED that an attested copy of this Resolution accomplishing said amendment and extension to the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area be certified to the governing body of the City of Wichita and to all legislative and administrative agencies affected by such Subdivision Rules and Regulations.

ADOPTED at Wichita, Kansas, this 6th day of May, 1965.



John Trout, Jr., Chairman
Wichita-Sedgwick County Metropolitan Area Planning Commission

ATTEST:



C. Bickley Foster, Secretary
Wichita-Sedgwick County Metropolitan Area Planning Commission

(SEAL)

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
Wichita, Kansas

April 23, 1965

TO WHOM IT MAY CONCERN:

This is to advise you that the Metropolitan Area Planning Commission, at its regular meeting on May 6, 1965, at 2 P.M., Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider the following amendment to the Subdivision Rules and Regulations:

SECTION XV. IMPROVEMENTS

Add after Paragraph 1 as follows:

Further provided, however, that within the City of Wichita, a valid petition for such improvements filed with and approved by the Planning Commission may be accepted in lieu of any other requirements or alternates thereto as to the installation of improvements required in this section; and further provided that such petitions are to be executed in accordance with the standards and specifications of the City Engineering Division of the Department of Public Works and in accordance with all statutes applicable thereto.

As you may be aware, the City Commission is now requiring that all new plats make provisions for sidewalks in one of the following prescribed manners which is in accordance with the Subdivision Rules and Regulations:

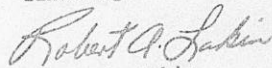
1. Construction of sidewalks prior to City Commission approval of the plat; or
2. Filing of a Corporate Surety Bond in an amount approved by the City Engineer and as to form by the City Legal Department, guaranteeing construction to City specifications within 2 years; or
3. Filing a Letter of Intent that the sidewalk will be constructed within 2 years according to City specifications (only with Planning Commission approval).

April 23, 1965

As indicated in the proposed amendment to Section XV of the Subdivision Rules and Regulations, the Planning Commission, at the request of the Subdivision Committee, has directed the staff to advertise for public hearing to consider the filing of a valid paving petition for the installation of sidewalks as a possible fourth alternative to the above three requirements.

I would suggest that if you have any comments relative to this matter that you attend the Planning Commission meeting on May 6, in order to express any opinion you might have.

Sincerely,



Robert A. Lakin
Assistant Planning Director

RAL:JWH:bgs

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

March 26, 1965

TO: Metropolitan Area Planning Commission

FROM: Robert A. Lakin, Assistant Planning Director *RL*

SUBJECT: Amendment of the Subdivision Rules and Regulations

At the Subdivision Committee meeting of March 25, 1965, the matter of "Letters of Intent" was discussed as a means of guaranteeing installation of sidewalks. It was the sense of the Committee that Letters of Intent are not adequate to guarantee the installation of sidewalks (or any other improvement).

In discussion, it was brought out that the Wichita Association of Home Builders has suggested that, as an alternate means of guaranteeing installation of public facilities, that the platlor be allowed to submit valid petitions for the improvement. The City could then install the improvement based upon the petition at such time that development occurs and in connection with other related projects (such as sidewalks with streets). There is nothing about the use of this procedure which appears to be in conflict with the general intent of the Subdivision Rules and Regulations and would, in fact, solve several administrative problems relating to the timing of installation of sidewalks. If this procedure is to be used, the Subdivision Rules and Regulations should be amended to specifically provide for this as an alternate means for providing for the installation of public facilities.

If the Planning Commission concurs with the above proposal, it should instruct the Planning Department to advertise for an amendment to the Subdivision Regulations, Section XV. Improvements, by inserting the following or similar paragraph at the top of Page 20 as shown on the attachment:

Further provided, however, that within the City of Wichita, the filing with, and approval by the Planning Commission of a valid petition for such improvements may be accepted in lieu of any other requirements or alternates thereto as to the installation of improvements required in this section.

March 26, 1965

It is suggested that the Letter of Intent section be retained in the Regulations for use in the three-mile ring if and when appropriate. However, there was discussion at the Committee level, as to whether or not the Letter of Intent section should be completely removed. If so, this would leave only two alternatives in the three-mile ring of either installation or performance bonds.

RAL:bgs

Attachment

cc: Russell E. McClure
City Manager

Ralph Wulz, Director
Department of Public Works

E. E. Smith
City Engineer

Wilmer Freund
County Engineer

XIII. PARKS, SCHOOL SITES, ETC.

IN SUBDIVIDING PROPERTY, CONSIDERATION SHALL BE GIVEN TO SUITABLE SITES FOR SCHOOLS, PARKS, PLAYGROUNDS AND OTHER COMMON AREAS FOR PUBLIC USE SO AS TO CONFORM TO THE RECOMMENDATIONS OF THE COMMISSION IN ITS ADOPTED COMPREHENSIVE PLAN, OR PORTION THEREOF, OF THE CITY AND ADJOINING AREA. ANY PROVISION FOR SCHOOLS, PARKS AND PLAYGROUNDS SHOULD BE INDICATED ON THE PRELIMINARY PLAN IN ORDER THAT IT MAY BE DETERMINED WHEN AND IN WHAT MANNER SUCH AREAS WILL BE DEDICATED TO OR ACQUIRED BY THE APPROPRIATE AGENCY.

XIV. RIGHT OF WAY ALONG STREAMS AND DRAINAGE CHANNELS

AT THE TIME A PLAT IS SUBMITTED ON EACH DRAINAGE BRANCH, THE METHOD (UNLESS PREVIOUSLY DETERMINED) OF HANDLING SHOULD BE ESTABLISHED FOR THE ENTIRE MAJOR DRAINAGE CHANNEL BY GENERAL AGREEMENT OF THE PLANNING DEPARTMENT, THE PARK DEPARTMENT AND THE ENGINEERING DEPARTMENT. IN THE MAIN, IN HANDLING MAJOR DRAINAGE CHANNELS, THE SUBDIVIDER SHALL INCLUDE SUFFICIENT RIGHT-OF-WAY FOR A ROAD ON BOTH SIDES, PERMITTING DEVIATIONS WHEN THEY ARE JUSTIFIED AND AFTER APPROVAL OF THE PLANNING DEPARTMENT, PARK DEPARTMENT AND ENGINEERING DEPARTMENT.

XV. IMPROVEMENTS

THE IMPROVEMENTS LISTED IN SUB-SECTIONS (A), (B), (C), (D), AND (E) OF THIS SECTION SHALL BE INSTALLED PRIOR TO THE APPROVAL OF THE FINAL PLAT WHICH IS PREPARED FOR RECORDING PURPOSES, EXCEPT AS HEREINAFTER PROVIDED. IN LIEU OF ACTUAL COMPLETION OF SUCH IMPROVEMENTS, THE SUBDIVIDER MAY FILE WITH THE CITY OR COUNTY COMMISSION, BENEFIT DISTRICT BOARD, OR ANY OTHER LEGALLY CREATED GOVERNING BODY, A SURETY BOND TO SECURE TO THE BOARD OF CITY COMMISSIONERS, BOARD OF COUNTY COMMISSIONERS, BENEFIT DISTRICT BOARD, OR ANY OTHER LEGALLY CREATED GOVERNING BODY, DEPENDING UPON WHETHER THE SUBDIVISION LIES WITHIN THE CORPORATE LIMITS OF WICHITA OR THE UNINCORPORATED TERRITORY OF SEDGWICK COUNTY, THE ACTUAL CONSTRUCTION OF SUCH IMPROVEMENTS IN A MANNER SATISFACTORY TO THE RESPECTIVE GOVERNMENTAL AGENCY AND WITHIN A PERIOD SPECIFIED BY THE COMMISSION, BUT SUCH PERIOD SHALL NOT EXCEED TWO (2) YEARS. SUCH BOND SHALL BE IN THE AMOUNT AND WITH SURETY AND CONDITIONS SATISFACTORY TO THE RESPECTIVE GOVERNMENTAL AGENCY AND SHALL BE ACCOMPANIED BY SIGNED STATEMENTS FROM THE PROPER GOVERNMENTAL AGENCY THAT THE AMOUNT OF THE BOND IS ADEQUATE TO COVER THE COST OF THE IMPROVEMENTS. PROVIDED, HOWEVER,

THAT IN LIEU OF ACTUAL COMPLETION OF SUCH IMPROVEMENTS OR THE POSTING OF A BOND AS PROVIDED FOR, THE PLANNING COMMISSION MAY REQUIRE THE SUBDIVIDER TO FILE WITH THE WICHITA-SEDCWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION A LETTER STATING HIS INTENTIONS TO COMPLETE THE IMPROVEMENTS AS REQUIRED HEREIN AS DEVELOPMENT TAKES PLACE ON HIS BUILDING SITES.

* → FURTHER PROVIDED, HOWEVER, THAT WHERE THE WICHITA-SEDCWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION FINDS THAT THE IMPROVEMENTS LISTED IN SUBDIVISIONS* A, B, C, D, AND E OF THIS SECTION CAN JUSTIFIABLY BE CONSTRUCTED, AT THE EXPENSE OF THE PROPERTY OWNERS, BY THE CITY OF WICHITA AS NEEDED, OR WITHIN A REASONABLE TIME THEREAFTER, THE ABOVE PROVISION REQUIRING THE INSTALLATION OF IMPROVEMENTS, THE POSTING OF A BOND OR THE FILING OF A LETTER OF INTENTIONS, MAY BE WAIVED WHEN THE SUBDIVISION UNDER CONSTRUCTION:

1. LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF WICHITA, OR
2. ABUTS THE CORPORATE LIMITS OF THE CITY OF WICHITA, AND WHENEVER ANNEXATION CAN REASONABLY BE EXPECTED WITHIN A PERIOD OF ONE YEAR.

WHENEVER NO LOTS HAVE BEEN SOLD, THE SUBDIVIDER MAY REQUEST THE VACATION OF THE PLAT PRIOR TO THE TIME THAT THE IMPROVEMENTS COVERED BY THE BOND ARE INSTALLED, AND WHEN THE PLAT IS VACATED THE BOND SHALL BE RETURNED TO THE SUBDIVIDER.

AND PROVIDED FURTHER, THAT WHERE THE SUBDIVISION UNDER CONSIDERATION LIES OUTSIDE THE CORPORATE LIMITS OF WICHITA AND IS SO LOCATED AS NOT TO COME WITHIN THE EXCEPTIONS LISTED IN THE PRECEDING PARAGRAPH, AND WHERE THE SUBDIVIDER SHALL HAVE INITIATED THE FORMATION OF AN IMPROVEMENT DISTRICT UNDER THE PROVISIONS OF SECTION 19-2782 OF THE 1945 SUPPLEMENT TO THE GENERAL STATUTES OF KANSAS, 1935, FOR THE REQUIRED IMPROVEMENTS CITED IN THIS SECTION; AND WHERE, UNDER THE PROVISIONS OF ABOVE MENTIONED SECTIONS, THE BOARD OF COUNTY COMMISSIONERS HAS CREATED SUCH AN IMPROVEMENT DISTRICT, THE CREATION OF SUCH AN IMPROVEMENT DISTRICT MAY BE ACCEPTED IN LIEU OF THE INSTALLATION OF THE IMPROVEMENTS OR THE POSTING OF A BOND AS ABOVE REFERRED TO.

THE OWNER OF THE TRACT SHALL PREPARE AND SECURE TENTATIVE APPROVAL OF A FINAL SUBDIVISION PLAT OF THE ENTIRE AREA AND MAY INSTALL THE ABOVE IMPROVEMENTS ONLY IN A PORTION OF SUCH AREA, BUT THE IMPROVEMENTS MUST BE INSTALLED IN ANY PORTION OF THE

*"SUBDIVISIONS" REFERS TO SUB-SECTIONS A, B, C, D, ETC AS SHOWN ON PAGES 21, 22, 23, AND 24.

() (Published in The Wichita Beacon on _____, 1965)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on May 6, 1965, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, at 2:00 p.m., will consider the following amendment to the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area, as revised and adopted by the Wichita-Sedgwick County Metropolitan Area Planning Commission on July 17, 1958, and as approved by the Board of Commissioners of the City of Wichita, Kansas, July 29, 1958, and amendments thereto:

SECTION XV. IMPROVEMENTS

Amend to read as follows:

The improvements listed in sub-sections (A), (B), (C), (D), and (E) of this section shall be installed prior to the approval of the Final Plat which is prepared for recording purposes, except as hereinafter provided. In lieu of actual completion of such improvements, the subdivider may file with the City or County Commission, Benefit District Board, or any other legally created governing body, a surety bond to secure to the Board of City Commissioners, Board of County Commissioners, Benefit District Board, or any other legally created governing body, depending upon whether the subdivision lies within the corporate limits of Wichita or the unincorporated territory of Sedgwick County, the actual construction of such improvements in a manner satisfactory to the respective governmental agency and within a period specified by the Commission, but such period shall not exceed two (2) years. Such bond shall be in the amount and with surety and conditions satisfactory to the respective governmental agency and shall be accompanied by signed statements from the proper governmental agency that the amount of the bond is adequate to cover the cost of the improvements. Provided, however, that in lieu of actual completion of such improvements or the posting of a bond as provided for, the Planning Commission may require the subdivider to file with the Wichita-Sedgwick County Metropolitan Area Planning Commission a letter stating his intentions to complete the improvements as required herein as development takes place on his building sites.

Further provided, however, that within the City of Wichita, a valid petition for such improvements filed with and approved by the Planning Commission may be accepted in lieu of any other requirements or alternates thereto as to the installation of improvements required in this section; and further provided that such petitions are to be executed in accordance with the standards and specifications of the City Engineering Division of the Department of Public Works and in accordance with all statutes applicable thereto.

Further provided, however, that where the Wichita-Sedgwick County Metropolitan Area Planning Commission finds that the improvements listed in sub-sections A, B, C, D, and E of this section can justifiably be constructed, at the expense of the property owners, by the City of Wichita as needed, or within a reasonable time thereafter, the above provision requiring the installation of improvements, the posting of a bond or the filing of a letter of intentions, may be waived when the subdivision under construction:

1. Lies within the corporate limits of the City of Wichita; or
2. Abuts the corporate limits of the City of Wichita, and whenever annexation can reasonably be expected within a period of one year.

Whenever no lots have been sold, the subdivider may request the vacation of the plat prior to the time that the improvements covered by the bond are installed, and when the plat is vacated the bond shall be returned to the subdivider.

And provided further, that where the subdivision under consideration lies outside the corporate limits of Wichita and is so located as not to come within the exceptions listed in the preceding paragraph, and where the subdivider shall have initiated the formation of an improvement district under the provisions of Section 19-2782 of the 1945 Supplement to the General Statutes of Kansas, 1935, for the required improvements cited in this section; and where, under the provisions of above mentioned sections, the Board of County Commissioners has created such an improvement district, the creation of such an improvement district may be accepted in lieu of the installation of the improvements or the posting of a bond as above referred to.

The owner of the tract shall prepare and secure tentative approval of a final subdivision plat of the entire area and may install the above improvements only in a portion of such area, but the improvements must be installed in any portion of the

area for which a Final Plat is approved for recording, or a bond actually posted, and the owner may sell or lease or offer for sale or lease lots only in the approved portion of said property; provided, however, that trunk sewers and sewage treatment plants shall be designed and built to serve the entire area or designed and built in such a manner that they can easily be expanded, or extended, as the case may be, to serve the entire area.

A. Bench Mark

A permanent bench mark shall be accessibly placed, the location and elevation of which shall be accurately noted on the subdivision plat.

B. Street Improvements

All streets shall be excavated to the grade approved by the City or County Engineer, depending upon the location of the subdivision, and the roadway improved by surfacing. The minimum standards for surfacing shall be not less than the following requirements:

1. Whenever the subdivision is located within the City of Wichita or within the probable future urban area as shown on the plan, "Future Distribution of Population", the minimum width of surfacing shall be thirty (30) feet between the faces of curbs, and the combined curb and guttering must be installed with all types of surfacing except concrete pavement on which integral curb must be constructed.

The minimum width of major streets must conform to that designated in the Major Street Plan. The surfacing shall be either (a) concrete with a minimum depth of six (6) inches; (b) a five (5) inch hot bituminous base with a one (1) inch sheet asphalt surfacing; (c) road gravel, crushed rock, coarse sand, or a sand clay construction having a compacted thickness of four

(4) inches or more; or (d) a surfacing approved by the City Engineer as being equivalent and equally satisfactory to the (a), (b), or (c) type of surfacing.

All street construction within the City Limits or within the probable future urban area of Wichita as shown on the plan, "Future Distribution of Population", shall conform to the standards for design and the specifications for materials and construction in Wichita. The City Engineer shall supervise the construction in all subdivisions or areas lying within the City Limits of Wichita, and the County Engineer shall supervise all construction outlined in this section that is located outside of the City Limits.

2. Whenever the subdivision is located beyond the probable future urban area, the minimum width of surfacing shall be twenty-four (24) feet, but on each side of this surfacing there shall be an earth shoulder having a minimum width of three (3) feet. The surfacing shall be road gravel or crushed rock, or a sand clay construction having a compacted thickness of four (4) inches or more. The construction of the surfacing shall be in accordance with the appropriate specifications of the County Engineer of Sedgwick County.

C. Sidewalks

Sidewalks shall be constructed along both sides of streets designated as major streets in the Major Street Plan adopted by the City Planning Commission, and along at least one side of all other streets whenever any subdivision platted subsequent to July 20, 1948, is located within the City Limits, or whenever such subdivision is to be incorporated in the City Limits of the City of Wichita by annexation.

Whenever the subdivision is located beyond said City Limits, and does not abut said City Limits, sidewalks shall be constructed along streets designated as major streets in the Major Street Plan adopted by the City Planning Commission or along streets located at section and quarter section lines.

Beginning July 20, 1948, the subdivider or property owner or owners shall submit as a condition of approval of the plat, a schedule showing or listing:

1. The streets on which sidewalks will be constructed on both sides of the street.
2. The streets on which sidewalks will be constructed on one side only, and the particular side of the street on which the walk is to be installed.

Sidewalks shall be constructed according to the grade as established by the City or County, in conformity with the schedule submitted, and in accordance with the plans and specifications and under the supervision of the City Engineer, or County Engineer, depending upon the agency having jurisdiction. These shall be installed by the time improvements on each building site are completed, provided, however, that sidewalks along unimproved sites shall be installed within two years from the date of filing of the plat. Installation beyond this two-year period may be deferred in cases where improvements are actually under construction but have not been completed, provided no such deferment shall be granted unless applied for in writing to the Board of City Commissioners or Board of County Commissioners, depending upon whether the subdivision is within the corporate limits of Wichita or in unincorporated territory of Sedgwick County, within such two years.

Nothing in this sub-section "C" regarding sidewalks shall be construed to prevent the installation of sidewalks on both sides of the street at this time or at any time in the future.

(Policy adopted by Board of City Commissioners regarding sidewalk installation.) (See Page 24.)

D. Water Lines

1. Where an approved public water supply is reasonably accessible or procurable, the subdivider shall contract with the local water distributing agency to make the water supply available for each lot within the subdivided area. The subdivider shall also contract with the local water distributing agency for the installation, maintenance and operation of fire hydrants in accordance with the local requirements whenever the subdivision lies in the possible future urban area as shown on the plan, "Future Distribution of Population".
2. If a public water supply is not available, the subdivider shall construct wells or a private water supply system in such a manner that an adequate supply of potable water will be available to every lot within the subdivision. The water supply system shall be constructed in accordance with the requirements and under the supervision of the Wichita-Sedgwick County Health Department.

E. Sewers

1. Where a public sanitary sewer is reasonably accessible, the subdivider shall connect with such sanitary sewer and provide adequate sewer lines accessible to each lot; provided, however, that no lot in a subdivision located beyond the city limits of Wichita shall be required to be connected with the sewer system of the City of Wichita. Sewer connections and subdivision sewer systems shall comply with the regulations of, shall be constructed under the supervision of, and shall be approved by the Health Department, the City Engineer, or the County Health Officer, depending upon the agency having jurisdiction.

2. Where a public sanitary sewer is not reasonably accessible, but where plans for installation of sanitary sewers in the vicinity of the subdivision have been prepared and approved by the City Engineer or the County Health Officer, the subdivider shall install sewers in conformity with such plans, although a connection to an existing main may not be immediately practicable. In such cases and until such connection is made with the sewer system of the district, the use of a sewage treatment plant or other approved disposal system will be permitted, provided such disposal facilities are constructed in accordance with the regulations and requirements of, constructed under the supervision of, and approved by the appropriate agency.
3. Where no sewers are accessible and no plans for the immediate construction of same have been prepared, the subdivider shall either install sewer lines and a disposal system in accordance with the requirements of the preceding paragraph, or adequate provisions shall be made for the disposal of sewage by means of individual sewage disposal devices which shall meet all of the requirements of the City, County or State Health Departments and subject to the approval of the governing body having jurisdiction of the area where located.
4. Adequate provision shall be made for the disposal of storm water subject to the approval of the Commission.

The proposed amendments will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed change to the Subdivision Rules and Regulations will be considered by the Commission as by law provided.

WITNESS my hand and seal on this 8th day of April,
1965.

C. Bickley Foster, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning
Commission

(SEAL)

4

ALL PAPERS BELOW THIS SHEET HAVE BEEN
TRANSFERRED FROM FILE NO. S-196

RAL

THE CITY OF WICHITA



OFFICE OF THE CITY MANAGER
AMHERST 2-8211 — AREA CODE 316
CITY BUILDING — 204 S. MAIN ST.
WICHITA, KANSAS 67202

*Meeting Cancelled
by Co + City.
CBF*

January 17, 1966

TO: Sedgwick County Board of Commissioners
City of Wichita Board of Commissioners

FROM: Russell E. McClure, City Manager *Rym*

SUBJECT: Revised Policy Statement for Installation of Streets
and Sidewalks

Confirming our recent discussion, I have asked Mr. Foster to provide for the presentation of the proposal of the revised policy statement for the installation of streets and sidewalks at an informal conference to be held at 3:00 P.M. on Tuesday, January 25, 1966 on the 8th floor of the Sedgwick County Courthouse.

The information that is to be presented for informal review is contained in Mr. Foster's memorandum to you of December 27, 1965. Please review this information before the meeting so that you will be familiar with it.

This is a very important step in the preparation of the standards to be required for the installation of public facilities by developers.

It is hoped that all members of the two governing bodies will be present on this occasion.

REM:gs

cc: C. Bickley Foster, Director of Planning ✓
Ralph Wulz, Director of Public Works
B. E. Smith, City Engineer
T. J. Scanlon, Director of Administration
John Dekker, Director of Law
— Robert H. Hess, Director of Water
— Emory Cox, Park Board Director
James F. Clancy, Executive Assistant
Robert G. Finch, Executive Secretary
Bill Skillman, Senior Public Information Officer



ALL-AMERICA CITY



WICHITA-SEDIWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT
City Building Annex
104 South Main
Wichita, Kansas

December 27, 1965

M E M O R A N D U M

TO: Sedgwick County Board of Commissioners
City of Wichita Board of Commissioners
Russell E. McClure, City Manager

FROM: C. Bickley Foster, Director of Planning *C.B.F.*

SUBJECT: Revised Policy Statement for
Installation of Streets and Sidewalks

A majority of the members of the Metropolitan Area Planning Commission, on December 16, 1965, reviewed the attached Revised Draft of a Policy Statement for Streets and Sidewalks (dated December 13, 1965), as related to the preparation of new City-County Subdivision Regulations. The Metropolitan Area Planning Commission is in general agreement as to the provisions contained therein and commends them to your consideration. The following is a general summary of the proposals, including present and new standards and financing information by type of facility:

<u>Type of Facility</u>	<u>Pavement Width</u>		<u>Right of Way</u>		<u>Estimated Cost/ Linear Feet</u>	
	<u>Old</u>	<u>New</u>	<u>Old</u>	<u>New</u>	<u>Old</u>	<u>New</u>
<u>Urban:</u>						
1. Local Residential	30	34	60	60	\$20.00	\$22.00
2A. Marginal Access	N/A	24	N/A	38	N/A	\$15.75
2B. Marginal Access	24,30	28	44	42	\$15.75, \$20.00	\$18.50
3. Residential Collector and Multi-family	N/A	38	80	70	N/A	\$26.50 ⁽³⁾
4. Industrial & Commercial	40	44	80	80	\$30.00	\$33.00
5. Alley	20	20	20	20	\$13.50	\$13.50

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 City of Wichita Board of Commissioners
 Russell E. McClure, City Manager
 December 27, 1965

Type of Facility	Pavement Width		Right of Way		Estimated Cost/ Linear Feet	
	Old	New	Old	New	Old	New
<u>Urban (Continued)</u>						
6. Arterials	Variable		Variable		\$36.00 for 48' paving	\$36.00 for 48' paving
<u>Suburban⁽¹⁾</u>						
7. Local Residential	25 ⁽²⁾	25 ⁽²⁾	60	60	(4)	(4)
8. Collector, Industrial or Commercial	35 ⁽²⁾	35 ⁽²⁾	80	80	(4)	(4)
<hr/>						
Intersections (For type 1 Urban only)	N/A	N/A	N/A	N/A	\$2,000	\$2,200

N/A - Not applicable

¹ Refers to 2 lots or less per acre

² Add 6' for shoulders

³ Property pays for equivalent of
34 foot street (collector only)

⁴ Information not available

The Metropolitan Area Planning Commission further suggested that a general statement similar to the following be included to apply to all streets:

When a street is bounded on one side by a water-course or other similar physical barrier where no curb cuts can exist; and when no on-street parking is permitted, the width of the street may be reduced in width by eight (8) feet or the width of the normal parking lane.

Other major provisions provide that:

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City of Wichita Board of Commissioners
Russell E. McClure, City Manager
December 27, 1965

- a. The governing bodies will assume all costs for residential collectors over and above the equivalent costs for a 34-foot local residential.
- b. The governing bodies will assume all costs for arterials where full access control (except for intervening streets) is provided; and in all other instances, the platlor will establish in a trust fund an amount equivalent to a 34-foot local residential street or provide for a service road.
- c. Intersection costs will basically be guaranteed by the platlor.
- d. Sidewalks will be provided only in urban type subdivisions except along major interior non-pedestrian traffic generators.

The adoption of these improved standards will result in:

1. Additional development costs within the community due to:
 - a. higher standards, e.g., 34 vs. 30, 38 vs. 30, 44 vs. 40, etc.
 - b. paved vs. dirt (in "urban" areas)
 - c. intersection costs assumed by developer.
2. Governmental units providing from \$50 to \$125 thousand a year for pro rata share of collectors. This must come from operating budgets.
3. The City of Wichita will have to provide within 5 to 8 years nearly twice the amount of money for arterials to gain the same mileage where access controlled type subdivisions are found, however, this will substantially increase the carrying capacity of the major thoroughfares, and help reduce unnecessary traffic through neighborhood streets: (e.g., Westlink 5th, Rockwood, Woodlawn East).

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City of Wichita Board of Commissioners
Russell E. McClure, City Manager
December 27, 1965

4. Intersection savings for the City of Wichita will start at approximately \$25 thousand/year and run to \$200 thousand a year (in 10 years). A revolving fund needs to be established to institute the proposal. Estimate of \$175,000 for the City of Wichita; \$25-\$50,000 for the County.

This material is now ready for another joint City-County Commission meeting to make preliminary decisions on this policy statement which will be a significant one in new subdivision regulations. We can provide you a revised work schedule for completion of the regulations as soon as a date is mutually decided for the Commissioners to meet.

CBF:ber

cc: Metropolitan Area Planning Commissioners
City and County Staffs

December 13, 1965

REVISED DRAFT

Detail Policies and Requirements
for Installation of Streets and Sidewalks

Streets

These standards are prepared on the assumption that governing bodies will exercise sufficient controls over land use through platting and zoning to allow for a greater distinction between classes of streets. These standards are based on an assumption that street widths and other design factors are directly related to the type and intensity of land use and, thereby, to the functions which the streets must perform. The land and type of use thereon which streets give access, generate trips at rates which vary according to the type of activity or land use. Thus different standards are both needed and justifiable for residential (and the varying densities thereof) and for commercial or industrial areas. We are basically asking our present limited number of street widths to perform too broad a function. They are either over or under-designed as to function, e.g. 30-foot streets serving as collectors when 38 feet or greater is needed. It is felt that the functional needs and requirements of both streets and their adjoining land uses are balanced in the following design standards.

For purposes of this statement, the following definitions shall apply:

STREET - The right-of-way or easement, public or private; not the area of the paving or other improvements on the street right-of-way, unless such paving or improvements coincide with the boundaries of such rights-of-way.

PAVING (MENT) - The physical improvement of a street using concrete, asphaltic concrete, or asphalt flexible type pavements including curb and gutter and incidental drainage facilities.

ARTERIAL STREET - Any street serving major traffic movements which is designed primarily as a traffic carrier between cities, or between various sections of a city, which forms a part of a network of through streets, and which provides service and access to abutting properties only as a secondary function.

COLLECTOR STREET - Any street designed primarily to gather traffic from local or residential streets and carry it to the arterial system.

COMMERCIAL STREET - See Industrial Street.

FRONTAGE ROAD - A public or private marginal access roadway generally paralleling and contiguous to a street or highway and designed to promote safety by eliminating unlimited ingress and egress to such street or highway by providing points of ingress and egress at more-or-less uniformly spaced intervals.

INDUSTRIAL STREET - A local street located within an area zoned for high intensity office, commercial, industrial, wholesaling, warehousing, or manufacturing purposes.

LOCAL STREET - Any street designed primarily to provide access to abutting property particularly residential in nature.

MARGINAL ACCESS STREET - A local street which is parallel with and adjacent to a limited access highway or arterial street and which provides access to abutting properties and protection from fast through traffic on the limited access highway or arterial street.

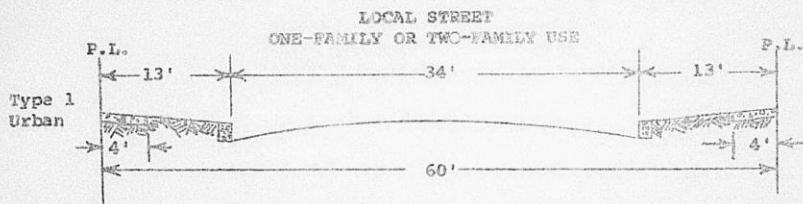
ROAD OR ROADWAY - The paved or prepared surface including graded and sanded area existing on the street right-of-way, exclusive of sidewalks, driveways or related uses.

The platlor shall guarantee (in accordance with previous policy decisions made by the governing bodies sitting en banc)

the installation of pavement (see types 1 through 6 in all urban subdivisions) and the grading and sanding on all roads in a suburban subdivision (see types 7 and 8) except when:

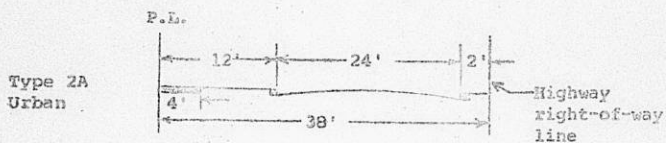
1. A pavement or road exists that meets these standards and specifications.
2. There is no statutory authority for petitioning for the improvement and where the pavement length is less than 135 feet in length, provided, however, that this shall not apply where such pavement or roadway is a stub or an extension of existing pavement or roadway or an extension of other pavement or roadways required to be guaranteed under the provisions of the subdivision regulations.
3. In the opinion of the (City) (County) engineer, the actual installation or petitioning thereof would be of such burden and extra cost as to constitute a hardship both on the platlor and public agencies involved.

In urban subdivisions, the following standards shall apply:

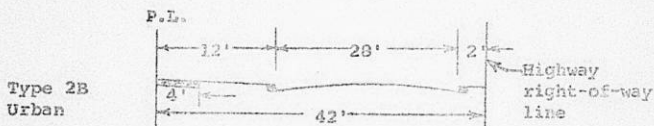


The change from a 30-foot street is to provide for two moving lanes (9') and two parking lanes (8'). All costs to be guaranteed by the plattor.

FRONTAGE OR MARGINAL ACCESS ROAD
(WITHOUT ON-STREET PARKING)



FRONTAGE OR MARGINAL ACCESS ROAD
(WITH ON-STREET PARKING)

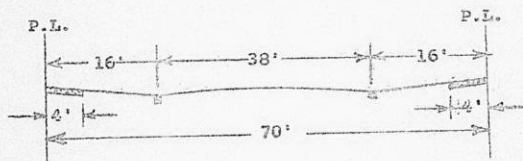


Frontage or marginal access roads would as a matter of general policy be one-way operations without on-street or curb parking. This provides for 2 moving lanes (12 feet). Under such conditions, Type 2A standards would be required. However, in certain areas where there may be a need for two-way operation,

particularly in a residential area, type 2B would be acceptable. This provides for 2 moving lanes (10 feet) and one parking lane (8 feet - adjacent to lots). Again slight adjustments may be needed to satisfy public needs in specific instances (e.g. 2-way commercial with parking). All costs to be guaranteed by the developer.

RESIDENTIAL COLLECTORS AND LOCAL STREETS
IN AREAS TO BE USED FOR OTHER THAN
ONE-FAMILY OR TWO-FAMILY RESIDENCES AND
OTHER THAN COMMERCIAL OR INDUSTRIAL AREAS

Type 3
Urban



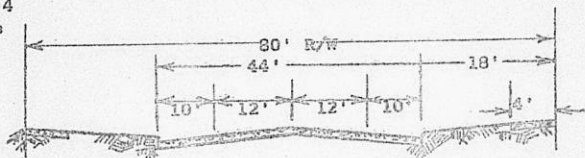
This standard would provide for 2 moving lanes (11 feet) and 2 parking lanes (8 feet) except near intersections of collectors with collectors or arterials where parking would be restricted to allow for effective signalization. On collector streets only, the governmental agency shall pay for the excess pavement over 34 feet. Such costs, unless petition techniques are permitted to be used, must come from either operating funds or from bond funds (the latter would be possible only if new legislation is obtained). It is recommended, however, that in this instance operating funds be used. There appears to be no

major benefit from the issuance of bonds. In fact, such a procedure would decrease the funds available for major projects plus raise the costs of such a program by the amount of the interest charges. Costs to government would run approximately \$4.50 per linear foot of street. This would require approximately \$24,000 per mile of collectors. At the current rate of subdividing, three to four miles of collectors per year would probably be paved. The costs over a given period of time would be more than offset by the policies on intersections which would relieve the city of issuing bonds for intersections. After 10 years, total annual savings on intersections would run about \$250,000/yr. Where bridges would be required on collectors, the governing body would assume the cost minus an amount equivalent to a 34-foot section of standard street paving.

Although it would be easier to assign all the costs to the platlor, a collector in most instances benefits blocks and additions beyond one specific plat. Government participation will encourage better design and the development of collectors, whereas any other policy tends to penalize good design.

NON-ARTERIAL COMMERCIAL AND INDUSTRIAL STREETS
WITH CURB PARKING

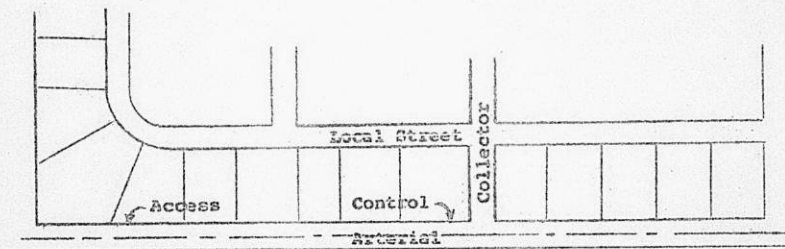
Type 4
Urban



Additional width for moving lanes and parking lanes are required for this type of street due to larger size vehicles and increased congestion. In true industrial parks, where additional controls are provided as to extra parking, loading and maneuvering areas, etc., curb parking could be eliminated and the streets could be built to provide two moving lanes and an emergency stopping lane. All costs are to be guaranteed by the platator.

Type 6

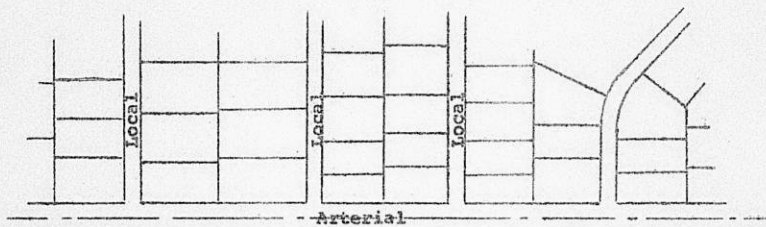
Arterial construction should be provided for by the local unit of government, provided that full access control (except for intervening streets; see Example A.) is granted to the public.



Example A

When streets intersect and lots side in as in Example B, and when non-residential tracts have direct access cuts to the

main traveled lanes, then the applicant shall pay an amount equivalent to the cost of a 34-foot local street plus the cost of a 4-foot sidewalk into a trust fund for the improvement or reimprovement of said street, and that such funds shall be considered a prepayment of any future assessment for street improvements.



Example B

In the event a marginal access road is required or permitted, the platlor shall be responsible for the cost of the service road and shall not incur any obligation for the arterial. Similarly, if the street has already been improved to current standards, no requirements shall be made.

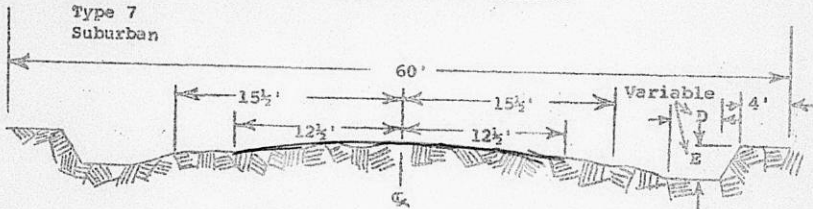
For Arterial Standards see

Transportation Study, Vol. II, Chart 5A

Development Standards - Area, pp. 21-28 and

37-39.

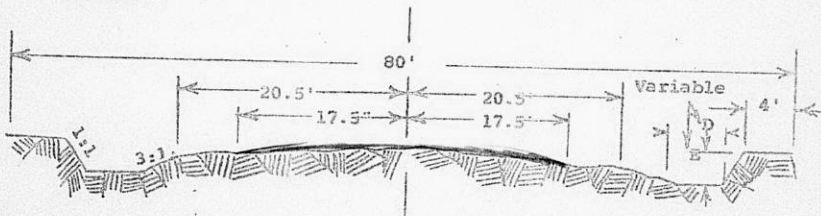
RESIDENTIAL SUBURBAN LOTS
OTHER THAN COLLECTOR AND ARTERIAL



All roads for suburban type plats (2 DU/A or less) would be improved to this standard. Drainage ditch widths to be established by the County Engineer. All costs to be guaranteed by the platfor.

COLLECTOR, INDUSTRIAL AND
COMMERCIAL STREETS

Type 8
Suburban



For this type of street, all costs would be assignable to the platfor.

Standards and Specifications

In the construction of these streets, general design criteria shall meet these standards set out in the Standards Manual

which will contain detail sheets of standard design. The Standards Manual will contain cross sections, design standards such as curb radii, driveway details, curb types, expansion and contraction joint detail, sidewalks detail and reference to written specifications of material. Specifications for Type 1 thru Type 6 paving will be those of the City of Wichita entitled

City of Wichita, Concrete Paving; or

City of Wichita, Asphaltic Concrete Paving; or

City of Wichita, Asphalt Paving (note the City Engineer and County Engineer are to confer further for standards and specifications as to a flexible type of pavement.)

Type 7 or 8 Road shall be specifications of Sedgwick County entitled

Minimum Standards for Graded, Sanded or Graveled and Ditched Rights-of-way.

Intersections

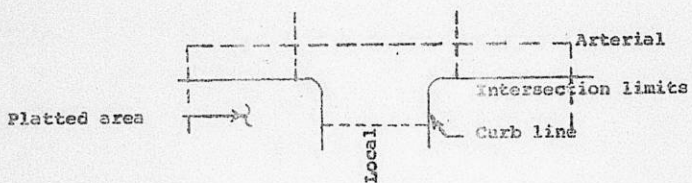
The platlor shall be required to guarantee construction of all intersections which are a part of the plat in the same manner as streets except:

1. Those local marginal access or collector streets which intersect with an arterial (example 1);
2. That portion of an intersection exceeding the normal paving requirements of a 24-foot local

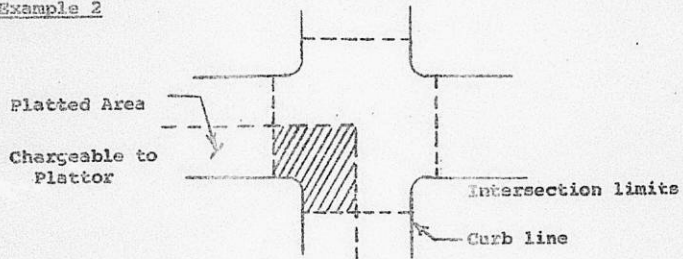
street; and

3. Those portions of intersections not included as a part of the plat.

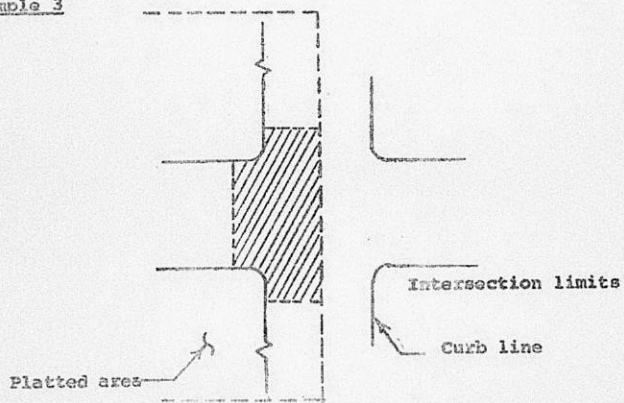
Example 1

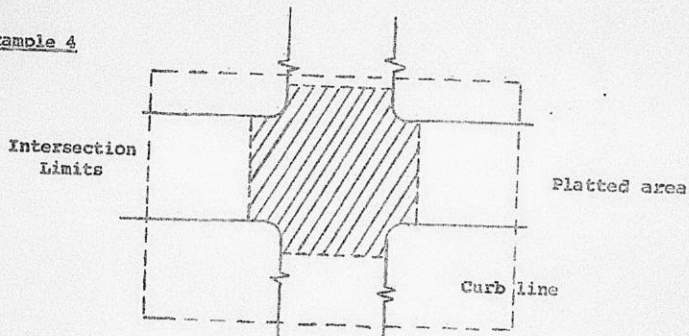


Example 2



Example 3



Example 4

At the time of preliminary platting, it shall be determined whether the intersection as a whole shall be paved or not. If the entire intersection is required to be paved, the developer shall be reimbursed for the cost of that portion not required to be guaranteed for construction. In the event it is determined that the intersection not be paved, the platator shall pay into a trust fund such amount as is estimated to be his share of the cost of the intersection.

When such guarantees by the developer are exercised by petition, the Governing Body shall so structure the petition so as to assess the "required" costs to the project. The Governing Body will then either pay for the balance by issuance of bonds or by cash from a "revolving" trust fund established to handle intersection financing. After bonds have been issued and the next platator involved files a plat, a petition would not be acceptable, and cash guarantees, including interest, would be

required and payable to the trust fund, unless petitions are universally accepted (and it appears that this would not be the prevailing situation). A special levy on operating funds would be needed to establish the trust fund to handle this method of intersection construction. The other alternate would be to continue the present policy of the local unit of government (city) paying for intersections; or of creating a very inequitable situation for developers if they had to pay for full intersection costs when not truly within their plat. It is estimated \$250,000 would be required to establish the trust fund for improvements within the incorporated area. Intersections for graded areas (Suburban plats) should be left as the responsibility of the platlor and sanded in all instances.

SIDEWALKS

Sidewalks would be required on both sides of the street whenever urban streets are required, except

- a. along streets with residential lots of 200 feet or more frontage or lots over one acre in average size; and
- b. along streets adjacent to large non-pedestrian generating uses as may be determined by the Planning Commission (e.g. internal streets along cemeteries - 25th Street east of Hillside); internal streets along sand pits; streets along parks that

are developed with walks and trails, (e.g. Park Villa and Oak Park).

Sidewalks shall be a minimum of 4 feet in width. The sidewalk shall be guaranteed from curb to curb of intersecting streets rather than to property lines.

On all urban arterials, the local governing body shall be responsible for providing 5-foot sidewalks wherever conditions set in Type 6, Example A are present. However, in Type 6, Example B and all other development, the developer shall be required to either guarantee the construction of the sidewalks or pay into the trust fund as described for Type 6, Example B, an amount equivalent to the cost of sidewalks.

Sidewalks for suburban plats will not be required. However, from time to time along rural arterials, sidewalks may be determined to be needed as a public necessity when leading to schools, shopping areas or other places of public assembly. The responsibility for construction and payment of costs for such installation shall be with the Board of County Commissioners.

Sidewalks shall be constructed as near as possible to property lines rather than curb lines.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
Wichita, Kansas

POLICY STATEMENT

SUBJECT: FINANCING FOR SIDEWALKS
BCC APPROVED: DECEMBER 14, 1965
EFFECTIVE: DECEMBER 14, 1965

At the regular meeting of the Board of City Commissioners on December 14, 1965, the following methods were adopted as those being acceptable for the guaranteeing of installation and financing of sidewalks in conjunction with a plat:

1. Filing of a corporate surety bond guaranteeing construction in accordance with City specifications within a period of two years. The sidewalk may be ordered in at the expiration of the two-year period or the corporate surety bond may be extended at the option of the governing body.
2. Deposit with the local unit of government of a cashier's check or cash (to be placed in a trust account) in the amount of the required sidewalk construction. The sidewalk may be ordered in at the expiration of the two-year period or the cashier's check or other monies, may be retained at the option of the governing body.
3. Filing with the local unit of government of an irrevocable letter of credit in the amount of the sidewalk construction. The sidewalk may be ordered in at the expiration of the two-year period or the irrevocable letter of credit may be extended at the option of the governing body.
4. Petitions for sidewalk construction will be accepted only upon approval of the governing body, while the other means of guaranteeing the financing and construction may be accepted by the Metropolitan Area Planning Commission without the approval of the governing body.
5. Whenever actual construction of sidewalks is proposed by the platator, the plat shall be presented to the governing body for its review.

November 30, 1965

Russell E. McClure, City Manager
C. Bickley Foster, Director of Planning

Financing for Sidewalks

At the City Commission meeting of October 19, 1965, the Commissioners directed that the sidewalk policy in platting be reviewed by the Metropolitan Area Planning Commission and that recommendations be made for revision to that policy.

An informal en banc meeting of the City, County, and Planning Commissioners was held on November 9, 1965, at which time the following methods were adopted as those being acceptable for the guaranteeing of installation and financing of sidewalks in conjunction with a plat:

1. Filing of a corporate surety bond guaranteeing construction in accordance with City specifications within a period of two years. The sidewalk may be ordered in at the expiration of the two-year period or the corporate surety bond may be extended at the option of the governing body.
2. Deposit with the local unit of government of a cashier's check or cash (to be placed in a trust account) in the amount of the required sidewalk construction. The sidewalk may be ordered in at the expiration of the two-year period or the cashier's check, or other monies, may be retained at the option of the governing body.
3. Filing with the local unit of government of an irrevocable letter of credit in the amount of the sidewalk construction. The sidewalk may be ordered in at the expiration of the two-year period or the irrevocable letter of credit may be extended at the option of the governing body.
4. Petitions for sidewalk construction will be accepted only upon approval of the governing body, while the other means of guaranteeing the financing and construction may be accepted by the Metropolitan Area Planning Commission without the approval of the governing body.

Page 2 - Russell E. McClure
November 30, 1965

5. Whenever actual construction of sidewalks is proposed by the platlor, the plat shall be presented to the governing body for its review.

The new Subdivision Regulations are now under preparation and while these newly adopted provisions pertaining to sidewalk installation will be included in the revised regulations, the City Commission may wish to affirm the methods of guaranteeing installation set out above so that there will be no misunderstanding in the processing of plats filed in the interim.

CBF:ber

THE CITY OF WICHITA

OFFICE OF DIRECTOR OF PUBLIC WORKS DATE November 24, 1965



TO C. Bickley Foster, Director of Planning
FROM Ralph Wulz, Director of Public Works

SUBJECT Policy Determinants for Streets
and Sidewalks for New Sub-
Division Regulations

By copy of a memorandum dated November 16, 1965, you provided a draft copy of certain proposed policies and standards for installation of streets and sidewalks. The contents of your memorandum and the attached report were considered at our division head meeting on Friday, November 19, 1965. The following comments represent the combined opinions of the Traffic Engineer, the City Engineer, the Superintendent of Public Works Maintenance, the Superintendent of Central Inspection, and myself concerning the above referred to proposals.

Standards for Local Streets

The Department of Public Works objects to the proposal to reduce the width of certain local streets to 27 feet and the reduction of street right-of-way required to 50 feet. Existing standards are, of course, 30 feet and 60 feet. The proposal is apparently based on providing two 9-1/2 foot lanes for moving traffic and one parking lane. We believe that it is impractical to limit parking to one side of all residential streets. If this is adopted, who is going to determine which side parking will not be permitted on, and how should these restrictions be enforced. Obviously it would be necessary to sign all such streets indicating locations where no parking is permitted. Such signing in a nice residential area is objectionable. The Police Department is not now and is not likely to be staffed to enforce such a restriction. It is our combined opinion that minimum street widths should take into consideration many factors in addition to traffic considerations. These would include the following:

- (a) Street width should be adequate for easy access by fire fighting equipment.
- (b) Street width should be adequate for trash collection vehicles to operate without blocking the street to other moving vehicles.
- (c) Street width should be adequate for moving vans and other delivery equipment to provide necessary services without blocking the street.



November 24, 1965

- (d) Street width should be sufficient to enable vehicles to be backed into the street without colliding with vehicles which may be parked on the opposite side of the street.
- (e) Street right-of-way widths should be adequate for installation of sidewalks on both sides of the street and for the installation of the necessary utilities.

It seems to me that the houses are close enough together as is. If narrower street rights-of-way were accepted, then I would suggest that building set backs be increased. A recent survey of 36 cities including Topeka, Kansas City, Tulsa, Lincoln, Des Moines, and Springfield indicated that the average of new residential street requirements in all cities surveyed was 30.7 feet. Thirteen of the 36 cities surveyed are building some or all of their residential streets at a 30 foot width at this time.

The Department of Public Works does not oppose the proposal to increase the width of certain residential streets to 36 feet. We would point out that 9 feet is no longer considered adequate for a moving lane of traffic and that all responsible engineering and traffic engineering organizations recommend a minimum width for a moving lane of 10 feet and a maximum moving lane width of 12 feet. We realize that a 30 foot street is not really adequate for 2 moving lanes of traffic if cars are parked on both sides of the street directly across from each other. We believe, however, that the instances when 2 cars meet at a point where vehicles are parked on both sides at the curb in single family residential areas are extremely limited. The additional 6 feet of pavement will substantially increase development costs and/or costs to individual owners. We doubt that the number of accidents involved on residential streets as a result of the street being too narrow is sufficient to justify the additional cost involved in providing for 36 foot streets even though we realize that 36 feet or even 38 feet or 40 feet residential streets would be desirable. We would also point out that changing from the present pattern of 30 foot residential streets to some 37 foot and some 36 foot residential streets will result in many additional points where the curbs are not properly aligned. Past experience indicates that such points are hazardous.

Standards for Frontage or Marginal Access Roads

We believe that frontage or marginal access roads should be looked upon as a means of separating the through or fast moving traffic from the local or the slow moving traffic. These roads will normally serve commercial areas. Inasmuch as new commercial developments are required to provide adequate off street parking, we feel that a 24 foot frontage road with no parking permitted would be adequate. Such frontage roads should be one-way streets operating in the same direction as the main arterial.

Residential Collectors and Local Streets in Areas to be Used for Other Than One-Family or Two-Family Residences and Other Than Commercial or Industrial Areas

The Planning proposal is for 38 foot wide collector streets with the cost of such streets in excess of the normal 34 foot street being made up from operating funds. The department of Public Works favors the designation and development of collector streets. We point out, however, that there is presently no statutory provision for such streets and that it probably would not be possible to pay a portion of such streets from bond funds; therefore, it would be necessary, as indicated in the report, to obtain the necessary funds through the operating budget. We believe this proposal is impractical and that it would not be possible to gain approval of such an item in the operating budget. We believe that collector streets should be 40 feet or 44 feet in width depending upon the type of area to be served. We note that the area development standards report of the Metropolitan Area Planning Commission, as well as the recently completed Transportation Study, recommended 44 foot collector streets. We see no particular reason for paying for a portion of the cost of such streets City at Large other than to encourage the platting and development of such streets. This may be a worthwhile objective, however, we believe that legislation should be obtained prior to the adoption of this particular recommendation.

Non-Arterial Commercial and Industrial Streets

The proposed standard is for the construction of a 44 foot street on an 80 foot right-of-way. The recommendation is apparently based on providing two 10 foot parking lanes and two 12 foot moving lanes. We agree generally that 44 feet is a satisfactory width for such streets. There are instances in commercial and industrial areas where adequate off street parking is provided to make possible the complete elimination of all on street parking. In these instances, a 40 foot street would normally be adequate. There are also instances in such areas where the construction of a normal curb and gutter section is not desirable. We feel that the Subdivision Rules and Regulations should not be so designed to eliminate the exercise of good judgement by the Planning Department and/or the Public Works Department in determining desirable requirements to satisfy special needs in such area.

Alley, Commercial or Industrial

Standards as proposed are acceptable.

November 24, 1965

Pages 7 and 8 of the report discusses the financing of arterial streets. We are opposed to the proposal to subject the total cost of arterial street construction to general obligation bonds. Unless or until adequate provisions are made for the financing of such a recommendation, the adoption of such a proposal at this time would only reduce the already limited program for arterial street construction. All previous studies have indicated that the arterial street construction program should be increased rather than decreased. Any proposal which will operate to reduce the program and further delay needed projects must be vigorously opposed by this department.

Residential Suburban Lots Other Than Collector and Arterial

While this section is applicable only outside the city limits, we would point out that under this proposal the city will continue to annex unimproved streets. The result will be that petitions will continue to be submitted to the governing body for the improvement of these streets in the future. The apparent objective of the city governing body to eliminate the need for installation of facilities several years prior to development will not be accomplished.

Collector Industrial and Commercial Streets

I am not sure of the standard which is proposed for this type of street. The cross section would indicate that dirt streets will be permitted. This would, in our opinion, appear to be undesirable.

Standards and Specifications

It is noted that it is suggested that the City Engineer and County Engineer are to confer further for standards and specifications as to a flexible type of pavement. We believe that the City Engineer and the County Engineer should retain the authority to determine when and if a flexible type of pavement will be permitted. We will oppose the adoption of any regulation which will permit the use of a flexible type of pavement without the specific approval of the City Engineer in each instance.

We note that graded, sanded or graveled streets are to be permitted in certain instances. Once again I would point out that this will not accomplish the apparent objective of the City Commission.

C. Bickley Foster

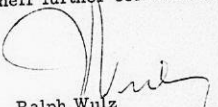
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November 24, 1965

Sidewalks

We would question the validity of exempting sidewalk requirements along streets with residential lots with 200 or more feet of frontage or lots over one acre of average size. As you know, many such lots were platted in west Wichita which have subsequently been replatted into small lots. This procedure leaves a hodgepodge of sidewalk installations. The proposal would require 5 foot sidewalks on all urban arterials. We believe that 4 foot sidewalks are adequate in most instances. We would suggest that the standard require 4 foot or 5 foot sidewalks with the determination to be made by the City Engineer. We do not believe that the installation of sidewalks at the rear lot lines is desirable. We believe that fencing costs would be increased more than would be saved in reducing sidewalk construction costs. We believe also that additional policing, lighting, etc., would more than offset any alleged savings.

The staff of the Public Works Department will be happy to discuss further our thinking with regard to the proposed policy determinates for streets and sidewalks at your convenience. It would appear that at least some of the questions which have been raised could be resolved prior to the submission of the proposals to the governing body for their further consideration.


Ralph Wulz
Director of Public Works

RW:jh

cc: Russell E. McClure, City Manager
B. E. Smith, City Engineer
Paul B. Graves, Traffic Engineer
G. H. Wilton, Supt. Public Works Maint.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT
CITY BUILDING ANNEK, 104 South Main
Wichita, Kansas

November 16, 1965

TO: Members of the Wichita-Sedgwick County Metropolitan Area
Planning Commission

FROM: C. Bickley Foster, Director of Planning *CBF*

SUBJECT: Policy Determinants for Streets and Sidewalks for
New Subdivision Regulations

Attached is the detailed policy statement regarding the standards and financing for streets and sidewalks for new subdivision regulations. In order to maintain the schedule to review this information, Chairman John Trout has requested that the Planning Commission members be available following the regular Planning Commission meeting on Thursday, November 18, providing the length of the meeting makes this feasible. Mr. Trout desires to discuss with the members, at 2:00 p.m., whether a dinner meeting might be necessary that same evening to further consider these policy statements in order to complete the discussion before the 7:30 p.m. public meeting on the Transportation Study.

In following the request of the Metropolitan Area Planning Commission, the following list is a summary of the policy decisions which appear to be indicated by the attached statements on streets and sidewalks:

1. Standards for paving widths and rights-of-way are acceptable by types as set forth in the Section on standards:

Type 1, Urban	34 feet	local residential
Type 2, Urban	27 feet	local residential
Type 3, Urban	28 feet	marginal access road
Type 4, Urban	38 feet	residential collector and multi-family
Type 5, Urban	44 feet	industrial and commercial
Type 6, Urban	20 feet	alley
Type 7, Urban	Variable	arterials
Type 8, Suburban	25 feet	local residential
Type 9, Suburban	35 feet	collector

November 16, 1955

2. The governing bodies will assume all costs for residential collectors (Type 4) over and above the equivalent costs for a 34-foot local residential.
3. The governing bodies will assume all costs for arterials where full access control (except for intervening streets) is provided; and in all other instances, the plattor will establish in a trust fund an amount equivalent to a 34-foot local residential street or provide for a service road.
4. Intersection costs will be guaranteed by the plattor.
5. Sidewalks will be provided only in urban subdivisions except along major interior non-pedestrian traffic generators.

Copies of this material are being sent to City and County officials and staff personnel in order to provide as much time as possible to review the information before future meetings.

CBF:bgs

Attachment

cc: Wichita Board of City Commissioners
Sedgwick County Board of Commissioners
Russell E. McClure, City Manager
County Staff Personnel

November 12, 1965

D R A F T

Detail Policies and Requirements
for Installation of Streets and Sidewalks

Streets

These standards are prepared on the assumption that governing bodies will exercise sufficient controls over land use through platting and zoning to allow for a greater distinction of classes in streets. These standards are directly related to the functions which the streets must perform. The land and type of use thereon which streets give access, generate trips at rates which vary according to the type of activity or land use. Thus different standards are both needed and justifiable for residential (and the varying densities thereof) and for commercial or industrial areas. We are basically asking our present limited number of street widths to perform too broad a function. It is felt that the functional needs and requirements of both streets and their adjoining land uses are balanced in the following design standards.

For purposes of this statement, the following definitions shall apply:

STREET - The right-of-way or easement, public or private; not the area of the paving or other improvements on the street right-of-way, unless such paving or improvements coincide with the boundaries of such rights-of-way.

PAVING (MENT) - The physical improvement of a street using concrete, asphaltic concrete, or asphalt flexible type pavements including curb and gutter and incidental drainage facilities.

ARTERIAL STREET - Any street serving major traffic movements which is designed primarily as a traffic carrier between cities, or between various sections of the city, which forms part of a network of through streets, and which provides service and access to abutting properties only as a secondary function.

COLLECTOR STREET - Any street designed primarily to gather traffic from local or residential streets and carry it to the arterial system.

COMMERCIAL STREET - See Industrial Street.

FRONTAGE ROAD - A public or private marginal access roadway generally paralleling and contiguous to a street or highway and designed to promote safety by eliminating unlimited ingress and egress to such street or highway by providing points of ingress and egress at more-or-less uniformly spaced intervals.

INDUSTRIAL STREET - A local street located within an area zoned for high intensity office, commercial, industrial, wholesaling, warehousing, or manufacturing purposes.

LOCAL STREET - Any street designed primarily to provide access to abutting property particularly residential in nature.

MARGINAL ACCESS STREET - A local street which is parallel with and adjacent to a limited access highway or arterial street and which provides access to abutting properties and protection from fast through traffic on the limited access highway or arterial street.

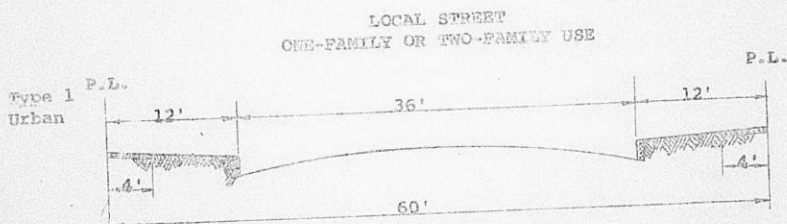
ROAD OR ROADWAY - The paved or prepared surface including graded and sanded area existing on the street right-of-way, exclusive of sidewalks, driveways or related uses.

The platlor shall guarantee the installation of pavement (see types 1 through 7) in all urban subdivisions; and the grading and sand of all roads in a suburban subdivision (see types 8 and 9) except when:

1. A pavement or road exists that meets these standards and specifications.

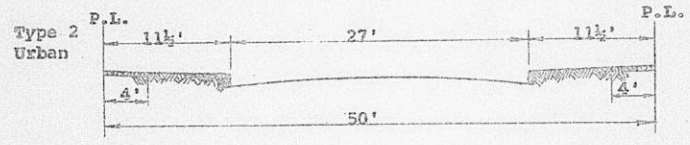
2. Where there is no statutory authority for petitioning for the improvement and where the pavement length is less than 135 feet in length, provided, however, that this shall not apply where such pavement or roadway is a stub or an extension of existing pavement or roadway or an extension of other pavement or roadways required to be guaranteed under the provisions of the Subdivision regulations.
3. In the opinion of the (City) (County) engineer, the actual installation or petitioning thereof would be of such burden and extra cost as to constitute a hardship both on the platator and public agencies involved.

In urban subdivisions, the following standards shall apply:



The change from a 30-foot street is to provide for two moving lanes (9') and two parking lanes (8'). All costs to be guaranteed by the platator.

LOCAL STREET SERVING 75 LOTS OR LESS
WITH LOTS HAVING A FRONTAGE OF 80' OR GREATER
AND FOR CUL-DE-SACS (NO FRONTAGE LIMITATION)
ONE-FAMILY USE



This provides for two moving lanes (9 1/2') and one parking lane.
All costs to be guaranteed by the platator.

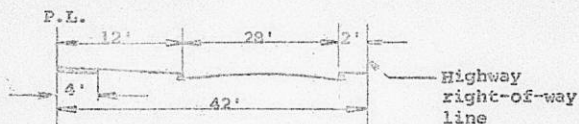
NOTE 1: This reduction in standard from Type 1 is useable only where by "design", the MAPC can be guaranteed that the density, even by future rezoning, cannot be increased to the point where congestion takes place.

NOTE 2: This same standard might be used on narrower frontage lots, provided curb parking is restricted on at least one side of the street, however, political and neighborhood pressures often break down parking restrictions.

NOTE 3: Reduction of standards assumes that zoning regulations will be amended to require 2 off-street spaces for single (maybe two) family dwelling units.

FRONTAGE OR MARGINAL ACCESS ROAD

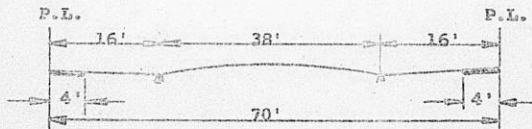
Type 3
Urban



It is assumed that two-way traffic will be permitted. Curb parking to be restricted on the arterial or freeway side. When service roads are used, care must be used in the design of intersections with collectors and arterials to avoid intersection congestion. A lesser standard such as for a one-way operation could be accepted when the projects involved are large and complete enough to guarantee functional operation. All costs to be guaranteed by the platlor.

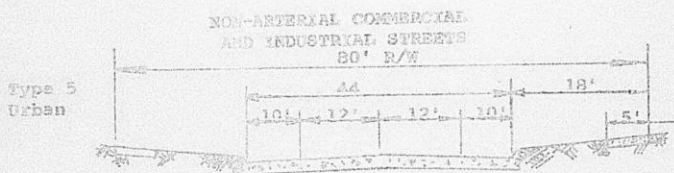
RESIDENTIAL COLLECTORS AND LOCAL STREETS
IN AREAS TO BE USED FOR OTHER THAN
ONE-FAMILY OR TWO-FAMILY RESIDENCES AND
OTHER THAN COMMERCIAL OR INDUSTRIAL AREAS

Type 4
Urban



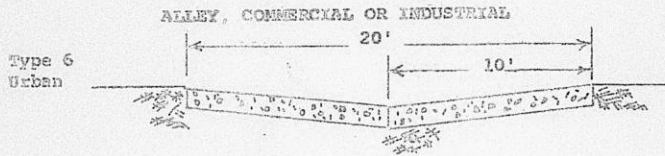
This standard would provide for 2 moving lanes (11 feet) and 2 parking lanes (8 feet) except near intersections of collectors, with collectors or arterials where parking would be restricted

to allow for effective signalization. On collector streets only, the governmental agency shall pay for the excess pavement over 34 feet. Such costs, unless petition techniques are permitted to be used, must come from operating funds. This would be especially true in the unincorporated areas. Although it would be easier to assign all the costs to the platner, a collector in most instances benefits blocks and additions beyond one specific plat. Government participation will encourage better design and the development of collectors, whereas any other policy tends to penalize good design. Costs would run approximately \$4.50 per linear foot of street. This would require approximately \$24,000 per mile of collectors. At the current rate of subdividing, three to four miles of collectors per year would probably be established. Where bridges would be required on collectors, the governing body would assume the cost minus an amount equivalent to a 34-foot section of standard paving.



Additional width for moving lanes and parking lanes are required for this type of street due to larger size vehicles and

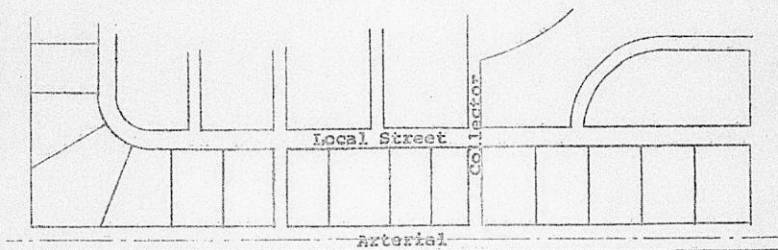
increased congestion. All costs are to be guaranteed by the platator. Parking lanes could be deleted on plats like Midland Industrial Addition if positive controls, both thru covenants and local regulations, are provided, eliminating 2-curb parking.



Alleys, when needed or requested, would be paved to 20-foot widths. This assumes underground utilities; if not, 24 feet might be needed to get poles out of the slab areas.

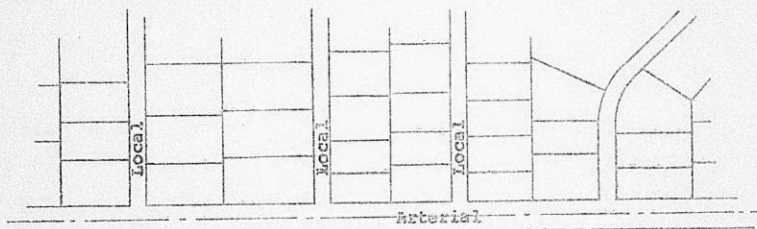
Types 7

Arterial construction should be provided for by the local unit of government, provided that full access control (except for intervening streets; see Example A.) is granted to the public.



Example A

When streets intersect and lots side in as in Example B, and when non-residential tracts have direct access cuts to the main traveled lanes, then the applicant shall pay an amount equivalent to the cost of a 34-foot local street plus the cost of a 5-foot sidewalk into a trust fund for the improvement or reimprovement of said street, and that such funds shall be considered a prepayment of any future assessment for street improvements.



Example B

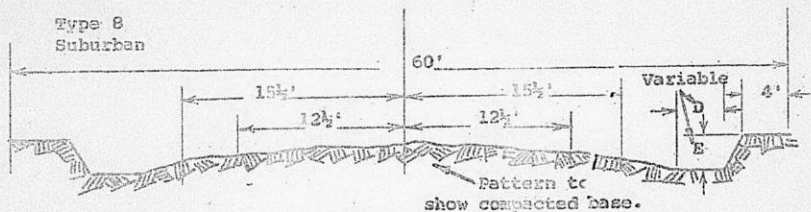
In the event a service road is required or permitted, the plattee shall be responsible for the cost of the service road and shall not incur any obligation for the arterial. Similarly, if the street has already been improved to current standards, no requirements shall be made.

For Arterial Standards see

Transportation Study, Vol. XI, Chart 5A

Development Standards - Area, pp. 21-28 and 37-39.

RESIDENTIAL SUBURBAN LOTS
OTHER THAN COLLECTOR AND ARTERIAL

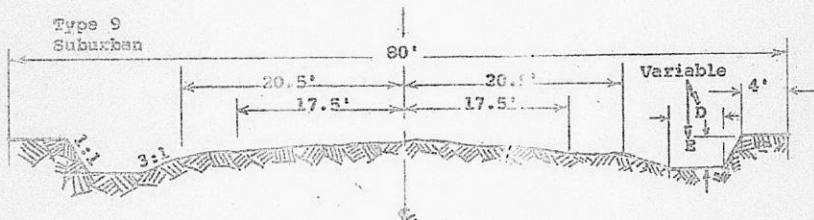


All suburban roads would be improved to this standard.

Drainage ditch widths to be established by the County Engineer.

All costs to be guaranteed by the platlor.

COLLECTOR INDUSTRIAL AND
COMMERCIAL STREETS



For this type of street, all costs would be assignable to the platlor.

Standards and Specifications

In the construction of these streets, general design criteria shall meet those standards set out in the Standards Manual which will contain detail sheets of standard design. The Standards Manual will contain cross sections, design standards such as curb

radii, driveway details, curb types, expansion and contraction joint detail, sidewalks detail and reference to written specifications of material. Specifications for Type 1 thru Type 6 paving will be those of the City of Wichita entitled

City of Wichita, Concrete Paving; or

City of Wichita, Asphaltic Concrete Paving; or

City of Wichita, Asphalt Paving (note the City Engineer

and County Engineer are to confer further for standards

and specifications as to a flexible type of pavement.)

Type 7 or 8 Road shall be specifications of Sedgwick County entitled

Minimum Standards for Graded, Sanded or Graveled

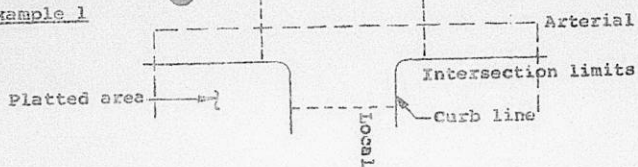
and Ditched Rights-of-way.

Intersections

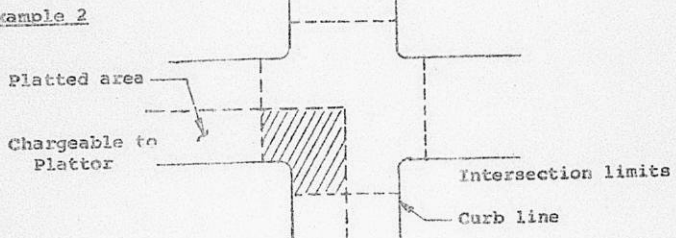
The platlor shall be required to guarantee construction of all intersections which are a part of the plat in the same manner as streets except:

1. Those local marginal access or collector streets which intersect with an arterial (example 1);
2. That portion of an intersection exceeding the normal paving requirements of a 34-foot local street; and
3. Those portions of intersections which are beyond extension of streets required to be paved by these regulations.

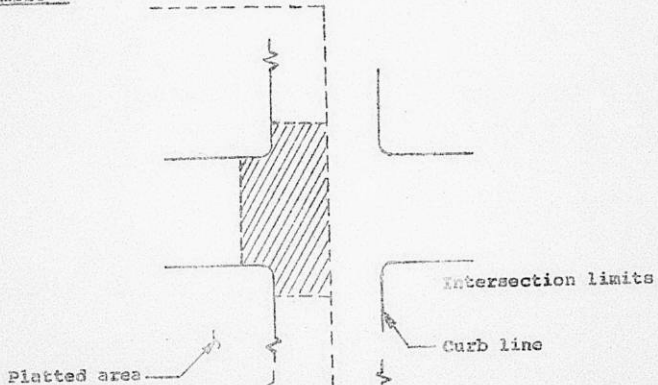
Example 1



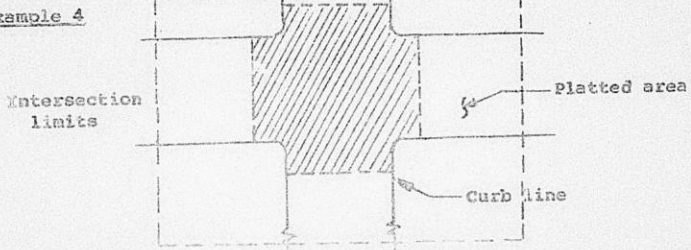
Example 2



Example 3



Example 4



At the time of preliminary platting, it shall be determined whether the intersection as a whole shall be paved or not. If the entire intersection is required to be paved, the developer shall be reimbursed for the cost of that portion not required to be guaranteed for construction. In the event it is determined that the intersection not be paved, the platator shall pay into a trust fund such amount as is estimated to be his share of the cost of the intersection.

When such guarantees by the developer are exercised by petition, the Governing Body shall so structure the petition so as to assess the "required" costs to the project. The Governing Body will then either pay for the balance by issuance of bonds or by cash from a "revolving" trust fund established to handle intersection financing. After bonds have been issued and the next platator involved files a plat, a petition would not be acceptable, and cash guarantees, including interest, would be required and payable to the trust fund, unless petitions are universally accepted (and it appears that this would not be the prevailing situation), a special levy would be needed to establish the trust fund to handle this method of intersection construction. The other alternate would be to continue the present policy of the local unit of government (city) paying for intersections; or of creating a very unequitable situation for developers if they had to pay for full intersection costs when not

truly within their plat. It is estimated \$250,000 would be required for the trust fund for improvements within the incorporated area.

SIDEWALKS

Sidewalks would be required on both sides of the street wherever urban streets are required, except

- a. along streets with residential lots of 200 foot or more frontage or lots over one acre in average size; and
- b. along streets adjacent to large non-pedestrian generating uses as may be determined by the Planning Commission (e.g. internal streets along cemeteries - 25th Street east of Hillside); internal streets along sand pits; streets along parks that are developed with walks and trails, (e.g. Park Villa and Oak Park).

Sidewalks for Street Types 1 thru 4 shall be a minimum of 4 feet in width. Along Type 5, sidewalks shall be 5 feet in width. The sidewalk shall be guaranteed from curb to curb of intersecting streets rather than to property lines.

On all urban arterials, the local governing body shall be responsible for providing 5-foot sidewalks wherever conditions set in Type 7, Example A are present. However, in Type 7, Example 3, and all other development, the developer shall be required

to either guarantee the construction of the sidewalks or pay into the trust fund as described for Type 7, Example B, an amount equivalent to the cost of sidewalks.

Sidewalks for suburban plats will not be required. However, from time to time along rural arterials, sidewalks may be determined to be needed as a public necessity when leading to schools, shopping areas or other places of public assembly. The responsibility for construction and payment of costs for such installation shall be with the Board of County Commissioners.

Sidewalks shall be constructed as near as possible to property lines rather than curb lines. As an experiment, the following could be allowed on a trial basis:

When there are sufficient lots to make a workable system, and where there are sufficient guarantees as to control of fencing, storage of debris, etc., the Planning Commission could allow the construction of sidewalks along rear lot lines and thru mid-block easements. This would reduce total costs, provide for crossings away from intersections and turning movements. Apparent disadvantages would be loss of rear yard privacy, required lighting (extra cost over normal street lighting), danger from attack at nights from dark, shrubbed areas.

THE CITY OF WICHITA
OFFICE OF The City Manager

DATE November 10, 1965



TO Ralph Wulz, Director of Public Works
FROM Robert G. Finch, Executive Secretary *RGF*

SUBJECT Sidewalk Policy - Woodlawn Project

At the meeting of November 9, 1965, the City Commission included, as part of the sidewalk policy, a provision to require sidewalks on all new streets and on all streets reconstructed.

It was also directed that the necessary amendments be made to the present paving project on Woodlawn to require sidewalks in connection with that project.

RGF:ld

cc: C. Bickley Foster, Director of Planning

WICHITA-SEDFWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT
CITY BUILDING ANNEX
104 South Main
Wichita, Kansas

November 5, 1965

TO: The Wichita City and Sedgwick County Boards of Commissions

FROM: C. Bickley Foster, Secretary, MAPC

SUBJECT: Policy determinations made by MAPC for new subdivision regulations

After having reviewed the policy determinants for new subdivision regulations dated October 29, 1965, and revised page 4 thereof, dated November 5, 1965, the Planning Commission, with six members present on November 4, 1965, agreed that:

1. Urban facilities should be required for urban developments and that the so-called "in between", temporary facilities constructed to minimum standards should be discouraged.
2. The installation of facilities based on density is an appropriate way to separate "urban" and "non-urban" development.
3. Subdivision regulations be adopted by the Metropolitan Area Planning Commission, with approval of the City and County Commissioners, governing development within the City of Wichita and the unincorporated areas of Sedgwick County.
4. The Metropolitan Area Planning Commission make available its technical and review services to other participating cities, upon request, for the processing of plats.
5. The Table on Page 3 be used as the basis of writing detailed design requirements and engineering specifications; it being understood that in less dense areas (Type B - Suburban Subdivisions), paving and municipal type water and sewer facilities will not be required.

Page 2 - Wichita City and Sedgwick County Boards of Commissions
November 5, 1965

6. The methods of guaranteeing installation and financing (See P 11 of policy proposals) are acceptable. On sub-item "f", a technique tying sidewalks and street trees to building permits is acceptable, it being both assumed and recommended that the governing bodies will order in all remaining sidewalks after 60% of the subdivision or area is developed.
7. The effect of new regulations will require increased pre-engineering efforts and financing.

WICHITA SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
City Building Annex, 104 South Main
Wichita, Kansas

October 29, 1965

TO: Members of Metropolitan Area Planning Commission
FROM: C. Bickley Foster, Director of Planning *CBF*
SUBJECT: Policy Determinants for new Subdivision Regulations

As a follow-up to the en banc meeting of the City and County Boards of Commissioners and the Planning Commission, we have been directed by the City Manager to prepare a set of policy determinants which could be adopted by the three Commissions, and thereby establish the guidelines necessary to write the engineering and legal features for new subdivision regulations. It is hoped that the attached draft may serve as the basis of the agreement between the Commissions concerned. It should be noted that this material has been prepared in a very limited period of time without the full benefit of involving all the affected staff agencies which might well make a contribution to improve this material.

The City Manager has directed that copies be sent to City and County Boards of Commissioners so that they may have an opportunity to review this material between now and an en banc meeting with the Planning Commission scheduled for Tuesday, November 9. Arrangements have been made for the Planning Commission to review the material at a luncheon meeting on Thursday, November 4.

Due to the nature of this information, it is being sent with the understanding that it will not be further released outside of the initial mailing until after some determination of a course of action is decided at the en banc meeting on November 9. Copies are being sent to those City and County staff personnel who have or will be involved in further discussions of this material. Also attached is a time schedule for the preparation and evaluation of the administrative procedure, engineering standards and legal opinions necessary to implement the overall decisions which are contained in this draft. It is assumed that staff time will be made available by other City and County agencies to assist in providing the necessary information, particularly the engineering standards, legal opinions and financial considerations.

CBF:ber
Attachment

cc: Sedgwick County Board of Commissioners
Wichita City Board of Commissioners
Russell E. McClure, City Manager
City and County Staff Personnel

DRAFT
of
PROPOSED POLICY DETERMINANTS FOR THE INSTALLATION
OF FACILITIES IN SUBDIVISIONS

NOTE: This draft is submitted in the form of general policy statements for discussion purposes for the Metropolitan Area Planning Commission. As these policy statements are affirmed, they will be rewritten in to more detailed procedures and legal form for inclusion in the prototype subdivision regulations. Further, it should be noted that several items contained in these policy statements will require additional research to validate their legality and practicability when applied in detail to specific situations and procedures.

INTENT AND PURPOSE

It is the intent of this draft and subsequent refinements thereof to provide the Metropolitan Area Planning Commission and the appropriate governing bodies with a set of policy statements which when agreed on in general could resolve in detail the questions of what jurisdiction, procedures, standards, type of facilities, timing and financing would be required as a condition of subdivision approval. Such policies are imperative if those responsible for local government are to provide and administer a system of public facilities for the citizens which are both efficient in nature and low as possible

in cost to construct. It is regrettable when governmental units inherit, for example, undersized and incompetent water or sewer systems, simply because there was no control exercised on inter-governmental coordination at the initial stage of development. The same is true when a township, county or city is presented with a substandard road, or "paving" which will require expenditures for maintenance all out of proportion to the original capital investment. What is even more regrettable is the owner of property who, because of inadequate action at the time of subdivision approval, is burdened with the additional expense of overlapping or duplicate facilities such as having municipal sewer and water systems installed after initial development takes place with septic tanks and wells.

Also, these statements when implemented will help prevent the proliferation of too many different layers of laws in the Metropolitan Area and of additional taxing units (and hopefully any additional incorporated cities). It will provide for a more orderly manner of urban growth within which subdivisions would be encouraged and aided to accelerate development in those areas when public facilities could most efficiently be provided.

This policy would discourage the occurrence of those

"pockets" of development which tend to delay and frustrate the efforts of the next subdivider who desires to connect to public facilities. It is recommended that those persons living in an urbanized area be guaranteed that urban type facilities are available prior to or within a reasonable time following initial development of the area. The need for urban type facilities and services exists in direct ratio to intensity of development. These facilities should be provided in all areas which are or will be urban. There should be no wasting of resources by providing a lower level of service based on low density even though that may reflect existing conditions, if within a reasonable degree of expectation, the area will become urbanized. Standardizing these facilities as to type and quality will save both the property owner and the community much money as continued urbanization and annexation occurs. Urbanized growth will and must continue to occur and it does not recognize existing political boundary lines such as city limits. This makes it even more necessary to treat development, not on the basis of "city" or "county", but on the basis of density and need for services.

Recognizing this problem of *density*, policies for development and subdivision regulations shall be considered to fall into one of the following categories:

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REVISED

- Type A - Urban Subdivisions: All those subdivisions lying within an incorporated city and those unincorporated areas having or intended to have a density of three or more dwelling units per gross acre and all commercial, industrial, public and semi-public, not excepted in Type C below (See Sec. 3-104, Prototype Subdivision Ordinance).
- Type B - Suburban Subdivisions: All other land in unincorporated areas required to be platted either by Statute or by the subdivision regulations (See Sec. 3-103 and 3-104, Prototype Subdivision Ordinance). This would include all residential development having a density of less than 3 dwelling units per gross acre, except those excepted under Type C (See Sec. 3-104, Prototype Subdivision Ordinance).
- Type C - Exception - Rural and Other Areas - No subdivisions would be required for the division of rural tracts used for agricultural purposes and under the following circumstances:
1. The division or further division of land into lots or parcels, each of which contains more than ten acres, not involving residential development, such as mobile home parks, company towns, work camps, etc., and where such subdivision does not involve the creation of any new streets or easements of access, as determined by the Planning Commission or its designated agent or committee.
 2. A transaction between owners of adjoining land which involves only a change in the boundary between the land owned by such persons and not creating a new lot or building site.
 3. A conveyance of land or interest therein for use as a street or railroad right-of-way, a drainage easement or other public utilities subject to state or federal regulations, where no new street or easement of access is involved.
 4. A conveyance made to correct a description in a prior conveyance.
 5. Any lease for a term not less than five years.
 6. Any transfer by operation of law.

(Revised 11-5-65)

JURISDICTION

It is proposed that the Metropolitan Area Planning Commission adopt regulations governing the subdivision of land:

- a. within the City of Wichita (This would supersede the current MAPC and City of Wichita Subdivision Rules and Regulations.)
- b. within all of the unincorporated area of Sedgwick County (This would supersede the MAPC and City of Wichita Subdivision Rules and Regulations and the Grand River Township Subdivision Regulations which reportedly have been adopted.)
- c. if requested, within that part of Sumner County lying within three miles of Malvane.

In these instances, all administration and approval would be thru the MAPC. The Statutes now provide that only the Planning Commission need approve a plat when the governing bodies have approved the subdivision regulations under which the planning commission operates. To expedite approvals and to relieve the governing bodies of an increasing amount of time devoted to such matters, it is recommended that the above jurisdiction be followed. It is assumed that when the governing bodies give their approval to the general regulations

adopted by the MAPC, they give the approval to any single plat which conforms to those regulations. This is somewhat similar to the present concept of having the zoning administrator issue a building permit when it is determined that the proposed construction meets the intent of the zoning ordinance.

In connection with subdivisions within the cities of Derby, Haysville, Mulvane and Valley Center, it is suggested that the MAPC make available its services, facilities, staff and the excellent talents and area-wide representation of utility and other technical advisory groups to aid and assist in the review of subdivisions lying within those communities. It is further suggested that these cities adopt regulations similar to those proposed for adoption by the MAPC (based on the Prototype Subdivision Ordinance). This assistance could take the following form:

- a. designate the MAPC and its staff as the processing and review agency with approval of each plat being given by the local planning commission, or
- b. refer each of their plats to the MAPC for information, review and comment only, or
- c. have the MAPC adopt subdivision regulations including these cities. This would require

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the local governing body to jointly concur in such regulations the same as would be required of the City of Wichita and Sedgwick County. The MAPC would approve or deny the plat. However, one of the following procedures would be needed:

- 1) restructure the MAPC to broaden and provide direct representation from the smaller cities, or
- 2) provide for a referral to either the local planning commission or governing body with a veto power provided.

Both 1) and 2) should not be used jointly or this would only create another layer of approval.

In connection with subdivision controls for the unincorporated area, where the MAPC would be approving plats, a similar procedure to that now used for zoning should be developed. It is suggested that in the three-mile areas around the smaller cities, that a copy of the plat be sent to the Chairman of the Planning Commission of the city involved. If there is reason to comment, such planning commission should hold a special meeting to develop a local position. The zoning procedure now used would not work if regular scheduled referrals are used as there is a statutory time limit involved in approval of plats.

IMPROVEMENTS REQUIRED

The following types of improvements should be required as a condition of subdivision approval:

Density of Development	Monuments	Grading of R/W	Paved Streets	Drainage	Public Sewer	Public Water	Underground Wiring	Street Sign	Fire Hydrants	Street Trees
Type A - Urban	X	X	X	X ²	X ²	X ²	X ¹	X	X ¹	X ¹
Type B - Suburban	X	X	O	X ²	O	O	O ¹	X	O	O
Type C - Rural	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Note:

X = required
 O = not required
 N/A = not applicable

1. These are tentative requirements which will not require further analysis and are contingent on the availability of certain legal authority.
2. Some provision will be necessary to provide for non-public facilities where main trunk lines and processing plants are not readily available.

The standards and degree of governmental participation for each of these categories will be submitted in subsequent refined drafts once these general policy statements have been agreed upon. As a part of these, it is envisioned that a separate supplementary manual would be developed

which could be adopted with the subdivision regulations by reference.

This manual, which might be called, Standards For Public Improvements, which contain typical cross section and design features of streets, curbs, ditching, manholes, sewer installation, drainage channels, as well as typical controlling standards, such as for minor or local streets, e.g. 8 in 4,000 PS² concrete, typical depth and type of base, etc.

All such improvements would be made in accordance with the above "standards" and in conformance with the detailed plans and specifications and under inspection procedures approved by the appropriate agency or department of the governing body in which the subdivision lies. Such agencies may delegate as their agent, any other similar department of another unit of government which may have more resources to accomplish the work provided, however, the governing bodies of both such units of government agree by resolution. The costs of plans, inspection, etc., would be chargeable to the developer (or to the project--see section of financing). The developer may choose the option of hiring his own engineer, subject to review of plans and specifications and inspection by the unit of government involved or of contracting with that unit of government to provide engineering services. A word of caution is in order, however, in that much of the basic work needed to implement these general procedures has

not been done, e.g. establishing grades, determination of drainage flows for future major streets, etc. Therefore, developers will not be able to obtain "intact information" which would enable them to start immediately on a project. Also, neither the City of Wichita, or Sedgwick County and presumably the smaller cities who use consultants for engineering work, have sufficient engineering staffs or resources now available to do their pre-engineering work. Additional and regular budget funds (as opposed to "project funds or fees") need to be made available for this overall pre-engineering work if the policy of requiring the installation of improvements is initiated.

1

FINANCING

It is recommended that the installation of all required facilities shall be guaranteed. This should be flexible to meet the needs of large and small subdivisions, and may take the form of:

- a. Actual construction prior to final plat approval.
(Note: Prior to this time, this technique has never been used as the platator never could be assured of final plat approval. However, Section 4-302 of the Prototype Subdivision Ordinance provides that the Planning Commission shall approve the final plat if it is in conformity with the approved preliminary plat.
- b. A corporate surety performance bond.
- c. Cashier checks on deposit with the local unit of government.
- d. Irrevocable letters of credit naming the unit of government as beneficiary. Such an instrument has the great advantage of permitting the platator the opportunity to earn interest on his money until needed, but allowing the governing body to control withdrawls on a

governing body to control withdrawals as a control on quality. Withdrawals on a partial basis would be allowed to preserve working capital as long as possible. Failure to build would allow the local unit of government to withdraw the facilities themselves.

- e. Within incorporated areas and for urban subdivision, submission of valid petitions under the "Chesney Law" (Sec. 12-6201 et. seq. K.S.A.) which would be recorded with the Register of Deeds. In the unincorporated area, Improvement Districts could be formed, subject to provisions hereinafter suggested as condition of approval. (NOTE: This would put future buyers on notice that they would be subject to assessments in the future. Until such time as sufficient "pre-engineering" can be done -- and financed, the homebuilder's suggestion that estimates for future assessments be determined by "the engineer" and labeled on each lot in the plat or provided at building permit time would not be feasible.) There is an additional problem to this method. If petitions are used, the governing bodies must exercise great caution not to build too quickly the

facilities needed, as if lots go unsold and the facility was already built, the "specials" go into default and lots are picked up at tax sales with the local unit of government standing the loss. The governing bodies must judiciously control the authorization of construction for approved petitions. However, services should not lag behind development, especially sewer, water, drainage and streets. The Chesney Act does not apply to the unincorporated area. Here, Improvement Districts may be established by the Board of County Commissioners. The bonds of Improvement Districts, however, can be issued in such a manner, that if the area is annexed, the city annexing must take over and pay the balance of the bonds (e.g. street bonds for local streets in the Glenville Improvement District).

Use of a petition method in the unincorporated area should either be denied or used only with MAPC concurrence and when the bonds are direct liens on specific lots and tracts instead of on the whole improvement district. An agreement between the Improvement District and the agency approving the plat would be needed.

f. Allow for sidewalks and street trees only, that when obtaining a building permit, the applicant agrees to construct the sidewalk and plant street trees as a part of the building project and have the same completed prior to any occupancy or use of the land. This presents the obvious problem of having "missing links" in the sidewalk system where an intervening lot is not developed.

The system would break down, unless the governing bodies faithfully and energetically order in the balance of the sidewalks when at least 50 (75) percent of any block was developed. If not, the initial sidewalk construction would be nearly worthless. It is recommended that the building permit approach not be used for sidewalks.

October 28, 1965

Proposed Time Schedule
for the
Preparation of New Subdivision Regulations

<u>Date</u>	<u>Type of Action</u>	<u>Responsible</u>
Oct. 26, 1965	Write draft of general policy	MAPD
Nov. 1-5, 1965	Write draft paving, sidewalks and drainage	MAPD
Nov. 4, 1965	Review general draft	MARC
Nov. 8-10, 1965	Review paving, sidewalks and drainage with staff	PD
Nov. 9, 1965	Review and give qualified approval on general draft	BCC, BCC, and PC
Nov. 12, 1965	Mail out paving, drainage and sidewalk draft	PD
Nov. 15-19, 1965	Write draft of sewer and water	PD
Nov. 19, 1965	Review paving, etc., draft	MARC
Nov. 22-24, 1965	Review sewer and water draft with staff	PD
Nov. 23, 1965	Review paving, etc., draft	BCC, BCC, MARC and small cities
Nov. 29 to Dec. 3, 1965	Rewrite draft based on above reviews	PD
Dec. 1, 1965	Mail out sewer and water drafts	PD
Dec. 6-10, 1965	Write balance of procedures, underground wiring, street trees, etc.	PD
Dec. 9, 1965	Review sewer and water drafts	MARC
Dec. 14, 1965	Review sewer and water drafts	BCC, BCC, MAPD and small cities
Dec. 13-17, 1965	Review balance of written procedures with staff and utilities	PD
Dec. 22, 1965	Mail out draft of remaining procedures	PD
Dec. 29-30, 1965	Review remaining procedures	MARC

Proposed Time Schedule (continued)

<u>Date</u>	<u>Type of Action</u>	<u>Responsible</u>
Jan. 4, 1966	Review remaining procedures	MAPC, BCC, BCC and small cities
Jan. 5-21, 1966	Restructure prototypes based on above prototypes	PD
Jan. 24-28, 1966	Review the rewritten prototypes for legal approval	All legislative offices
Jan. 31 to Feb. 4, 1966	Type and print rewritten prototypes	PD
Feb. 7, 1966	Mail out drafts for review	PD
Feb. 14 to Mar. 18, 1966	Meet and review with Wichita Association of Home Builders Wichita Real Estate Board Wichita Bar Association Wichita Council for Community Development Local Land Planners and Engineers Wichita Chamber of Commerce (Metropolitan Affairs Committee) Utilities Advisory Committee Derby City Planning Commission Haysville City Planning Commission Mulvane City Planning Commission Valley Center City Planning Commission	3 meetings 2 meetings 1 meeting 2 meetings 2 meetings 2 meetings 2 meetings 1 meeting) or 1 meeting) joint 1 meeting) meet- 1 meeting) ings
Mar. 21-25, 1966	Write revised sections and supplement sheets and mail out	PD

Proposed Time Schedule (continued)

<u>Date</u>	<u>Type of Action</u>	<u>Responsible</u>
Mar. 24, 1966	Advertise for public hearing	ED
Apr. 14 or Apr. 21, 1966	Public Hearing	MAFC
Apr. 28 or May 5, 1966	Public Hearing continued and adopt regulation	MAFC
Balance of May, 1966	Send to governing bodies for approval	BCC, ECOC, Haysville, Derby (Nulivane, Valley Center and Sumner Co.)

NOTE: This schedule will, of necessity, need to be re-evaluated as each new phase is begun.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

August 4, 1965

M E M O R A N D U M

TO: Metropolitan Area Planning Commission Members

FROM: C. Bickley Foster, Secretary *CBF*

SUBJECT: Policy Statement Regarding Urban Sidewalks

The Wichita City Commissioners have been seeking a definitive statement of policy for the required installation of sidewalks in appropriate areas. In view of their concern about applying a fair and uniform policy to all areas of the community, and due to their recent experience in considering plats in industrial areas, the Mayor of Wichita, through the City Manager's Office, directed the Metropolitan Area Planning Department to prepare such a policy statement.

In connection with the approval of several plats at the City Commission meeting of August 3, 1965, the Commission: (1) briefly reviewed the first part of the attached statement, (2) utilized the information to make decisions on plats pending, and (3) forwarded to the Metropolitan Area Planning Commission a request for their evaluation of the proposed policy.

Because of the increasing number of plats awaiting decision on this matter, the City Commission asked that it be brought up as an agenda item for the Metropolitan Area Planning Commission meeting of Thursday, August 5, 1965, at 2:00 p.m. in the Planning Commission Conference Room. Since time is very limited, copies are being sent to those individuals and organizations which have been concerned previously or who have expressed an interest in this matter.

Please bear in mind that this statement relates only to the question of where sidewalks should be installed and not to how they should be financed, who should undertake the responsibility for construction or when construction should commence. These matters should more appropriately be discussed as part of a revised or new Subdivision Rules and Regulations for the City of Wichita.

CBF:ber

Page 2 - Metropolitan Area Planning Commission Members
August 4, 1965

cc: Russell E. McClure
City Manager

Sedgwick County Board of
Commissioners

Earl Graves, Wichita Home
Builders Association

Ralph Wulz, Director, City
Department of Public Works

Paul Graves, City Traffic
Engineer

Bill Smith, City Engineer

Wilmer Freund, Sedgwick County
Engineer

Robert Moore, Wichita Board
of Realtors

John Dekker, City Attorney

Ralph Gilchrist, County Counselor

William Bonwell, Chairman, Comprehensive
Planning and Capital Improvement Program
of Wichita Council for Community Development

George Wells, Chairman
City Traffic Commission

Lawrence Shepoiser, Superintendent
Wichita City School Board

Dick Holstead, Director of
Building Program Studies,
Board of Education

Wm. J. Bush, Chairman
Plant Facilities
Board of Education

August 3, 1965

PROPOSED POLICY STATEMENT
REGARDING URBAN SIDEWALKS

It is recognized in the urban area of this community that sidewalks are needed to serve the urban population by:

- a. providing a convenient means of access for pedestrian traffic; providing a facility for use going to major activity centers, including shopping areas, churches, community centers, parks; providing an area for face-to-face contacts and associations between people within neighborhoods; and for providing for a means of exercise and relaxation for residents of areas in taking walks.
- b. providing a safe area of activity for children and by providing a safe route to schools and other places of children's activity within neighborhoods.
- c. providing a more safe way of travel for the aged.

In view of this need, it is desirable that sidewalks be located in accordance with the following policies and guidelines:

Arterials

Sidewalks shall be required along both sides of all arterials except:

- a. those arterials having either their beginning or ending within an industrial¹ district (e.g. Hydraulic, 29th to 37th, or 29th, Broadway to Hydraulic); or those industrial areas bounded or intersected by other major arterials which would normally break up normal pedestrian traffic (e.g. West Street between U.S. 54 and K-42). This exception would not include those arterials passing through industrial areas having urban residential, commercial, or public uses on both sides of the industrial area (e.g. 37th North, Broadway to Hillside; 21st Street, Broadway to Hydraulic).
- b. along those arterials having complete access control (e.g. U.S. 54 West, I-235, I-35W). Where there are service or marginal access roads, sidewalks shall be required as non-arterial or non-collector type streets.
- c. along those arterials with lots having double frontage wherein the lot will have sidewalk along its interior street and where access control has been granted to the public. In these instances, it shall be the City's responsibility to install such sidewalk with the City pay-

¹Industrial shall mean all manufacturing, fabrication, wholesaling, storage uses normally requiring industrial or heavy commercial zoning. Not included are such areas as auto sales, recreation areas, etc. found in heavy commercial areas. When in doubt, the area shall be required to provide sidewalks.

ing as great a share of the cost as is permitted legally.

Half mile line streets (or those streets serving as half mile line streets) and collectors (as defined by future studies using the Development Area report of the Metropolitan Area Planning Department

Sidewalks shall be required in the same manner as that for arterials.

All Other Streets

Sidewalks shall be required on both sides of all other streets, including those serving residential, commercial, public and quasi-public uses and including cul-de-sacs and deadend streets, except:

- a. along streets with residential lots of 200 foot or more frontage or lots over one acre in average size (commonly known as estate or suburban lots).
- b. along streets adjacent to large non-pedestrian generating uses as may be determined by the Planning Commission (e.g. internal streets along cemeteries - 25th Street east of Hillside; streets along parks that are developed with walks and trails (e.g. Park Villa and Oak Park).
- c. in industrial areas where either so zoned or when indicated as an industrial area in the Comprehensive Development Plan for the Metropolitan Area; provided, however, that sidewalks may be required where such an industrial area abuts an area not zoned for industry, or when the location of such industrial area is so situated in relation to non-

industrial uses that a sidewalk is indicated to complete the existing pattern of usages or service; or such industrial district is located along a street leading to a school, church or other place likely to generate pedestrian traffic.

All of the foregoing guidelines are subject to modification by the Planning Commission, based on special problems of land use, traffic conditions or alternate facilities. Sidewalks may be required or waived when it is apparent that it is in the public interest that the foregoing policies and guidelines shall be modified. However, financial hardship shall not be construed as a sufficient reason for the granting of a waiver.

For all areas beyond the City of Wichita limits, implementation of the sidewalk policies shall be held in abeyance pending an en banc meeting of the City and County Commissions and representatives of the Metropolitan Area Planning Commission concerning the above policies.

August 3, 1965

PROPOSED POLICY STATEMENT
REGARDING URBAN SIDEWALKS

It is recognized in the urban area of this community that sidewalks are needed to serve the urban population by:

- a. providing a convenient means of access for pedestrian traffic; providing a facility for use going to major activity centers, including shopping areas, churches, community centers, parks; providing an area for face-to-face contacts and associations between people within neighborhoods; and for providing for a means of exercise and relaxation for residents of areas in taking walks.
- b. providing a safe area of activity for children and by providing a safe route to schools and other places of children's activity within neighborhoods.
- c. providing a more safe way of travel for the aged.

In view of this need, it is desirable that sidewalks be located in accordance with the following policies and guidelines:

Arterials

Sidewalks shall be required along both sides of all arterials except:

- a. those arterials having either their beginning or ending within an industrial¹ district (e.g. Hydraulic, 29th to 37th, or 29th, Broadway to Hydraulic); or those industrial areas bounded or intersected by other major arterials which would normally break up normal pedestrian traffic (e.g. West Street between U.S. 54 and K-42). This exception would not include those arterials passing through industrial areas having urban residential, commercial, or public uses on both sides of the industrial area (e.g. 37th North, Broadway to Hillside; 21st Street, Broadway to Hydraulic).
- b. along those arterials having complete access control (e.g. U.S. 54 West, I-235, I-35W). Where there are service or marginal access roads, sidewalks shall be required as non-arterial or non-collector type streets.
- c. along those arterials with lots having double frontage wherein the lot will have sidewalk along its interior street and where access control has been granted to the public. In these instances, it shall be the City's responsibility to install such sidewalk with the City pay-

¹Industrial shall mean all manufacturing, fabrication, wholesaling, storage uses normally requiring industrial or heavy commercial zoning. Not included are such areas as auto sales, recreation areas, e.c. found in heavy commercial areas. When in doubt, the area shall be required to provide sidewalks.

ing as great a share of the cost as is permitted legally.

Half mile line streets (or those streets serving as half mile line streets) and collectors (as defined by future studies using the Development Area report of the Metropolitan Area Planning Department

Sidewalks shall be required in the same manner as that for arterials.

All Other Streets

Sidewalks shall be required on both sides of all other streets, including those serving residential, commercial, public and quasi-public uses and including cul-de-sacs and deadend streets, except:

- a. along streets with residential lots of 200 foot or more frontage or lots over one acre in average size (commonly known as estate or suburban lots).
- b. along streets adjacent to large non-pedestrian generating uses as may be determined by the Planning Commission (e.g. internal streets along cemeteries - 25th Street east of Hillside; streets along parks that are developed with walks and trails (e.g. Park Villa and Oak Park).
- c. in industrial areas where either so zoned or when indicated as an industrial area in the Comprehensive Development Plan for the Metropolitan Area; provided, however, that sidewalks may be required where such an industrial area abuts an area not zoned for industry, or when the location of such industrial area is so situated in relation to non-

industrial uses that a sidewalk is indicated to complete the existing pattern of usages or service; or such industrial district is located along a street leading to a school, church or other place likely to generate pedestrian traffic.

All of the foregoing guidelines are subject to modification by the Planning Commission, based on special problems of land use, traffic conditions or alternate facilities. Sidewalks may be required or waived when it is apparent that it is in the public interest that the foregoing policies and guidelines shall be modified. However, financial hardship shall not be construed as a sufficient reason for the granting of a waiver.

For all areas beyond the City of Wichita limits, implementation of the sidewalk policies shall be held in abeyance pending an en banc meeting of the City and County Commissions and representatives of the Metropolitan Area Planning Commission concerning the above policies.

TO WHOM IT MAY CONCERN:

On January 19, 1965, the Board of City Commissioners arrived at a policy decision that all subdivision applications filed with the Metropolitan Area Planning Commission after that date would come under a new policy regarding developer-installed sidewalks.

This letter is to advise you that preliminary plats will no longer be accepted by this Department unless they are in compliance with Section 15 of the Subdivision Rules and Regulations regarding sidewalks and are accompanied by a schedule showing or listing:

1. The streets on which sidewalks will be constructed on both sides of the street;
2. The streets on which sidewalks will be constructed on one side only, and designating the side of the street on which the walk is to be installed.

Prior to the time the final plat is submitted to the City Commission and if sidewalks are involved, the applicant will need to provide for either:

1. Construction of sidewalks prior to City Commission approval of the plat; or
2. Filing of a corporate surety bond in an amount approved by the City (County) Engineer and approved as to form by the City (County) Legal Department, guaranteeing construction to City (County) specifications within two (2) years; or
3. File a letter of intent (only with Planning Commission approval) providing that the sidewalks will be constructed within two (2) years to City (County) specifications.

For more detailed information you should consult Section 15 of the Subdivision Rules and Regulations. If you should have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith

Jack H. Galbraith
Senior Planner

JHG;mb

To: The Honorable Board of Commissioners CC 324
Subject: Construction and Financing of Sidewalks January 2, 1964

At the meeting of November 12, 1963 the City Commission reviewed Commission Communication 317 and established a policy "...that sidewalk construction will not only be encouraged but eventually realized post haste to bring about the early completion of a total sidewalk construction project in the City of Wichita..." The Commission then requested that a workable program, including primary arteries, methods of financing and petitioning be developed for their further consideration.

SIDEWALKS FOR PRIMARY ARTERIES

For purposes of this communication, a primary artery will be considered as feeder routes to schools and major traffic thoroughfares.

At the request of the City Commission, a sidewalk study was conducted by the Administrative Committee for Traffic Safety Coordination and resulted in a policy for sidewalks leading to schools. This study was very thorough at the time (March 1960) but is somewhat outdated since some areas now a part of the city were not considered in the study. The following criteria was developed by the subcommittee to assist in the assignment of sidewalk installation needs:

1. Sidewalks completely encircling school grounds on both sides of the street were recommended where possible.
2. Sidewalks on both sides of the street were recommended for all major feeder routes to the school. Existing pedestrian habits, existing control devices, existing sidewalks and the knowledge of particular committee members in direct contact with the various schools were taken into account in determining the major feeder routes.
3. In all instances, sidewalks were recommended upon both sides of the street in locations where new sidewalks were proposed. Where sidewalks already exist upon one side of the street, the proposal for walks on the other side were considered upon individual merits and upon location relative to school and other walks.
4. Primary emphasis was placed upon the provisions for sidewalks around elementary schools. For the most part, these suggested walks also aid the intermediate and high schools. Some specific walks were recommended for individual parochial school and intermediate and high schools.



5. Some pedestrian generators other than the schools received consideration when the sidewalk needs of the school and the other generator could be met concurrently.

The report indicated a need for 912,305 lineal feet, or approximately 173 miles of new sidewalk to serve basic school pedestrian requirements.

It is recommended that these school sidewalk needs, plus those of the major traffic streets be reviewed by the Administrative Committee in order that an up to date report be available for the Commission's consideration.

SIDEWALKS FOR NEW SUB-DIVISIONS

The Subdivision Rules and Regulations have required that sidewalks be constructed along both sides of streets designated as major streets in the Major Street Plan adopted by the Planning Commission, and along at least one side of all other streets whenever any subdivision platted subsequent to July, 1948 is located within the city limits, or whenever such subdivision is to be incorporated in the city limits of the City of Wichita by annexation. The requirement further provides that sidewalks along unimproved sites must be installed within two years from the date of filing of the plat, except that such installation may be deferred in cases where improvements are actually under construction but not completed, upon application to the City Commission or County Commission, depending on jurisdiction. This requirement, however, was waived by a formal motion of the City Commission in 1954.

It is recommended that this policy not be changed at this time since the Prototype Zoning and Sub-Division Regulations Study by Richard Babcock will review this specific issue.

ALTERNATE INITIATION AND FINANCING METHODS

The two principal types of initiative in the determination of need for public sidewalks are:

1. by the governing body:
 - A. The governing body may initiate the legislative need for public sidewalks by resolution, the inviting of bids, and the fixing of special assessments to the abutting land benefited. Such

assessments are payable in the same manner as for the retirement of general obligation bonds. (G.S. 1961 Supp. 13-1008)

- B. The governing body may adopt a charter ordinance which would allow sidewalk construction to be included in a project of major traffic street construction. The governing body would determine that portion of the sidewalk costs to be assessed the benefited area and payment would be made as in 1A above.
2. by the locally benefited citizen:
- A. A petition signed by 50% of the abutting owners may be authorized at the discretion of the governing body. The cost of the sidewalks shall be assessed to the abutting property. Such assessments are payable in one installment or in not more than five annual installments. (G.S. 1961 Supp. 13-1008e)
 - B. Twenty-five property owners in a precinct or ward may petition for construction of a sidewalk and the governing body may at its discretion authorize the construction giving the land owner opportunity to construct same. After failure of construction by the property owner not less than 30 days nor more than 60 days after publication of the resolution providing for construction, the governing body shall cause the work to be done by contract; the cost thereof being assessed against abutting property with payment as in 2A above. (G.S. 1949 12-1801)
 - C. An alternative to all other methods provided by law is the so called "Chesney Law." This Statute provides an involved system of deliberation between the governing body and the citizens affected for the purpose of determining the advisability of the construction; hearings by notice are provided. Once advisability is determined, the land owners affected

Construction and Financing of Sidewalks

CC 324-4

may resist the improvement by written protests signed by both 51% or more of the resident owners of record of property within the improvement district and the owners of record of more than half of the total area of the benefit district. The city may pay such portion of the cost of the improvement as the governing body may determine, but not more than eighty per cent. The special assessment will be paid as described in 1A on the preceding page. (G. S. Supp. 12-6a07 and 12-6a14)

RECOMMENDATIONS

1. That the Director of Public Works update the previous sidewalk needs information providing for areas annexed and changes in school locations that have occurred since the last report was prepared.
2. That the Director of Law be instructed to draft a charter ordinance that would allow for the construction of sidewalks in major traffic street projects.
3. That a notice be sent to school principals and to the Presidents of Parent-Teacher Associations advising them of the procedures involved in 2A and B, stating that petition forms are available in the Department of Public Works for those desiring to circulate them and expressing the City Commission's policy to provide the utmost safety for school children.

Respectfully submitted,

Russell E. McClure

Russell E. McClure
City Manager

REM:ct

To: The Honorable Board of Commissioners

CC 317

Subject: Sidewalk Construction

November 7, 1963

In 1961, 4,800 pedestrians were killed and 110,000 pedestrians were injured by motor-vehicles in urban areas in this country.¹ National Safety Council statistics also show that more people over twenty are killed or injured by walking in the roadway than those under 20, and that the highest percentage of this type of accident happens in the 15-19 age group.² Even though sidewalks are built generally for the purpose of providing safety for school children, these statistics indicate that safety for school children is not the only reason for sidewalk construction. Sidewalks are just as necessary around shopping centers, churches, parks and office districts.

ONE OR BOTH SIDES OF STREET

Often when it is agreed that a sidewalk is necessary in an area, there is controversy as to whether sidewalk construction should take place on one or two sides of the street. The Community Builders' Council of the Urban Land Institute recommends the following:

"...On minor streets in single family areas, two sidewalks are frequently unnecessary and in open development of large lots of 100 foot frontage or more, sidewalks may be eliminated without objection. ... The Council recommends a sidewalk on at least one side of the street, in general, except in large lot, low density or open development. In special situations such as along a school frontage two sidewalks are needed."

"On major residential streets that serve as collectors of traffic from minor streets to the school, bus stop, shopping center, and other focal points of the community, and where densities exceed five families per net acre; sidewalks are usually needed on both sides of the street."³

"Sidewalks should be constructed on both sides of streets leading directly to the school."⁴

¹National Safety Council, Accident Facts 1962, p. 56.

²Ibid., p. 53.

³Community Builders' Council of Urban Land Institute, The Community Builders Handbook. Urban Land Institute, Washington, D. C. (1960), p. 126.

⁴Ibid., p. 144.

Sidewalk Construction

CC 317-2

The Housing and Home Finance Agency establishes three types of residential subdivisions: multifamily, single family, and estate (minimum lot front footage of 150') developments. Some cities do not require sidewalks in the third type development reasoning that because the large lot development provides a rural-type environment, there will be little vehicle and pedestrian traffic.

Although the Community Builders' Council of the Urban Land Institute does not see the necessity for having sidewalks on both sides of the street in residential areas except in the case of major streets, statistics indicate that sidewalks on only one side of the street invite children and adults as well to cross the street in the middle of the block. National Safety Council statistics show that while 2.7% of all pedestrian accidents happen when walking in the roadway, 46.4% of all pedestrian accidents occur while crossing streets between intersections.⁵

NEW SUBDIVISIONS

"The greatest benefits from city planning result not from the accomplishment of corrective improvements but from the guidance of new developments."⁶

The definition of a subdivision of land is "(1) the division of land into two or more lots or tracts, (2) the dedication of a road, highway or street through a tract of land on the same basis as outlined above in (1) and (2)."⁷

Some cities require sidewalks in all new subdivisions except those of the estate type. Others delegate to the planning commission the authority to either allow exceptions or to decide when sidewalks are to be installed. This decision is based on the type of subdivision and adjacent land uses.

⁵National Safety Council, p. 53.

⁶"New Approaches to Residential Land Development", Technical Bulletin 40, Urban Land Institute, Washington, D. C. (January 1961), p. 79.

⁷Wichita-Sedgwick County Metropolitan Area Planning Commission, "Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area, as amended, October 4, 1962.

OLDER BUILT-UP AREAS

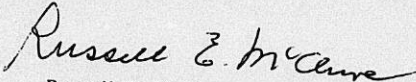
When sidewalks are not required in new subdivisions the result soon is a built-up area with sidewalks in some places and not in others. It is when a situation of this sort develops that it becomes extremely difficult to obtain sidewalk construction financed in a fair and equitable manner. The first step is to establish a sidewalk policy and require construction in conformity with the policy. One method is to require that sidewalks be provided when building construction takes place. West Palm Beach, Florida has a regulation which states: "Before a building permit shall be issued for the construction of any structure upon any plot of land in the city not improved by a paved or otherwise surfaced and usable sidewalk fronting such plot, the plans for such construction must include provisions for erection concurrently with the construction of the building..."⁸ The Board of Wichita City Commissioners may, by resolution passed at any meeting, require the building of any new sidewalk upon the petition of twenty-five or more property owners residing in the ward in which the sidewalk is proposed to be laid. A complementary policy would be to require sidewalk construction concurrent with street paving in built-up areas and a part of a sidewalk policy could require connecting sidewalk construction upon request of any citizen. This would cover areas where there are no sidewalks for one or two blocks with existing sidewalks on both sides of the vacant area or where sidewalks have been constructed in only part of the block and require pedestrians to walk in the roadway a block or two before getting back on a sidewalk. Another approach would be the use of the "Chesney Law" to order in sidewalks and establish a benefit district for special assessment purposes.

ADDITIONAL INFORMATION

Attached to this communication is CC 269 of June 21, 1962, Policy for Construction of Sidewalks which further reviews the previous actions in regard to sidewalk construction and discusses the establishment of sidewalk feeder routes leading to schools.

⁸Management Information Service Report #222, July 1962

Respectfully submitted,



Russell E. McClure
City Manager

REM:ct
Attachment (1)

City of Wichita, Kansas

November 6, 1963

James Clancy, Executive Assistant
Robert A. Lakin, Assistant Planning Director
Draft Sidewalk Report

I have reviewed the draft of the Sidewalk CC and suggest the following revisions:

1. Page 3, II.A - The definition for subdivisions has been changed slightly by the addition of a third clause as follows:

"The resubdivision of land on the same basis as outlined in (1) and (2)."

This now falls on page 6 of the Subdivision Rules and Regulations and the citation should refer to the Rules and Regulations as amended, dated October 4, 1962.

2. Page 5, Item 4 - If the number in the first line of the paragraph is a City of Wichita Ordinance number, I imagine it is 19-589 rather than 190589. Also, is this paragraph referring to an ordinance based on State Statute and if so, should not the statute be cited?
3. Page 5, Paragraph 6 - The sentence starting on line 6 should be rewritten, I believe, as follows:

"The request of any citizen shall be based on the fact that pedestrians using sidewalks must walk in the roadway a block or two before getting back on a sidewalk."

4. Page 5, Item 7 - I suggest this item be expanded to include the idea that a benefit district based on elementary school districts and a plan for sidewalks within that school district be carried as a single "Chesney Bill" project. This might get away from some of the inequities normally found in the assessment against direct abutters; especially on side-street sidewalks which are quite often needed in order to provide a good sidewalk pattern.

5. Page 6, III - I would suggest that references to the manner in which cost may be assigned be referred to the previous section listing the possible policy choices as to installation of sidewalks (re: sub-items 1 through 7 in the preceding section).
6. I wonder if it should be mentioned in this report that the Traffic Commission (or Traffic Engineer?) has prepared a sidewalk plan for the community showing those areas where sidewalks are needed and on which side of the street they are to be located. The status of this plan should be checked as to whether it is a formally adopted plan by the Traffic Commission or merely a proposal. Also as to the last time that it was updated.

Attached for you use is a copy of the revised and updated Subdivision Rules and Regulations.

Robert A. Lakin
Assistant Planning Director

RAL:mm

Attachment

I. NEED FOR SIDEWALKS

In 1961, 4,800 pedestrians were killed and 110,000 pedestrians were injured by motor-vehicles in urban areas in this country.¹ It is probable that sidewalks would have saved some of these lives and prevented some of the non-fatal accidents. National Safety Council statistics also show that more people over twenty are killed or injured by walking in the roadway than those under 20, and that the highest percentage of this type of accident happens in the 15-19 age group.² Even though sidewalks are built generally for the purpose of providing safety for school children, these statistics definitely rule out providing safety for school children as the only reason for sidewalk construction. Sidewalks are just as necessary around shopping centers, churches, parks and office districts.

A. One or Both Sides of Street

Often when it is agreed that a sidewalk is necessary in an area, there is controversy as to whether sidewalk construction should take place on one or two sides of the street. The Community Builders' Council of the Urban Land Institute recommends the following:

"...On minor streets in single family areas, two sidewalks are frequently unnecessary and in open development of large lots of 100 foot frontage or more, sidewalks may be eliminated without objection. ...The Council recommends a sidewalk on at least one side of the street,

¹National Safety Council, Accident Facts 1962, p. 56.

²Ibid., p. 53.

in general, except in large lot, low density or open development, as noted. In special situations such as along a school frontage two sidewalks are needed."

"On major residential streets that serve as collectors of traffic from minor streets to the school, bus stop, shopping center, and other focal points of the community, and where densities exceed five families per net acre; sidewalks are usually needed on both sides of the street."³

"Sidewalks should be constructed on both sides of streets leading directly to the school."⁴

The Housing and Home Finance Agency establishes three types of residential subdivisions: multifamily, single family, and estate (minimum lot front footage of 150') developments. Some cities do not require sidewalks in the third type development reasoning that because the large lot development provides a rural-type environment, there will be little vehicle and pedestrian traffic.

Although the Community Builders' Council of the Urban Land Institute does not see the necessity for having sidewalks on both sides of the street in residential areas except in the case of major streets, statistics indicate that sidewalks on only one side of the street invite children and adults as well to cross the street in the middle of the block.

³Community Builders' Council of Urban Land Institute, The Community Builders Handbook. Urban Land Institute, Washington, D.C. (1960), p. 126.

⁴Ibid., p. 144.

National Safety Council statistics show that while 2.7% of all pedestrian accidents happen when walking in the roadway, 46.4% of all pedestrian accidents occur while crossing streets between intersections.⁵

B. Necessary Decisions

Will sidewalks be required on one or both sides of residential streets? Will sidewalks be required in estate type residential developments? Will sidewalks be required on one or both sides of major traffic streets when there is a clear indication there will be no pedestrian traffic for several years?

II. CONSTRUCTION OF SIDEWALKS

A. New Subdivisions

"The greatest benefits from city planning result not from the accomplishment of corrective improvements but from the guidance of new developments."⁶

The definition of a subdivision of land is "(1) the division of land into two or more lots or tracts, (2) the dedication of a road, highway or street through a tract of land on the same basis as outlined above in (1) and (2)."⁷

⁵National Safety Council, p. 53.

⁶"New Approaches to Residential Land Development", Technical Bulletin 40, Urban Land Institute, Washington, D.C. (January 1961), p. 79.

⁷Wichita-Sedgwick County Metropolitan Area Planning Commission, "Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area, July 1958, p. 5.

Some cities require sidewalks in all new subdivisions except those of the estate type. Others delegate to the planning commission the authority to either allow exceptions or to decide when sidewalks are to be installed. This decision is based on the type of subdivision and adjacent land uses.

B. Older Built-Up Areas

When sidewalks are not required in new subdivisions the result soon is a built up area with sidewalks in some places and not in others. It is when a situation of this sort develops that it becomes extremely difficult to obtain sidewalk construction financed in a fair and equitable manner. Cities deal with this problem in one of three ways.

1. The first method is to establish a complete sidewalk policy and require construction in conformity with the policy.

2. A second method is to require receipt of a petition signed by property owners owning 50% or more of the property and order the construction on a special assessment program.

3. The third method is to require that sidewalks be provided when building construction takes place. West Palm Beach, Florida has a regulation which states: "Before a building permit shall be issued for the construction of any structure upon any plot of land in the city not improved by a paved or otherwise surfaced and usable sidewalk fronting such plot, the plans for such construction must include provisions for erection

concurrently with the construction of the building...⁸

Since there are many blocks in the City without sidewalks, this policy could lead ^{to} many blocks having only small sections of sidewalk in them.

Don't this based on State Statute

4. By city Ordinance No. 198589 Section 8, "the ¹⁹⁻⁵⁸⁹ (Wichita City) board of commissioners may, by resolution passed at any meeting, require the building of any new sidewalk upon the petition of twenty-five or more property owners residing in the ward in which the sidewalk is proposed to be laid."

5. A complementary policy would be to require sidewalk construction concurrent with street paving in built-up areas.

6. Part of a sidewalk policy could be to require connecting sidewalk construction upon request of any citizen. This would cover areas where there are no sidewalks for one or two blocks with existing sidewalks on both sides of the vacant area or where sidewalks have been constructed in only part of the block. The request of any citizen shall be ^{based on the best} that pedestrians using the sidewalk ⁵ must walk in the roadway a block or two before getting back on a sidewalk. The board of commissioners has the power to order the construction of sidewalks anywhere in the city with or without a petition.

modified

7. By employing the Chesney Law the City could order in sidewalk construction after a benefit district had been established.

III. FINANCING SIDEWALK CONSTRUCTION

The financing of sidewalk construction varies from city to city. The cost can be paid by the City, by the property owner, by members of a benefit district or can be shared by the City and the property owners.

*Refer to
Conclusion
Items
1-7
account
thereof.*

Because sidewalks increase the value of adjacent property, it has become an established practice for cities to charge the entire cost against the abutting property. In a survey of cities conducted by the International City Managers' Association in 1962, it was found that out of 136 cities 8 cities assumed the entire cost, in 98 cities the property owner paid the entire cost, and in 32 cities the cost was shared by the city. Sixty-five cities required the developer to pay for sidewalks in subdivisions.

IV. CONCLUSIONS AND RECOMMENDATIONS

It can be concluded that there is a definite need for sidewalks in certain areas of the city. Sidewalk policies vary from city to city. Frequent changes in sidewalk policies tend to cause inequities and at times double taxation. It is recommended the City of Wichita adopt a definite sidewalk policy and adhere to it as closely as is possible and practical.


*maintain Traffic Com
Sidewalk Plan*

THE CITY OF WICHITA

OFFICE OF The City Manager

DATE November 28, 1962

TO Don E. Anderson, Research & Budget Officer

FROM James F. Clancy, Executive Assistant 

SUBJECT Policy for Sidewalk Construction
and Maintenance

As you know, the city has a well articulated, but seldom followed, policy for sidewalk construction maintenance. This situation is not unique to Wichita and the need for some help has been answered by the Management Information Service of the ICMA in their recent report No. 222.

Would you please have a member of your staff review this MIS report and work with the Departments of Public Works and Planning, in the development of a workable policy for the City Commission's consideration.

The Director of Public Works has reviewed the before mentioned report and I am sending my copy to the Director of Planning.

JFC:ct
cc: T. J. Scanlon, Director of Administration
Ralph Wuls, Director of Public Works
L. L. Little, Director of Planning - attachment



MANAGEMENT INFORMATION SERVICE

CONDUCTED BY THE
INTERNATIONAL CITY MANAGERS' ASSOCIATION

1313 East 60 Street, Chicago 37, Illinois

Report No. 222

July, 1962

Page 1

CITY SIDEWALK CONSTRUCTION AND MAINTENANCE POLICIES

What are the policies of cities with regard to sidewalk construction? How is the construction financed? What are the practices of cities in regards to maintenance? What is being done about snow removal?

"Prior to 1960 most of the children attending San Antonio's 153 elementary schools had the choice of walking in the streets with vehicle traffic or on parkways often filled with mud and water." So states an article in *Texas Town and City* (January, 1961, pages 12-13). A problem of this nature has been with many cities ever since the end of World War II, when massive suburban and residential developments created large gaps within municipal sidewalk systems. Because of the concern over the problem MIS Report Number 93, *Financing Sidewalk Construction and Maintenance*, was published in 1951.

A renewed interest in adequate sidewalk regulation and construction calls for an updating of the 1951 study. This renewed interest is largely because of the necessity to protect school children on their way to and from school and the pedestrian from vehicular traffic. Cities also frequently face the problems of installing new sidewalks in older, more developed areas; requiring the construction of new sidewalks in new subdivisions; and maintaining and reconstructing sidewalks in older areas of the city to provide for the common safety and welfare of all citizens.

Statistics compiled by the National Safety Council indicate that the lack of sidewalks is one reason for pedestrian deaths and injuries. Table 1 shows the percentage of all pedestrian deaths and injuries in 1961 caused by walking in the roadway. The first column indicates the age groups, ranging from less than one year old to 19. The second column indicates the percentage of total pedestrian accident deaths and injuries caused by walking in the street and is a total of columns three and four. The remaining columns show the percentage of deaths and injuries of pedestrians in roadway accidents walking with the traffic or against the traffic. Table 1 also shows that walking in roadways with the traffic is more dangerous than walking in roadways against traffic. The figures compiled are for young persons between the ages of 1 to 19. The greatest number of deaths occurring is between the 15-19 age group, which would indicate that the older the youngster — amazingly enough — the more protection should be provided. Although these statistics cannot positively prove that sidewalks would have prevented these deaths, it can be stated that the presence of walkways do have a definite protective value.

These figures show that sidewalks do play an important part in the protection and safety of children, and that the inadequacies of many municipal sidewalk systems are cause for concern. This report suggests some solutions to this problem and makes recommendations as regards the standards, maintenance, financing, and replacing of sidewalks. The report is based on a survey of 200 cities in all population brackets, with 145 communities responding.¹

¹Cities and counties responding are: Dothan, Ala.; Phoenix and Tucson, Ariz.; Alameda, Burbank, Claremont, Corona, Daly City, El Centro, Glendale, Lawndale, Long Beach, Los Angeles, Los Gatos, Mill Valley, Monterey, Newport Beach, Oakland, Pacific Grove, Pasadena, Redwood City, Sacramento County, San Diego, San Jose, Santa Clara, and Whittier, Calif.; Vancouver, B. C., Canada; Boulder, Colorado Springs, Golden, and Pueblo, Colo.; Unionville and West Hartford, Conn.; Smyrna, Del.; Boca Raton, Dade County, Fernandina Beach, Gainesville, Homestead, Miami, Miami Beach, Ocala, St. Petersburg, and Sarasota, Fla.; College Park, Ga.; Arlington Heights, Glencoe, Mount Prospect, Oak Park, Peoria, Skokie, and Winnetka, Ill.; Cedar Rapids, Dubuque, and Maquoketa, Iowa; Arkansas City, Concordia, Holton, and Salina, Kan.; Glasgow, Ky.; DeRidder, La.; Auburn, Brewer, Ellsworth, and Portland, Me.; Montgomery County, Md.;

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Table 1
Pedestrian Roadway Deaths and Injuries: 1961

Age Groups	Per Cent of Total Pedestrian Deaths & Injuries	
	Walking in Roadways with Traffic	Walking in Roadways Against Traffic
0-4	1.0	0.7
5-9	1.3	0.8
10-14	3.4	2.4
15-19	6.5	5.0

Source: National Safety Council. *Accident Facts*, 1962, p. 53.

City Practices and Policies

Cities can adopt practices ranging from requiring sidewalks in all areas to no requirements whatsoever. Requirements can be applicable to new subdivisions only, or can apply also to older built-up areas of the city. Standards should cover not only placement but also construction.

Subdivisions. The most stringent requirement is a regulation requiring the developer at his expense to provide sidewalks for all subdivisions. Nearly one half of 138 cities responding reported that the subdivider is required to pay for sidewalks in all subdivisions (see Table 2). Of interest is the fact that the *Suggested Land Subdivision Regulations* of the Housing and Home Finance Agency establishes three types of residential subdivisions: multifamily, single family, and estate (large lot) developments. Sidewalks are required in all three areas.

Table 2
Sidewalk Requirements

Population Group	Developer Pays in Subdivisions		Require Sidewalks in Built-up Areas	
	Yes	No	Yes	No
500,000 and Over	6	0	4	3
250,000 to 500,000	4	3	3	4
100,000 to 250,000	9	7	7	8
50,000 to 100,000	12	5	5	11
25,000 to 50,000	11	13	8	16
10,000 to 25,000	11	21	10	23
5,000 to 10,000	7	14	3	18
Under 5,000	5	10	0	16
Total	65	73	40	99

Williamstown, Mass.; Allagan, Davison, Escanaba, Garden City, Grand Rapids, Grosse Pointe Woods, Iron River, Marshall, Mount Pleasant, Muskegon, Oak Park, Port Huron, Saginaw, Vassar, and Wayzata, Mich.; Cameron, Excelsior Springs, Joplin, Nevada, and University City, Mo.; Gordon and Omaha, Neb.; Reno, Nev.; Elizabeth, Essex County, Lakewood, and Morrisstown, N. J.; Albuquerque, N. M.; Mount Kisco and Watertown, N. Y.; Burlington, Edenton, Hickory, Raleigh, Statesville, and Washington, N. C.; Grand Forks, N. D.; Cincinnati, East Cleveland, Huron, Middletown, and Porsmouth, Ohio; Bartlesville and Sapulpa, Okla.; Albany, Corvallis, Hermiston and Tillamook, Ore.; Hanover, S. D.; Columbia, Tex.; Branson, and Sharpburg, Va.; Fort Worth, Lubbock, Odessa, San Antonio, and Waco, Tex.; Hartland and Montpelier, Vt.; Arlington, Danville, Falls Church, Newport News, Richmond, and Roanoke, Va.; Ellensburg, Puyallup and Walla Walla, Wash.; and Laramie, Wyo.

The remaining cities surveyed usually follow one of two methods. First, sidewalks are required in all new subdivisions except those that are of the estate type. It is reasoned that in developments consisting of large lots, there will be very little pedestrian traffic because the large lot development provides a rural-type environment. The other method frequently followed is to delegate to the planning commission the authority to decide when to require sidewalks depending on the type of subdivision and adjacent land uses. It is argued that no fast and hard rule is applicable to all situations and that sidewalks may or may not be needed. Middletown, Ohio, not only follows this policy but also allows the commission to decide if sidewalks should be constructed on both sides or on only one side of the street.

The above basic policies are subject to many variations. The exceptions that often are made to a general rule requiring sidewalks in subdivisions are illustrated by the Glencoe, Illinois, requirements: "Sidewalks must be provided throughout the entire subdivision, exceptions hereinafter noted. On minor streets as indicated in the official street plan, a sidewalk shall be provided on at least one side of the roadway, with the exception of minor streets having a length of less than three hundred (300) feet where no sidewalk shall be required."

Older Built-Up Areas. Because of the tremendous growth of cities in recent years, the real sidewalk problem lies in those areas built in the late 1940's and early 1950's. More and more cities have adopted the policy of requiring sidewalks in most subdivisions by one of the methods mentioned above. However, in the early days of growth sidewalks were frequently not required. In the older areas the city has of necessity provided walkways years ago.

Cities follow one of three policies in these areas between the very new and the old. They may require that sidewalks be constructed in conformity with a sidewalk policy. This is done by only 40 out of 139 cities (see Table 2). A second method is to wait for a petition from property owners. If the petition has 50 per cent or more of the property owners the city usually provides sidewalks on a special assessment program. A petition program for Montgomery County, Maryland, is described in detail under the section on financing. The third policy is to provide that sidewalks will be provided when building construction takes place. West Palm Beach, Florida, has a regulation which states: "Before a building permit shall be issued for the construction of any structure upon any plot of land in the city not improved by a paved or otherwise surfaced and usable sidewalk fronting such plot, the plans for such construction must include provisions for erection concurrently with the construction of the building..."

Construction Standards. Most cities have regulations that establish standards that cover width of sidewalks, materials used, engineering specifications, permit application procedures, and inspection of work done. Table 3 summarizes city practices in establishing standards.

Table 3
Regulation of New Sidewalk Construction

Population Group	City has Engineering Standards		City Requires Permit		City Inspects Construction		City has Width Standards		City Permits Sidewalks	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
500,000 and Over	7	0	5	2	7	0	3	4	1	6
250,000 to 500,000	8	0	8	0	7	1	4	4	0	8
100,000 to 250,000	15	1	15	1	15	1	9	7	0	16
50,000 to 100,000	18	0	16	2	18	0	6	11	2	15
25,000 to 50,000	21	3	21	3	22	2	9	15	2	21
10,000 to 25,000	23	9	25	8	30	3	17	16	2	30
5,000 to 10,000	15	5	12	5	18	1	7	14	5	16
Under 5,000	7	6	9	6	9	5	4	11	3	11
Total	114	26	111	29	126	13	59	82	15	123

The great majority of cities have engineering and technical specifications; 114 out of 140 reporting cities. Further, the great majority of cities enforce these standards by requiring that a permit be obtained to construct, and providing inspection of the work to insure it is done to standard. One of the interesting facts of the survey is that only 57 cities have width standards. Finally, most cities do not permit the use of asphalt, except for temporary walks. The reason for this strong opinion against asphalt walks (which are cheaper than concrete) appears to be that asphalt walks cause maintenance problems. Northern cities are concerned with cold temperatures which tend to make asphalt brittle, and southern cities are generally concerned with "bleeding" of the asphalt under the intense sun.

One of the more complete set of specifications for sidewalks has been published by Long Beach, California, which includes regulations not only for concrete sidewalks, but also terrazzo, flagstone, or brick carriage walks and driveway aprons. It should be noted that in the construction of sidewalks the city government will be faced with the problem of dealing with individual tastes, and there will be some businesses and individuals who desire to add color, or make some variation from the norm. (See Appendix A for Long Beach's set of standards.)

It would be wise for municipalities to determine the types of variations that can be allowed, and then to publish these as has Los Angeles. The city authorizes the coloring of sidewalks and driveways only by permit, and in addition requires that only subdued colors be used such as lamp-black, red oxide, slate blue, or similar colors. The city does not permit partial coloring or checker-board patterns and requires that the same solid color shall extend along the full frontage of the lot, including driveways if any.

Standards for Sidewalk Placement

Lack of Written Policies. One of the biggest problems is the development of standards for requiring sidewalks. A planning commission with discretionary power to demand a new sidewalk needs guidelines upon which to base decisions, and cities requiring walks in older areas need standards for development of a uniform program. Each city, for the most part, has its own standards, even though they may be informal. But of those cities surveyed, it was found that most cities do not possess any written standard. The survey listed several alternatives on which standards, or a combination of standards might be based: density of population, number of pedestrians walking in the area, location of public buildings, size of lots, extent of development, or the type of street. Table 4 shows that only 43 cities have any formalized standards.

Los Angeles constructs sidewalks only for the safety of school children and makes use of no other standard. Dade County, Florida, requires that sidewalks be constructed in all residential,

Table 4

Standards for Sidewalk Placement

Population Group	Cities Reporting	Density of Population	No. of Pedestrians in Area	Location of Public Buildings	Size of Lots	Extent of Development	Type of Street
500,000 and Over	5	0	0	0	2	3	2
250,000 to 500,000	3	1	4	0	0	1	0
100,000 to 250,000	10	2	1	2	2	3	3
50,000 to 100,000	7	0	1	1	0	1	2
25,000 to 50,000	11	0	2	2	0	1	1
10,000 to 25,000	12	1	1	2	0	2	1
5,000 to 10,000	4	0	1	0	0	1	1
Under 5,000	1	0	0	0	0	0	0
Total	53	4	10	8	4	12	10

multifamily, and business areas, and along all arterial highways, except that in areas zoned for the estate and agricultural zone classifications, or some zone classifications requiring lots of similar frontage and area, no sidewalks are required. Arlington, Virginia, determines the sidewalk need on the number of pedestrians in the area, location of public buildings, and the type of street. West Hartford, Connecticut, reports that the density of population, the number of pedestrians, the size of the lots, the extent of the development, and the type of street are all considered in sidewalk need.

An Over-all Program. Only a few cities have developed an over-all sidewalk program for the city. Some cities have surveyed vacant areas where sidewalks did not exist and have developed a long-range program of providing sidewalks. Other cities, as reported below, have met needs by a crash program of sidewalk construction. However, for the city facing demands for sidewalks, careful consideration should be given to developing an over-all program based on predetermined standards. They should include:

1. A definition on how sidewalk need is to be determined.
2. Standards for sidewalks in residential, neighborhood business or commercial areas, and the central business district.
3. Protection clause for utility lines and easements.
4. Instructions to contractors. This is to inform them of what the city expects and how the ordinance will be enforced.
5. Criteria for condemning sidewalks. In many cities the problem of badly cracked and unsafe sidewalks can be determined merely by inspection, but for simplicity it is best to have written criteria to serve as a guideline before an action of this nature is taken.
6. Publish a set fee schedule covering all costs to the contractor.
7. Provide a procedure by which permits can be issued to control the quality of sidewalk construction. This is a must and will definitely lower the costs involved in sidewalk maintenance.
8. Have some regulation as to driveway construction so that when sidewalks are either replaced or newly constructed they will match up with older walkways and present a harmonious appearance.
9. Have a policy as to sidewalk assessments, determine exactly what the city will pay and what the property owner will pay, and determine a set policy as to intersections to avoid an assessment overburden on the part of the property owner.

Table 5

Maintenance Policies

Population Group	Maintenance Inspection		City Pays for Maintenance		Snow Removal		Neither Responsible
	Yes	No	Yes	No	City Cleans	Property Owner Cleans	
Over 500,000	4	3	2	4	0	2	5
250,000 to 500,000	8	0	2	3	0	3	5
100,000 to 250,000	11	5	4	5	0	9	6
50,000 to 100,000	12	5	6	10	4	13	9
25,000 to 50,000	17	7	6	12	1	16	7
10,000 to 25,000	15	15	12	12	9	11	10
5,000 to 10,000	8	12	5	4	4	11	3
Under 5,000	6	0	4	0	3	13	0
Total	83	53	41	56	21	78	39

Maintenance Practices

Liability. The major expense for sidewalks is in the actual construction or complete replacement, but the problem of upkeep also is important. The major reason that cities often are concerned with upkeep is to protect themselves against damage suits when someone is injured on a defective walkway. The question of liability is a legal one and varies from state to state. However, because a city controls sidewalks and they are part of the public way, it is frequently considered that the city has some liability. In some states the property owner is liable, and in others the property owner is liable if a city ordinance places liability upon him. This is a matter that must be carefully studied by the city attorney. There is a trend to abolish local government tort liability, and the states of Wisconsin, Arizona, New Jersey, and Washington have already done so. In addition to protection from suit the municipal government does have a moral obligation to protect its citizens whenever possible.

City Maintenance Procedures. A number of cities regularly carry on an inspection program of sidewalks within the city to determine when repairs are required; 83 out of 136 reporting cities.

The Sidewalk Story

The property-owners of Cincinnati take pride in their property and want to preserve its values. Sidewalk maintenance is important to both appearance and value and moreover may save a pedestrian (and it might be you or yours) from injury and the property-owner an expensive lawsuit. The Sidewalk Section of the Division of Engineering appreciates the prompt and willing co-operation it almost invariably receives.

The City is always making general sidewalk inspections in some area as part of a program under which the 2,000 miles of sidewalks in the City are kept safe and in good repair.

The Code of Ordinances provides that the owners are responsible for causing the paved sidewalk, sidewalk area, including driveways and the grass strip, to be kept in repair. The Ordinance also sets out certain criteria for determining a sidewalk dangerous.

More important, perhaps, the courts have held property-owners responsible for injuries when persons have fallen on defective sidewalks.

The photos are recent examples of the before-and-after appearance of surroundings where sidewalks have been installed or repaired.

If the property owner fails to comply with a Repair Notice the City will do the work at the property-owner's expense. He may pay for the work within 30 days from completion date and get a 1% discount. Or he may elect to have the amount added to his tax bill to be paid over three years with interest at 5%.

City contract prices vary slightly in different districts but prevailing average prices are approximately 65 cents per square foot for sidewalks and 80 cents per square foot for driveways.

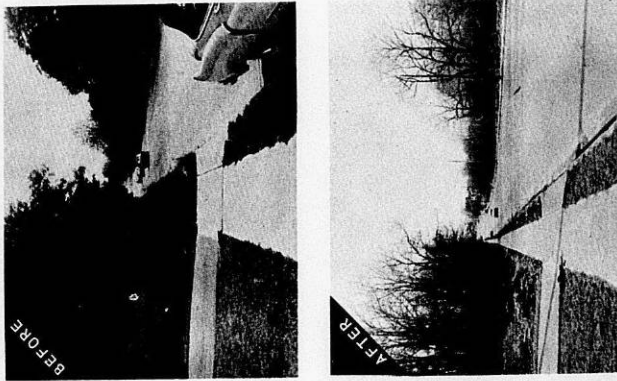


Figure 1 - Cincinnati's Sidewalk Maintenance Procedure

This means that 40 per cent of the cities surveyed make no organized effort to keep sidewalks in repair. There are three basic procedures that are followed by those cities carrying on a regular sidewalk maintenance program. Table 5 summarizes maintenance practice.

1. The sidewalks can be repaired at city expense. A surprising number of cities reporting on this point assume a financial responsibility for repair - 41 out of 97 cities. Of interest is the fact that of the 41 cities paying for maintenance, 27 do so for all major areas of the city: residential, neighborhood commercial, and central business district. Four cities pay for maintenance in residential areas only, and two cities in central business districts only. The remaining eight cities have varying policies that cover two of the three major areas. An alternate to this policy is to make temporary repairs with such materials as asphalt at city expense, but hold the property owner responsible for permanent repairs.

2. The city may issue an order for repair, and if the property owner fails to take action the city has the work done. In this case the property owner is billed, and if he refuses to pay the charge is placed on the tax bill. Cincinnati, Ohio, follows this procedure which is outlined in Figure 1.

3. The city may require that the property owner maintain the sidewalk; and if he fails to act the city may require him to act, assessing the cost against the property owner. The major difference between this procedure and the first is that the city must take action on each case and hold a public hearing. This procedure is recommended in a proposed program for Boulder, Colorado, and is outlined in detail in Appendix B. Collection of monies is then made through the regular special assessment policies of the city.

Snow Removal. A major problem for northern cities is that of snow clearance, and the handling of a problem like this although certainly one of a local nature is important. Twenty-one of the cities replying to the survey indicated that the municipality accepts the responsibility for cleaning off the snow and 78 stated that it was the responsibility of the property owner. Each community should have a set policy in ordinance form on this problem, and for the safety of pedestrians should see that the ordinance is enforced. In the survey 39 cities stated that the responsibility is neither the city's or the property owner's, but for the most part these cities were located in milder climates and do not receive any snow. (See Table 9).

Financing Sidewalk Construction

Because sidewalks perform a valuable service in terms of enhancing the value of individual properties located adjacent to them, it has been traditional for municipalities by special assessment to charge the entire cost of the sidewalk construction against abutting properties. Some cities share a portion of the cost with the property owner; however, the overwhelming majority (86 out of 145 cities) state that the property owner pays the entire cost. Only 8 cities stated that they paid the entire cost, and 32 cities stated that the cost was shared (see Table 6). Twenty-one cities of the

Table 6 Financing Sidewalk Construction

Population Group	Method of Financing			Method of Assessing	
	City Pays	Property Owner Pays	Shared	Square Foot	Front Foot
500,000 and Over	1	5	1	1	5
250,000 to 500,000	1	5	2	2	4
100,000 to 250,000	0	10	6	4	7
50,000 to 100,000	0	12	5	5	7
25,000 to 50,000	1	19	4	8	12
10,000 to 25,000	1	21	9	3	12
5,000 to 10,000	2	16	3	3	9
Under 5,000	2	10	2	1	6
Total	8	98	32	27	62

32 cities sharing in the cost of sidewalk construction indicated what percentage of the total cost was assumed by the city: one city assumed 65 per cent; 9 cities, 50 per cent; 5 cities, 33 per cent; 5 cities, 20 per cent, and one city, 10 per cent.

The basis for assessment in most cities is by the front foot, with 62 cities stating that the property owner's cost is determined under this basis (see Table 6). Twenty-seven cities stated that the property owner is billed by the square foot of concrete poured. In some cities there is an adjustment to the total cost of a project in that the municipality itself will pay the total cost of sidewalks at intersections, and charge the property owner only for those walkways which run directly along his property.

Sidewalks on One Side of Street. For some cities a problem has developed in that certain programs call for sidewalks on only one side of the street. This has occurred around schools where one side of the street is fully developed and the other side is vacant property. The problem comes when the municipality must determine how much benefit is to be derived, if any, from the side without sidewalks. Some cities follow a policy of assessing only the property which abuts the sidewalk, and levy no charge against property on the other side of the street. Other cities assess only a very small fraction of the cost of the sidewalk to the property along the other side of the street, going under the theory that even though the sidewalk does not abut the property that there is a benefit to be derived by the existence of the sidewalk.

Sidewalk Assessment Petitions. In general municipalities follow a policy of acting on a petition for new sidewalks when 50 per cent or more of the residents of an area apply. The procedures for processing a sidewalk petition vary, depending on state laws and local ordinances. Some cities must process a sidewalk petition according to special assessment procedures, including public hearings on need and cost. Other cities can short circuit the procedure, particularly if all of the residents will prepay or voluntarily agree to the assessment.

Once the petition is received it is usually given to the city engineer for investigation and report. Plans are prepared and in some municipalities a preliminary cost is determined. The property owners may be billed in advance of construction for the estimated cost of the project, with the municipality agreeing to return on a pro rata basis any overcharges. The next step would be to take bids on the project, and to enter into the actual construction stage. In some communities a procedure is followed to bill the residents for the cost of the project once the work is complete, and in most communities arrangements can be made for property owners to pay as part of their tax bill their share of the assessment over a period of years.

An example of handling petitions to construct sidewalks is the procedure of Montgomery County, Maryland. The county government acts on a petition from property owners in a given area if more than 50 per cent of the owners whose property would be assessed petition for sidewalks. The project is included in the forthcoming year's capital budget without question. If less than the majority petition for the sidewalk the matter is brought to the county council's attention at the time the capital budget is considered. Usually if there is as much as one-third, the county council will include the project. The requests of civic associations and P.T.A.'s are brought to the attention of the county council, and these programs are ordinarily included along with logical extensions and connections to the existing sidewalk system for which there are no petitions. (See Appendix C for a complete description of Montgomery County program.)

Financing Special Assessments. Sidewalk construction or reconstruction can be an expensive proposition for many property owners. The cost of construction is frequently as high as 60 cents or more a square foot. Thus a home owner with a 50 feet of frontage and a standard four-foot walk can have a bill as high as \$120 or more. He frequently cannot pay this all at once and thus the city must have a way of financing this cost until it can collect, usually over a period of years. Some cities will issue special assessment bonds or certificates which are backed by the outstanding special assessment charges. This is expensive and results in high interest rates. Special assessment financing is a subject in itself, but one excellent method is illustrated by Boulder, Colorado.

Boulder, Colorado, in response to a very definite need for a sidewalk replacement program has proposed that establishment of a revolving fund to carry the cost of construction, and to provide sufficient working capital to complete a five-year program. The fund's original working capital is

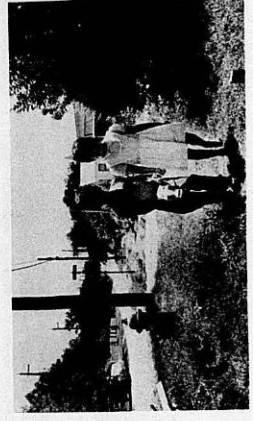


Figure 2 - Results of San Antonio Sidewalk Program: Before and After

proposed to be \$10,000, and following city construction the fund will pay the contractors their charges plus 15 per cent to the city's general fund. The 15 per cent represents a service charge to the property owner for allowing payment over one year's time. The fund will be reimbursed by the collection of assessments, including the cost of construction and the 15 per cent service charge. In this manner it is hoped to take care of the needs of the city's sidewalk system within a definite period of time, provide for the protection of citizens, and make a more pleasing appearance to the city.

Special Sidewalk Programs

In recent years there has been some interest in attempting to correct the defects of the sidewalk systems of communities through the institution of "crash" sidewalk construction programs. The main group of citizens served by programs of this nature are school children, who must commute along major thoroughfares to obtain access to public schools.

There are several ways by which these programs are administered. The first method is to install sidewalks on streets that have either been widened, repaired, or reconstructed, and either assessing the property owners for the cost afterwards or supplying the sidewalks as part of the street improvement. In those cities that have traffic engineers, ordinarily a chosen route for school children is selected which provides them with the safest method of going to and from school, and sidewalks are ordinarily constructed along this route.

Miami, Florida, has spent \$6,846,000 since 1946 on sidewalk improvement projects, and has completed over 650 miles of sidewalk construction. The lack of right of way and property owner objections has limited the sidewalk program, and there are approximately 200 miles of sidewalk to be constructed and about 35 miles to be replaced out of a total of approximately 1,400 miles of sidewalk within the city limits.

San Antonio, Texas, which instituted a school sidewalk program in 1960 has spent \$425,000 to construct over 90 miles of 30-inch sidewalks specifically for school children. The program covered a period of three summers, and the sidewalks were located on one side of the street. The side was determined by the police and traffic engineer as being the best and safest route for school children. The object of the program was to provide up to one mile of sidewalks for each public and parochial elementary school in the city. Figure 2 illustrates why San Antonio conducted the program and highlights the safety factor of sidewalks.

The city of West Hartford, Connecticut, reported that 50 miles of sidewalks on both sides of the street were constructed at a cost of \$700,000. Other special sidewalk construction programs are noted in: Dothan, Alabama; El Centro, Los Angeles, and Redwood City, California; Boca Raton

and Gainesville, Florida; Arlington Heights and Skokie, Illinois; Arkansas City, Kansas; Allegan, Michigan; Wayzata, Minnesota; Morristown, New Jersey; Watertown, New York; Edenton and Hickory, North Carolina; Cincinnati, Ohio; Levittown, Pennsylvania; Sumter, South Carolina; and Falls Church and Roanoke, Virginia.

Some Recommendations

In some ways the problem of sidewalks resembles a backache—it is persistent, nagging, and demands attention. Municipal officials should be concerned with this only as a matter of routine, and the results of this survey indicate that there is a considerable need to make this problem a simple one. Unfortunately because of the more pressing needs of cities in the area of water facilities, streets, and the like, sidewalks occupy a secondary position, and whenever problems arise most officials find themselves inadequately prepared.

With this in mind administrators would be well advised to urge the publication of the individual city requirements and follow them, although at times the results may be painful. These requirements should be in ordinance form. The ordinance encompassing standards and regulation will help in:

1. Determining logical street right-of-way requirements to include a sufficient area for sidewalks even though the street may have to be widened in the future.
2. Establishing criteria for determining the over-all school safety precautions need for the individual city.
3. Establishing an equitable policy on required facilities for new subdivisions.
4. Requiring the construction in developed areas of needed sidewalks based on specific standards.
5. Administering the sidewalk maintenance program which will insure a high degree of safety.

Acknowledgment: Grateful acknowledgement is made to all of the cities replying to this survey. Without their assistance, the information would not have been as complete.

Note: This report was prepared by Paul Schriever, staff member of the International City Managers' Association.

Appendix A

SPECIFICATIONS FOR CONSTRUCTION OF SIDEWALKS AND DRIVEWAY APRONS, LONG BEACH, CALIFORNIA

Section 1. Standard Specifications

"Standard Specifications No. R-1577 for Public Improvements in the City of Long Beach, California," adopted by the City Council December 16, 1947, insofar as the same may apply shall govern, unless otherwise covered by these specifications.

Section 2. Portland Cement Concrete Sidewalk

Article 2.01. Single-Course Portland Cement Concrete Sidewalk.

Single-course sidewalk shall be constructed in accordance with Section 41 of the Standard Specifications, hereinabove referred to.

Article 2.02. Two-Course Portland Cement Concrete Sidewalk.

Subdivision 2.021. General: Construction of two-course Portland cement concrete sidewalk shall be limited to the following locations:

1. In areas where the property is zoned for retail business, as specified in the Long Beach Zoning Ordinance (No. C-390).
2. In areas zoned as residential property, in accordance with Ordinance No. C-390. In these areas, construction shall be confined to "carriage walks." The expression "carriage walk" as used herein shall be construed to mean a walk, not greater than five (5) feet in width, extending between the street curbing and the outer edge of the sidewalk or between the inner edge of the sidewalk and the property line.

Subdivision 2.022. Composition: Two-course Portland cement concrete sidewalk shall consist of a base course and a surface course. The base course shall be three (3) inches in thickness and shall be constructed of Class B Portland cement concrete, conforming to all of the requirements of Section 39 of said Specifications No. R-1577. The surface course shall be constructed by using finish mortar at least one-half (1/2) inch in thickness and shall be composed of one (1) part of Portland cement and one and one-half (1-1/2) parts sand. Color may be added to the surface course by the addition of a dry coloring compound which shall be not less than two (2) pounds nor more than six (6) pounds per sack of Portland cement. Coloring admixtures shall be as manufactured by A. C. Horn Company; L. Sonneborn Sons, Inc., or an equal. Color of finished surface shall be a subdued, uniform tone approved by the City Engineer.

Subdivision 2.023. Placing Concrete: The concrete base shall be evenly spread and tamped until thoroughly compacted. The surface of the base must be uniform and it shall be tested as to grade with a gauge notched at each end and extending the proper distance below the top of the side forms.

The surface course, as specified in Subdivision 2.022, shall be mixed until the entire mass is absolutely free of spots and streaks of color. Immediately after the base has been placed as above specified, and before the concrete has set, the finish mortar shall be applied and thoroughly troweled in, so that the two dissimilar mixtures are thoroughly bonded. Sufficient mortar shall be used so that its thickness shall in no place be less than one-half (1/2) of an inch.

Subdivision 2.024. Finish: After the finish mortar has been placed, the surface shall be finished with a "lift float finish" or a "once over" finish at the discretion of the City Engineer. Preliminary troweling may be done with a long handled trowel or "fresno," but the final finishing shall be done with a hand trowel. The finished walk surface shall show an even, true surface, varying less than one-quarter (1/4) of an inch when tested with a fifteen (15) foot straight edge, except at grade changes. The edges of the sidewalk shall be finished with an edging tool having a radius of one-half (1/2) inch.

After the surface course has been troweled and retroweled and finished to a true uniform surface, not less than twenty (20) pounds nor more than twenty-five (25) pounds of A. C. Horn Company's "sparkling grains," or equal, shall be uniformly spread over each one hundred (100) square feet of the new sidewalk finish and be troweled into the mortar wearing surface.

The final troweling after the "sparkling grains" have been applied shall be done with a steel trowel. Troweling shall commence at the inside edge of the sidewalk and be continued across the sidewalk to the curb in circular arcs, approximately fourteen (14) inches in diameter, concave to the curb line. After the sidewalk surface has been finished, it shall present a uniform pattern of overlapping discs and shall be marked into rectangles, the greatest dimension of which shall not exceed thirty (30) inches, or into other patterns approved by the City Engineer.

The "sparkling grains" to be utilized shall be of a size retained on a thirty (30) mesh screen and passed one hundred (100) percent through a twelve (12) mesh screen.

Section 3. Terrazzo Sidewalk

Article 3.01. General.

Construction of terrazzo sidewalk shall be limited to property zoned for retail business as specified in the Long Beach Zoning Ordinance (Ordinance No. C-380) and to the following special conditions:

1. A detailed plan of the design of the imposed walk shall be furnished to the City Engineer when the permit for construction is applied for.
2. No advertising, firm names, signs, directional or otherwise, will be permitted in the dedicated area of the street.
3. The sidewalk shall be continuous for the full length of the street line or street lines, as the case may be, of the lot or lots bordering such sidewalks.
4. Terrazzo sidewalk shall consist of a base course three (3) inches in thickness; an underbed not less than one and one-eighth (1-1/8) inches in thickness; and a terrazzo topping not less than five-eighths (5/8) of an inch in thickness.

Article 3.02. Concrete Base:

The base slab shall be three (3) inches in thickness and consist of "Class B" Portland cement concrete. The surface of the base shall be struck off reasonably true at a level not less than one and three-quarters (1-3/4) inches below the required finished grade.

Article 3.03. Underbed:

The underbed for the terrazzo topping shall consist of one (1) part Portland cement and four (4) parts coarse screened sand which shall be spread, tamped and struck off to a plane not less than five-eighths (5/8) inch below finished grade. Prior to placing the underbed, the concrete base shall be cleaned of all plaster and other materials that would interfere with the bond, and shall be thoroughly wetted. While the underbed is in a semiplastic state, dividing strips shall be installed to conform to the designs shown on the submitted plans.

Article 3.04. Dividing Strips:

All dividing strips shall be of brass or other noncorrosive metal, not less than No. 12 Brown and Sharps gauge. Strips shall be not less than one and one-quarter (1-1/4) inches wide and have approved anchoring features. Metal strips less than one-eighth (1/8) inch thick shall be of uniform thickness for their entire depth. Strips one-eighth (1/8) inch thick or more shall be of the "heavy top" type having the top member not less than three-eighths (3/8) inch deep.

Article 3.05. Terrazzo Topping:

The terrazzo topping shall be not less than five-eighths (5/8) inch in thickness. The aggregate shall be granulated marble, sound and hard, sized from one-eighth (1/8) inch to one-half (1/2) inch. Composition for terrazzo topping shall be in the proportion of two hundred (200) pounds of marble granule to one hundred (100) pounds of Gray or White Portland cement. The cement and aggregate shall be mixed dry. After dry mixing, sufficient water shall be added to make the mix plastic but not flowing. Where the cement is to be colored to obtain a desired shade, the added color pigments shall be lime-proof and of a nonfading quality. The mix shall be placed in the spaces formed by the dividing strips and consolidated into a compact mass by means of heavy metal rollers. The rolling shall be continuous until all of the superfluous cement and water have been extricated. The topping shall then be hand-troweled to an even surface, disclosing the lines of the strips on a plane with the terrazzo filling.

Article 3.06. Curing:

As soon as the terrazzo concrete has hardened sufficiently to prevent damage thereby the sidewalk shall be cured as provided for in Subdivision 45.072, 45.073 or 45.074 or by some other method approved by the City Engineer.

Article 3.07. Finishing:

When the terrazzo concrete topping has hardened sufficiently to prevent dislodgement of aggregate particles, it shall be machine rubbed with abrasive stones. The terrazzo topping shall be kept wet during the rubbing process. All material ground off shall be removed by squeegeeing and flushing with water.

A grout of Portland cement, pigment and water of the same kind and color as the matrix of the terrazzo topping, shall be applied to the surface, filling all voids. In not less than seventy-two (72) hours after grouting, the grouting coat shall be removed and the surface given a satisfactory finish by machines.

Article 3.08. Abrasive:

The surface of the terrazzo shall be made nonslip by the addition of a aluminum oxide crystals, 14-36 or equal. Sufficient quantity of abrasive shall be introduced into the topping mixture to insure a coverage of at least 50% of the finished surface. In lieu of the above method, Contractor may introduce an approved abrasive aggregate. The abrasive shall be mixed with the terrazzo mixture or sprinkled on the surface only, as specified. When mixed with the terrazzo mixture the total aggregate shall consist of 40% abrasive aggregate and 60% of other aggregate as specified.

Section 4. Flagstone or Brick Carriage Walks

Article 4.01. General:

The term "carriage walk" shall be as defined under Subdivision 2.021 of these specifications. Carriage walks shall be constructed with a Portland cement concrete base, and a Portland cement mortar course of sufficient thickness to allow the flagstones or bricks to be thoroughly embedded in the mortar after flagstones or bricks are set to the required grade.

Article 4.02. Concrete Base:

The Portland cement concrete base for the carriage walk shall be constructed of Class "B" concrete complying with all requirements under Section 39 of the Standard Specifications, and shall be not less than three (3) inches in thickness.

The concrete shall be evenly spread, and tamped until thoroughly compacted. The surface of the base after placing shall be smooth and uniform and shall be tested as to grade with a gauge

notched at each end and extending the proper distance below the top of the side forms, to provide for the thickness of the mortar course, together with the flagstone or brick.

Article 4.03. Mortar Course:

The mortar course to be used hereunder shall consist of one (1) part Portland cement to three (3) parts mortar sand proportioned by volume with an allowable addition of not more than twelve (12) percent by volume of lime putty or hydrated lime.

The mortar sand to be used shall comply in all respects with the requirements provided under Article 10.02 of the Standard Specifications.

The mortar course shall be of sufficient thickness to allow the flagstone or brick to be laid to an even plane, and produce a good bond between the concrete base and said flagstone or brick. Where brick is used in the carriage walk finish, mortar joints shall be constructed flush with the surface of the brick and be uniform in pattern and width. Where flagstone is used in the carriage walk finish, mortar joints shall be constructed flush with the surface of the flagstone and be as uniform in pattern and width as is practicable.

The mortar course, together with the flagstone or brick shall be constructed on the concrete base and finished to the required grade and cross section not later than four (4) hours after the concrete base has been constructed.

Article 4.04. Flagstone:

Flagstone used in carriage walk construction shall have a thickness of not less than three-quarters (3/4) of an inch. The main body of the flagstone pattern shall be composed of pieces of flagstone which have a surface area of not less than thirty-two (32) square inches or more than four hundred fifty (450) square inches. In no event shall any piece of flagstone be installed in a carriage walk which has a surface face dimension, measured in any direction across the face, greater than one-half (1/2) the distance of the width of the carriage walk. Pieces of flagstone smaller than the minimum area provided above may be used to finish the pattern along the edges and at the ends of the work where necessary.

Pieces of flagstone having a vertical ledge face, in the top face, of a height greater than one-sixteenth (1/16) of an inch shall not be installed in a carriage walk. A flagstone having a summit or depression, in the top face, which creates a slope in the top face greater than two (2) percent shall not be installed in a carriage walk.

All pieces of flagstone shall be thoroughly wet before placing said pieces in the mortar course of the carriage walk construction.

Article 4.05. Brick:

Brick used in carriage walk construction shall comply with all requirements for sewer brick, provided under Section 26 of the Standard Specifications.

All brick shall be thoroughly wet before placing said brick in the carriage walk construction.

Article 4.06. Finishing:

Where flagstone is used in the construction of a carriage walk, the edges of the carriage walk shall be finished with an edging tool having a radius of one-half (1/2) of an inch. After the top surface of a flagstone carriage walk has been completed, said surface shall not be below or extend above a line stretched between the tops of the side forms, more than one-eighth (1/8) of an inch at any point of the finished surface.

Where brick is used in the construction of a carriage walk, and brick will form the edges of the walk, the use of an edging tool will not be required. Should the mortar course form the edges of said walk, the edges shall be finished with a tool as provided in the above paragraph. The surface of the brick and mortar course may be constructed flat or with a crown on the center line of the walk.

Where a carriage walk is to be finished flat, the brick and mortar course shall comply, when finished, with the limits provided in the above paragraph. If a crown is to be used in the surface of the walk, the height of the crown at the center line of the carriage walk shall not exceed one-quarter (1/4) of an inch measured vertically for each foot, measured horizontally, calculated from one-half (1/2) the distance of the width of the carriage walk. All brick top surfaces after installation in the mortar course shall form a surface which is true and even. Any brick, the top surface of which, after installation, extends above or below the designed surface grade, shall be removed and replaced or properly adjusted to the required surface or grade.

Article 4.07. Curing:

The carriage walk after completion shall be cured by spraying with water or cured by some other method approved by the City Engineer. The carriage walk shall be sprayed not less than four (4) times each day through the daylight hours and for a period of not less than five (5) days after the construction has been completed.

Section 5. Driveway Aprons

Article 5.01. General:

All driveway aprons shall be constructed in accordance with "Standard Specifications No. R-1577," wherein same may apply, and in compliance with these detailed plans and specifications.

Article 5.02. Residential Driveways:

All residential driveways shall be constructed in accordance with standard drawing No. A-365-R titled "Standard Residential Driveway" included herewith.

Article 5.03. Commercial Driveways:

All commercial driveways shall be constructed in accordance with standard drawing A-365-C titled "Standard Commercial Driveway" included herewith.

Article 5.04. Industrial Driveways:

All industrial driveways shall be constructed in accordance with standard drawing No. 18-A titled "Standard Industrial Driveway" included herewith. Construction of an industrial driveway shall be limited to property zoned M-1, M-2 and M-2-A.

Subdivision 5.041. Portland Cement Concrete Improvement: All Portland cement concrete improvements pertinent to the construction of an industrial driveway shall be constructed in accordance with the appropriate section of Standard Specifications No. R-1577.

Subdivision 5.042. Plant Mix Surfacing: Plant Mix Surfacing shall conform in all respects to Section 47 of Standard Specifications No. R-1577. The five (5) inch thick plant mix surfacing shall be constructed in two (2) courses. The base course shall be three (3) inches in thickness and the surface course shall be two (2) inches in thickness and shall be placed to the finished grade. Plant mix surfacing may be hand spread and raked to grade.

Section 6. Plant Mix Surfacing in Sidewalk Areas

Article 6.01. General:

With the approval of the City Engineer, plant mix surfacing in sidewalk areas may be authorized under the following conditions:

1. When in the opinion of the City Engineer the roadway will be widened and improved and said street widening will necessitate removal and reconstruction of driveways, approval may be given for

the construction of temporary driveways consisting of one and one-half (1-1/2) inches of plant mix surfacing. The City of Long Beach will not replace the temporary facility once it is removed in conjunction with the street widening project. Replacement of same must be done by and at the expense of the property owner and to the permanent standards in accordance with these specifications.

2. Where the curb and sidewalk are both existing and the inside edge of the walk is located off the property line, the area between the back of the walk and the property line may be paved with a minimum of three (3) inches of plant mix surfacing, providing it is contiguous to similar paving on adjacent private property.

3. When the area between an existing curb and sidewalk is being used as a temporary passenger landing for public conveyances, said area may be paved with a minimum of two (2) inches of plant mix surfacing.

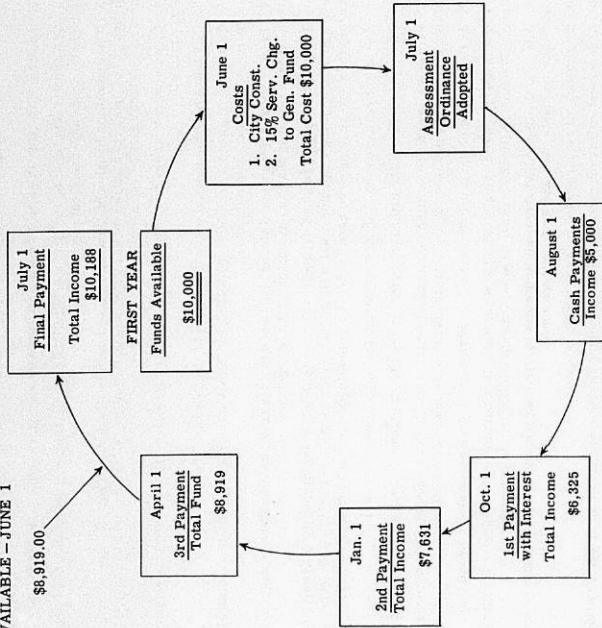
Appendix B

NORMAL FLOW OF PROPOSED SIDEWALK RECONSTRUCTION PROGRAM, BOULDER, COLORADO

1. An area of the City is selected for a one-year sidewalk improvement program.
2. The area is inspected by the Engineering Division to determine if sidewalks meet previously established standards and specifications.
3. If a sidewalk is found substandard, a record card is filled out noting: (1) date of inspection; (2) address of the property abutting the defective sidewalk; (3) the defective condition; and (4) the amount of walk which must be replaced.
4. City Clerk obtains the property owner's name and legal description of the property from the County tax roll.
5. City takes bids for sidewalk construction to be done by the City.
6. City Council adopts a resolution indicating its intention to order the repair of sidewalks and designates a time for a public hearing.
7. The Director of Finance and Record publishes the resolution in a local newspaper not more than 30 days nor less than 10 days prior to the hearing.
8. The property owner is sent: (1) the resolution; (2) a letter explaining the sidewalk program; (3) the original copy of the inspector's sidewalk report; (4) the section of the City Code relating to this matter; (5) a return addressed card to obtain a commitment from the property owner.
9. A Public Hearing on the Ordinance ordering the improvements is held.
10. City Council adopts the ordinance ordering the improvements to be made within 30 days.
11. Property owners are notified that a public hearing was held and that an ordinance was adopted by the City Council directing the improvements to be made within 30 days.
12. At the expense of the property owner, the work may be done privately or by the City.
13. If a property owner selects to do the work himself, a permit must be obtained from the Engineering Division. All construction must be inspected following its completion.
14. After the designated 30-day time limits has expired, an inspection will be made to determine what improvements have and have not been made.
15. City makes all repairs not done by property owners.
16. Assessment roll is prepared by the Engineering Division and certified by the City Council, at which time a date is set for a public hearing on the assessment roll.
17. Property owners are notified of the time of the Public Hearing.
18. Public hearing and adoption of the assessing roll.
19. City is reimbursed either within 30 days by cash payment or over a 1-year period at 6% interest.

BOULDER'S PROPOSED SIDEWALK IMPROVEMENT FUND

SECOND YEAR FUNDS AVAILABLE - JUNE 1



The above flow chart illustrates how the sidewalk improvement fund is utilized when construction is paid for by the city. The figures used are only for the purpose of this exhibit.

Appendix C

MONTGOMERY COUNTY'S SIDEWALK ASSESSMENT POLICY

The Montgomery County Council has requested that a policy be formulated to prescribe what portion (if any) of cost of installing sidewalks along State highways and County arterials should be recovered by the County by special assessments. It is recommended that the following be adopted and implemented as follows: (Policy adopted May 1962):

A. Sidewalks installed by the County along arterial routes where existing concrete curb is in place, shall be constructed of concrete, not less than 5 feet wide and not less than 5 inches thick.

B. Where abutting property is zoned for nonresidential use or multifamily use, or by a master plan is proposed for nonresidential use or multifamily use, or is being used under a special exception for commercial or industrial use, such property shall be assessed as follows:

1. For a 5 ft. x 8 in. sidewalk - - - \$3.30 per assessable foot.
2. For a 7 ft. x 5 in. sidewalk - - - \$4.60 per assessable foot.
3. For a 10 ft. x 5 in. sidewalk - - - \$6.60 per assessable foot.
4. For a 12 ft. x 5 in. sidewalk - - - \$7.90 per assessable foot.

C. Where abutting property is zoned for single-family residential use and is not by a master plan proposed for nonresidential use and is not being used under special exception, such property shall be assessed \$2.40 per assessable foot for sidewalk including all charges for sod and contingent engineering.

D. Additional charges shall be assessed against respective parcels for driveways, walkway entrances and other similar items at cost plus 10% surcharge for engineering. Driveways will be constructed at existing curb openings provided for that purpose as a part of the roadway construction.

E. All costs of a project in excess of those assessed pursuant to B, C and D above shall be borne by the County.

F. Where existing Portland cement sidewalks are replaced, credit will be given on an equal area basis, deducting the estimated cost of replacement from the amounts derived by applying formulas B or C above.

DEPARTMENT OF PUBLIC WORKS
for Montgomery County, Maryland

Explanation of Policy

A. It is recommended that frontages of nonresidential property should generally bear the total cost of sidewalk. This property is held to be directly and specially benefited to this extent, as result of improved access within any particular block. Since width of sidewalk may vary from lot to lot, a rate per assessable foot for each unit of sidewalk width has been assigned; namely, 60¢ per square foot for the concrete area, plus engineering surcharge. Unit price of 60¢ per square foot for concrete has been derived from 50¢ (as quoted for 5" sidewalk in SRC Contract along University Boulevard between Wheaton and Four Corners) plus 10¢ to offset corner lot exemptions and other costs. Where sidewalk is 5 feet wide, assessable rate would be \$3.30 per assessable foot.

B. Fixed rate of \$2.40 per assessable foot is recommended for assessment against residential frontages. This rate is based on premise that residential frontages along arterial routes, either State or County, should be assessed to same extent that frontages along secondary residential routes are assessed; that is for a concrete sidewalk 4 feet wide by 4 inches thick with appropriate sodding. If unit prices used in A above are applied to a sidewalk 4 feet wide by 4 inches thick, the recommended rate of \$2.40 per assessable foot is derived.

- C. The County's Supervisor of Tax Assessments (W. T. Allen) has indicated that his appraisals reflect greater enhancement from sidewalk along arterial routes than along secondary residential routes.
- D. The current policy of allowing credit to lot owners for replacement of existing concrete sidewalks on an equal area basis should be continued.

THE CITY OF WICHITA

OFFICE OF
City Manager

DATE July 16, 1962


TO L. L. Little, Director of Planning
FROM James F. Clancy, Executive Assistant

SUBJECT

Policy for construction
of sidewalks

Please refer to CC-269, same subject, and refer to the paragraph entitled Subdivision Rules and Regulations. The City Commission has requested that they be furnished information relative to the so called "Waiver" that was adopted by the City Commission in 1954.

I believe Lee Edmonds is familiar with the events that led to the adoption of the waiver and the official action that was taken in its adoption.


James F. Clancy
Executive Assistant

JFC:dd



THE CITY OF WICHITA
OFFICE OF The City Manager

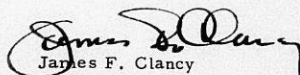
DATE July 6, 1962

TO L. L. Little, Director of Planning
FROM James F. Clancy, Executive Assistant

SUBJECT Commission Action re Policy for
Construction of Sidewalks--CC 269

At the Commission meeting of July 3, 1962 that body moved to refer the so called "waiver" of sidewalk requirements, as outlined in CC 269, to the Metropolitan Area Planning Commission for their review and recommendation.

Please advise this office of such recommendation as it becomes available.


James F. Clancy
Executive Assistant

JFC:ct

For July 19, 1962
agenda - report
to be drafted -
L.

continued



To: The Honorable Members of the City Commission June 21, 1962

Subject: Policy for Construction of Sidewalks

CC 269

The City Manager submits this communication in order that the Board of City Commissioners may review previous policies and actions in regard to the construction of sidewalks and to the establishment of adequate feeder routes leading to schools. The most prominent argument for the construction of sidewalks has been the concern for the pedestrian safety of school children. Since the city is now in the midst of its construction season, any decision regarding sidewalk construction policy must be quickly effected in order to alleviate school needs prior to the new school year beginning September, 1962.

SUBDIVISION RULES AND REGULATIONS

For many years the Subdivision Rules and Regulations of both the city and the Metropolitan Area Planning Commission have required that sidewalks be constructed along both sides of streets designated as major streets in the Major Street Plan adopted by the Planning Commission, and along at least one side of all other streets whenever any subdivision platted subsequent to July, 1948, is located within the city limits, or whenever such subdivision is to be incorporated in the city limits of the City of Wichita by annexation. The requirement further provides that sidewalks along unimproved sites must be installed within two years from the date of filing of the plat, except that such installation may be deferred in cases where improvements are actually under construction but not completed, upon application to the City Commission or County Commission, depending on jurisdiction. This requirement, however, was waived by a formal motion of the City Commission in 1954.

LEGAL AUTHORITY FOR CONSTRUCTION OF SIDEWALKS

Under Sections 12-1801 through 12-1816 of the General Statutes of Kansas, 1949, sidewalks may be constructed upon receipt of a petition signed by twenty-five citizens who own property in a ward or upon request by the owners of frontage abutting the proposed project. There is no provision for a public hearing but the City Commission may hold one if it so desires. The City Commission may order the construction of a sidewalk to replace existing walk upon finding that it is in an unsafe and hazardous condition.

Following the granting of the petition, a resolution must be adopted on two readings declaring the project necessary and allowing the abutting property owners thirty days to construct their own sidewalk in accordance with city specifications. This resolution is followed by approval of the Engineer's preliminary estimate, advertising for bids, awarding the contract, approving the Engineer's statement of costs upon completion of the work, passage of an

June 21, 1962

Subject: Policy for Construction of Sidewalks

CC 269-2

ordinance apportioning and assessing the cost and mailing the assessment notices to property owners, which assessment must be paid in two years unless extended by the City Commission to five years. Scrip is issued for making the payment to contractors.

SCHOOL TRAFFIC SAFETY POLICIES

On November 17, 1959 the City Commission received and filed CC 191, Report on School Traffic Safety Policies and Practices prepared by the Administrative Committee on Traffic Safety Coordination. This report was reviewed and approved by the Traffic Commission, the P. T. A. Safety Council, Wichita Public School Administration, the Diocesan Schools of Wichita and the Lutheran Schools. A revised report was then issued by the committee in March, 1960. Both reports contained the following recommendations in regard to sidewalks:

"5. That sidewalks be provided around schools and for the distance away from schools necessary to provide a proper pedestrian way where the school pedestrian movement represents a reasonable volume of children. The Committee would point out that the lack of sidewalks in school areas is a serious weakness in the Wichita School Traffic Safety Program. It is a weakness that has become progressively worse. Sidewalks should be available at schools on both sides of streets and should extend to the point of dispersion of the students."

"6. That the Planning Commission establish standards requiring subdivision developers to construct all sidewalks when paving is constructed. It is further recommended that a practical means be sought to provide sidewalks in areas around established schools."

"7. That the Administrative Committee for Traffic Safety Coordination continue with its study of sidewalks so as to provide and submit to the City Commission an overall plan for construction of sidewalks in school areas."

On March 29, 1960, the City Commission accepted the recommendations contained in the above-mentioned report, with the exception of an item concerning use of "Safety Sue" or "Safety Sal" signs.

POLICY FOR SIDEWALKS LEADING TO SCHOOLS

On March 29, 1960, the City Commission also received CC 208, Policy for Sidewalks Leading to Schools prepared by a subcommittee of the Administrative Committee for Traffic Safety Coordination as requested by the City Commission in September, 1959. The scope of this sidewalk study involved a review of existing records, and an on-site inventory of almost every street in the city to obtain factual knowledge of existing walks, the preparation of a large map to

Subject: Policy for Construction of Sidewalks

June 21, 1962
CC 269-3

indicate existing walks, a conference among the subcommittee members to determine the locations of proposed school feeder routes, and the development of a basis of priority for placing sidewalks throughout the city.

This report revealed that there were approximately 490 miles of sidewalk scattered throughout the city. In the subsequent 24 months some 7.89 miles of sidewalk have been constructed. The following criteria were developed by the subcommittee to assist in the assignment of sidewalk installation needs:

1. Sidewalks completely encircling school grounds on both sides of the street were recommended where possible.
2. Sidewalks on both sides of the street were recommended for all major feeder routes to the school. Existing pedestrian habits, existing control devices, existing sidewalks and the knowledge of particular committee members in direct contact with the various schools were taken into account in determining the major feeder routes.
3. In all instances, sidewalks were recommended upon both sides of the street in locations where new sidewalks were proposed. Where sidewalks already exist upon one side of the street, the proposal for walks on the other side were considered upon individual merits and upon location relative to school and other walks.
4. Primary emphasis was placed upon the provisions for sidewalks around elementary schools. For the most part, these suggested walks also aid the intermediate and high schools. Some specific walks were recommended for individual parochial school and intermediate and high schools.
5. Some pedestrian generators other than the schools received consideration when the sidewalk needs of the school and the other generator could be met concurrently.
6. Other sidewalk needs along major and through streets, and in commercial areas not specifically used for school travel, will be discussed in a second report on overall sidewalk requirements.

The report indicated a need for 912,305 lineal feet, or approximately 173 miles of new sidewalk to serve basic school pedestrian requirements. On May 1, 1962, estimates were presented to the City Commission for the cost of typical four-foot sidewalks. The lineal foot average of these estimated costs was \$1.80 per foot. Thus, the original 1960 cost estimate of \$1,650,000 for the above sidewalk program still appears to be valid.

City of Wichita, Kansas

June 21, 1962
CC 269-4

Subject: Policy for Construction of Sidewalks

The City Manager recommended that the map and list of sidewalk feeder routes be received and filed by the City Commission and used in the future to accept ward petitions for the construction of sidewalks leading to schools. This policy would reserve to the people the responsibility for initiating installation of these sidewalks, yet provide an orderly means for the construction of the walks which would not depend upon the signatures of fifty per cent of the abutting property owners. The above construction program was to serve as a start to establishment of sidewalks on all streets throughout the community and the suburban areas.

On May 29, 1960, the City Commission approved the report on sidewalks leading to schools and received and filed the map and list of school sidewalk feeder routes for future use when granting petitions for walks leading to schools.

MAINTENANCE AND REPAIR OF SIDEWALKS

Table I reveals that in 1961 the city expended some 5,207 manhours for the repair and maintenance of some 31,647 square feet of sidewalk. A much more extensive program of sidewalk maintenance is needed in order to protect the investment of property owners who have improved their property by paying for sidewalks. Under authority of Chapter 12-18 of the General Statutes, the City Commission, upon finding a sidewalk in unsafe condition, may order the repair or replacement of the sidewalk, the cost to be assessed to abutting property owners.

TABLE I
MAINTENANCE AND REPAIR OF SIDEWALKS
WORK PROGRAM

ACTIVITY	WORK UNIT	ACTUAL 1960	ACTUAL 1961	ESTI-MATED 1962	ESTI-MATED 1963
<u>Sidewalk Repair</u>					
Concrete	Square Feet	26,341	28,168	30,000	30,000
	Man/Hours	3,819	4,172	3,800	4,500
Asphalt	Man/Hours	---	51	200	---
Sand	Square Feet	33,524	692	30,000	---
	Man/Hours	363	50	200	---
Pedestrian Bridges	Man/Hours	448	629	500	600

June 21, 1962
CC 269-5

Subject: Policy for Construction of Sidewalks

<u>Pavement Cuts</u>	Square Feet	3,151	2,634	3,500	3,000
	Man/Hours	498	289	600	400
<u>Sidewalk Construction</u>	Square Feet	---	153	---	---
	Man/Hours	---	16	---	---

RECOMMENDATION

The City Manager recommends that the Board of City Commissioners review the Policy for Sidewalks Leading to Schools as previously adopted, and instruct the City Manager to have the staff proceed to implement the program to provide adequate sidewalk feeder routes leading to schools as petitioned.

Respectfully submitted,

Russell E. McClure

Russell E. McClure
City Manager

REM:gs

700
1000
1400

2950

27.60
16.20

43.80



SWIFT, SURE FREIGHT AND PASSENGER SERVICE IS A SANTA FE TRADITION

CC 208 - 3/24/60

912,305 ft = 1,650,000

Cost Estimates - CC agenda 5/1/62
1.80 running foot

912,305 @ 1.80 = 1,642,149



#1,710,000

- 180 miles

- std 4' - 4" - 9"



- 4040'

- \$1.60/muy \$0

\$1,520,640



SWIFT, SURE FREIGHT AND PASSENGER SERVICE IS A SANTA FE TRADITION

550'	-	\$990
790'	-	\$1420
600'	-	\$1080

$$\begin{array}{r} 1.80 \\ 550 \overline{) 990} \\ \underline{550} \\ 4400 \\ \underline{4400} \end{array}$$

$$\begin{array}{r} 1.8 \\ 18790 \overline{) 1420} \\ \underline{790} \\ 6300 \\ \underline{6320} \end{array}$$

$$\begin{array}{r} 600 \overline{) 1080} \\ \underline{600} \\ 4800 \end{array}$$

T. J. SCANLON, EXECUTIVE ASSISTANT
TO THE CITY MANAGER
L. L. LITTLE, DIRECTOR OF PLANNING

MAY 10, 1962

SIDEWALK PROGRAM

IN COMPLIANCE WITH YOUR REQUEST OF MAY 8, 1962, WE SUBMIT THE FOLLOWING WITH REGARD TO A POTENTIAL SIDEWALK INSTALLATION PROGRAM.

CC 208, DATED MARCH 24, 1960, REPORTED ON THE SIDEWALK CONSTRUCTION PROGRAM CONSIDERED TO BE MINIMAL FOR ADEQUATE PROTECTION OF SCHOOL CHILDREN. THE REPORT WAS BASED ON THE STUDY OF A SUB-COMMITTEE OF THE ADMINISTRATIVE COMMITTEE FOR TRAFFIC SAFETY COORDINATION. THE SUB-COMMITTEE WAS COMPOSED OF REPRESENTATIVES FROM:

- TRAFFIC ENGINEERING DIVISION
- JUVENILE SECTION OF THE POLICE DEPARTMENT
- BOARD OF EDUCATION

IN SUMMARIZING THE REPORT IT WAS NOTED THAT A MINIMUM NEED EXISTED AT THAT TIME FOR 912,305 LINEAL FEET OF SIDEWALK. THE ESTIMATED COST WAS \$1,650,000.

ON MAY 1, 1962, ESTIMATES WERE PRESENTED TO THE CITY COMMISSION FOR THE COST OF TYPICAL FOUR FOOT SIDEWALKS. THE LINEAL FOOT AVERAGE OF THESE ESTIMATED COSTS WAS \$1.80 PER FOOT. ON THIS BASIS, AND ASSUMING THE 1960 SIDEWALK NEED IS STILL VALID, THE 912,305 LINEAL FEET OF FOUR FOOT SIDEWALK WOULD HAVE AN ESTIMATED COST OF \$1,642,149. THUS, THE ORIGINAL COST ESTIMATE OF \$1,650,000 STILL APPEARS TO BE VALID.

THIS ITEM HAS NEVER BEEN INCLUDED IN A CAPITAL IMPROVEMENT PROGRAM.

SIDEWALK INSTALLATION NOW REQUIRES APPROVAL OF A PETITION FROM PROPERTY OWNERS AND SUBSEQUENT ASSESSMENT OF CONSTRUCTION COSTS TO ADJACENT PROPERTY OWNERS.

T. J. SCANLON

- 2 -

MAY 10, 1962

THE SUBDIVISION RULES AND REGULATIONS HAVE FOR MANY YEARS PROVIDED FOR THE CONSTRUCTION OF SIDEWALKS AS A CONDITION OF SUBDIVISION APPROVAL; BUT THIS HAS BEEN WAIVED BY CITY COMMISSION ACTION TAKEN IN 1948. IT COULD BE REQUIRED IN THE FUTURE IF THE CITY COMMISSION CONSIDERED IT TO BE DESIRABLE; AND TOOK THE APPROPRIATE ACTION TO WITHDRAW THE WAIVER.

L. L. LITTLE
DIRECTOR OF PLANNING

LLL:RE:BR

DR 65-11 - Consideration of amendment to Section 28.04.140 relative to off-street parking in the commercial and office districts

ACTION

DATE

COMMITTEE

	<u>Advisive for</u>	
	<u>public hearing</u>	5-6-65
M.A.P.C.	<u>Refer & make</u>	6-17-65
Maps	<u>Approve</u>	7-1-65
Sec	<u>Refer back</u>	8-18-65
		9-7-65
BCC	<u>Approve &</u>	9-14-65
	<u>Place on 1st R -</u>	
BCC	<u>Approved &</u>	9-21-65
	<u>placed on 2nd reading</u>	

*Place on 2nd reading
Keep Amendment*

ORDINANCE NO. 28-340

AN ORDINANCE AMENDING SECTION 28.04.140 OF THE CODE OF THE CITY OF WICHITA, KANSAS, RELATING TO OFF-STREET PARKING REQUIREMENTS, AND PROVIDING OFF-STREET PARKING REGULATIONS FOR RESIDENTIAL, OFFICE, COMMERCIAL, INDUSTRIAL AND PUBLIC AND SEMI-PUBLIC USES; NUMBER AND SIZE OF SPACES; LOADING AREA; IMPROVEMENTS; OCCUPANCY OF BUILDING OR USE; OFF-STREET PARKING EXCEPTIONS; AND PROVIDING ADDITIONAL SECTIONS FOR THE SAME PURPOSES; AND REPEALING SAID SECTION 28.04.140 OF THE CODE OF THE CITY OF WICHITA, KANSAS:

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS: THAT SECTION 28.04.140, TITLE 28, CODE OF THE CITY OF WICHITA, BE AMENDED TO READ AS FOLLOWS:

SECTION 1. That Section 28.04.140, Code of the City of Wichita, be amended to read as follows:

Section 28.04.140 Off-Street Parking.

1.1 Parking Space:

For the purpose of this chapter, in dwelling districts off-street parking space shall not occupy any part of any required front yard (except that in conversions within the above-mentioned districts, the parking space may occupy the existing concrete or asphaltic drives when located within the required front yard) nor shall it be located closer to any side property line than one-half the distance of the side yard setback distance (as required for main structures). Parking spaces shall be reserved for the sole use of the occupants of the building or lot, and the visitors thereto. Churches, theaters, stadiums, auditoriums and other similar places of public assembly may make arrangements for joint use of parking space with other uses as herein specified.

1.2 For the purpose of this chapter, off-street parking shall be considered as an accessory use to the use for which the parking is provided. Parking not located on the same tract on which the main use is located must be located within the zoning district in which parking or storage lots are permitted as a main use; or be located in accordance with provisions of this chapter relating to off-street parking exceptions.

1.3 Off-street parking space as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. Off-street parking shall be required for any existing building or structure which is altered in any manner so as to change its use or to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area, or seats. Existing parking area previously required shall not be used to satisfy required off-street parking for any new structures or additions to existing buildings, structures or uses of land. Such existing parking space shall be maintained and shall not be reduced so long as the main building, structure or use remains, unless an equivalent number of such spaces are provided elsewhere as provided in this chapter.

- 1.4 In no instance shall off-street parking required by this chapter be located more than six hundred feet (as measured along lines of public access) from the use which it serves.

SECTION 2. That Section 28.04.141, Code of the City of Wichita, is hereby created as follows:

Section 28.04.141 Off-Street Parking - Number and Size of Spaces.

1. The total net area of parking spaces required, not including aisles, turn arounds and internal circulation, ingress and egress drives, shall be the total number of spaces required multiplied by two hundred square feet. A plot plan shall be submitted to the superintendent of central inspection for any area (except parking for single-family dwellings) which is to be used as off-street parking. The plot plan shall show the arrangement of such parking spaces in this area and before the superintendent of central inspection shall issue any building, use or occupancy permit, he shall submit such parking plan to the traffic engineer for approval. The approval of the parking plan and layout shall be based on: sufficient number of parking spaces, adequate aisle spaces appropriate to the type of design, adequate turn arounds if needed, and adequate means of ingress and egress. Such approval of off-street parking areas shall be in accord with the provisions of chapter 10.16 of this code (driveways and curb cut requirements).
2. There shall be provided at the time of erection or enlargement of any main building or structure, or change or revision of use of building or land, minimum number or amount of off-street parking spaces or spaces with adequate provisions for ingress and egress by standard-size automobiles. This requirement shall apply in all zoning except the "D" central business district where only structures for residential uses shall be required to provide off-street parking spaces. The number of spaces or area of parking space for off-street parking shall be as follows:
 - 2.1 Dwelling (e.g. one-family, two-family, three-family, four-family, multi-family, mobile homes and house trailers). One space for each housekeeping unit, plus one space for each lodger or boarder.
 - 2.2 Hotel, apartment building, apartment hotel, club, motel. One space for each housekeeping unit, suite of rooms or motel unit, plus one space for each two hundred fifty square feet of floor area or fraction thereof used for retail purposes; restaurant, professional and service facilities, offices, meeting rooms, recreational spaces, and salesman display room facilities, except that space designated for storage closet or utility use need not be included in such computation.
 - 2.3 Auditoriums, theaters, stadiums and other similar places of public assembly, except churches. One space for each five seats based on maximum seating capacity. For the purpose of this type of use, parking space already provided to meet off-street parking requirements for stores, office buildings and industrial establishments lying within six hundred and sixty feet (as measured along lines

of public access) of the place of public assembly, that are not in use between the hours of 6:00 p.m. and midnight, and are made available for other parking, may be used to meet not more than fifty percent of the total requirements, providing written consent of the owner or agent of such existing parking lot is obtained and provided such approval is made binding on the owners of such land and such approval is filed with the register of deeds after having first been approved by the department of law.

- 2.4 Churches. Same as auditoriums, etc., except 6:00 a.m. and 10:00 p.m. on Sundays substituted for 6:00 p.m. and midnight.
- 2.5 Doctor's office, clinic. One space for each doctor, nurse, technician and employee, plus one space for each five hundred square feet of floor area.
- 2.6 Hospitals, philanthropic and eleemosynary institutions. One space for each five beds, plus one space for each five employees in the largest working shift in a twenty-four hour period.
- 2.7 Schools (private and public):
 - Elementary. One space for each teacher and employee, at capacity.
 - Intermediate. One space for each teacher and employee, at capacity.
 - High. One space for each teacher and employee, plus one space for each ten (10) students, at capacity.
- 2.8 Fraternity and sorority house. One space for each two hundred and fifty square feet of floor area.
- 2.9 Office and commercial buildings, including governmental, public utility and other similar buildings shall provide one space for each two hundred fifty square feet of floor area or one space for every three employees in the largest working shift in a twenty-four hour period, whichever is the greater.
- 2.10 Industrial building. One space for every three employees in the largest working shift in a twenty-four hour period.
- 2.11 Mortuaries and funeral homes. One space for each three seats based on maximum seating capacity.
- 2.12 New and used car lots; trailer sales lots; trailer, vehicle and equipment rentals lots. One space for each three thousand square feet of lot area.
- 2.13 Mobile home parks; one space for every five mobile homes (in addition to off-street parking requirements as provided in Section 2.1). Off-street parking for other uses permitted in the "G" mobile home district shall be provided in accordance with the applicable provisions as otherwise outlined in this chapter.

SECTION 3. That Section 28.04.142, Code of the City of Wichita, is hereby created:

Section 28.04.142 Off-Street Loading Area:

1. Permanently maintained usable off-street loading area of three hundred square feet per space shall hereafter be provided on the same lot when structures for the following uses are erected, established or expanded.
 - 1.1 Hospitals and institutions with a gross floor area of ten thousand square feet or more. One space for each three hundred thousand square feet or fraction thereof, exclusive of ambulance space.
 - 1.2 Hotels and office buildings with a gross floor area of ten thousand square feet or more. One space for each one hundred thousand square feet or fraction thereof.
 - 1.3 Undertakers and funeral parlors. One space for each five thousand square feet or fraction thereof.
 - 1.4 All other commercial and industrial uses with a gross floor area of five thousand square feet or more. One space for each twenty-five thousand square feet or fraction thereof for the first one hundred thousand square feet. One additional space for each fifty thousand square feet or fraction thereof more than one hundred thousand square feet.

SECTION 4. That Section 28.04.143, Code of the City of Wichita, is hereby created.

Section 28.04.143 Off-Street Parking and Loading Area Improvements.

- 1.1 All off-street parking space and loading areas required under 28.04.141 (Paragraphs 2.2 through 2.11) and Section 28.04.142, and all driveways on private property providing ingress to such uses and to all required off-street parking and loading areas shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing.
- 1.2 Parking areas as required under Section 28.04.141, "Number and Size of Spaces", paragraph 2.1, shall be paved or otherwise surfaced with an all-weather surface treated to prevent dust.

SECTION 5. That Section 28.04.144, Code of the City of Wichita, is hereby created:

Section 28.04.144 Off-Street Parking and Loading Areas - Occupancy of Buildings or Use.

No building or structure may be occupied or used or any lot, parcel or piece of ground be occupied or used until all of the off-street parking and loading area is provided as required by this chapter.

SECTION 6. That Section 28.04.145, Code of the City of Wichita, is hereby created:

Section 28.04.145 Off-Street Parking Exceptions.

1.1 Special Permit:

In order to provide off-street parking areas, the board of zoning appeals may, after public notice and hearing, grant as an exception a special permit for the establishment of parking areas in any zoning district under the provisions further set forth in this section.

1.2 Location:

Parking provided under this section must be within six hundred feet (along lines of public access) from the boundary of the use for which the parking is provided.

2. Use:

2.1 The parking area shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.

2.2 Only such signs as are necessary for the proper operation of the parking lot shall be permitted.

2.3 In no case shall a fee be charged for parking facilities provided hereunder.

3. Improvements:

3.1 Parking areas and driveways on private property providing ingress and egress to parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or any other comparable surfacing which meets the approval of the board of zoning appeals, and shall be maintained in good condition and free of all weeds, dust, trash and other debris. The standards for the location of entrances and exits shall not be less than that required in the Curb Cut Ordinance as set out in chapter 10.16 of this code, but may be more restrictive as determined by the board of zoning appeals.

3.2 Parking areas shall have adequate guards to prevent extension or the overhanging of vehicles beyond property lines or parking spaces; and parking areas shall have adequate markings for channelization and movement of vehicles.

3.3 If lighting facilities are provided, they shall be so arranged as to deflect or direct light away from any adjacent dwelling district.

3.4 A fence (such as solid-wall masonry, wood, louvered wood, metal or other similar materials) shall be erected along any property line adjacent to or adjoining any dwelling district to eliminate the passage of light from vehicles and to prevent the blowing of debris. Whenever a fence shall be required along a front yard, such fence shall not be higher than four feet and such fence shall be located within one foot of the front yard setback line. Fences along said yards shall not extend nearer to the street than the front yard setback line.

- 3.5 When located in a dwelling district, parking shall not be located within a front yard.
- 3.6 The board of zoning appeals shall determine the necessary improvements in order to protect adjacent property owners and the public interest. Such improvements shall include, but not be restricted to proper setbacks, screening wall, grass, shrubs, trees, and maintenance.

4. Application:

The application for the exception outlined in Section 6 be accompanied by:

- 4.1 An attorney's opinion or other suitable evidence certifying as to the ownership of the property or the existence of a valid lease, by the applicant.
- 4.2 A plot plan showing the proposed plan of the improvements and any other information showing the applicant's intention to comply with the provisions of this section.
- 4.3 Certified list of all property owners within a radius of two hundred feet of the proposed area to be used.

5. Permit Revocable:

The superintendent of central inspection shall be responsible for the enforcement of the conditions and requirements made by the board of zoning appeals in the approval of any off-street parking exception permit. The superintendent of central inspection, upon discovery of any violation of this ordinance or the conditions and requirements established by the board of zoning appeals, shall notify the board of zoning appeals through its secretary as to such violations. The board of zoning appeals is hereby authorized to revoke the special permit after public hearing for any of the following reasons:

- 5.1 Failure to commence the use of the area within twelve months after the issuance of the permit.
- 5.2 Abandonment of the area for parking purposes for six months.
- 5.3 Failure to comply with the requirements contained in this section, or imposed by the board of zoning appeals.

SECTION 7. That Section 28.04.140 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 8. This Ordinance shall take effect on its passage and publication once in the official city paper.

19 65. PASSED AND APPROVED this 21st day of September.

William D. Tarrant, Mayor

ATTEST:

Robert G. Finch, City Clerk

(SEAL)

September 2, 1965

Board of City Commissioners
City Building
204 South Main
Wichita, Kansas

Gentlemen:

Re: DR 65-11 - Proposed amendment to
the Zoning Ordinance relative to
off-street parking for commercial
and office structures

At the meeting of August 17, the Commission deferred action on the subject ordinance and requested the Planning Department staff to prepare actual examples in the implementation of the current ordinance.

Attached for your information is the requested list of examples, comparing parking as required by the present ordinance to the requirements proposed by subject amendment.

Section A.2.9 of 28,04,140 - Off Street Parking Requirements, provides that office and commercial buildings provide one parking space for each 250 square feet of floor area, or for each three employees in the largest working shift. This Section also contains a clause as follows:

"Whenever a land area of 40,000 square feet or more is developed under one ownership, management or direction and the area contains mixed uses, there shall be provided two square feet of parking space for each one square foot of ground occupied by buildings."

This means that a ten-story building would have to provide the same amount of parking as a single story building. Obviously, this has caused problems in construction and parking requirements for office and commercial structures.

Board of City Commissioners
September 2, 1965

On July 1, 1965, the Metropolitan Area Planning Commission recommended that the above paragraph relative to parking requirements for office and commercial structures located on a land area of 40,000 square feet or more be deleted from the Ordinance.

The Ordinance, if amended, will provide that all office and commercial buildings provide one off-street parking space for each 250 square feet of floor area, or one space for each three employees in the largest working shift in a 24-hour period.

The Department of Law has prepared an Ordinance effectuating the proposed amendment and, if the City Commission agrees with the proposed change, it is recommended that the Ordinance be placed on its first reading.

Respectfully submitted,

C. Bickley Foster
Secretary

CBF:JHG:ber

Attachment

OFF-STREET PARKING REQUIREMENTS UNDER EXISTING
ORDINANCE AS COMPARED TO REQUIREMENTS OF SUBJECT AMENDMENT

A. College Hill Medical Tower - 136,128 sq. ft.		
1. Parking provided by plans		269
2. Parking required by existing ordinance		356
3. Parking required by amendment		545
B. Southern Baptist Office Building (West 54) - 20,328 sq. ft.		
1. Parking provided by plans		106
2. Parking required by existing ordinance		68
3. Parking required by amendment		82
C. Garvey Building - 123,596 sq. ft.		
1. Parking provided by plans		120
2. Parking required by existing ordinance	0 -	(113)
3. Parking required by amendment		495
D. Parklane Shopping Center - 316,400 sq. ft.		
1. Parking provided by plans		1103
2. Parking required by existing ordinance		1452
3. Parking required by amendment		1266
E. Wichita Clinic - 85,108 sq. ft. (Computed as if general office structure)		
1. Parking required by existing ordinance		262
2. Parking required by amendment		341
F. Commercial Credit Corp., 437 S. Hydraulic - 3970 sq ft. (one story)		
1. Parking provided by plans		16
2. Parking required by existing ordinance		16
3. Parking required by amendment		16

1 If outside C.B.D.

- G. Consumers Acceptance Co., 2902 E. Douglas - 1945 sq. ft.
(one story)
- | | |
|---|---|
| 1. Parking provided by plans | 8 |
| 2. Parking required by existing ordinance | 8 |
| 3. Parking required by amendment | 8 |
- H. Office and Commercial Building, 232 S. West - 1728 sq. ft.
(one story)
- | | |
|---|---|
| 1. Parking provided by plans | 7 |
| 2. Parking required by existing ordinance | 7 |
| 3. Parking required by amendment | 7 |
- I. Preferred Investments Inc., 3305 E. Douglas - 11,424 sq. ft.
- | | |
|---|----|
| 1. Parking provided by plans | 41 |
| 2. Parking required by existing ordinance | 46 |
| 3. Parking required by amendment | 46 |

THE CITY OF WICHITA

OFFICE OF The City Manager

DATE August 19, 1965



TO Robert Lakin, Assistant Director of Planning

FROM James F. Clancy, Executive Assistant

SUBJECT Request of City Commission
Amendment to the Off-Street
Parking Ordinance

At the meeting of August 17 the Commission deferred action on the subject ordinance and requested the Planning Department staff to prepare actual examples in the implementation of the current ordinance. I would also suggest that theoretical examples be prepared which would support the amendment that is being proposed. It would be appreciated if a report on this matter could be received for the agenda preparation of September 2, since the Commission specifically set September 7 as the date for this further consideration.

JFC:ld



August 12, 1965

Board of City Commissioners
City Building
204 South Main
Wichita, Kansas

Gentlemen:

Re: DR 65-11 - Proposed amendment to
the Zoning Ordinance relative to
off-street parking for commercial
and office structures

At its meeting of April 27, 1965, the Board of City Commissioners requested that some attention be given to amendment of the Zoning Ordinance in its requirements for off-street parking for office and commercial buildings. Section A.2.9 of 28.04.140 - Off Street Parking Requirements, provides that office and commercial buildings provide one parking space for each 250 square feet of floor area, or for each three employees in the largest working shift. This Section also contains a clause as follows:

"Whenever a land area of 40,000 square feet or more is developed under one ownership, management or direction and the area contains mixed uses, there shall be provided two square feet of parking space for each one square foot of ground occupied by buildings."

This means that a ten-story building would have to provide the same amount of parking as a single story building. Obviously, this has caused problems in construction and parking requirements for office and commercial structures.

On July 1, 1965, the Metropolitan Area Planning Commission recommended that the above paragraph relative to parking requirements for office and commercial structures located on a land area of 40,000 square feet or more be deleted from the Ordinance.

Board of City Commissioners
August 12, 1965

The Ordinance, if amended, will provide that all office and commercial buildings provide one off-street parking space for each 250 square feet of floor area, or one space for each three employees in the largest working shift in a 24-hour period.

The Department of Law has prepared an Ordinance effectuating the proposed amendment and, if the City Commission agrees with the proposed change, it is recommended that the Ordinance be placed on its first reading.

Respectfully submitted,

C. Bickley Foster
Secretary

CBF:JWH:ber

() (Published in The Wichita Beacon on _____, 19)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on June 17, 1965, at 2:00 P.M., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider the following change to Title 28, the Code of the City of Wichita, Kansas:

SECTION 28.04.140 Off-street parking regulations.

A. OFF-STREET PARKING.

Amend to read as follows:

- 2.9 Office and commercial buildings, including governmental, public utility and other similar buildings shall provide one space for each two hundred fifty square feet of floor area or one space for every three employees in the largest working shift in a twenty-four hour period, whichever is the greater.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed change to the revised Zoning Ordinance will be considered by the Commission as by law provided.

WITNESS my hand and seal on this 13th day of May, 1965.

C. Bickley Foster, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning
Commission

(SEAL)

(1-T)

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

April 30, 1965

TO Metropolitan Area Planning Commission
FROM Robert A. Lakin, Assistant Planning Director
SUBJECT Case No. DR 65-11 - Proposed Amendment to the Zoning Ordinance
Relative to Off-Street Parking for Commercial and Office
Structures

At their meeting of April 27, 1965, the Board of City Commissioners requested that some attention be given to the amendment of the Zoning Ordinance and its requirements for off-street parking on office and commercial buildings. Section A.2.9 of 28,04,140 - Off-Street Parking Requirements, provides that office and commercial buildings provide one parking space for each 250 square feet of floor area or for each three employees in the largest working shift. This section also contains a clause as follows:

"(Whenever a land area of forty thousand square feet or more is developed under one ownership, management, or direction, and which area contains mixed uses, there shall be provided two square feet of parking space for each one square foot of ground occupied by buildings.)"

This means that a ten-story building would have to provide the same amount of parking as a single-story building. Obviously, this has led to problems in the construction of commercial structures.

Inasmuch as the Prototype Zoning Regulations will be available within the next 20 or 30 days, and the off-street parking section contained therein can be integrated into the current Ordinance, it is recommended that only an interim amendment be considered at this time. It is suggested that the next clause of A.2.9 within the parentheses be deleted from the Ordinance, leaving a general requirement for office and commercial buildings. It is further recommended that consideration then be given, in the next two or three months, to revise the entire off-street parking section.

RAL:bgs