

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981 BY AMENDING ZONING ORDINANCE SECTION 35.2-67, SIDEWALKS AND PEDESTRIAN CONNECTIVITY.

WHEREAS, the City Council initiated amendments to Section 35.2-67, Sidewalks and Pedestrian Connectivity on June 13, 2017 in order to provide greater flexibility for when sidewalks are to be constructed.

WHEREAS, the Planning Commission conducted several work sessions and held a public hearing to consider and address the proposed Zoning Ordinance Amendment to receive public comment on September 13, 2017.

WHEREAS, the City Council held a public hearing to consider and address the proposed Zoning Ordinance Amendment and to receive public comment on November 14, 2017.

WHEREAS, the City Council finds that this Ordinance should be adopted in order to promote the public necessity, convenience, welfare and good zoning practice.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

That Section 35.2-67, Sidewalks and Pedestrian Connectivity of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

35.2-67 Sidewalks and Pedestrian Connectivity

35.2-67.1 Applicability

(a) Sidewalks and walkways that comply with Americans with Disabilities Act requirements, the City of Lynchburg Manual of Specifications and Standard Details and this Ordinance, shall be provided ~~along all streets~~ for any development subject to site plan review. ~~The Zoning Administrator may lessen or eliminate the requirements of this section when existing cross-slopes in excess of twenty-five (25) percent measured across the width of the right-of-way, stormwater conveyances or other physical constraints render required sidewalk improvements unfeasible.~~

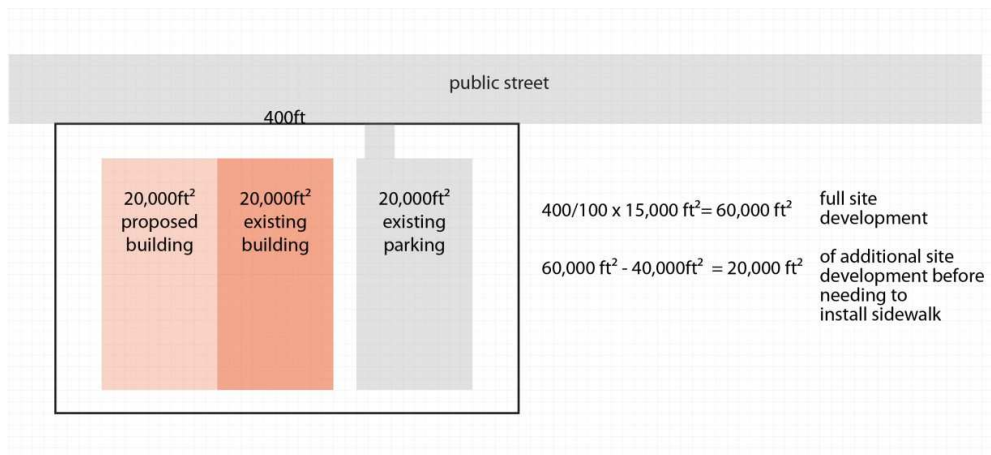
1. New Development: Sidewalks shall be provided along all street frontages.
2. Redevelopment: Sidewalks shall be provided along the primary street frontage and for redevelopments with multiple street frontages along the secondary street frontage as provided in this Ordinance. For purposes of this section, primary street frontage shall be the street with the highest vehicle trips per day and secondary street frontage shall be the street with the second highest vehicle trips per day.
 - a. Sidewalks shall be required when site development meets the threshold of fifteen thousand (15,000) gross square feet of developed area per one hundred (100) linear feet of primary street frontage, whether the developed area is existing or proposed at the time of site plan approval. Existing development shall be calculated from data maintained by the City Assessor's Office and

proposed development shall include any new buildings, parking areas or areas of land disturbance.

[site development = (frontage ft/100) x 15,000]

- b. Redevelopments that exceed the site development threshold prior to final site plan approval, shall not be required to construct sidewalks until site development exceeds an additional five thousand (5,000) cumulative square feet.
- c. For the purposes of this ordinance redevelopment shall be considered the expanded development of a property while retaining the existing buildings.

Exhibit VI-18: Sidewalk Threshold Requirements for Redevelopment



35.2-67.2 Sidewalk Width Requirements

- (a) Sidewalks shall be ~~provided along all streets~~ as provided in Exhibit VI-18.1. Generally, sidewalks shall be located in the right-of-way adjacent to the property line. However, the City Engineer may approve the installation of sidewalks on private property upon finding that adequate easements have been provided by the property owner and the sidewalk alignment provides adequate connectivity to existing and future sidewalks.

Exhibit VI-18.1: Sidewalk Width Requirements

Local and collector streets in residential districts	5 feet
Local and collector streets in B-3, B-5, IN-1, IN-2, I-1, I-2 and I-3 districts	6 feet
Local and collector streets in B-1 districts	6 feet where buildings are set back more than 10 feet 8 feet where buildings are set back 10 feet or less
Arterial streets	6 feet
B-4 districts	8 feet

- (b) For multiple household residential, mixed use or multi-occupant commercial centers and institutional uses, the applicant for site plan approval shall provide for a safe, clearly marked and continuous walkway from the sidewalk to the building entrances. Where warranted by the Manual on Uniform Traffic Control Devices (MUTCD), the driveways shall have either marked crosswalks that are ADA compliant or continuous ADA compliant sidewalks with aprons for vehicular traffic.

35.2-67.3 Sidewalk Exemptions

- (a) The Zoning Administrator may lessen or eliminate the requirements for sidewalks when existing cross-slopes in excess of twenty-five (25) percent measured perpendicular across the width of the right-of-way, stormwater conveyances or other physical constraints render required sidewalk improvements unfeasible.
- (b) The Zoning Administrator may eliminate the requirement for sidewalk on streets with fewer than one hundred (100) vehicle trips per day and if the area served by the street will not generate an excess of one hundred (100) vehicle trips per day based upon the existing zoning patterns and the Comprehensive Plan’s Future Land Use Map.
- (c) In areas where sidewalks are not required, and grading occurs in city right-of-way, grading shall be done in a manner so as not to preclude the future installation of sidewalks.

That this ordinance shall become effective upon its adoption.

Adopted: November 14, 2017

Certified: _____
Clerk of Council