

**Date:** January 21, 2014  
**To:** David Corliss and City Staff  
**From:** Lawrence Pedestrian Coalition

We truly appreciate your willingness to meet with us on Wednesday, February 12, 2014, at 7 PM, to discuss the state of pedestrian access and safety in Lawrence.

To begin our discussion, we'd like to request an update from City staff on the status of the recommendations we made to the City during our presentation to the Commission on November 5, 2013. [http://www.lawrenceks.org/assets/agendas/cc/2013/11-05-13/lpc\\_ltr\\_to\\_cc.pdf](http://www.lawrenceks.org/assets/agendas/cc/2013/11-05-13/lpc_ltr_to_cc.pdf)

We have organized the following questions into three categories: planning/policy; enforcement; and funding. We are hoping that you/staff can consider each of these areas of inquiry, and offer some insight that may help us to frame future efforts.

We look forward to discussing these questions with you in February.

Information regarding sidewalks, crosswalks, signal timing, specifications, or other questions, concerns, or complaints can be referred to the Public Works Dept @ 832-3123

#### **Planning/Policy:**

1. While we applaud the City's adoption of a Complete Streets policy, we are concerned that the policy lacks both a plan for implementation and a strategy for funding needed improvements. How can the City best ensure that Complete Streets becomes reality? **As appropriate, all projects are reviewed under the Complete Streets policy. A key to substantial implementation of Complete Streets is funding, particularly for retro-fit projects and missing links in sidewalk and bicycle lanes, etc.**
2. Pedestrian access and safety in our community is a crosscutting issue currently without a home—i.e. no City department or advisory board has primacy over pedestrian issues. Would you support the creation of a "super committee" to address pedestrian issues? We envision such a committee including members of the traffic safety commission, the planning commission, the public works department, the Sustainability Advisory Board and the Lawrence Pedestrian Coalition. **Pedestrian safety and accessibility is one of our top priorities. PW would be the department to address these issues. The Traffic Safety commission regularly hears and makes recommendations on pedestrian issues.**
3. We understand that State statute assigns homeowners primary responsibility for sidewalk maintenance and repair adjacent to their properties. Does this statute prohibit the City from taking over responsibility for pedestrian infrastructure? **No** Does the City of Lawrence have the legal option of enacting an ordinance that supersedes this requirement? Has City legal staff researched our community's options under this statute? **We have conducted some general legal research in this area, and we do have options to take additional responsibility – the issue is funding.**
4. City staff researched the possibility of the City assuming responsibility for sidewalk infill and maintenance, Citywide? What are the pros and cons of this

option? Cost is a large hurdle. When a sidewalk inventory was conducted over 8 years ago, the cost estimate for new sidewalks in gap areas and repair of sidewalks then deemed in need of repair was substantial – in the millions of dollars. A new updated inventory is needed to arrive a current estimate – even if it would be a rough estimate. There are a number of issues with City assumption of sidewalk maintenance – does the snow removal responsibility stay with the adjoining property owner, who monitors for new defects, obstructions from a liability standpoint, etc. What about the situation when a property doesn't want a sidewalk in front of their property ?

5. Has City staff researched how other cities in Kansas manage their pedestrian infrastructure? This would be an appropriate research topic, earlier efforts on this subject should be updated.
6. How can we best establish a process for determining priorities for improving pedestrian infrastructure? Sidewalks and other pedestrian infrastructure should be a priority topic with the city, receiving appropriate policy and funding interest.
7. How much does it cost to reprogram crosswalk signals to allow for more time to cross (\$150K was thrown out at a recent meeting). How are crossing times determined? What is the process for increasing crossing times at signaled intersections? The \$150K used to be the cost of a simple intersection for signalization. Pedestrian activated Signals cost between \$50,000 and \$75,000.

Just to change the timing is a programming issue that would only take a Traffic Signal Tech a few minutes to complete.

Typically, the timing is based on MUTCD guidance for crossing a street. 3.5 feet / second plus 4-7 sec pedestrian clearance. So a 50 foot street would have 15 seconds plus the clearance time of 4-7 seconds plus 2 seconds of yellow on the crossing street.

However, in coordinated systems such as 6<sup>th</sup> or Iowa since the cycle length is 2-2.5 minutes the walk phase is extended to provide maximum allowable.

Also in areas where it is known to have slower average walking speeds we have adjusted the walk phase accordingly.

But to lengthen all pedestrian timing system wide may affect all delay.

8. Has the City ever included questions about sidewalks and pedestrian access and safety to its Citizen survey? If not, can questions be added, or can a different survey tool be created, perhaps similar to the recent RV parking survey that was conducted? The City does plan to conduct a new citizen survey in the fall of 2014. The issue of sidewalks/pedestrian access can be reviewed to determine if appropriate questions can be addressed.
9. Who will/should complete and implement a pedestrian plan, the City or the MPO?

The MPO is an advisory Board to the City. They are charged with recommending transportation projects to the Commission. They have under taken completion of a pedestrian plan which should be accepted by the Commission. Implementation is solely a City Commission item.

10. We were told that the MPO does not support inclusion or funding for Safe Routes to School as part of a pedestrian plan. We also understand that the school board and school district administration has been unwilling to seek or support grant funds for same. How can the MPO, the City and the Schools best collaborate to make walking to school a safe option for kids?

The MPO is supportive of the Safe Routes to Schools Program. In 2014 the MPO will complete a pedestrian plan.

The City, Health Dept and School Board have begun discussions on the submittal of a Safe Routes to School Application to be submitted in June.

11. How is it that some sidewalks are constructed on City right of way, and others, not? How is this decided, and by whom? The vast majority of sidewalks are installed in City R/W. There are some sidewalks that are in pedestrian easements adjacent to the R/W or connecting to other public/ pedestrian areas. During the development process sidewalks and connectivity are discussed and recommended to the Planning Commission and approved by the City Commission

**Enforcement:**

1. Please provide a summary of the City's current sidewalk enforcement activities and enforcement protocols: how often does the City take enforcement regarding the sidewalk code/ordinance, and how does this enforcement work? We know letters are sent to homeowners. Does the City have a metric for tracking regarding compliance? If the City's enforcement program is truly effective, why are the sidewalks in our community in such poor shape?

The general assumption that the sidewalks in the community are in poor shape is not a universally accepted statement. While there are sidewalks in poor shape, there are a lot of good sidewalks. Over the last several years the City has filled a number of gaps along major arterials and collectors that are in good shape (ie 6<sup>th</sup> street). Many of the sidewalks in worse condition are along local streets. Some of the complaints are not about condition but width of the sidewalk, in some of the older areas the sidewalks are narrow as compared to standards today. Additionally some of the complaints stem from areas where sidewalks were only required to be on one side of the street.

2. How are decisions made regarding enforcement and prioritization of repairs and infill? Does the city have a strategy for pursuing enforcement or is it only complaint based? Currently enforcement is complaint driven. Owners are provided a reasonable amount of time to make the repairs. The City does not have adequate resources to enforce sidewalk repair mandates on property owners who do not fix their sidewalks.
3. Can the City force a sidewalk or crosswalk to be built on private property? If this is in an apartment complex, any improvements would fall under the site plan and codes enforcement.
4. Please explain the eminent domain process as it applies to pedestrian infrastructure? The City can condemn property for a public purpose, including the installation of sidewalks.

5. If a property owner experiences drainage-related damage as a result of poorly maintained streets or sidewalks, who pays? What is the process for addressing these situations? **At the meeting this was a specific case of a drainage problem on Stoneback Dr following a sidewalk down grade. The City Storm Water Engineer will need to look @ the area to see what the cause of the drainage is and determine if there is any solution.**

### **Funding:**

1. Based on your April 2013 memo, we estimate that the City is spending approximately \$266K from the infrastructure sales tax, and about \$2.7 million from the general fund, on pedestrian infrastructure. How are these monies allocated—who decides which areas of the City get funding, first, for what (rec paths vs. sidewalks, east vs. west, repair vs. infill...etc.)?

**A number of factors come into play when deciding where to allocate limited resources. Those factors include: priority of focusing on arterial/collector gap sidewalks, suggestions/comments from members of the public, ability to use CDBG funding (generally in older parts of the city), desire of adjacent property owners, opportunity to assist transit operations, school adjacencies, other maintenance work being done on adjacent area, etc.**

2. We've heard an estimate of approximately \$40 million dollars to complete the City's pedestrian network (both in-fill and repair). Do you agree with this number? If not, what do you think the right number is?

**The estimated construction cost to construct new sidewalks along arterial and collector streets where sidewalk is missing among otherwise existing sidewalk is estimated to be a substantial number. A new inventory should be accomplished to provide a current estimate.**

How much money could be raised by a sidewalk utility, over what period of time?

**There are number of variables in any sidewalk utility concept, making it difficult to generalize about revenue estimates.**

When a sidewalk utility was previously proposed, what were the barriers and objections to its implementation?

### **PROS & CONS:**

#### **PROS:**

**All properties have street frontage and would participate (equitable).  
Reliable source of funding to address infrastructure needs.  
Very economical.  
The City could bid a contract and receive better pricing than a single property owner.  
As a utility could include all properties, i.e. City, schools, KU, other government entities.  
Not a property tax increase.**

#### **CONS:**

**Paying for sidewalk maintenance and property may not have a sidewalk.  
New sidewalks in an area would not be exempt.**

Corner lots have more frontage.

Some lots may have dual/double frontage with a street in front and behind the property.

Not an established legal means in Kansas for revenue, may face legal challenge.

Cost of administration is money away from actual sidewalk construction/maintenance.