

RULES AND REGULATIONS

DEPARTMENT OF PUBLIC SERVICE
DIVISION OF TRAFFIC MANAGEMENT
CITY OF COLUMBUS, OHIO

SUBJECT: Sidewalk and Shared Use Path Facility Requirements

EFFECTIVE DATE: January 15, 2022

PAGES: 1 of 5 **BY:** D. Blechschmidt

I. AUTHORITY

Pursuant to the authority granted under Section 2105.125 of the Columbus City Codes, 1959, as amended, the Director of Public Service hereby adopts, establishes, and publishes these rules and regulations to be effective at the earliest time allowed by law. These rules supersede rules previously promulgated on July 15, 2019.

II. PURPOSE

Columbus has made it a priority to increase transportation/mobility options in all of our neighborhoods. Therefore, the following sidewalk and shared use path facility requirements and standards are hereby imposed for purposes of increasing safety, facilitating general accessibility, providing links in an overall system of sidewalks and bikeways, supporting the use of mass transit, encouraging a balanced and complete transportation system, improving access to employment locations, providing access to recreation areas, facilitating accessibility for disabled persons, and otherwise promoting the general health, safety and welfare of the public.

III. APPLICATION

- A. These rules and regulations shall apply to any and all development activity occurring on a parcel in the City of Columbus, abutting any public right-of-way, whether the right-of-way is within the jurisdiction of the City of Columbus or is within the jurisdiction of another governmental agency, pursuant to Columbus City Code Section 2105.125.
 1. These rules and regulations are activated through the submission of a site compliance plan, the submission of a subdivision plat and/or the sidewalk/driveway permit process, as authorized in Columbus City Code Section 905.05.
- B. These rules and regulations shall apply to any proposed construction or reconstruction of a public street by a public agency or private entity if more than half of a block or more than 150 linear feet of street are being reconstructed.
 1. These rules and regulations are activated through the initiation of the appropriate scoping process within the Department of Public Service, which may be initiated with the submittal of a street construction plan and/or the submittal of a stormwater plan.

IV. DEFINITIONS

New Development is defined as development of a greenfield site or a redevelopment of an existing site that includes demolition of all existing structures.

A 50% Expansion is defined as development on a site where there is a cumulative addition to existing buildings or structures of 50% or more in total building square footage on the site within a 10 year period from the approval date of the site compliance plan of the initial building addition. If a partial demolition of a building is proposed, no portion of the demolished building area may be included in the calculation of the total building square footage of existing buildings on the site.

V. SUBMISSION OF PLANS

Site compliance plans and subdivision plats, in accordance with the procedures of the Department of Building and Zoning Services and/or applicable City Code, will be routed to the Division of Traffic Management Administrator, or designee, for review of required sidewalk and/or shared use path facilities.

Street construction plans and stormwater plans, in accordance with the procedures of the Department of Building and Zoning Services and/or applicable City Code, will be routed to the Division of Design & Construction Administrator, or designee, for review. Based on review of these plans, the initiation of the appropriate scoping process within the Department of Public Service will occur to determine the required sidewalk and/or shared use path facilities.

Plans submitted as part of the sidewalk/driveway permit process will be routed to the Division of Traffic Management Administrator, or designee, for review of the required sidewalk and/or shared use path facilities.

VI. REVIEW OF PLANS

A. Requirements

1. Sidewalks/shared use paths must be constructed on all public street frontages if new development or a 50% expansion is proposed, as defined in Section IV, and for any proposed construction or reconstruction of a public street if more than half of a block or more than 150 linear feet of street are being reconstructed, if any of the following conditions are met:
 - a) Sidewalks/shared use paths do not presently exist; or
 - b) Existing sidewalks/shared use paths do not meet the minimum standards defined in Columbus City Code Sections 905.07 or 905.071, respectively; or
 - c) An existing sidewalk meets the minimum standards defined in Columbus City Code Section 905.07, but a shared use path facility is the preferred pedestrian facility, as defined in Section VI.A.2, and it is reasonable and prudent to provide connectivity to other shared use path facilities in the vicinity of a site to serve the needs of the traveling public.
2. When the Department of Public Service determines that a shared use path is the preferred pedestrian facility based on its current policies and procedures, then a shared use path shall be constructed in lieu of a sidewalk.
3. An applicant may be relieved of sidewalk/shared use path construction requirements defined in VI.A.1 under the following conditions:
 - a) A sidewalk or shared use path meeting the minimum standards defined in Columbus City Code Sections 905.07 or 905.071, respectively, and which is located on the same

- side of the roadway as the proposed development site, exists along the abutting roadway frontage at the time of application, except as defined in Section VI.A.1.(c); or
- b) The construction of a sidewalk or shared use path facility along the abutting roadway or roadways is planned within the current Capital Improvement Plan as adopted by City Council and where funding is allocated or secured (i.e., City CIP, ODOT, MORPC, etc.) for construction.
- c) The Division of Traffic Management Administrator, or designee, makes a determination that the construction of sidewalk or shared use path along a specified section abutting public right-of-way would cause safety concerns for the traveling public. Such a determination shall be provided in writing to the applicant.

B. Materials

All sidewalks and bikeway facilities are to comply with (1) the current City of Columbus Construction and Material Specifications and (2) Chapter 905 of Columbus City Code. They shall have a hard, improved surface as detailed in the current City of Columbus Standard Drawings, which are available on the Department of Public Service website. Under special circumstances, other surfaces may be required or approved by the Director of Public Service, or designee.

VII. CONSTRUCTION EXEMPTION CONDITIONS

It is the position of the City of Columbus that all required sidewalk and bikeway facilities be built in conjunction with development and with the construction of public streets. However, the City recognizes that there may be unique circumstances where it may not be feasible or prudent to construct sidewalk and bikeway facilities at a development site at the time of development or in conjunction with the construction of public streets. Such determination will be made by the Division of Traffic Management Administrator, or designee and may be for such reasons of environmental or topographic features. Criteria for consideration of a construction exemption may include:

- A. Engineering feasibility; or
- B. Environmental consequences; or
- C. Severe topographical conditions; or
- D. Other factors that preserve the health, safety and welfare of the citizens of the city.

VIII. CONSTRUCTION ALTERNATIVES

When it is found that construction of sidewalk or shared use path facilities along the public street frontage of a development site or along one or both sides of a public street will not be required in the public right-of-way at the time of development or the construction of public streets, one of the construction alternatives below will be implemented, upon approval of the Division of Traffic Management Administrator, or designee:

- A. A deferment of sidewalk or shared use path facility construction to a certain future date that could be based on development or street construction phasing; or
- B. An exemption for the construction of sidewalks or shared use path, for which a fee in lieu of construction of \$400.00 per linear foot of frontage will be required. Fees in lieu of construction will be used exclusively for the design and construction of sidewalk or bikeway facilities, including curb ramps within the City of Columbus.

If a construction exemption is approved per Section VIII.B, the applicant shall be required to dedicate any necessary right-of-way to accommodate a future sidewalk or shared use path facility.

In no instance shall an applicant not build or pay a fee in lieu of new sidewalk or shared use path construction, except as provided for in Section VI.A.3.

IX. CONSTRUCTION EXEMPTION PROCESS

A. Duly Authorized Applicants

1. A duly authorized applicant for a private developer or public agency may be the developer or public agency or the developer's or public agency's engineer, architect, attorney or agent.

B. Request for Construction Exemption

To request a construction exemption, the duly authorized applicant shall submit the following to the Division of Traffic Management Administrator, or designee:

1. Written request stating reasons for a construction exemption that reflect but are not limited to criteria in Section VII; and
2. Copy of the plan showing the sidewalk or bikeway facility layout; and
3. Any other relevant documentation.

C. Review

The Division of Traffic Management Administrator, or designee, will approve or deny construction exemption requests within 30 days after receipt of a complete request as follows:

1. Approval of the request with the appropriate fee in lieu of construction, as defined in Section VIII.B paid to the City for the purpose of building sidewalks or bikeway facilities; or
2. Approval with construction deferred to a specific future date, with acceptable surety provided to the city, to coordinate with impending construction of other projects; or
3. Denial of the request.

D. Calculation of Fee in Lieu of Sidewalk and Bikeway Construction

1. The Department of Public Service shall periodically update the standard rate of \$400.00 per linear foot of frontage to reflect current costs for the design and construction of sidewalk construction projects. The applicant will use the standard fees set by the City.

E. Collection of Fees and Uses of Fees

1. Fees shall be collected at the time of site compliance plan, subdivision plat, street construction plan, stormwater plan or sidewalk/driveway permit approval.
2. A permanent special fund has been established, in which will be deposited monetary donations for sidewalks and bikeway facilities, and which will only be used for the purpose of design and construction of sidewalks and bikeway facilities within the City of Columbus.
3. In consideration of the City of Columbus Multimodal Thoroughfare Plan as authorized by Ordinance 1950-2019, all fees collected under prior versions of these rules and regulations shall no longer be subject to Community Planning Area restrictions and can be used for the purpose of design and construction of sidewalks and bikeway facilities anywhere within the City of Columbus.

X. APPEAL PROCESS

- A. If the Administrator of the Division of Traffic Management or designee denies a construction exemption request, the applicant has the right to appeal the decision to the Director of Public Service. The appeal shall include the following information:
1. The original information to describe this request provided in IX.B.
 2. A copy of the written response provided by the Administrator of the Division of Traffic Management or designee.
 3. A written statement of why an appeal should be considered including any pertinent facts or circumstances that the denial of this request would cause.
 4. Answers to the appeals shall be given, in writing, within 14 business days from the date of receipt.

XI. UPDATE HISTORY:

- A. This is an update to the previous Sidewalk and Bikeway Facility Requirements Rules and Regulations with an effective date of July 15, 2019.

APPROVED BY: 
DIRECTOR

7/15/2022
DATE

