

## Chapter 3. Existing Plans, Programs, and Policies

### 3.1 MPO Planning Documents

The Federal government, through the recently adopted SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A Legacy for Users (SAFETEA-LU) requires that all urbanized areas develop and maintain a transportation plan that not only plans for roads and highways but plans for all modes of transportation including the pedestrian. The State also produces long-range policy, project and funding documents that are based on local level needs and state level interests and capacities.

Of all the plans, guidelines and strategies, the most commonly referenced documents for guiding the development for sidewalks in the MPO are: NCDOT's *Long-Range Statewide Multimodal Transportation Plan* (updated in 2004), *The Winston-Salem Urban Area 2030 Transportation Plan*, and the City-County Planning Board's *Legacy Development Guide*. In each of the Plans, their function is to coordinate and guide sidewalk planning in a manner that meets the most critical needs first by developing projects that serve the greatest number and types of users.

As is the case in many municipalities, there are guidelines, goals, rules and requirements when planning for and constructing sidewalks. The following paragraphs summarize the key documents that were referenced when designing the Pedestrian Facilities Plan for the MPO.

#### ***NCDOT Statewide Multi-Modal Transportation Plan***

The following information is from the Bicycle and Pedestrian section of the *Statewide Multi-Modal Transportation Plan* adopted in 2004:

In recent years, bicycle and pedestrian facilities have gained widespread acceptance in North Carolina as a legitimate transportation mode that serves an important, albeit sub-regional, transportation function. This progress is largely due to the efforts of NCDOT's Division of Bicycle and Pedestrian Transportation (DBPT), which actively partners with local governments to identify bike/pedestrian needs and provide technical assistance. DBPT, the oldest of its kind in the U.S., acts as a statewide advocate for bicycle/pedestrian safety and establishes policy guidance through materials such as *Bicycling & Walking in North Carolina: A Long-Range Transportation Plan* (1996) and the *Planning and Designing Local Pedestrian Facilities Report* (1997). Although public interest for bicycle/pedestrian facilities is steadily growing, facility implementation challenges still exist. For example, NCDOT's current policy for sidewalk improvement cost sharing places a substantial financial burden on local governments. In many cases, needed sidewalks or extra width necessary for bicycle lanes are not incorporated into a project due to a lack of local funding. Planning for these types of facilities is now being considered earlier in the NCDOT planning process. Over time, this attempt to "mainstream" bicycle/pedestrian facilities will require additional training and active participation by DBPT staff to update design manuals and planning procedures.

Historically, state spending on stand-alone bicycle and pedestrian projects has been approximately \$6 million per year. Assuming the development of new initiatives, doubling this annual allocation would provide much needed assistance without creating a significant financial burden on NCDOT. Therefore, the total annual bicycle/pedestrian needs are considered to be \$12 million per year, amounting to \$300 million over 25 years.

Notable features of NCDOT policy include:

- A sliding funding scale for sidewalk construction
- Requirement to have right-of-way in fee simple ownership or in easement if not already within the berm width of the roadway.

- Bridges of less than 200 feet in length scheduled to be built or replaced will have sidewalk on both sides funded by NCDOT; bridges over 200 feet will have sidewalk on at least one side of the structure. This is true ONLY if curb-and-gutter is present on both approaches leading to the bridge.
- There is no funding cap on the project cost, although “betterment” costs will be borne by the municipality.

### Recommendations

- ❖ Requiring municipalities to cost share on one type of transportation facility but not on another introduces artificial bias towards the “free” facility. While municipalities are required or are encouraged to share in certain aspects of highway construction such as utility relocation, right-of-way preservation, or on-site wetlands mitigation, there is not direct cost to the municipality for constructing a roadway. The recommendation is to include sidewalk facilities as the norm in roadway construction and widening unless 1) an unsafe situation is introduced by including pedestrian facilities and 2) it is in a rural area or a limited access highway where pedestrians would not be allowed. This would bring NCDOT in agreement with federal guidance on this point and potentially alleviate a considerable amount of unnecessary disagreement during the formulation of transportation improvement programs.
- ❖ Update the NCDOT 1994 administrative process in light of the increased emphasis on context-sensitive solutions, i.e. adopted greenway plans.
- ❖ Include rural, unincorporated areas into the pedestrian policy. Since counties are generally not allowed under existing North Carolina State Statute to hold road right-of-way, they typically do not participate in any transportation construction or maintenance activities, including sidewalk maintenance.
- ❖ The justifications for sidewalk construction on bridges should be clearly indicated, and some flexibility on the need for curb-and-guttering on bridge approaches should also be added and defined in the State’s policy.

## **Winston-Salem Urban Area MPO 2030 Transportation Plan**

The overall goal for the Winston-Salem Urban Area is a balanced and sustainable transportation system that links highways, transit, greenways, bikeways and sidewalks into a seamless transportation network that provides choices for people's travel needs. Pedestrian Planning for the MPO has traditionally been found in the Winston-Salem Urban Area MPO Transportation Plan. With the 1999 adoption of the 2025 Long-Range Multi-Modal Transportation Plan, the Transportation Advisory Committee (TAC) adopted a series of policies with distinctive objectives to improve and enhance the safety and accessibility of pedestrians; improve our health and safety; and reduce our dependence on the automobile.

Two objectives of this adopted plan as it pertains to pedestrians are:

Promote land use patterns and transit-oriented design standards that support walking, bicycling and public transit and reduce the number and length of automobile trips.

Create a bikeway/sidewalk/greenway network that is an integral part of the transportation system and provides an alternative means of transportation and recreation.

The TAC also adopted a goal that by 2004 the following list of roadways should have sidewalks:

1. Hanes Mall Blvd (Stratford Rd to Silas Creek Pkwy): Hanes Mall to Frontis Plaza Drive completed—funding in place in 2006, project scheduled for completion.
2. Bethabara Park Boulevard (University Parkway to Reynolda Road): Sidewalks have been installed from Hine Park to the existing sidewalk along Bethabara Park Boulevard—project on schedule for completion, funding yet to be designated.
3. Stratford Road (Executive Park Boulevard to Knollwood Street): City Bond Project



**Figure 9: Winston-Salem Urban Area MPO 2030 Transportation Plan**

- for Stratford Road is currently being evaluated for the installation of sidewalks.
4. Reynolda Road (Yadkinville Road to Shattalon Drive): This project will be completed with the next issuance of sidewalk bonds.
  5. Lewisville-Clemmons Road (Peace Haven to US 421): In progress in 2006. Sidewalks will be installed as a part of the widening of Lewisville-Clemmons Road, TIP project # V-3119.

#### Recommendations

- Amend the UDO to require the installation of sidewalk along all major and minor thoroughfares within the Growth Management Area 1-4, as defined on the Growth Management Plan Map, when projects are petitioned for both general use, and special use zoning petitions and building permits.
- Include the installation of sidewalks on both sides of a Thoroughfare Plan street when it is planned for widening in the Transportation Improvement Program (TIP), City bond projects, and Capital Improvement Programs (CIP).
- Include all sidewalk and pedestrian recommendations adopted as part of an Area Plan in the Pedestrian Facilities Plan.
- Include all sidewalk and pedestrian recommendations adopted as part of an area plan or comprehensive plan in Bermuda Run, Bethania, Clemmons, Kernersville, King, Lewisville, Midway, Rural Hall, Tobaccoville, Walkertown, Wallburg and Winston-Salem in the Pedestrian Facilities Plan and the capital improvement budget process for the jurisdictions.
- Include all sidewalk and pedestrian recommendations in the Revitalizing Urban Commercial Area (RUCA) report.

#### ***Legacy Development Guide***

This is the comprehensive plan for Winston-Salem and Forsyth County and serves as the primary reference for growth management strategies, community development practices, and resource protection activities in Forsyth County and all eight of its

municipalities. It was adopted in 2001 and has a horizon date of 2015. Updates and companion documents are regularly produced. During the creation of this comprehensive plan, a vision for the area's transportation options was developed along with a set of ten guiding principles. The vision includes an expansion of sidewalks and the ten principles represent the continuing interest in expanding transportation options, promoting connectivity between destinations, and ensuring that the character of the community supports human-scale experiences and improves overall livability. Chapter 4 *Transportation Alternatives* contains most of the information with regards to the pedestrian.

Notable features of the plan include:

- Objective 3 - Design streets and highways that are safe, efficiently and effectively move vehicular traffic, accommodate pedestrians and bicyclists and have minimum negative environmental impacts.
- Objective 6 - Create a bikeway/sidewalk/greenway network that is an integral part of the transportation system and provides an alternative means of transportation as well as recreational opportunities.

### Recommendations

- ❖ Define and illustrate the concept of a pedestrian-oriented environment as recommended in *Legacy* through the following: the Legacy toolkit; Area Plans; and UDO amendments, including those for the mixed-use zoning district, planned residential developments and infill developments.
- ❖ Improve pedestrian circulation and safety in parking lots and around community institutions (such as schools) through the Planning Board's site plan review authority and by revising the UDO to include standards for pedestrian circulation in parking lots and around institutions.
- ❖ Address how sidewalks should be provided in relation to infill and redevelopment within existing neighborhoods as part of the proposed Infill Development Standards to be included in the UDO.

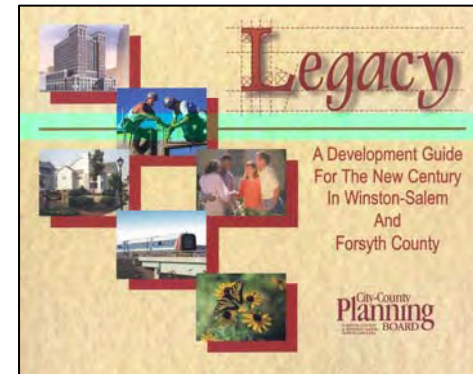


Figure 10: *Legacy*

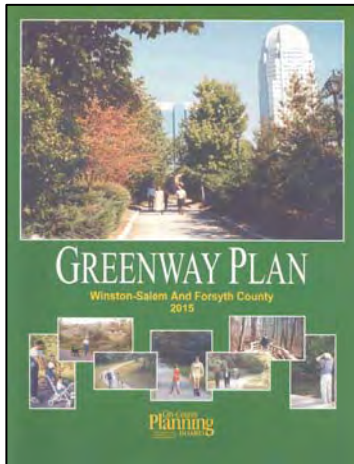


Figure 11: Greenway Plan

## Area Plans

One of the recommendations of *Legacy* is to prepare Area Plans for all of Forsyth County. These are detailed plans that apply the goals and policies of *Legacy* to specific areas of the community. Detailed land use recommendations are made for an area with the involvement of local neighborhoods. More detailed proposals for pedestrian facilities than is possible in the Winston-Salem Urban Area MPO pedestrian facilities plan have been and will be considered in Area Plans. This plan acknowledges the recommendations of the recently adopted Area Plans. As Plans in other areas are completed and adopted, the pedestrian facility recommendations of those plans will become part of this Plan.

Any Area Plans developed by other towns, such as the one most recently developed for the historic community of Vienna in Lewisville, will also become a part of this Pedestrian Facility Plan.

## Greenway Plan

The goal of the *Greenway Plan Winston-Salem/Forsyth County 2015* is to improve the quality of life for residents of Forsyth County by expanding coverage of the existing greenway system thus providing recreational opportunities, protection of our natural environment and open space, and opportunities for walking and bicycling to a variety of destinations.

Forsyth County and its municipalities adopted the countywide Greenway Plan in 2005. The existing greenway system has approximately 17 miles of trail built. The Greenway Plan recommends that all major rivers and creeks with identified flood zones be designated as Greenway Corridors and include greenway connectors along minor creeks, utility corridors, and sidewalks. The Plan also recommends that minimum 40 foot easements be acquired along creeks that are greenway connectors, and identify greenway trails and connectors for development over the next 10-15 years. The

Greenway Plan calls for the construction of thirty-four miles of trails by the year 2015 with the major ones being sections of Brushy Fork, Muddy Creek, Tomahawk Creek, Grassy Fork Creek, Piedmont Trails, and extension of the Strollway.

The City of Winston-Salem operates one off-road, paved, pedestrian trail, the 1.2 mile Strollway. It provides access from downtown south connecting to the Salem Creek Greenway Trail.

#### Recommendation

- ❖ Coordinate the goals, policies, and development priorities of the greenway plan with those to be developed for this plan to achieve consistency of vision and approach for the overall pedestrian circulation system in the Winston-Salem Urban Area MPO.
- ❖ Connect proposed sidewalks to existing and proposed greenways.

#### **Revitalizing Urban Commercial Areas (RUCA)**

In July of 2002, the Winston-Salem City Council included the revitalization of older commercial areas in its Strategic Plan. Since that time, twelve areas have been identified as Revitalizing Urban Commercial Areas (RUCAs). Recommendations include public improvements, private site improvements, and regulatory changes. For each of the twelve areas, sidewalk needs (both new sidewalks and repair of older sidewalks) are noted.

#### **Winston-Salem Urban Area Comprehensive Bicycle Plan**

The Winston-Salem Urban Area Comprehensive Bicycle Plan was adopted by the Winston-Salem City Council in 2005. As this plan specifically pertains to bicyclists in the MPO, it does make recommendations for shared facilities such as sidewalks on bridges and sidepaths along busy roads. Below is the section of the City of Winston-Salem Code as it applies to cyclists and sidewalks:



Figure 12: Strollway, Downtown Winston-Salem

### **Sec. 42-286. Right-of-way of pedestrians; riding on sidewalk**

(a) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(b) It shall be unlawful for any person to ride a bicycle upon a sidewalk in the following locations or on the following streets;

- (1) Central business district.
- (2) Sunset Drive from First Street to Glade Street.
- (3) Liberty Street from 14th Street to 17th Street.

### **Parks and Open Space Plan, Winston-Salem and Forsyth County 2015**

This parks and open space plan describes how the City of Winston-Salem and Forsyth County will provide parks and recreation opportunities for a ten-year period. The plan works to merge long established standards for “level of service” in recreation facilities and a newer practice of community standard setting.

All existing plans, programs and policies play a major role in the development of an overall pedestrian plan for the MPO. The end product is one “master” plan which could be referenced by the MPO when developing pedestrian facilities for their communities.

### ***3.2 Adopted Sidewalk Plans and Policies***

Of the twelve municipalities within the Winston-Salem Urban Area MPO, Clemmons, Kernersville, Lewisville, Walkertown and Winston-Salem currently have policies in place for sidewalk construction. Table 3a identifies the municipality and what each requires for sidewalk construction.

**Table 3a**

City	Street Type	Width	Side of Street	Material	Planting Strip
Winston-Salem	Collector	5	One side	Concrete	Yes
	Minor Thoroughfare	5	Both Sides	Concrete	Yes
	Major Thoroughfare	5	Both Sides	Concrete	Yes
Kernersville	Subdivision	5	Both Sides	Concrete	Yes
Clemmons	Subdivision	5	One Side	Concrete	No
Lewisville	Subdivision	5	One Side	Concrete	No
Walkertown	Subdivision	5	One Side	Concrete	No

In the Town of Kernersville the ordinance is as follows:

*Sidewalks shall be required in all residential subdivisions where curb and gutter streets are required. Sidewalks have to be placed three (3) feet back of curb and shall be five (5) feet in width ... Sidewalks shall be placed on both sides of all residential streets with curb and gutter. ...*

In the Town of Lewisville the ordinance is as follows:

*All new conventional residential subdivisions shall provide sidewalks, greenways, or bikeways at a ratio of one linear foot of sidewalk, greenway or bikeway per linear, centerline foot of public streets when considering the PRD or subdivision as a whole. ... The exact location and type of pedestrian connection shall be determined during site plan and subdivision review process with emphasis on the functional relationship of the required connection to destination points and other existing or planned pedestrian segments. ...*

In the Village of Clemmons the ordinance is as follows:

*All new planned residential developments and conventional subdivisions shall provide sidewalks, greenways, or bikeways at a ratio of one linear foot of sidewalk, greenway or bikeway per linear, centerline foot of public streets when considering the PRD or subdivision as a whole. ... The exact location and type*

*of pedestrian connection shall be determined during site plan and subdivision review process with emphasis on the functional relationship of the required connection to destination points and other existing or planned pedestrian segments. ...*

In the Town of Walkertown the ordinance is as follows:

*Major subdivisions with public street dedication must have curb and gutter on both sides of the street and sidewalks on at least one side of the street. Streets, sidewalks and curb and gutter must be built to North Carolina Department of Transportation subdivision roads, minimum construction standards.*

*New commercial projects within the town core area requiring zoning or building permits must build sidewalks along the street frontage to connect adjoining parcels. These sidewalks must be built outside of the street right-of-way. The site must have internal sidewalks if there are multiple commercial buildings within the project.*

*If the project includes interior streets, sidewalks must be built on at least one side along these streets to connect to street frontages. Then sidewalk must be built along the street frontage to connect adjoining parcels.*

*New residential construction within the town core area requiring zoning or building permits shall either build sidewalks along the street frontage or deed a minimum 5-foot sidewalk easement outside the existing right-of-way for future sidewalk construction. Church projects and Neighborhood Business Zoning will be considered residential for the purposes of this ordinance.*

Rural Hall adopted the *Town of Rural Hall Bicycle and Pedestrian Facilities Plan* in 2001. The primary goal of the study is to guide the Town of Rural Hall and its citizens in the development of bicycle and pedestrian facilities.

### Recommendations

- ❖ All existing and proposed thoroughfares must have sidewalks on both sides of the road. The sidewalks must be at least five feet in width with at least five feet of landscaping between the edge of the road pavement and the sidewalk.
- ❖ Sidewalks should be constructed on at least one side of each residential collector and local street.

Kernersville adopted the *Town of Kernersville Pedestrian & Bicycle Plan* in March 2007. The goal of the plan is to guide the town of Kernersville in the development of pedestrian and bicycle facilities.

### **Unified Development Ordinances (UDO)**

The UDO provides for pedestrian access both in the context of the individual development and in terms of pedestrian features as a distinct element of any site development plan. Most recently, in the City of Winston-Salem the UDO was amended to include a subsection 3-13 STREET STANDARDS GOVERNING VEHICLE AND PEDESTRIAN CIRCULATION. Included in the amendments are specific requirements for sidewalk construction and is detailed in Table 3a above. The amendments to the UDO became effective on January 1, 2006 for the City of Winston-Salem. Forsyth County has also adopted the Street Standards ordinance with some changes specific for Forsyth County. Recommendations to clarify and strengthen the UDO for pedestrian access include:

### Recommendations

- ❖ Definitions: The definitions section of the UDO should include pedestrian-related terms.
- ❖ Navigation: Consideration could be given to putting all pedestrian facility requirements in one comprehensive section with cross references in other related sections.

- ❖ Applications and permits: Consideration should be given to including the overall connectivity and convenience of pedestrian circulation elements as part of the site plan approval process.
- ❖ Off-street parking requirements: This section should be revised to include more detail on how pedestrian access must be incorporated into parking lot design.
- ❖ Amend pedestrian related sections of UDO specific to the CBD to allow for free flow of pedestrian traffic.

### **Winston-Salem: Sidewalk Construction and Repair Policies**

There are several methods for sidewalk construction in Winston-Salem: new sidewalk through a bond package, new development and sidewalk payment in lieu fees, and through the Winston-Salem Department of Transportation funding.

When a local government borrows money, it can choose to issue bond debt. With General Obligation bonds, a local government pledges as security for the debt its full faith and credit to repay this debt. Because the resources of the local government stand behind the repayment of this debt, it is considered the most secure form of debt issued by a local government and receives the most favorable interest rates. Because bond rating agencies have consistently given Winston-Salem its highest ratings, the City pays very low interest rates on the repayment of debt. Bond funds are typically used for capital expenditures which may require many years to build using pay-as-you-go financing. Financing projects with bonds provides equity to the current taxpayers by spreading the cost of the project to future users.

When the Engineering Division of the City of Winston-Salem Public Works Department determines that the construction of a required conventional sidewalk or alternative walkway is unfeasible due to special circumstances, including but not limited to: existing ribbon pavement, impending road widening, significant street trees, utility problems, grade problems or other construction difficulties, the City of Winston-Salem requires either, (1) a payment in-lieu of sidewalk construction; (2) construction of

sidewalks in the general vicinity of the project site; or (3) a combination of a conventional sidewalk, alternative walkway, or payment of a fee in-lieu. Payment in-lieu is only required in cases where a sidewalk is likely to be built within five (5) years from the date of plan approval. For payment in-lieu, the cost of the sidewalk construction is approved by the Engineering Division of the City of Winston-Salem Public Works Department and the payment for the sidewalk construction is made to the City of Winston-Salem prior to the issuance of occupancy permits or recording of final plats whichever is applicable. If the sidewalk is not built within five (5) years, the City of Winston-Salem Engineering Division determines whether to construct the sidewalk without the planned street improvement, delay installation further to coincide with a scheduled street improvement which has been delayed, or constructs the sidewalk in the vicinity of the site where it can be feasibly constructed.

*Sidewalk Repair and ADA Ramps*

Funding for sidewalk repair and ADA sidewalk ramps are requested annually as part of the budget process. Historic funding levels have been approximately \$600,000 every other year.