



Durham Bicycle & Pedestrian Advisory Commission

Durham Department of Transportation • 101 City Hall Plaza • Durham, NC 27701

TO: Mayor Bill Bell and Durham City Council Members
Chairman Fred Foster, Jr and Durham Board of County Commissioners

FROM: Merry Rabb, Chair, Bicycle and Pedestrian Advisory Commission

RE: Proposed Changes to UDO – Alternative Sidewalk Option

DATE: January 19, 2013

The Durham Bicycle and Pedestrian Advisory Commission (BPAC) and its Development Review Committee have discussed and reviewed the proposed changes to the Unified Development Ordinance (UDO) Regarding Discretionary Actions.

One of the key changes impacting pedestrians is the elimination of the “alternative sidewalk” option that currently exists in the UDO. Under this option, developers are allowed to build sidewalk in another location if the sidewalk cannot be built along the frontage of the development site. Over the past few years, this program has resulted in the construction of much needed sidewalk in many parts of the community. The development community seems to like the flexibility provided by the alternative sidewalk option.

Under the proposed changes to the UDO, if a developer chooses not to build sidewalk along the frontage of a site, it appears that the only option available to the developer is to make a payment in lieu of sidewalk construction. This payment would be deposited into an account for use by the City in constructing sidewalks.

BPAC recognizes that the payment in lieu option would provide much-needed additional funding for sidewalk construction, but there is a concern that the city does not have the necessary staff on hand to manage the design and construction of sidewalks using these funds. The beauty of the existing “alternative sidewalk” option is that the sidewalk gets built in conjunction with the development project.

BPAC recognizes that current “alternative sidewalk” language has to change in order to comply with state law. However, we would encourage staff to develop specific criteria or performance standards that would allow an “alternative sidewalk” option to remain in the ordinance. The DurhamWalks! Pedestrian Plan identifies sidewalk priorities and possibly could be used to identify needed alternate sidewalk locations

Thank you for your consideration of these comments.

cc: Tom Bonfield, City Manager
Steve Medlin, City-County Planning Director
Mark Ahrendsen, Director, Transportation Department