

SECTION 209**SIDEWALK REQUIREMENTS**

(As amended by Ordinance Nos. O02-05-09, O05-04-06 and O06-12-28)

SECTION 209.1 PURPOSE AND INTENT

The purpose of this Section is to provide minimum standards for the provision of sidewalks within the City of Cookeville. The provision of sidewalks is intended to promote improved pedestrian safety, expanded opportunity for recreational walking and running activities, more cohesive neighborhoods, and easier access to shopping and other commercially related pursuits.

SECTION 209.2 EXEMPTIONS (As amended by Ordinance No. O06-12-28)

The following shall be exempt from the standards of this Section:

- 209.2A Individual single-family and two-family development
- 209.2B Cumulative improvements or repairs to existing development that result in an increase in floor area of less than twenty-five (25) percent and changes that do not result in an increase in intensity.
- 209.2C Properties for which public sanitary sewer service is not available and the provision of such service is not planned within the next twelve (12) months.

SECTION 209.3 GENERAL REQUIREMENTS

The following general requirements shall apply for the construction of sidewalks within the City of Cookeville:

- 209.3A Sidewalks shall be constructed along the public street frontage, excluding limited access highway frontage (Interstate 40 and Highway 111), of all industrial, commercial, office, semi-public, and multi-family residential developments.
- 209.3B Sidewalks shall be constructed whenever an existing principal building is cumulatively renovated or expanded to increase its floor area by twenty-five (25) percent or more.
- 209.3C The construction of required sidewalks shall be completed or a fee in lieu of construction submitted before a Certificate of Occupancy is issued by the Building Official.
- 209.3D (As amended by Ordinance No. O02-05-09) When a property has more than 500 feet of frontage on an individual street and is of such size that the proposed new construction or expansion will not occupy the entire tract, the required length of sidewalk installation may be reduced by the Building Official provided the following circumstances exist:

1. There shall be no reduction for the first 500 feet of street frontage on any individual street
2. The land area to the rear or side property line along the frontage in excess of 500 feet on an individual street will not be developed at the time of the new construction or expansion and will remain in a natural condition and will not be used for parking, drainage facilities, recreational facilities or any other type of development.
3. The land area to the rear or side property line along the frontage in excess of 500 feet on an individual street is not necessary to meet the minimum lot size requirements for the new construction or expansion.
4. The land area to the rear or side property line along the frontage in excess of 500 feet on an individual street is large enough to allow for the future subdivision of the property.
5. The City Manager, Planning Director and Public Works Director have approved the reduction.

Examples of where the required length of sidewalk installation may be reduced are depicted on Illustration 23 in Section 235 of this Zoning Code.

SECTION 209.4 OPTIONAL FEE IN LIEU OF CONSTRUCTION

209.4A A fee in lieu of sidewalk construction shall be paid to the City of Cookeville under the following circumstances:

1. If it is determined by the Director of Public Works that due to pending street or utility construction, or other factors, it would be in the best interest of the City of Cookeville that the sidewalk construction be postponed.
2. The property owner may request this option subject to the approval of the Director of Public Works.

209.4B The property owner shall be required to grade the location of the proposed future sidewalk, unless waived by the Director of Public Works.

209.4C The fee shall be calculated as a fixed amount per linear foot. This amount shall be established by the City Council by resolution upon the recommendation of the Director of Public Works and reviewed periodically.

209.4D The fee shall be held by the City of Cookeville Finance Department in an account to be used for sidewalk construction only.

209.4E At a time to be determined by the City Manager and/or Director of Public Works said fee shall be used to install sidewalks.

SECTION 209.5 DESIGN AND CONSTRUCTION STANDARDS

The following design and construction standards shall apply for the installation of required sidewalks:

209.5A Design and construction details for required sidewalks shall be included with the development site plan. The Director of Public Works or his designee shall review and approve plans prior to the issuance of a building permit.

209.5B Sidewalks shall be constructed with a minimum 3000 PSI, Class A, concrete or other material approved by the Director of Public Works. All concrete sidewalks shall have a minimum thickness of four (4) inches and shall be placed on a gravel base with a minimum thickness of two (2) inches. See Illustration 22, "Sidewalk Detail" in Section 235 of this Zoning Code.

209.5C The minimum width of sidewalks shall be as determined by the Director of Public Works but in no case shall be less than four (4) feet in width. A grass or landscaped strip, a minimum of two (2) feet in width, shall be provided between the edge of the street or curb and sidewalk. (As amended by Ordinance No. O05-04-06)

209.5D Materials, equipment and construction requirements shall be as specified in Section 701 of the Tennessee Department of Transportation's "Standard Specifications for Road and Bridge Construction" 1995 edition, or any subsequent amendments.

209.5E The Public Works Department shall be responsible for inspection of sidewalks during construction. Completion of sidewalk construction shall be required, to the satisfaction of the Director of Public Works, before a Certificate of Occupancy may be issued.

209.5F Insufficient Right-of-Way:

When there is insufficient right-of-way for the construction of a required sidewalk, the dedication of an additional width for a sidewalk easement shall be required. The width of the easement shall be as determined by the Director of Public Works. An easement agreement shall be entered into by the City of Cookeville and the property owner. The agreement shall stipulate guaranteed public access in perpetuity and shall be recorded with the Putnam County Register of Deeds.

209.5G Alternative Methods for Pedestrian Circulation (As amended by Ordinance No. O02-05-09)

In certain circumstances it may be desirable that an alternative method of pedestrian circulation be substituted for standard sidewalk construction. These alternative methods can include the installation of walking paths, greenways, bike paths or trails, or similar modes of non-vehicular circulation. The following provisions shall apply for the approval of alternative methods for the provision of pedestrian circulation:

1. The property owner shall submit a written request for an alternative method for pedestrian circulation to the Planning Department. The request shall specify the method proposed as a substitute for sidewalk installation. A site plan depicting the location and dimensions of the alternative method of pedestrian circulation, and any other information deemed necessary by the Planning Department, shall be included with the request.
2. The request for an alternative method shall be submitted to and approved by the Planning Commission.

SECTION 209.6 PROCEDURE FOR WAIVER OF INSTALLATION REQUIREMENTS (As amended by Ordinance No. O02-05-09)

Under the following circumstances all are part of the requirements for the installation of sidewalks or payment of the optional fee in lieu of construction may be waived:

- 209.6A The Building Official, upon consultation with the Planning Director and Public Works Director and approval of the City Manager, may waive all are part of the requirements for the installation of sidewalks or payment of the optional fee in lieu of construction when all of the following exist:
1. The location is not specified in the Cookeville Pedestrian Circulation Plan
 2. The location is not within 1,000 feet of an existing sidewalk on the same side of the street
 3. The location is not within 2,500 feet (street distance) from an existing or proposed school
- 209.6B The Building Official, upon consultation with the Planning Director and Public Works Director and approval of the City Manager, may waive all are part of the requirements for the installation of sidewalks or payment of the optional fee in lieu of construction when the property is located on a state highway and the Tennessee Department of Transportation has submitted plans for improvement of the state highway which include the installation of sidewalks along the property.