



TOWN OF
VIENNA
Public Works

TO: Vienna Construction Industry
FROM: John Jay Sergent, Engineer
DATE: July 27, 2021
SUBJECT: Sidewalk Ordinance Amendment

On February 1, 2021, Vienna's Town Council held a Public Hearing to discuss a change with Town Code requiring all single-lot development to complete and construct sidewalk along the frontage of the subject sites, regardless of the existence of sidewalk abutting the sites. The approved text amendments were adopted to the code at the Council meeting held on February 22, 2021. The code change will be effective March 11 2021.

*Sec. 17-67.2. – Completion **and construction** of sidewalks for single-lot development.*

- (a) *The developer of any lot that fronts an existing street shall dedicate land, construct a sidewalk and connect such new sidewalk to the existing adjacent sidewalks, **if any**. Such new sidewalk shall be constructed in accordance with the standards set forth in this Code.*
- (b) *Upon application by the developer to the Town, the Town Council **designates the Director of Public Works to waive in exceptional circumstances, in consultation with the Town Attorney and Town Manager, in his or her discretion**, the construction of such new sidewalk and permit the deposit of designated funds for such construction in accordance with sections 17-65 and 17-65.1.*

The code does allow for a waiver of the sidewalk under exceptional circumstances and designates the Director of Public Work, in consultation with the Town Manager and Town Attorney, with the ability to allow funds to be put in escrow in-lieu of building the sidewalk.

To determine if an escrow is warranted and to mitigate unnecessary engineering/design, a new application (*Sidewalk Escrow Review*) through the Town's online site development portal (IDT), <https://vienna.idtplans.com/secure/>, will be utilized to evaluate the site constraints of constructing the sidewalk and to determine if the sidewalk will be built by the developer/builder or the funds for building the sidewalk will be put into escrow and built by the Town at a later date.

If it is determined that the sidewalk construction will not be built by the builder and will be put into escrow, the escrow will be determined by a linear foot fee of lot frontage as follows:

\$70 per linear foot which includes construction, engineering design, and surveying.

Plus \$100 flat fee for escrow administration and management.

The escrow will be paid prior to the Town issuing any development permits. These costs are based on the Town's current on-call construction and engineering contracts and will be reevaluated on a yearly basis.

When submitting the application for consideration in IDT, the applicant will be able submit all pertinent information such as street view images, aerial images, and plats that best demonstrate the current constraints of the site.

During final engineering for the project in escrow the applicant will be required to provide no more than 5% cross-slope in the right-of-way and will need to provide a 5-foot temporary construction easement outside of the proposed or existing right-of-way to accommodate future construction of the sidewalk by the Town.

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