

Sidewalk Regulations

Table of Contents

Section 1.	Purpose and Intent	2
Section 2.	Pedestrian Sidewalk, Driveway Apron and Curb and Guttering Requirements	2
Section 3.	Sidewalk Provision Criteria	3
	1. Residential Areas	3
	2. Commercial Areas	3
	3. Industrial Areas	3
	4. Other Areas	3
Section 4.	Landscape Strip Use	3
	1. Permitted Uses	3
	2. Special Exception Uses	4
Section 5.	Design and Construction	4
	1. Permit Required	4
	2. Design Required	4
	3. Timing of Sidewalk Installation	4
	4. Bond Required	4
	5. Duty to Repair and Replace	4
	6. Use Standards	5
	7. Design and Construction Standards and Procedures	5
Section 6.	Variances	6
	1. Formal Variances	6
	2. Administrative Variances	6
Section 7.	Sidewalk Repair and Maintenance	6
Section 8.	Retrofitting Sidewalks to Existing Neighborhoods	7
Section 9.	Curb and Gutters	7
Section 10.	Driveway Aprons	7
	1. Specifications	7
	2. Crossing of Sidewalks	7
	3. Abandoned Drive Pads	8

Sidewalk Regulations of the City of Newnan, Georgia

§ 1.	Purpose and Intent
§ 2.	Pedestrian Sidewalk, Drive Pad, and Curb and Guttering Required
§ 3.	Sidewalk Provision Criteria
§ 4.	Landscape Strip
§ 5.	Design and Construction
§ 6.	Variances
§ 7.	Sidewalk Repair and Maintenance
§ 8.	Retrofitting Sidewalks to Existing Neighborhoods
§ 9.	Curb and Gutters
§ 10.	Driveway Aprons

Section 1. Purpose and Intent.

This Section of the Subdivision Regulations is hereby declared to be remedial and is intended to provide consistent requirements for the provision of sidewalks and associated improvements in the City of Newnan and further it is the purpose of this Section to secure the following objectives:

1. To provide safe, convenient, and unobstructed paths for pedestrians.
2. To provide for the necessary separation between pedestrians, vehicles, utilities, and street furniture.
3. To provide for safe and efficient driveways and street drainage.
4. A clear delineation and protection of the public right-of-way.
5. The recognition that walking as a physical fitness activity is becoming more popular.
6. To establish and maintain pedestrian linkages within neighborhoods and between neighborhoods and (a) other neighborhoods; (b) neighborhood commercial uses; (c) schools; and (d) community facilities such as libraries, churches, post offices, government offices, and other similar facilities.
7. To provide alternative transportation options to reduce motor vehicle traffic thereby relieving traffic congestion, improving air quality, and other benefits.
8. To establish and/or maintain an active street life the benefits of which may include crime reduction, critical social interaction, sense of community, and others.

These regulations shall apply to all new development approved after the adoption of these Regulations except that infill parcels in already approved subdivisions with no existing sidewalk shall not be subject to said provisions.

Section 2. Pedestrian Sidewalk, Drive Pad, and Curb and Guttering Required.

All properties hereafter developed or improved more than fifty (50) percent of assessed value in the City of Newnan shall have sidewalk, drive pad, and curb and gutter in accordance with the standards set forth by these regulations. The exceptions include receiving a variance from these standards which are allowed through the procedures established by these regulations. Previously

constructed facilities shall be considered non-conforming and as such may be repaired and maintained but if and when replacement becomes necessary shall be replaced according to the standards or variance procedures of this Section. Compliance with the provisions of this Section shall be the responsibility of the property owner.

Section 3. Sidewalk Provision Criteria.

Special requirements are as follows:

1. Residential Areas

Apartment complexes or other similar residential developments with private internal drives shall also provide sidewalks or pedestrian paths which meet all local, state, and federal requirements for handicap access. Such sidewalks or paths shall be located along all major access drives which shall be connected via a dedicated pedestrian path to all buildings, amenity areas, and other high use facilities such as mailbox, laundry, etc. Where a walkway crosses an internal drive, a well-defined crosswalk shall be provided.

2. Commercial Areas

Walkways shall be provided internally from primary entrances out to the street to meet existing or future public sidewalks in the right-of-way. Such internal walkways shall meet all local, state, and federal requirements for handicap access. Where a walkway crosses an internal drive, a well-defined crosswalk shall be provided.

3. Industrial Areas

Walkways shall be provided internally from primary entrances out to the street to meet existing or future public sidewalks in the right-of-way. Such internal walkways shall meet all local, state, and federal requirements for handicap access. Where a walkway crosses an internal drive, a well-defined crosswalk shall be provided.

4. Other Areas

Areas characterized by mixed uses or any other configuration not provided in subsections 1 through 3 above shall comply with either the regulations provided specifically for that development type, by a use by use application, or if neither of these methods is pertinent, by the analysis and recommendation of the Planning Commission.

Section 4. Landscape Strip

The landscaped area within in the right of way may be used for the following public purposes so long as such uses are not in conflict with the provisions of these Regulations or any other applicable ordinance:

1. Permitted Uses

- a. Public and private utility distribution systems.
- b. Planting of trees with diameters of three (3) inches or less and/or suitable types of vegetation which meet the requirements of the Landscape Ordinance and provided that alternative utility distribution placement can be worked out with utility providers and sight distances at drives or roads is fully accommodated.
- c. Driveway apron, pad and/or driveway.

- d. Bicycle paths or trails approved by the City.
2. Special Exception Uses
- a. Street furniture.
 - b. Fences and walls which complement pre-existing fences or walls.
 - c. Sidewalk extension which matches pre-existing adjacent sidewalks or provides some other public purpose.
 - d. Decorative paving or ground cover other than sod where pre-existing adjacent area has the same or similar materials or otherwise approved by the City Engineer.

Section 5. Design and Construction.

1. Permit Required

It is unlawful for any person to lay, construct, or build any sidewalk, driveway apron, or curb and gutter within the City of Newnan without securing a construction permit from the Building Department. Such permits are in addition to grading or excavation permits required by the City of Newnan.

2. Design Required

Upon application for a construction permit, the applicant shall submit a plan or sketch of the proposed construction which must be approved by the City Engineer prior to the issuance of a construction permit for sidewalk, driveway apron, or curb and gutter.

3. Timing of Sidewalk Installation

Sidewalks may be installed at one time or lot by lot provided that all of the open space or common area sidewalk required has been completed before the time that the street acceptance occurs or before any building permits are issued.

4. Bond Requirements

- a. A permit may be granted for sidewalk, drive pad, driveway apron and/or curb and gutter construction to a licensed contractor for a non-residential standalone site provided said person has on file with the City of Newnan a maintenance bond in the amount of at least 50% of the cost of construction or a minimum of \$5000.0 which bond guarantees the completed project against defects or improper construction for one (1) year from the date of completion.
- b. Performance and Maintenance Bonds for the construction of new sidewalks associated with a subdivision development shall conform to the bond requirements listed in the Subdivision Regulations Section 10.10.

5. Duty to Repair and Replace

Upon detection of any defective sidewalk within one (1) year from the date of construction, the City Engineer shall cause a notice to be served upon the bonded contractor or bonded property owner directing that repairs and/or replacement shall be accomplished within a designated period of time. Failure to comply with the terms of this notice shall cause forfeiture of bond.

6. Use Standards

- a. All sidewalk design plans submitted must show provision for the mobility, safety, and comfort of the pedestrian.
- b. All sidewalk design plans submitted must show provision for adequate pedestrian access to abutting properties and shall show how the connection to the abutting sidewalk will be accomplished.
- c. All new sidewalks shall meet or exceed standards for handicapped access set by the Americans with Disabilities Act and any other applicable federal, state, or local standards.

7. Design and Construction Standards and Procedures

- a. **Design and Construction Standards**
The design and construction of all new sidewalks shall comply with the latest standard specifications of the Georgia Department of Transportation, and reference shall be made to the latest edition of *A Policy on Geometric Design of Highways and Streets*, and *The Guide for Planning, Design and Operation of Pedestrian Facilities* both published by the American Association of State Highway and Transportation Officials (AASHTO).
- b. **Landscape Strip**

A minimum two (2) foot landscape strip shall be provided between the back of the curb and gutter and front of the sidewalk. In areas of heavy pedestrian use this landscape strip may be constructed of concrete, decorative pavers, or any other material approved by the City Engineer. In no case shall a sidewalk be constructed against the back of the curb without a landscape strip unless first approved by the City Engineer.
- c. **Sidewalk Location**

On all streets, a minimum five (5) wide sidewalk shall be provided on both sides of the road to promote a balanced and multimodal transportation system that serves the mobility needs of all segments of the population and complies with latest edition of The Americans with Disabilities Act of 1990 (ADA).
- d. **Site Preparation and Inspection.**

The City Engineer shall be given one (1) working day's notice before any material is placed in order that an inspection may be made of the sub-grade, the forms, and the spacing for expansion-contraction joints. The excavating and grading shall be smoothly and neatly done, and to the proper depth, all large stones, boulders, roots, other vegetation, and rubbish of every description being removed from the sub-grade and the entire work made to conform to the profile and grade of the walk when finished. Soft, spongy, or loamy areas in the sub-grade must be removed, and the space refilled with stable material thoroughly compacted

Section 6. Variances

1. Formal Variances

Upon application by the owner or agent of the property, the Board of Zoning Appeals, based on recommendations from the City Engineer and Planning Director, may choose to grant a variance from any requirements of this ordinance if it is found that:

- a. The area has been recognized as having historical, archaeological, and/or architectural significance by the City of Newnan, the State of Georgia, or the United States of America and in order to maintain such significance, a variance is appropriate.
- b. There are pre-existing obstructions that cannot be easily relocated and should not be altered, such as water courses and/or natural topographic features and no reasonable alternative is available to accommodate the sidewalk.

2. Administrative Variances

- a. Where sufficient right-of-way is not available, the City Engineer may set a special sidewalk location standard within the right-of-way or if sufficient right-of-way is not available or is only large enough to accommodate utilities in their most efficient placement, sidewalk easements may be established provided that sufficient front yard setback area exists. Sidewalk easements must be granted in perpetuity for public access. Such easements shall be wide enough to accommodate the required sidewalk width plus one additional foot on each side of the facility. Such easements shall be clearly indicated on all plats and protected via the use of covenants clearly stated on the plat and each relevant property deed stating the right to unimpeded public access in perpetuity. Sidewalks in easements shall match with sidewalks in adjacent developments and right-of-way cross sections must show match lines. The City Engineer must definitively determine that within the established right-of-way, that sidewalks cannot be accommodated even if the road were narrowed from curb to curb to the minimum required.
- b. The normal dimensional requirements and location of the sidewalk may be adjusted at the approval of the City Engineer and the Landscape Architect to accommodate or preserve a specimen tree, provided however, that public access easements are granted if the location of the sidewalk is moved off the public right of way.
- c. The normal dimensional requirements and location of the sidewalk may be adjusted at the approval of the City Engineer to accommodate, preserve, or avoid undue impacts to signage, utilities or landscaping in an area where signage, utilities or mature landscaping is existing and part of the established neighborhood character, provided however, that public access easements are granted if the location of the sidewalk is moved off the public right to way.

Section 7. Sidewalk Repair and Maintenance

1. All sidewalks shall be kept clean from rocks and other obstructions including ice and in a good state of repair by the owner, occupants, or agents in charge of the adjoining property. A sidewalk in good repair shall be free of cracks, floats, obstructions,

depressions, and all other defects and shall have a uniform longitudinal and transverse gradient.

2. All areas directly over sidewalks to a height of eight (8) feet shall be maintained free of vegetative or other obstructions by the owner, occupants, or agents in charge of the adjoining property.
3. The sidewalk landscape strips and all plantings therein shall be well maintained by the owners, occupants, or agents in charge of the adjoining property.
4. No item of street furniture, pole, grate, or other item which would obstruct pedestrians or effectively reduce the width of a sidewalk below the dimensions established in this section may be placed in, on, over, or under the sidewalk unless a waiver allowing such item is obtained from the City Engineer.
5. Any owner, occupant, or agent in charge of adjoining property or street furniture shall be liable to the City for any claim or demand made upon the City which arises from a direct or indirect violation of this Section and shall hold the City harmless and indemnify the City for any such claim or demand. When the City Engineer determines that there is a violation of this Section, he may cause a notice to be served upon the owners, occupants, or agents in charge of the property or street furniture adjoining such sidewalk or landscape strip directing that repair or maintenance or removal of obstructions be made at the cost and expense of such owners, occupants, or agents in charge of the property or street furniture and the cost of such repairs and maintenance or removal of obstruction shall constitute a lien against such property and shall be foreclosed in the same manner provided by law for the foreclosure of municipal liens.

Section 8. Retrofitting Sidewalks to Existing Neighborhoods

The City of Newnan allows individuals and business to self-finance and construct sidewalks adjacent to their property. Prospective applicants shall contact the City Engineer for additional information.

Section 9. Curb and Gutters

Curb and gutter shall conform in dimension, material, and placement technique to standards established by the City of Newnan.

Section 10. Driveway Aprons

1. Specifications

The grading and excavating for driveway aprons shall be done in conformance with the provisions set forth herein and other applicable ordinances. Driveway aprons within the public right-of-way shall be constructed of a minimum of four (4) inches of 3000 psi concrete for residential drives and eight (8) inches of 3000 psi concrete for commercial drives. Driveway apron design shall be established and approved by the City prior to issuance of construction permits.

2. Crossing of Sidewalks

Driveway aprons shall cross the sidewalk on the sidewalk grade line without depression of the sidewalk where feasible and shall not exceed a 2% cross slope.

3. Abandoned Driveway Aprons

All driveway aprons abandoned or no longer being used shall have the curb and gutter replaced and the sidewalk installed at the grade of the adjacent sidewalk as provided in the Subdivision Regulations and the Zoning Ordinance of the City of Newnan.