

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF TRANSPORTATION**



**ADMINISTRATIVE ISSUANCE SYSTEM**

**DEPARTMENTAL ORDER NO. 6-2014 DATE: June 17, 2014**

**SUBJECT: DDOT Sidewalk Installation Policy**

**I. PURPOSE**

The Department's sidewalk policy was revised in 2009, to require a sidewalk on at least one side of every street or roadway where pedestrians are legally permitted in the District. The Council of the District of Columbia subsequently enacted the "Priority Sidewalk Assurance Act of 2010" to require the installation of sidewalks to ensure a safe and accessible environment for pedestrians and persons with disabilities, to establish minimum design and consultation requirements, and to provide for exemptions.

The DDOT policy is that priority be given to sidewalks that provide access to schools, parks and recreational facilities, transit stops, locations where substantial pedestrian safety risks exist, and roadway segments for which residents petitioned to have new sidewalks installed. This policy is established to require the installation of new sidewalks, where needed, to ensure a safe and accessible environment for pedestrians and persons with disabilities. Additionally, this policy shall provide a consistent process for prioritizing the installation of new sidewalks, providing public notice of pending construction, evaluating public comments, and exempting some street segments from the sidewalk installation requirements.

**II. AUTHORITY**

This policy is authorized by the District Department of Transportation Establishment Act of 2002, effective May 21, 2002 (D.C. Law 14-137; D.C. Official Code § 50-921.01 *et seq.* (2010)) which, *inter alia*, charges DDOT with the responsibility to improve quality of life by planning and coordinating the transportation infrastructure, managing and maintaining the transportation infrastructure and to ensure the safe and efficient movement of people and goods along public rights-of-way. Additionally, this policy is specifically authorized by the Priority Sidewalk Assurance Act of 2010, effective September 24, 2010 (D.C. Law L18-227; D.C. Official Code §9-425.01 *et seq.*) and as amended by the Fiscal Year 2014 Budget Support Act of 2013, (D.C. Register on September 06, 2013 at 60 DCR 12472) to require the installation of sidewalks to ensure a safe and accessible environment for pedestrians and persons with disabilities, to establish minimum design and consultation requirements, and to provide for exemptions.

### **III. POLICY OVERVIEW**

#### **A. SIDEWALK INSTALLATION REQUIREMENTS:**

There shall be a sidewalk on at least one side of every street or roadway where pedestrians are legally permitted in the District of Columbia.

1. For road segments that lack sidewalks on both sides of the street, roadway reconstruction, a curb and gutter installation, or curb and gutter replacement projects shall include the installation of a sidewalk on at least one side of the street.
2. For roadways that are missing sidewalks, but where no major construction project is currently planned, new sidewalk installation shall be prioritized for the following areas:
  - a) School areas;
  - b) Routes that provide access to parks and recreational facilities;
  - c) Transit stops;
  - d) Locations where the absence of a sidewalk creates substantial pedestrian safety risks; and
  - e) Roadway segments for which residents petitioned to have sidewalks.

#### **B. NOTICE AND DESIGN REQUIREMENTS:**

The following shall apply when DDOT is planning to install new sidewalk:

1. DDOT shall provide notice to affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of the affected Wards, prior to designing and constructing new sidewalks.
2. DDOT shall design sidewalks in a manner that preserves the health of existing trees wherever possible.
3. DDOT shall consider pervious materials for the design and construction of sidewalks whenever feasible.

#### **C. EXEMPTIONS:**

DDOT may be exempted from the requirements of this policy upon a written determination by the Director that it is impractical or unnecessary to install a sidewalk.

## IV. PROCESS

### A. DEFINITIONS

When used in this Departmental Order, the following terms and phrases shall have the meaning ascribed:

**Affected parties** - residents with property abutting the road segment under consideration for the installation of a new sidewalk.

**Americans with Disability Act (ADA)** – the Americans with Disabilities Act of 1990, approved July 26, 1990, Pub. L. 101-336, 42 U.S.C. § 12101 et seq.

**Curb and gutter installation** – a DDOT project where new curb and gutter is constructed where no curb existed before.

**Curb and gutter replacement** – a DDOT project where the curb and gutter is replaced in-kind.

**New sidewalk installation** – the installation of a sidewalk along a roadway segment where no sidewalk previously existed.

**Pedestrian safety risk** – when no sidewalk exists or exists only on one (1) side of the street and the risk to pedestrians who walk in the roadway is high due to the volume of vehicular traffic, the speed of traffic, the vehicular line-of-site is limited or a combination of these factors.

**Priority area** – roadway segments which do not have sidewalks or only have a sidewalk on one side and the volume of pedestrian traffic is high due to its proximity to a school, transit stop, park, or recreational facility or there is a substantial safety risk to pedestrians who walk in the roadway, or residents have petitioned for a sidewalk.

**Road reconstruction** – a DDOT project where the roadbed, roadway, sidewalk, curb and gutter are replaced per current standards, and may include upgrades to utility infrastructure located within the ROW.

**Sidewalk design** – may be text, a photographic example, or a detailed design drawing which is sufficient to verify the placement and character of the sidewalk.

**Sidewalk gap team** – a DDOT team which identifies priority areas and prioritizes new sidewalk installations. The team is made up of individuals from PPSA, Asset Management, SBM, UFA and OD. PPSA leads prioritization from a spatial perspective, such as community support and the need for school and metro access. Asset Management, SBM and UFA lead prioritization from a constructability and cost perspective.

**B. SIDEWALK INSTALLATION REQUIREMENTS:**

The following priorities and considerations shall be applied when identifying and evaluating locations for new sidewalks:

1. As part of a roadway reconstruction, a curb and gutter installation, or curb and gutter replacement project, the work on road segments which lack sidewalks on both sides of the street shall include the installation of a sidewalk on at least one side of the street; provided:
  - a) DDOT's preference shall be to install sidewalk on both sides of the street;
  - b) Sidewalk may be installed on only one side based on an evaluation by DDOT which includes the following criteria:
    - i. Cost;
    - ii. Feasibility based on constructability due to topography and tree conflicts; and
    - iii. Network connectivity is maintained by continuing the pedestrian pathway on the same side of the roadway from one block to the next;
  - c) When the new sidewalk installation will be coordinated with the planned installation of new roadway curb, PPSA shall coordinate the installation with IPMA or SBM as early as possible;
  - d) The sidewalk design requirements provided in section IV.C have been considered and evaluated;
  - e) There has been compliance with all of the notice provisions per section IV.D;
  - f) When PPSA has coordinated a new sidewalk installation with a planned IPMA project, the 60-day notice of pending sidewalk construction is provided per section IV.D by PPSA in coordination with OD web site updates;
  - g) When IPMA has a planned project which includes new sidewalk installation, IPMA shall coordinate the construction schedule with PPSA and PPSA shall provide the 60-day notice in coordination with OD web site updates;
  - h) If requested, a determination shall be made by the Director as to whether the road segment may be exempted from the requirements of this policy per section IV.E; and
  - i) The Director has not exempted the road segment from the sidewalk installation requirement per section IV.E.

2. Where no major construction project is currently planned, new sidewalk installation on roadways that are missing sidewalks and identified as priority areas shall be prioritized for new sidewalk installation using a point system, with points allocated for the following:
  - a) Proximity to schools, transit stops, parks and recreational facilities;
  - b) Current level of pedestrian safety risk, including the safety risk to children and persons with disabilities, based on the following:
    - i. Functional classification of the street;
    - ii. Vehicular traffic volume and speed; and
    - iii. Line-of-sight conditions;
  - c) Constructability; and
  - d) Community support.
3. Where no major construction project is currently planned, but funding is available and PPSA has determined that new sidewalk installation is needed and the priority for the installation has been established, the sidewalk shall be installed; provided:
  - a) The sidewalk design requirements provided in section IV.C have been considered and evaluated;
  - b) There has been compliance with all of the notice provisions per section IV.D, including notice of pending new sidewalk construction has been provided per section IV.D by PPSA in coordination with IPMA or SBM and OD web site updates;
  - c) If requested, a determination shall be made by the Director as to whether the road segment may be exempted from the requirements of this policy per section IV.D; and
  - d) The Director has not exempted the road segment from the sidewalk installation requirement per section IV.E.
4. PPSA shall continue to accept and consider sidewalk petition requests from residents, including petition requests circulated to the affected parties by residents living on surrounding blocks. To aid in facilitating the petition process, DDOT shall do the following:
  - a) Add a “New Sidewalk Installation” listing under the “Streets and Sidewalks” services on the DDOT web site;
  - b) Maintain a page on the DDOT web site and the DDOT Compendium for new sidewalk installation requests which shall provide:

- i. A definition for a new sidewalk installation request that explains that this request only applies to sidewalk installation on roadway segments which are missing sidewalks or roadway segments where there is a sidewalk on only one (1) side of the street;
- ii. A process for residents to use when petitioning DDOT for a new sidewalk installation;
- iii. A downloadable petition form;
- iv. Steps DDOT will take once a petition is received with a response time for each step;
- v. A link from the Compendium to the DDOT web page dedicated to providing information pertaining to new sidewalk installation locations proposed by DDOT; and
- vi. A link to the current DDOT sidewalk installation policy.

**C. DESIGN REQUIREMENTS:**

When designing new sidewalks, the following shall be required:

1. DDOT shall design and construct sidewalks in accordance with the current DDOT Design and Engineering Manual and DDOT Standard Specifications for Highways and Structures in a manner that preserves the health of existing trees wherever possible as follows:
  - a) Where severe negative impacts on street trees are encountered, the Chief Engineer may approve a sidewalk along only one side of a street or roadway;
  - b) Trees shall be protected during construction per the “Trees, Shrubs, Vines and Groundcover” section of the current DDOT Standard Specifications for Highways and Structures;
  - c) To protect the roots of a mature tree, the sidewalk may be narrowed to an ADA compliant width for an adequate distance adjacent to the base of the tree;
  - d) To protect the roots of a mature tree, the grade of the sidewalk may be raised to a level which will clear the roots per the following specifications:
    - i. Three inches (3 in.) to six inches (6 in.) of soil or other approved tree protection material shall separate the top of the roots from the bottom of the base layer material for the sidewalk; and

- ii The slope of the sidewalk leading to and from the elevated sidewalk area shall not exceed one inch (1 in.) of rise for every twelve inches (12 in.) of sidewalk length; and
  - e) If other methods for protecting the roots of a mature tree, such as narrowing or elevating the sidewalk, are found to be infeasible or impractical, the use of an alternative paving material such as Flexi-Pave shall be considered.
- 2. Whenever feasible, DDOT shall consider pervious materials for the design and construction of sidewalks and shall be consistent with the following:
  - a) LID and GI Design Manual: Supplement to the DDOT Design and Engineering Manual or the current equivalent;
  - b) LID and GI Specifications: Supplement to the DDOT Standard Specifications for Highways and Structures or the current equivalent; and
  - c) LID and GI Drawing Details: Supplement to DDOT Standard Drawings or the current equivalents.

**D. NOTICE REQUIREMENTS:**

Regarding the installation of new sidewalks and public transparency, the following shall be required:

1. DDOT shall provide notice to affected parties, the affected Advisory Neighborhood Commissions, and the Councilmembers of the affected Wards, prior to designing and constructing new sidewalks. At a minimum, this notice shall include:
  - a) A statement of intent to design and construct a new sidewalk no less than 60 days before construction is scheduled, including a 30-day period for public comment on the proposed design;
  - b) A statement of how affected parties can comment on the proposed new sidewalk, including a statement on how Advisory Neighborhood Commissions can submit resolutions on the potential impact of the proposed sidewalk; and
  - c) A construction schedule.
2. When a new sidewalk installation is being coordinated with the installation of new roadway curb, notice shall be provided as early as possible to allow time to resolve any objections to the sidewalk installation prior to the scheduled construction of the new roadway curb.
3. The recommendations of the affected Advisory Neighborhood Commission shall be given great weight, as that term is described in

section 13(d)(3)(A) of the Advisory Neighborhood Councils Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10(d)(3)(A)).

4. PPSA shall maintain a page on the DDOT web site dedicated to providing the following information pertaining to proposed new sidewalk construction:
  - a) A table of new sidewalk installations proposed listing the following:
    - i. Locations where new sidewalk installations are proposed;
    - ii. Public hearing dates for proposed new sidewalk installations;
    - iii. Links to any resolutions or comments received by DDOT in response to proposals for new sidewalk installations and the DDOT responses;
    - iv. A link to any written determination by the Director that DDOT may be exempted from the requirement to install the sidewalk pursuant to section IV.E; and
    - v. Tentative new sidewalk design and construction dates.
  - b) A statement of how affected parties can comment on proposed new sidewalk installations, including a statement on how Advisory Neighborhood Commissions can submit resolutions on the potential impact of the new sidewalk installation proposal;
  - c) A statement and the list of criteria shown in subsection IV.E.1, which shall be used by the Director in determining if the roadway segment may be exempted from the sidewalk installation requirements;
  - d) A link to the DDOT web site page pertaining to petition requests for new sidewalk installations; and
  - e) A link to the current DDOT sidewalk installation policy.

**E. EXEMPTIONS:**

When evaluating the need for the proposed installation of new sidewalks, the following shall apply in identifying exceptions to this policy:

1. DDOT may be exempted from the requirements of this policy upon a written determination by the Director that it is impractical or unnecessary to install a new sidewalk because:
  - a) The physical site conditions would make it unduly expensive to construct the sidewalk;



- b) The sidewalk would not be used by pedestrians;
  - c) The Director certifies that, due to the specific nature or design of the road segment under consideration, pedestrian travel can be safely accommodated without sidewalks, including travel by children and people with disabilities; or
  - d) There would be damage to park land by the construction of the sidewalk on park land, or the District would be required to acquire an easement or property interest to establish the sidewalk.
2. The written determination shall be posted on the DDOT website and made available to the Council and the affected Advisory Neighborhood Commissions via links displayed on the table required by paragraph IV.D.4.a).

**V. ISSUANCE APPLICABILITY**

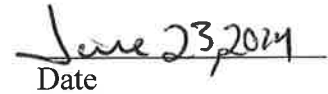
This Order is to be given to each DDOT employee for his or her review based on the applicability of this policy to his or her job.

**VI. EFFECTIVE DATE**

This policy shall become effective immediately upon the execution of this Order.



Matthew T. Brown  
Acting Director



Date