

**COUNTY OF SAN DIEGO, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

**Subject**

Installation of Sidewalks and Parkways Improvements

**Policy  
Number**

J-7

**Page**

1 of 3

Purpose

To establish and define financial responsibility for the installation of sidewalks and parkway improvements.

Background

Section 6 of the San Diego County Road Policy adopted March 20, 1962, states:

"Curbs and sidewalks and other improvements which are primarily for the benefit of adjacent property owners, rather than for the accommodation of through vehicular traffic, will be installed by the County only where the expense thereof will be borne by the owners of adjacent property benefited."

When sidewalk and similar improvements are primarily for local benefit, they should not be financed by either Gas Tax funds or from the County General Fund. This is because these types of funds are collected countywide from residents, including those from incorporated cities, and therefore should not be spent to construct purely local benefit facilities in unincorporated areas.

In the past, concern for conservation of Gas Tax revenue for road construction and maintenance resulted in Board policy discouraging use of Gas Tax for new sidewalk construction. As a result, Gas Tax revenue was traditionally used for sidewalk construction only in conjunction with projects improving Circulation Element Roads to ultimate width, to maintain or repair existing sidewalks within the road system, and to provide supplemental funding for sidewalks benefiting pedestrian through traffic.

Although Gas Tax revenues are limited, there may be instances when there is need for a sidewalk facility to provide non-motorized connections, especially to transit stations, commercial areas, schools, libraries and other public activity centers. In these situations where the area of benefit extends beyond adjacent properties to surrounding developments, it may be appropriate to share funding with other agencies or community organizations, leverage alternative funding, or fully fund such facilities. These projects, where area of benefit extends beyond the adjacent properties, are called "Community Based Projects." Sidewalk improvements in these applications may have additional benefit of reducing congestion caused by short vehicle trips. Initial proposals requesting sidewalks or other parkway improvements are typically received from Chambers of Commerce, school districts, Community Planning and Sponsor Groups, other civic organizations, businesses and residents.

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Installation of Sidewalks and Parkways Improvements

**Policy  
Number**

J-7

**Page**

2 of 3

Policy

It is the policy of the Board of Supervisors:

A. Formation of Special/Assessment Districts for construction of local benefit sidewalks and parkways along County maintained roads

Where sidewalk and parkway construction is proposed or requested that would primarily benefit adjacent properties, full financial responsibility for such construction, including acquisition of rights-of-way, shall be borne by the owners of benefiting property through either formation of a Special District or private construction. Upon successful formation of a District and approval of the improvement plan by the Director of Public Works, construction of the improvement will be performed by private contractor or County forces. Special District formations are processed through the Special Districts section of the Department of Public Works. Installation shall be performed with consideration of ultimate width of roadway and within accepted easements or rights of way.

Property owners may construct sidewalks and parkway improvements in the County right of way upon receipt of an Encroachment Permit issued by the County of San Diego. The sidewalk or parkway improvements shall meet County standards and be approved by the Director of Public Works. Installation shall be performed with consideration of ultimate width of roadway and include acquisition of necessary right of way.

B. Construction of sidewalks and parkways along Circulation Element Roads being improved to ultimate width

When a road on the Circulation Element of the General Plan is being widened to its ultimate width, and sidewalks or parkways have been determined to be appropriate by the Director of Public Works, the County or Developer may replace/install sidewalks and parkways at no cost to adjoining property owners. The sidewalk or parkway improvements shall meet County standards and be approved by the Director of Public Works. Installation shall be performed with consideration of ultimate width of roadway and include acquisition or dedication of necessary right-of-way.

C. Construction of sidewalks and parkways along Circulation Element Roads not being improved to ultimate width

Any new sidewalk and parkway constructed as part of a widening project to less than ultimate width on a Circulation Element Road shall be the financial responsibility of the owners of the benefiting properties unless such facilities qualify as Community-Based Projects (see Section D of this Policy).

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**Subject**

Installation of Sidewalks and Parkways Improvements

**Policy  
Number**

J-7

**Page**

3 of 3

D. Community Based Projects for partial or full public funding of sidewalks along County maintained roads

Community Based Projects are those sidewalk projects determined by the Community Planning or Sponsor Group to significantly enhance access to an activity center. The County will seek input from these groups to determine project priority relative to other improvement projects, such as road and intersection improvements that ease congestion and enhance safety. Sidewalk projects will then be reviewed and ranked, as would any capital improvement project, by the County's Project Planning Committee in collaboration with these groups. Highly ranked items will be processed in the same way as other Capital Improvement Program projects. Financial responsibility for these projects may be shared between local residents and the County, with fair share determined on a case-by-case basis based on estimated percentage of potential usage by adjacent benefiting property owners versus overall community benefit (as a pedestrian route to a facility). For high-ranking Community Based Projects, funding such as state grants and/or Community Development Block Grants may be pursued, and County Gas Tax revenue may be considered either to leverage these funding sources, or for full project funding.

**County Funding for Sidewalks and Parkway Improvements**

Gas Tax funds available for Capital Improvement Projects are limited. Therefore, sidewalk and parkway improvements must compete for the same funds that pay for road improvements, such as road widening, intersection improvements, realignments to decrease curves and enhance sight distance, and traffic signal installations. In recognition of pedestrian safety and traffic reduction benefits sidewalk and parkway improvements can provide, County staff will endeavor to budget up to five percent of Gas Tax funds available for capital improvements. As an example, in Fiscal Year 2011-12 dollars, a five percent expenditure would have been approximately \$525,000.

**Sunset Date**

This policy will be reviewed for continuance by 12-31-2018.

**Reference**

- B/S Action 4-14-69 (35)
- B/S Action 6-23-69 (98)
- B/S Action 12-4-84 (15)
- B/S Action 3-1-88 (96)
- B/S Action 4-4-95 (28)
- B/S Action 8-7-2002 (5)
- B/S Action 12-09-08 (33)
- B/S Action 5-09-12 (4)

Department of Public Works