

CITY OF HIGH POINT

AGENDA ITEM



Title: Policy to Allow Enhancement of City Streets, Intersections, Alleys, and Cul-de-sacs

From: Randy Hemann, Assistant City Manager

Meeting Date: 8/15/16

Public Hearing: N/A

**Advertising Date /
Advertised By:** N/A

Attachments: Proposed Policy

PURPOSE:

This Policy to Allow Enhancement of City Streets, Intersections, Alleys, and Cul-de-sacs is designed to provide guidelines and criteria to facilitate the painting of secondary streets in residential and mixed use areas.

BACKGROUND:

This policy was discussed at the August 3rd Prosperity and Livability Committee as a way to beautify and activate residential spaces within the City of High Point. The policy was favorably recommended by the Committee by a unanimous 4-0 vote.

BUDGET IMPACT:

N/A.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends City Council adopt the attached Policy to Allow Enhancement of City Streets, Intersections, Alleys, and Cul-de-sacs.

City of High Point

Policy to Allow Enhancement of City Streets, Intersections, Alleys, and Cul-de-Sacs

PURPOSE

This Policy to Allow Enhancement of City Streets, Intersections, Alleys, and Cul-de-Sacs (“Policy”) promotes a sense of community, recognizes the cultural and artistic value of public art, and otherwise beautifies and activates public residential spaces within the City of High Point (“City”). Enhancements of intersections, alleys, and cul-de-sacs under this policy shall be limited to approved designs painted on approved areas within the City. The goals of this policy shall be best accomplished through a revocable permit issued by the City of High Point Department of Transportation with approval by the City Manager or his designee and consistent with the procedures set forth below.

AREAS ELIGIBLE FOR ENHANCEMENT

Eligible areas under this Policy shall include streets, intersections, alleys, and cul-de-sacs of public streets within the City of High Point corporate limits. Additionally, any area to be enhanced must be designated as sub-collector, local residential, residential cul-de-sac, or alley (hereinafter “Streets”) under the City Department of Transportation. This program applies to streets serving residential neighborhoods and, in certain cases, residential areas with limited mixed-use components. Thoroughfares, arterials, and collectors serving a broader purpose and range of uses, even when some limited residential component is present, are excluded from this policy. Any street to be enhanced under this Policy must be located in a City zoning area currently established for Residential Zoning by the City of High Point. Enhancements of the Streets shall be limited to painting the designated and approved Streets with City approved designs (“Project”).

APPLICATION AND PERMIT

Applications to paint Streets shall be submitted to the City Manager or his designee. A petition of support for the proposed enhancements must be presented with the application and be signed by seventy-five percent (75%) of all residents living within one (1) block or within five hundred (500) feet, whichever is less, of the proposed Project area’s street frontage in order for the application to be received. Any mid-block Street enhancement petitions must include seventy-five percent (75%) of that block’s residents. Permits provided under this Policy shall be for as long as the enhancement remains on the Street (“Project Period”) and only one permit may be provided for designated Streets at any given time. In addition to the Project design approvals below, the Project locations must be approved by the City Manager or his designee.

Applications submitted must provide the following to the satisfaction of the City Manager or his designee:

- (1) a written description of the proposed Project including Project start date.
- (2) diagrams and/or renderings of how the Street will appear at the completion of the proposed Project.
- (3) Project designs must be free of any words, commercial logos (for example: Coca-Cola, State Farm, Ford, or sports teams), advertising/sponsorship, political or religious messages, obscenities, or other depictions deemed offensive or in poor taste.
- (4) evidence showing that the proposed Project and completed Street enhancement will not unreasonably impair traffic or pedestrian safety in the area, including but not limited to, use of approved paint for the Project and obtaining other necessary permits under this Policy.
- (5) a designated person, Home Owner's Association or other entity responsible for the proposed Project ("Permittee").
- (6) an encroachment agreement must be executed by all abutting **property owners** if the Project includes any above ground features including, but not limited to, artwork, sculptures, hanging objects or structures.

City Manager or his designee shall have the right to impose any conditions on the Project when issuing the permit to the applicant.

PROJECT COSTS

The cost of the street painting permit shall be \$50 and payment due to the City before the permit may be issued. All paint, materials, traffic safety devices, permits, and any other costs associated with the Project shall be the sole responsibility of the Permittee. Cost of the permit, materials, or other costs associated with the Project shall not be refunded if the City revokes its permit. The initial \$50 permit fee shall also cover the cost of the first Block Party Permit required under this Policy. After the initial installation of the Project, additional Block Party Permits required to maintain or repair the Project shall incur an additional fee, but the Permittee shall not be required to apply for an additional street painting permit.

PERMITEE RESPONSIBILITIES

Permittee shall be the designated person, Home Owner's Association or other entity responsible for the Project. Permittee must identify themselves on the application as well as other responsibilities that shall include:

- (1) Receive approval of Project application through a revocable permit and provide a signed petition of support from residents as set forth above.
- (2) Provide notice to all residents or business owners within five hundred (500) feet or one (1) block, whichever is greater, of the Project location detailing the Project date and potential street closings or other impacts resulting from the Project.
- (3) During the Project Period, the Permittee shall be responsible for protecting all public and private facilities and property placed in the public rights-of-way that fall within the Streets.
- (4) Permittee shall obtain a Block Party Permit through the Department of Transportation to close all streets up to one block distance from the Project. Type III barricades and STREET CLOSED signs shall be used as provided for in the *Manual of*

Uniform Traffic Control Devices (Federal Highway Administration, latest edition) at the sole costs to the Permittee. If requested and available, City personnel may assist in the setup and takedown of these traffic control devices, however, the responsibility of insuring placement of the devices shall remain with the Permittee. No Street may be blocked for more than twelve (12) hours in any twenty-four (24) hour period without approval from the Director of Transportation.

(5) Should City repairs, maintenance, or installation of future or existing City facilities to an enhanced Street be required, the reconstruction, relocation, repair or removal of any Project shall be at the sole cost of the Permittee.

(6) At the expiration of revocation of any permit under this Policy, Permittee shall return the Street to its original condition at Permittee's own cost and expense.

(7) Permittee shall consult with the City Department of Transportation in regards to the type of paint used for the Project. Paint must be a flat water based traffic paint or flat latex paint (example: water-based exterior house paint) that can be tinted or colored as desired. The painted surface must be slip-resistant; therefore, satin, semi-gloss, or gloss paints may not be used. To improve roughness or slip-resistance characteristics, small amounts of white play sand may be added to the paint mix before application. Any use of alternative paint types must be approved by the Director of the High Point Department of Transportation at the time the Permit is issued. The use of spray paints (aerosol cans) is expressly prohibited. Using paint that has not been approved by the City Department of Transportation will result in immediate revocation of any permit under this Policy.

(8) Permittee shall indemnify, hold harmless, and defend the City, its employees, agents and representatives, from and against any and all claims or damages directly or indirectly arising out of or resulting from or related to the Project and permit issued under this Policy.

Failure to comply with any one of the above responsibilities may result in immediate revocation of any Permit issued under this policy and Permittee being responsible for any costs associated with returning the enhanced Street to the same condition it was before issuance of the Permit.

REVOCATION

The revocable permit provided under this Policy shall exist in perpetuity unless revoked by the City under this Policy or abandoned by the Permittee. The City may revoke any permit approved under this Policy for any reason. Permittee is expected to amicably resolve any disputes over the Project and complaints to the City regarding the Project may result in immediate revocation of any permits.

MAINTENANCE, DAMAGE AND VANDALIZED PROJECTS

Permittee shall be responsible for ensuring the Project is maintained during the Project Period. Worn or neglected Projects, prohibited designs or unpermitted Projects on any Street may be summarily removed by the City without notice and at the sole cost of the Permittee. Costs associated with maintenance to the Project due to Permittee's neglect shall be the sole cost of the Permittee which will include, but is not limited to, an additional block party permit for the closing of streets to maintain or repair the enhanced Street. Permittee shall notify the City of desired

scheduled maintenance of the Project and apply for necessary Street closings and Block Party Permit through the same process listed above for the initial painting of the Project. Maintenance responsibilities of the Permittee shall include repainting over graffiti and any other method that the Project may be vandalized. Failure to maintain a Project may result in the City exercising remedies including, but not limited to, revocation of existing Permit, Permittee paying costs associated with the City returning the Street to its condition before the Project began, and denial of future Permit requests to the Permittee.