



CUPERTINO

**DEPARTMENT OF PUBLIC WORKS
POLICY
FRONTAGE IMPROVEMENTS
CONSTRUCTED BY CITY
CAPITAL IMPROVEMENT PROJECTS**

The City's process regarding construction of public improvements, including sidewalks, curbs and gutters along property frontages, is to require developers to design and construct these improvements when a site develops/redevelops. This process has led to a slow, piecemeal buildout of the sidewalk network, leaving gaps where pedestrians are forced to walk from a portion of sidewalk into the street or dirt areas, and then back on another section of sidewalk.

The City wants to improve the walkability of its streets, especially those which provide pedestrian routes to schools. The City desires to speed up the process in which sidewalks in these areas are constructed. Therefore, the City has implemented various Capital Improvement Projects to construct sidewalks around school areas in advance of properties being developed. This has required the City to establish policies in which to provide consistency among the various property owners affected by these Capital Improvement Projects.

POLICY

1) **Attempt to Acquire Public Right-Of-Way:**

The City should, to maximum extent practicable, work to acquire the land necessary to meet the ultimate right-of-way width, as established by the general plan, specific plans, street plan lines as determined by the City Engineer or the City's standard public right-of-way width of 60'.

2) **Donation Provided:**

Where, in conjunction with a Capital Improvement Project to construct frontage improvements, property owners donate land to the City to establish the ultimate right-of-way width, the City, at the discretion of the Director of Public Works, will provide a waiver, as permitted by Cupertino Municipal Code section 14.04.110, of the costs associated with construction of the frontage improvements.

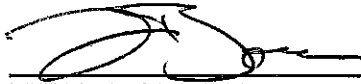
3) **Donation Not Provided:**

Where property owners are not willing to donate the land necessary to construct the Capital Improvement Project frontage improvements and/or establish the ultimate right-of-way widths, the City will work to construct sidewalks, curbs and gutters within the available right-of-way. Where possible, the City will attempt to meet the final sidewalk, curb and gutter alignments in order to minimize or eliminate the need to reconstruct these facilities in the future.

When no donation is needed, or when the adjacent property owner is not willing to donate the needed land to the City, the property owner will be required to reimburse the City for their share of the cost of the improvements constructed with the Capital Improvement Project. Reimbursement will be required at the time the property develops/redevelops consistent with the parameters set forth by Cupertino Municipal Code section 14.04.040. At the time of development/redevelopment, the property owner will also be responsible for dedicating the land necessary to meet the City's ultimate right-of-way width, and/or where needed, to reconstruct the frontage improvements to meet the final alignment or grades of the sidewalk, curb and gutter.

RESPONSIBILITY

During the design phase of the Capitol Improvement Project, the City will notify affected property owners of this policy. Property owners will be responsible for informing the City of their decision, within 3 weeks of notification, whether or not they choose to dedicate land where needed to meet the ultimate right-of-way width.



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CUPERTINO, CALIFORNIA

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