

ALTERNATE B

DRAFT

CITY OF ALPENA

COUNCIL POLICY STATEMENT

GENERAL SUBJECT: RIGHT-OF-WAY USAGE CPS No.: 29

SPECIFIC SUBJECT: GUIDELINES FOR HARD Date Issued: _____

SURFACING OF LAWN AREA Effective Date: _____
IN THE RIGHT-OF-WAY

Copies to: City Council, City Manager, City Attorney, Department Heads,
DDA, File

STATEMENT OF POLICY:

- I. Purpose The purpose of this policy is to control activities of hard surfacing lawn areas within the public right-of-way. This policy applies only to residential areas, i.e., R-1, R-2, and R-T zoning districts.
- II. Statement of Policy:
 - A. Hard surfacing materials shall be limited to concrete, asphalt, paving brick, and paving stone.
 - B. Hard surfacing of the lawn area located within the right-of-way shall be limited to no more than 50% of the total lawn area excluding the driveway and city sidewalk area. In no case shall the total area to be hard surfaced exceed 160 square feet.
 - C. The hard surfaced area shall be maintained flush or a maximum 1/4" below the adjoining concrete surface and shall not create a potential trip hazard within the public right-of-way.
 - D. Grade changes within the right-of-way shall not exceed 1", shall provide a uniform slope from the back of the curb or edge of the street to the front sidewalk line or a 1/4" per foot positive slope where no sidewalk line exists, or match the existing adjoining grade as directed by the engineer.
 - E. In locations where the sidewalk is in a deficient condition or no sidewalk exists, the property owner shall sign up for

sidewalk repairs or installation with the City of Alpena prior to issuance of a permit to place any hard surfacing or any other change in the right-of-way.

CPS No. 27

F. Existing hard surfaced areas as identified by the city engineer's

office
shall be allowed
to remain as is.

G. Any costs associated with the removal of any hard surfacing placed in the right-of-way by the adjoining property owner, with the exception of drive aprons, shall be billed to the property owner.

H. Any hard surfacing removed by the city shall not be replaced. Any damage to salvageable paving materials located in the right-of-way shall be the responsibility of the adjoining property owner with no responsibility by the city.

I. A city right-of-way permit shall be issued for all activities to be done in the public right-of-way.

J. For every 50 square feet or fraction thereof of hard surfacing installed, the responsible property owner shall plant one tree of 1 3/4" minimum caliper within the front yard where the hard surfaced material is placed. Said tree shall fully comply with the city standards for tree type and variety.

K. This policy shall not take precedence over existing policies or ordinances pertaining to right-of-way usage, i.e., tree planting, clear sight vision, etc.

RS/MG

\public\CPS-29b.doc