



# CITY OF NEW PORT RICHEY

## Alleyway Management Plan (AMP)

5565-042

MARCH 10, 2020

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## I. INTRODUCTION

The early plats of New Port Richey include a network of alleys that interconnected with the primary rights-of-way. These alleys directly benefit the property owners directly adjacent to the alleyway by providing secondary access to the parcel (residential and commercial). Fencing, vegetation, and construction of accessory structures have restricted access over time.

In 2015, GENESIS | HALFF conducted an evaluation of the City's 70 miles of paved public streets that rated each street on a 10-point scale based on visual indicators of roadway condition (2015 Roadway Needs Assessment). Both this report and the subsequent 2017 Pavement Management Plan focused exclusively on the paved public streets and do not address the 5.2 miles of alleyways within the City limits. The 2017 report noted that the alley facilities "are not an integral part of the City's roadway network and the benefit of improving them would be limited to the adjacent property owners". As a result, the Citizens Advisory Committee recommended that alleys be excluded from the 2017 Pavement Management Plan and an Alley Management plan be developed separately to address future alley improvements.

## II. OBJECTIVE

The Alley Management Plan will catalogue the public alley inventory based on observed conditions noting the existing pavement material as well as ingress / egress conditions. The report will also provide guidelines for the City to review and process resident generated alley improvement requests or alley vacation requests.

## III. INVENTORY

The category of each of the fifteen alleys plus Queen Lane, as illustrated on the inventory condition exhibit, was visually documented during a 'windshield' review of the alleys. Field observations revealed a wide range in the level of alley development which varies from 'undeveloped' to good condition 'pavement'. It was noted that nearly all alleyways appeared to contain some level of stabilized base material. Additionally, it is rather common to encounter multiple different pavement types within a single segment (portion between two existing public streets) of alley. In these instances, the segment was identified based on the dominant category visible.

The field inventory effort identified four (4) basic alley categories:

### 1. Unimproved

Only a few segments of the alley system are classified as unimproved. These alleys are typified by vegetation, including large trees, that prohibit easy vehicular access. Additionally, there is no visible indication of asphalt pavement or base material.



Figure 1 – Unimproved

### 2. Intermixed Base / Vegetation

Most of the alley segments are classified as Base / Vegetation. These alleys are typified by either base and/or asphalt co-mingled with vegetation. While it is apparent that some base exists, the presence of the vegetation indicates that it is overlain with soil or the thickness of the base is inadequate to prevent vegetation growth.

The base material appears to be predominately limerock, but asphalt millings and asphalt patches are visible along some of the alleys.



Figure 2 – Intermixed Base / Vegetation

### 3. Conglomerated Asphalt

A portion of the existing alley inventory is comprised of conglomerated asphalt that appears to have been installed over a period of time. The asphalt wearing surface is not of uniform slope / grade and the sub-structure is of unknown thickness / quality. This type of pavement section usually occurs in segments providing access to a garage and oftentimes do not extend the full length of the block.



Figure 3 – Conglomerated Asphalt

#### 4. Asphalt

Approximately 1.87 miles of the existing alleyways are comprised of asphaltic concrete pavement. These paved alleys vary from 8' to 10' feet in width. Garages and rear-yard gates are common sights indicating that these improved alleys are frequently used by adjacent homeowners.



Figure 4 – Asphalt

## IV. CITIZEN PETITION

As indicated in the Objective section, a primary goal of this report is to develop a guide for City staff to use when evaluating Citizen's request to either improve alley access or vacate the right-of-way. The alleys will be evaluated on a block by block basis (i.e. vacation or improvements must extend from one public road to another). The steps of the Citizen led petition process include:

### A. RIGHT-OF-WAY VACATION

#### 1. NOTIFICATION

The Land Owner (petitioner) initiating the right-of-way vacation request is responsible for starting a petition and gathering signatures from the affected property owners in support of the proposed action. Each parcel identified in the Property Appraiser's database is treated independently. (Homeowners with multiple parcels of land may sign the petition once for each parcel owned.)

Once the petitioner obtains a majority of the affected owners' signatures, the petitioner must submit the petition outlining the request and justification to the attention of the City Manager (or his / her designee).

## 2. LETTERS OF INTEREST

Upon receipt of the petitioner's written request, and any review fees as may be established by the City, the City will distribute petition letters to all contiguous property owners explaining the nature of the request. The petition will ask the recipient to vote for or against the proposed vacation and return the letter within 15 business days for tabulation in an enclosed return envelope.

(Each parcel identified in the Property Appraiser's database will receive a letter / ballot. Homeowners with multiple parcels of land will receive a letter for each parcel.)

## 3. PETITION TABULATION

After the time allotted for citizen review of the petition has expired, city staff shall tabulate the votes. If the voting results in a tie or majority of votes against vacation of the right-of-way; the alleyway ownership will remain unchanged. If more than fifty percent (50%) of the respondents elect to vacate the right-of-way, the City shall conduct a field review of the alleyway to confirm there are no physical obstacles to vacation and notify the Petitioner of the results.

## 4. VACATION

The City shall notify utility owners with facilities located within the alleyway of the intent to vacate and request letters of 'no objection'.

City staff shall provide the petitioner with written guidance regarding submittal requirements for the vacation request application that must be submitted to the DRC. The letters of 'no objection' together with any required application form(s), and review fees shall be submitted to DRC for review and processing. After DRC confirms the submittal package is complete, it will be forwarded to the Land Development Review Board which will make a recommendation to City Council regarding approval of the application.

If the right-of-way was created by plat, it will be split between the abutting properties (half to each party). The vacated right-of-way shall be encumbered by a perpetual utility easement allowing the installation and maintenance of both public and private utilities

(including but not limited to water, sewer, reclaimed water, power, telephone, CATV). Usage of the easement shall be regulated by the City's Land Development Code.

## 5. APPEAL

All appeals shall be in writing addressed to the City Manager's Office, 5919 Main Street, New Port Richey, Florida 34652. The City Manager or his/her designee shall have 30 business days to respond in writing to the appellant. Should the appellant wish to appeal the City Manager's determination he/she may request review by City Council. Appeals shall be based solely on methodology applications such as, but not limited to errors in the property appraiser's database, mathematical errors, etc.

## B. HARD SURFACE IMPROVEMENTS

### 1. NOTIFICATION

The Land Owner (petitioner) initiating the request for alley hard surface improvements is responsible for starting a petition and gathering signatures from the affected property owners in support of the proposed action. Each parcel identified in the Property Appraiser's database is treated independently. (Homeowners with multiple parcels of land may sign the petition once for each parcel owned.)

Once a majority of the owners' signatures are acquired, the petitioner must submit the petition outlining the request and applicable review fees, as may be established by the City, to the attention of the City Manager (or his / her designee).

### 2. SCOPE REVIEW

The City will verify the land owner names match those listed on the County Property Appraiser's website and if more than 50 percent support the proposed action, the Public Works Department will send a staff member to review the alley segment referenced by the petitioner. After reviewing the site conditions and estimating the scope of required construction, staff will prepare a preliminary cost estimate.

During the staff review (or subsequent design / permitting process) if listed species, grand trees, critical drainage feature, or other significant impediment is encountered the City Manager (or his / her designee) may deem the project infeasible and terminate the citizen petition process.

### 3. LETTERS OF INTEREST

The City will distribute petition letters to all contiguous property owners explaining the nature of the proposed project and the estimated amount to be assessed per parcel after the work is completed. The recipient will be asked to vote for or against the proposed construction and return the response within 15 business days for tabulation in an enclosed return envelope.

(Each parcel identified in the Property Appraiser's database will receive a letter / ballot. Homeowners with multiple parcels of land will receive a letter and assessment estimate for each parcel.)

### 4. PETITION TABULATION

After the time allotted for citizen review of the petition has expired, city staff shall tabulate the votes. If more than fifty-percent (50%) of the respondents elect to improve the alleyway, the City shall begin preparing construction drawings and assessment documents. If the voting results in a tie or majority of votes against improvements to the right-of-way, the alleyway will remain as is and the process will terminate.

### 5. DESIGN

As indicated above, if most of the respondents support the petition to pave the right-of-way the City will initiate preparation of construction drawing, technical specification, and an opinion of probable construction cost for the proposed improvements.

## 6. PRELIMINARY ASSESSMENT

City Council shall draft an assessment resolution funding the proposed construction in accordance with Ch 170 F.S. (Supplemental and Alternative Method of Making Local Municipal Improvements). It is anticipated that each benefitted property owner will share the cost of the completed work regardless of whether they voted for or against the improvement project. The cost shall be divided equally by the number of benefitted parcels (as identified by the Pasco County Property Appraiser). The Owner shall have the option to either pay the total amount due at the time of invoice or pay the assessment over a ten (10) year period as a non-ad valorem special assessment collected by the County Property Appraiser. Owners electing the ten (10) year payment plan are responsible for payment of both collection fees imposed by the County Property Appraiser and interest on the unpaid balance. The interest shall be computed using simple interest and a variable annual interest rate equal to the prime rate (as of June 30<sup>th</sup> each year) plus any premium established by City Council at the time of assessment.

## 7. CONSTRUCTION AND SCHEDULING

In order to minimize costs associated with project management and mobilization as well as obtaining favorable unit pricing; the construction drawings will be included as an add / alternate bid item in the upcoming annual street improvement project.

## 8. FINAL ASSESSMENT

Once construction has been completed and final quantities have been calculated, the City shall compute the project's actual cost. If the actual cost is less than the preliminary assessment, City Council shall adjust the final assessment roll to reflect the lower actual cost.

## 9. APPEAL

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City Manager or his/her designee shall have 30 business days to respond in writing to the appellant. Should the appellant wish to appeal the City Manager's determination he/she may request review by City Council. Appeals shall be based solely on methodology applications such as, but not limited to errors in the property appraiser's database, mathematical errors, etc.

## V. CITY INITIATED RIGHT-OF-WAY VACATION

As mentioned in the INVENTORY section of this report, there are four (4) different categories of alley. The unimproved alleys have no visible pavement and many do not appear to be regularly utilized by the adjacent property owners. Improvements to these thoroughfares would be considered new roadway construction and the project would be subject to Southwest Florida Water Management District (SWFWMD) regulations regarding water quality treatment and water quantity attenuation. Since most of these alleyways are not located adjacent to viable stormwater sites, paved alley construction within these rights-of-way would be difficult and costly. Therefore, Genesis | Half recommends that unused unimproved alleyways be vacated by the City and a utility easement be retained in the situations where existing underground / overhead utilities exist.

Some alleyways have physical structures encroaching into the right-of-way. Therefore, these segments of alley are also good candidates for vacation.

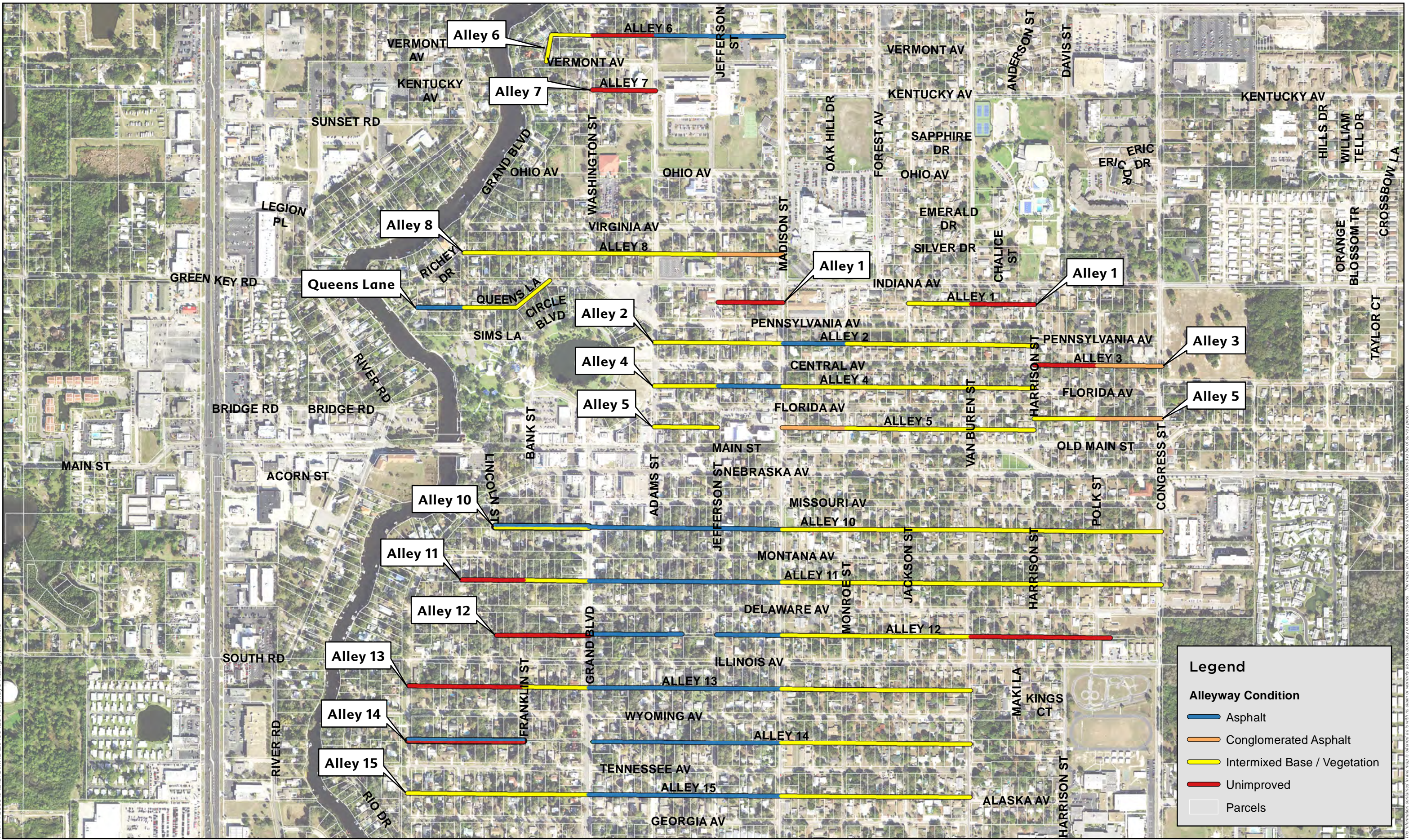
The last category of alleys includes those with dead-ends that do not connect two public streets. They serve a limited population and without a proper turn-around are difficult to navigate.

The following list of alleys does not appear to be regularly utilized by adjacent property owners and are candidates for vacation provided for Council's consideration:

- Alley 1 (btwn. Jefferson St. and Madison St.) – Unimproved
- Alley 1 (btwn. Monroe St. and Jackson St.) – Unimproved, Encroachments [sanitary sewer lift station parcel should be conveyed to Public Works]
- Alley 1 (btwn. Harrison St. and Congress St.) - Unimproved
- Alley 7 – Unimproved
- Alley 9 (parallel to Grand Blvd. north of Ohio Ave.) - Unimproved
- Alley 12 (btwn. Polk St. and Congress St.) - Unimproved
- Alley 14 (btwn. Franklin St. and Grand Blvd.) – Unimproved, Encroachments

## VI. APPENDIX A - ALLEYWAY INVENTORY

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## VII. APPENDIX B - IMPROVEMENT PROCESS FLOWCHART

# ALLEY IMPROVEMENT FLOWCHART

