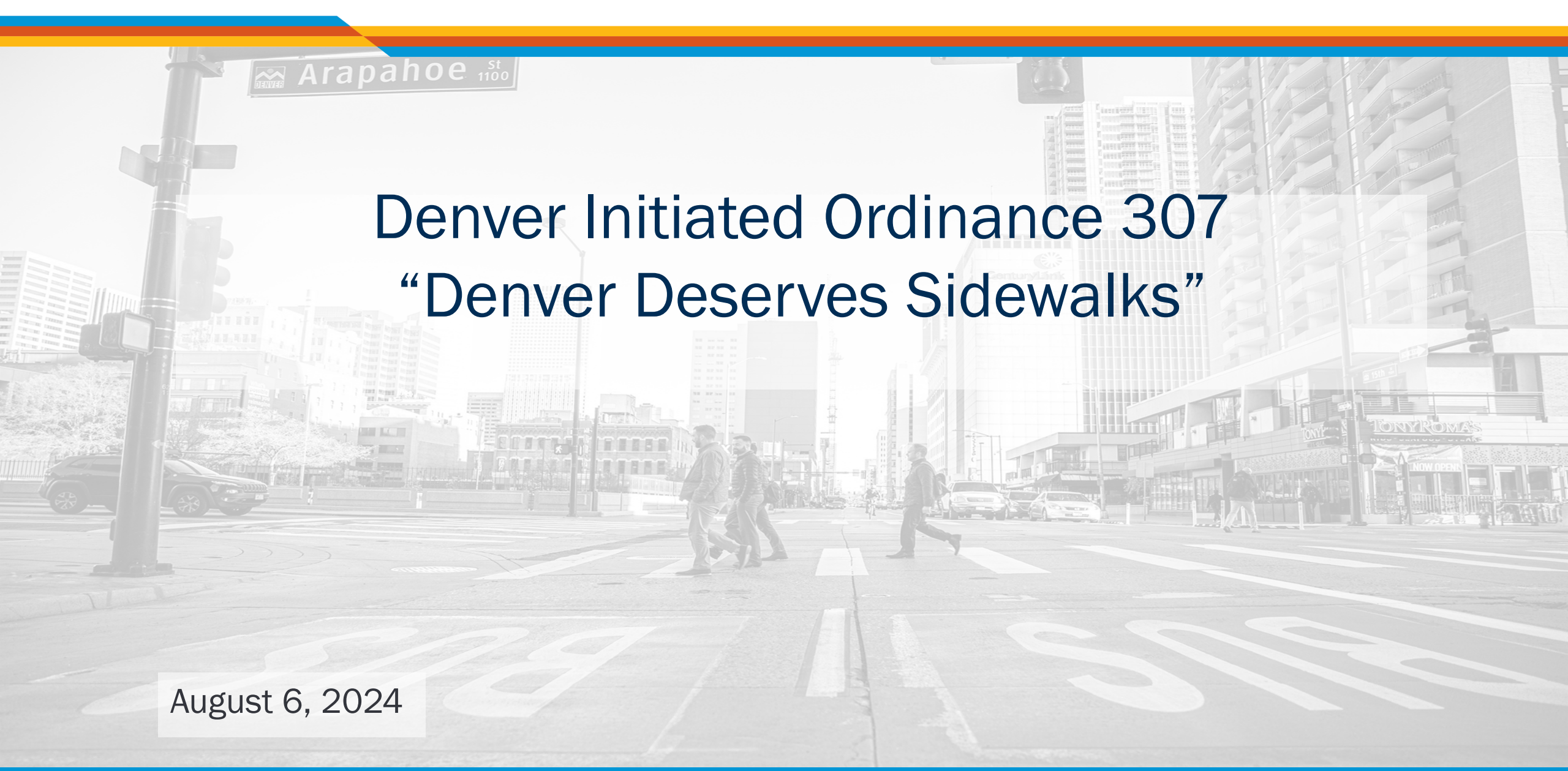


Denver Initiated Ordinance 307
"Denver Deserves Sidewalks"

August 6, 2024

Overview of the Ordinance

Citizen-Initiated Ordinance 307 amended Chapter 49 of D.R.M.C by shifting responsibility for sidewalk construction, reconstruction and repair from adjacent property owner to the city, funded by a frontage-length-based fee.

- Requires city maintenance (and resident fees) in perpetuity
- Greatly accelerates network buildout to a steady state
- Ordinance requires creation of an enterprise program fund

Overview of the Ordinance

What Does This Include, Or Not?

Specifically Includes:

- ✓ Construction of current sidewalk gaps
- ✓ Reconstruction of "deficient" sidewalks to current standards
- ✓ Repair of damaged sidewalk

Does Not Specifically Include:

- ❑ Reconstruction of curb ramps to meet DOJ requirement
- ❑ Pedestrian crossings at intersections
- ❑ Trails, shared spaces, and other non-traditional ROW uses
- ❑ Other pedestrian safety measures, wayfinding, etc.
- ❑ Snow/Debris Removal

Latest Sidewalk Inventory Data

- Total Existing Sidewalk: 3,110 miles
- Total Sidewalk Gaps: 358 miles
- Total Deficient (<5ft) Sidewalk: 1,235

Deficient "Hollywood" Sidewalk

Overview of the Ordinance

Existing/Anticipated Challenges

- **Right-of-way:** ensuring adequate space to build sidewalks
- **Physical impediments:** trees/vegetation, utilities, private/public infrastructure
- **Subsidiary impacts:** curb lines, drainage, signals, bridges
- **Financial viability:** rate modeling, billing, accounting, audits
- **Resourcing:** adequate concrete and contractor supply

Sec. 49-146. Sidewalk master plan.

Requirement and contents for a Sidewalk Master Plan

- Current inventory of sidewalks (and sidewalk gaps)
- Strategy for bringing sidewalk network to standard (and ongoing maintenance)
- Investment and construction plan (including flagstone)
- Updated every 5 years (or sooner)
- Annual report

Sec. 49-147. Sidewalk construction, reconstruction and repair service charge

Property owner fee to pay for program

- "Sidewalk Service Charge" for every lot/parcel in the city*
- Pays for sidewalk construction, reconstruction and repair of current and future sidewalks
- Paid in advance, twice annually based on property frontage length, multiplied by street type
  - Corner lots charged for both frontages

Sec. 49-152. Fiscal matters and Sidewalks Fund

How fee revenue can (and can't) be used

- Fees must be used for implementation of program, and can't be transferred to other city accounts/programs
- Fees cannot be used for landscaping*, street furniture, roads, curb and gutter*, or snow removal
- Fees can be used to bond against
- Fees must be reflected in city's annual budget

Recommendation Development

Process

- Community-led, collaborative, and data-driven in consultation with other Denver depts (CAO, DOF, DPR)
- 26 member (two council members) Citizen Stakeholder Committee met bi-weekly for ten months

Considerations

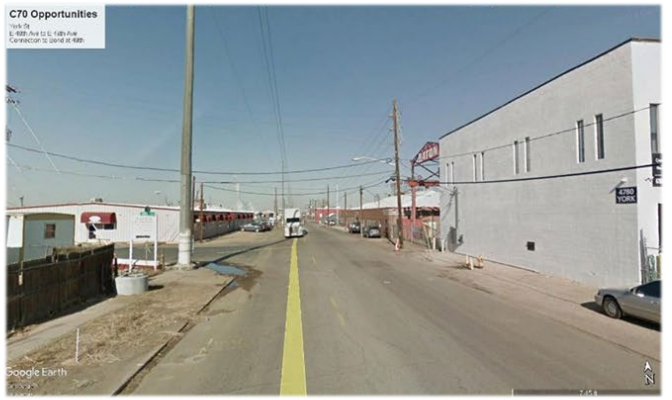
- Limit unusually high fees on residential properties (e.g., corner lots) but retain relationship between characteristics of the property and the fee (e.g. larger lots have more square feet of sidewalk, higher density development is more efficient and requires fewer square feet of sidewalk per household)
- Implement a meaningful and accessible low-income rebate
- Easy to understand and consistent billing experience for residents
- Ensure compliance with enterprise fund and Colorado's TABOR rules

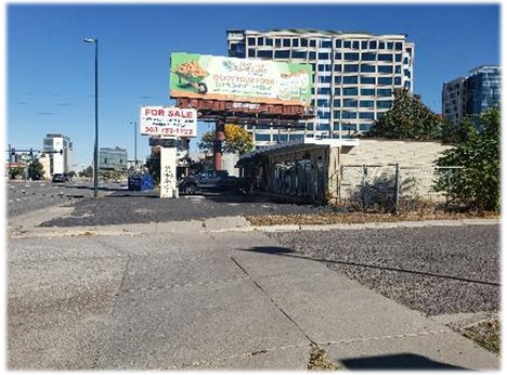
Existing/Anticipated Challenges

- **Right-of-way:** ensuring adequate space to build sidewalks
- **Physical impediments:** trees/vegetation, utilities, private/public infrastructure
- **Subsidiary impacts:** curb lines, drainage, signals, bridges
- **Resourcing:** adequate concrete and contractor supply
- **Public perception:** consistent & clear communications & expectations of planning, projects, timelines, and successes

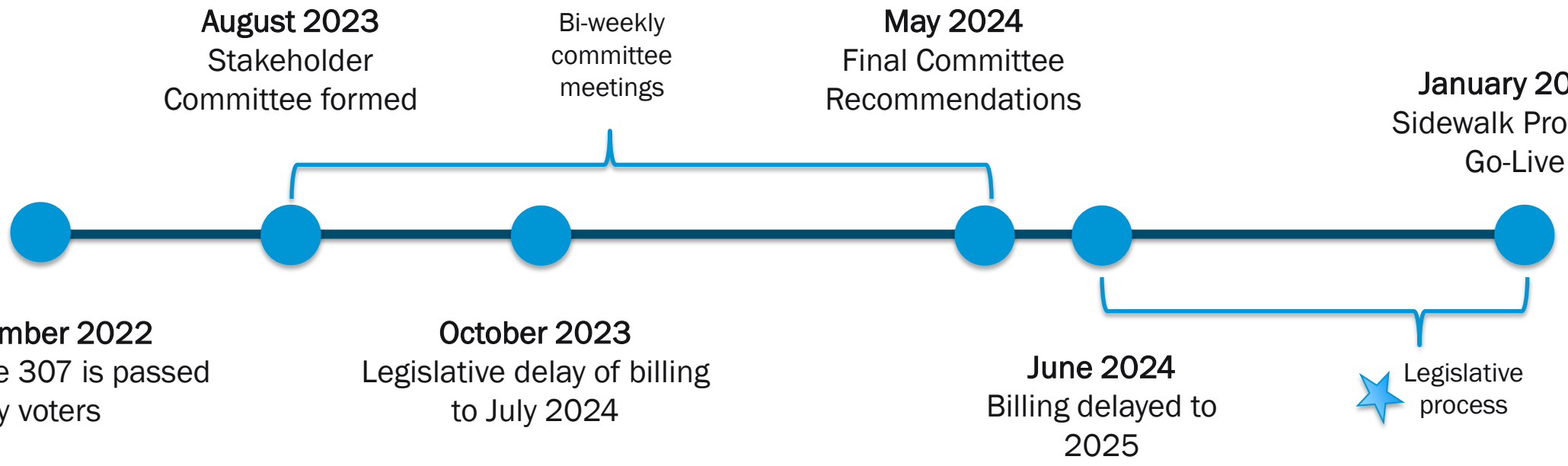
Right-of-Way Acquisition Costs

Sidewalk construction/reconstruction can require significant real-estate acquisition





Program Development Timeline



Next Steps

- Recommended amendments begin City Council process August 27th
- High-priority spot repairs conducted through remainder of 2024 construction season (using existing department budget)
- Billing/work begins January 2024

Questions?