



### Introduction

**How I got here** 



my baby (c. 2017)







Children's Day School, San Francisco, with Jensen Architects <a href="https://jensen-architects.com/work/childrens-day-school-dolores-park/">https://jensen-architects.com/work/childrens-day-school-dolores-park/</a>



### Introduction

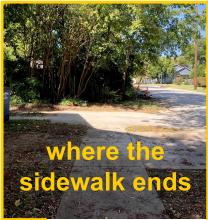
### **How I got here**

























How I got here



# **Why???**

Dallas City Code:

SEC. 43-63. REPAIR OF DEFECTIVE SIDEWALKS OR DRIVEWAYS BY ABUTTING PROPERTY OWNERS.

(a) When a sidewalk, driveway, or any appurtenance to a sidewalk or driveway becomes defective, unsafe, or hazardous, the abutting property owner shall reconstruct or repair the sidewalk, driveway, or appurtenance, and the expense of such work must be borne by the abutting property owner.

## What do other cities do?



## The Study

### Sidewalk policies in 30 U.S. cities



Cities included in study

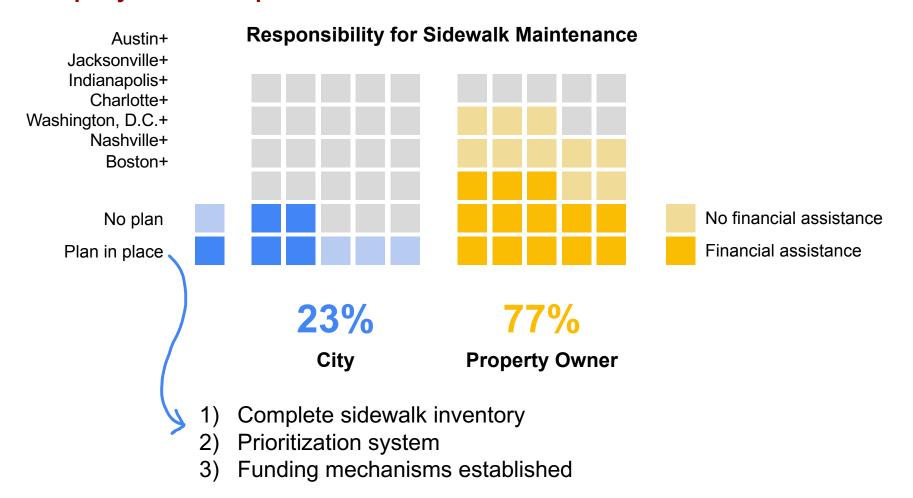


- +Municipal codes
- +City websites
- +Pedestrian master plans
- +ADA transition plans
- +City newspapers
- +Dallas Strategic Mobility Plan +Dallas Sidewalk Master Plan
- +Staff from Dallas, Austin, Portland, Phoenix, and Memphis





#### Property owners responsible for maintenance









### Owners don't take the initiative to repair their sidewalks

CITY OF SAN DIEGO, CALIFORNIA

#### **COUNCIL POLICY**

CURRENT

SUBJECT: SIDEWALK MAINTENANCE POLICY

POLICY NO.: 200-12

EFFECTIVE DATE: February 6, 1975

#### BACKGROUND:

The City's practices with regard to the maintenance of existing Portland Cement Concrete (PCC) sidewalks has for many years been based on the California Streets and Highways Code, Section 5610.

This section essentially places the responsibility for replacement of PCC sidewalk totally on the abutting property owner unless an unsafe condition exists because of some act of the City or some third party, such as allowing parkway trees to damage the sidewalk, permitting poor compaction of soil under a sidewalk, sidewalk damage caused by City utility intrusion, etc. Consequently, PCC sidewalk replacement at City expense is done only under the following conditions:

- Damage caused by parkway trees.
- Damage due to grade subsidence.
- 3. Damage due to City utility cuts.
- 4. Sidewalk fronting City-owned property.
- 5. Sidewalk at street intersection (no abutting property).
- 6. Damage due to heat expansion.

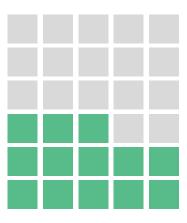
A significant portion of an existing unsafe sidewalk does not fall into any of the above categories, but is in such a condition because of its age. Naturally, these conditions are most prevalent in older parts of the community. Replacement of these unsafe old sidewalks therefore depends on the financial ability and willingness of the abutting property owners to do so. Experience indicates that few citizens avail themselves of the opportunity to replace an unsafe sidewalk. This is probably because they are reluctant to go through the process of obtaining a contractor, bids, permits, etc. All unsafe sidewalk conditions which come to the attention of the City are patched with asphalt to eliminate tripping hazards and assist in protecting the City from liability.





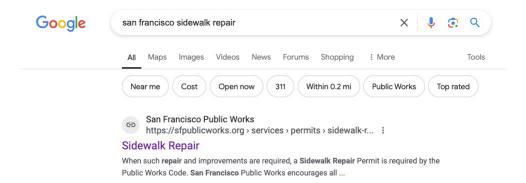
Policies often unclear

#### **Clear Policies**



43%

- 1) Stated in municipal code
- 2) Stated on an easily-locatable city website
- 3) Consistent between the two



#### **Sidewalk Repair**

#### Services The State Highway Code (5611) and the local Public Works Code (Article 15, Sec. 706), DPW Order 177,525, Report a Problem requires property owners to maintain the sidewalk adjacent to their property to a condition acceptable to the Cleaning Programs Director of Public Works. This responsibility includes making repairs as needed when a sidewalk is damaged. Contractor Resources Damage on the sidewalk for which a property owner is responsible for include, but are not limited to the following: Garbage & Waste Graffiti Missing pavement Permits Raised / sunken / uneven pavement Potholes Public Records Requests Holes or cracks in the pavement **Public Toilets** Recycling & Refuse Collection Missing sewer vent covers Storm Preparation Street Sweeping When such repair and improvements are required, a Sidewalk Repair Permit is required by the Public Works Sidewalks Code. San Francisco Public Works encourages all property owners to take a close look at the sidewalk adjacent to Street Resurfacing their property. If you believe it is damaged and choose to make the repairs immediately, please contact a reputable Street Trees and Plants concrete contractor. Please note that you or your contractor are required to secure the necessary permits prior to Subdivisions and Mapping commencing repairs; please contact the Bureau of Street-Use and Mapping at 628-271-2000 for more information Other Services A-Z



Dana and David Dornsife College of Letters, Arts and Sciences





## **Findings**

#### Cities largely have mechanisms in place to enforce their rules...

Charges property owner Places lien, if necessary Misdemeanor charges (Fort Worth)

Consequence for Failure to Maintain

23

Property Owner City Does Work Unstated/None Other

(c) Any owner who fails to reconstruct or repair a defective, unsafe, or hazardous condition within 30 days after the date of the written notice from the director of public works or the director of code compliance to do so, or any owner who fails to begin such reconstruction or repair within 15 days after the date of such notice, is guilty of an offense. (Ord. Nos. 8590; 13898; 19963; 22026; 23694; 30239; 30654)



City of Dallas, Texas Code of Ordinances, Volume 2 §43-63 (2023).

## **Findings**

...but enforcement is rare

Americans with Disabilities Act
Transition Plan
for Curb Ramps and Sidewalks

Updates and Revisions 2007-2008

City and County of San Francisco

Department of Public Works

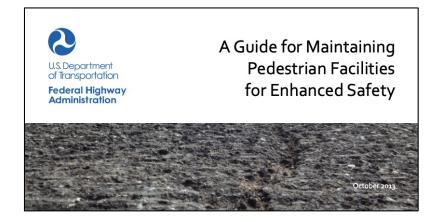
In collaboration with

The Mayor's Office on Disability

Average 12 month period:



- +1,025 notices to other City Bureaus
- +2<sup>nd</sup> highest density
- +Highest median household income
- +Not enforced in Phoenix (Zoom call with Planning)
- +Burden is too high for low-income homeowners (Portland)



- +Lack of enforcement a key factor in deterioration
- +Many cities cite untenable financial burden and community backlash



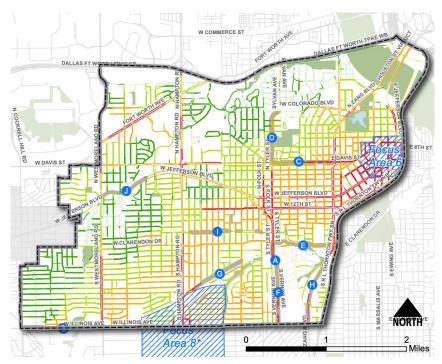


#### Many cities don't know sidewalk conditions

Proactive, regular inspection program +Denver – inspects 1 of 11 areas yearly

Irregular inspections as part of a large planning effort

- +Seattle, 2017
- Sidewalk Condition Assessment Report +San Antonio, 2008 and 2010 ADA Transition Plan +Dallas, 2020 Sidewalk Master Plan
- Complaints
  +Portland stopped proactive inspection during recession



Prioritization map from Dallas Sidewalk Master Plan, June 2021



## **Findings**

### Lack of sustained funding

\$2 billion Dallas \$3.63 billion Portland

Backlogs: LA first program in 40 years



www.tenor.com

#### Constant decline:

+Memphis - another 33% of sidewalks in disrepair by the time current needs addressed +Dallas – 81 miles of sidewalks deficient yearly

### State of the Sidewalks **DID YOU KNOW?**

Public Works is currently responsible for 2,400 miles of existing sidewalks.

The City of Austin is missing 2,580 miles of sidewalks.

**\$1.64 billion** is needed for construction and maintenance of new and existing sidewalks.



existing sidewalks

missing sidewalks

At the current funding rate, it will take 192 years to build and repair Austin's sidewalk network.

While 20% of sidewalks are in good condition, 80% of existing sidewalks are in poor condition.

Approximately 40% of existing sidewalks have some type of overgrown vegetation blocking the pedestrian pathway.



**Poor Condition** 

City of Austin Public Works Department



### **Opportunities**

### Learn from peer cities

1.

San Francisco

**Property-owner responsibility** 

Proactive sidewalk inspection Enforcement Financial assistance

2.

**Austin** 

**City responsibility** 

Proactive sidewalk inspection Plan in place

3.

Denver

Moving toward city responsibility

Proactive sidewalk inspection



# Denver sidewalk fees clear final hurdle, billing to begin in 2025

Denver transportation officials ask residents to report problem sidewalks, give repair program a head start

By: Joe Rubino | The Denver Post

Posted 6:02 PM, Sep 16, 2024 and last updated 6:03 PM, Sep 16, 2024

The Denver City Council on Monday gave final approval to <u>converting</u> the <u>billing structure</u> for Denver's voter-supported sidewalk repair and construction program to a flat \$150 for more than 95% of property owners next year, doing away with the highly variable billing approach outlined in the original measure.

Property owners with large lots will still pay more. The billing formula will add \$3.50 per foot to the annual cost for any property with more than 230 feet of street boundary.

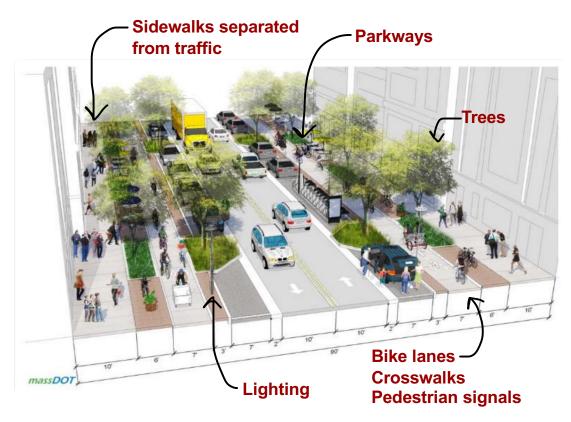
https://www.denver7.com/news/front-range/denver/denver-sidewalk-fees-clear-final-hurdle-billing-to-begin-in-2025#:~:text=The%20Denver%20City%20Council%20on,outlined%20in%20the%20original%20measure



## **Opportunities**



### Operationalize Complete Streets: Safe, accessible networks, not patchworks



MassDOT Complete Streets example provided in CalTrans Complete Streets Elements Toolbox, July 2018

2019 survey from 43 transit agencies 86.5% lack of sidewalks impacts transit accessibility (National Academies of Sciences, Engineering, and Medicine, 2019)

Larger alterations (e.g., widening) – city responsibility



https://www.dnswm.org/a-lack-of-accessible-public-transportation-creates-isolation/



## **Opportunities**

### Consider equity beyond prioritization frameworks





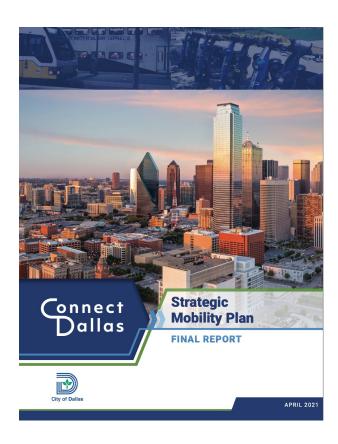
Property owner responsibility is regressive (Corning-Padilla & Rowangould, 2020)

Resource burden is more than financial (permitting, construction)

Health – quality of life, access to opportunities



Prioritization framework from Dallas Sidewalk Master Plan, June 2021



"equity" or "equitable" x 100 "health" or "healthy" x 2





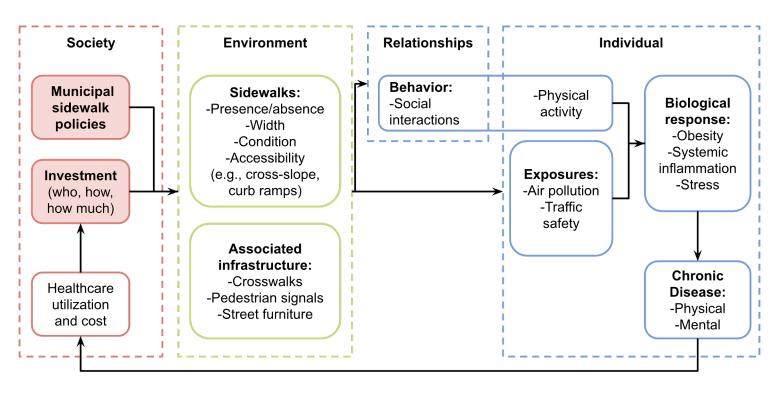


#### Equity: Sidewalks as a social determinant of health

Inadequate physical activity costs the U.S. \$117 billion annually (in 2012 dollars)

11% of aggregate health care expenditures

(U.S. Department of Health and Human Services, 2015)



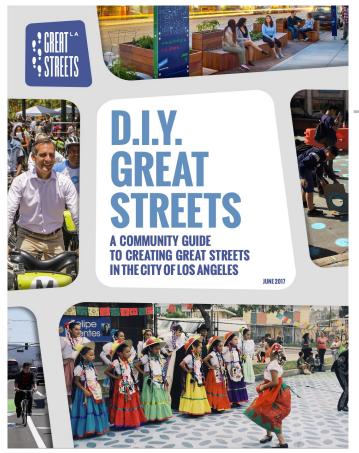
Theoretical framework based on the social-ecological model and adapted from Frank et al. (2019), the U.S. Department of Health and Human Services (2011) and Sallis et al. (2006).

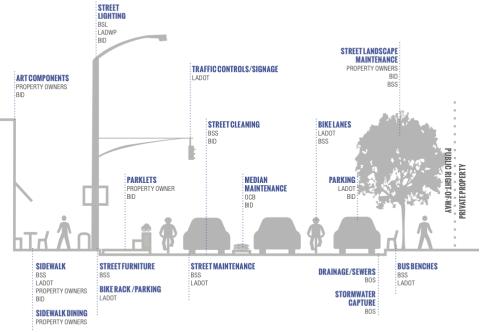






1. Centralize responsibility (with city), consider right-of-way holistically





LADWP (LA Department of Water and Power) delivers water, electricity, and power through utilities on and in the street.

LADOT (Department of Transportation) oversees transportation planning, street design, construction, maintenance, and operations of streets. Two programs that specifically support innovation in the public realm include the LADOT Bike Program which implements complete streets solutions for LA and LADOT's People St Program, which transforms underused areas of LA's 7,500 miles of streets to improve quality of life.

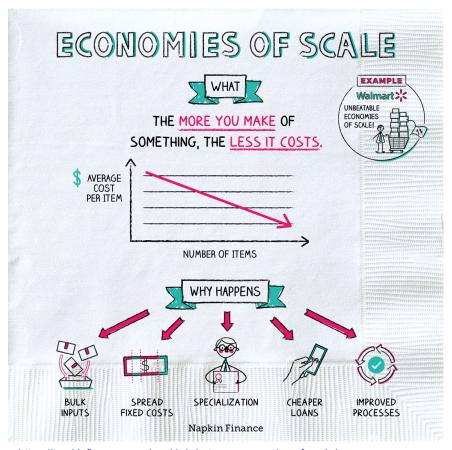
OCB (Office of Community Beautification) of the Board of Public Works encourages beautification efforts by volunteers, residents, community based organizations, and non-profit agencies.

DCP (Department of City Planning) oversees land use, mobility, and public space planning in streets.



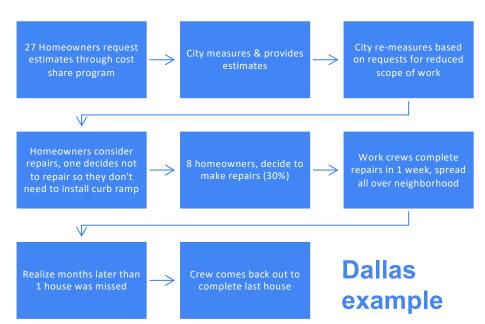
### **Towards Equitable Networks**

#### 2. Increase efficiency



### Limited funding can go further

(Corning-Padilla & Rowangould, 2020)



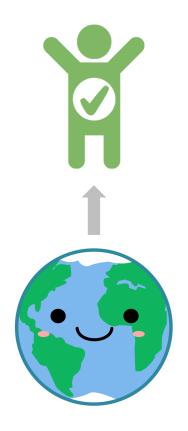
https://napkinfinance.com/napkin/what-are-economies-of-scale/







### 3. Identify additional funding



User fee on utility bills (Austin, Denver)
Commercial fees for sidewalk use (e.g., electric scooter parking)
Sales tax, property tax, gasoline tax (all still regressive)
(Corning-Padilla & Rowangould, 2020)

# Consider health & environmental benefits!



## **Towards Equitable Networks**



#### 4. Connect to health

### RICHMOND CALIFORNIA

HEALTH IN ALL POLICIES PROGRESS REPORT

2020



#### Health in All Policies (HiAP)

#### Work across silos

#### **Understand tradeoffs**

Charlotte – every \$1 spent on sidewalks results in almost \$3 in direct medical expenses (City of Charlotte DOT, 2017)

#### State & Federal government

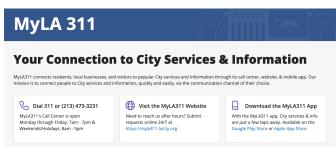
Delayed return on investment

https://www.ci.richmond.ca.us/2575/Health-in-All-Policies#:~:text=Health%20in%20All%20Policies%20(HiAP,related%20government%20systems%20or%20agencies.



## **Towards Equitable Networks**

5. Inventory sidewalks – proactive, regular



I AM WHEEL. HEAR ME SQUEAK.

others (Irons, 2018)
San Bernardino County
Transportation Authority,
working with Fehr & Peers

Austin – not always positive

requests and repair needs (City of Austin Public Works Dept, 2016)

correlation between 311

neighborhoods use 311

roughly twice as often as

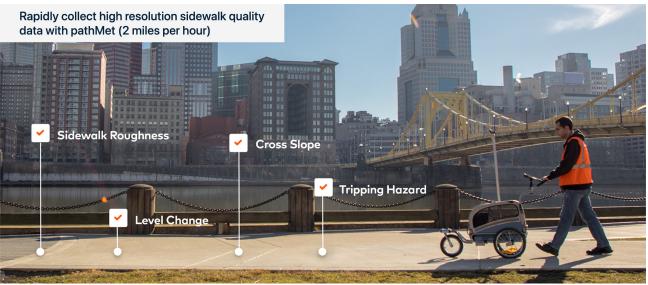
Boston – some

https://www.linkedin.com/pulse/why-doessqueaky-wheel-squeek-briar-christensen



Above: City of Seattle Right: PathMet from pathVu

https://pathvu.com/why datacollection.php

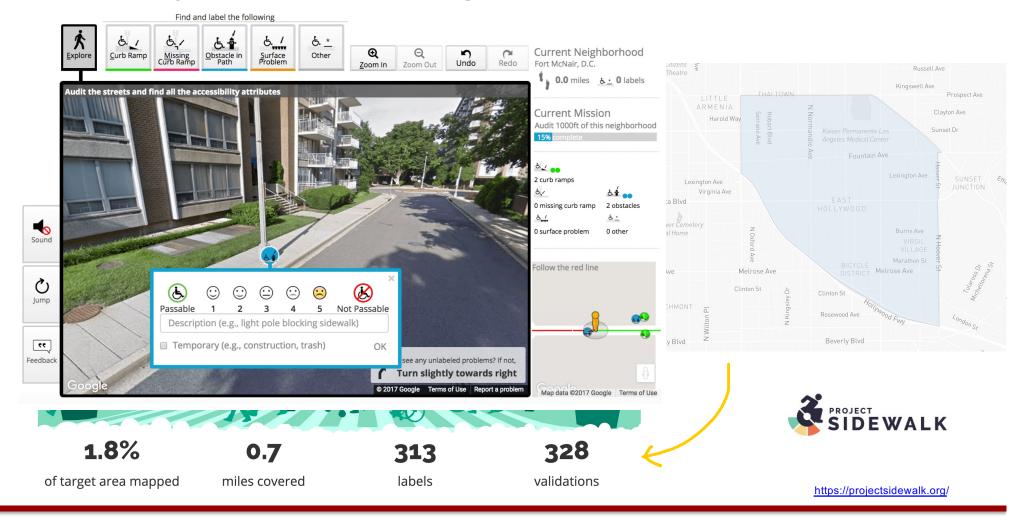








5. Inventory sidewalks - proactive, regular





### **Towards Equitable Networks**

6. Make a plan (that meets your goals)



Dallas Sidewalk Master Plan, June 2021

City of Dallas
Five-Year
Infrastructure Management
Program (IMP)
FY 2024 - 2028

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#### City of Dallas Five-Year Infrastructure Management Program (IMP) FY 2024 - FY 2028

Dallas Sidewalk Master Plan (DSWMP)

The Department of Public Works is dedicated to improving and expanding Dallas' sidewalk network to create a more walkable, safe, and explorable city for all residents and visitors. The Dallas Sidewalk Master Plan used a data-driven strategic methodology that scored and prioritized sidewalk projects based on considerations of equity, places of public accommodation, street classification, citizen input, pedestrian safety, and activity areas. The Dallas Sidewalk Master Plan's 12 Focus Areas identified \$30 million in priority projects across all 14 Council Districts that is aimed at improving the city-wide pedestrian experience, increase accessibility, pedestrian safety and address sidewalk needs in historically underserved communities. The Sidewalk Master Plan completed was a process to identify the most impactful projects and provide guidance for decision makers on budgeting for both new construction and sidewalk repair projects. This FY 2024-2028 plan will discuss proposed program budget, project selection, and identifies planned projects through FY 2028.

| Table 13- Proposed Five-Year IMP Sidewalk Maintenance Program Budgets |        |        |        |        |        |         |  |
|---|--------|--------|--------|--------|--------|---------|--|
| Program   | FY 24  | FY 25  | FY 26  | FY 27  | FY 28  | Total   |  |
| Sidewalk – Community Development<br>Block Grant (CDBG)                | \$1.0M | \$0.0M | \$0.0M | \$0.0M | \$0.0M | \$1.0M  |  |
| Sidewalk – General Funds  | \$0.3M | \$0.3M | \$0.3M | \$0.3M | \$0.3M | \$1.5M  |  |
| Sidewalk – Certificate of Obligation (CO)                             | \$4.0M | \$5.0M | \$5.0M | \$5.0M | \$5.0M | \$24.0M |  |
| Funding Total   | \$5.3M | \$5.3M | \$5.3M | \$5.3M | \$5.3M | \$26.5M |  |
| Sidewalk Miles  | 7.3    | 11     | 11     | 11     | 11     | 51.3    |  |

<sup>\*</sup> Note: Greyed out cells are subject to annual appropriations through the annual budget process

#### **Program Budget**

The FY 2024-2028 five-year plan has programmed \$26.5M to deliver approximately 51.3 miles of sidewalk improvements over the next five years. As shown in Table 13, the FY 2024 budget includes \$4 million of certificate of obligation, \$1 million of Community Development Block Grant (CDBG), and \$0.3 million of general funds for a total of \$5.3 million to continue the implementation of the City's Sidewalk Master Plan. Through this budget, the Department of Public Works will improve approximately 7.3 miles of sidewalk improvements focused on priority projects included in the Dallas Sidewalk Master Plan's 12 Focus Areas.

Infrastructure Management Program

14

January 2024



## **Towards Equitable Networks**



#### 7. Reconsider risk assessment

#### Los Angeles Times

CALIFORNIA

L.A. agrees to spend \$1.3 billion to fix sidewalks in ADA case



A buckled sidewalk at 4th and Main streets in downtown L.A. (Gary Friedman / Los Angeles Times)

By Emily Alpert Reyes Staff Writer

April 1, 2015 3:34 PM PT

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#### ADA, Trip & Fall

Liability varies by state

CA – Gonzales v City of San Jose (2004): municipality can transfer liability to abutting property owner (shared in practice)

# Address role of City Attorney

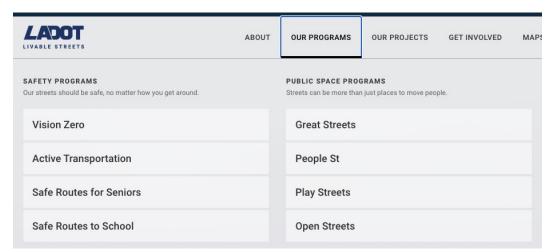
Balance risk vs. reward







8. Take advantage of existing policies, growing awareness & enthusiasm



https://ladotlivablestreets.org/ https://yesonhla.com/



#### **Social Determinants of Health**



https://health.gov/healthypeople/priority-areas/socialdeterminants-health

Social Determinants of Health
Copyright-free Healthy People 2030







#### Sidewalks do so much for us, let's do more for them











https://www.sociallifeproject.org/north-america-main-street-sidewalks/



# Thank you!

Get in touch: Imessier@usc.edu











https://www.sociallifeproject.org/north-america-main-street-sidewalks/

This work was supported by the National Institute for Transportation and Communities and the National Science Foundation Graduate Research Fellowship Program under Grant No. DGE-1842487. Any opinions, findings, and conclusions or recommendations expressed in this material are mine and do not necessarily reflect the views of those organizations.

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