

**AN AMENDMENT TO THE **SIDEWALK RETROFIT POLICY** PERMITTING REIMBURSEMENT FOR THE RECONSTRUCTION OF SUBSTANDARD SIDEWALK ON THOROUGHFARES BY ELIGIBLE AFFORDABLE HOUSING PROJECTS**

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**BE IT ORDAINED** by the City Council of the City of Charlotte, North Carolina, that:

The Sidewalk Retrofit Policy is amended to include the following:

**AFFORDABLE HOUSING SIDEWALK REIMBURSEMENT **MECHANISM****

In some cases affordable housing projects may be eligible to receive city sidewalk funding to support the replacement of existing substandard sidewalks along thoroughfares.

- A. Eligibility:** To be eligible for reimbursement of sidewalk replacement costs the affordable housing project must meet all of the following criteria.
1. At least 25% of the units in the project must be reserved for households at or below 80% of the Area Median Income for a minimum of 10 years; and
  2. The requested reimbursement may only apply to the replacement of existing sidewalks on thoroughfares which do not meet the standards of the *Charlotte Land Development Standards Manual (CLDSM)*.
- B. Process**
1. **Verify Eligibility:** City staff will provide the “Affordable Housing Sidewalk Reimbursement **Mechanism**” to the applicant when an affordable housing application is received. The applicant should consult with city staff to determine if their proposed project includes any eligible sidewalk replacement.
  2. **Prepare Cost Estimate:** If the project includes eligible sidewalk replacement, the applicant shall prepare a cost estimate for the *incremental* cost of replacing that sidewalk with a sidewalk that meets the standards of the CLDSM. Costs that would have been incurred by the project without the sidewalk replacement are not eligible for reimbursement. For example, many mobilization, grading, landscaping, and utility relocation costs would likely be incurred whether or not sidewalk replacement is a part of the proposed project. The applicant should submit the incremental cost estimate for eligible sidewalk replacement to CDOT’s Pedestrian Program Manager.
  3. **Verify Reimbursement Amount:** City staff will review the incremental cost estimate for accuracy, discuss any discrepancies with the applicant, determine the appropriate reimbursement amount based on the incremental cost for eligible sidewalk replacement, and notify the applicant. If the applicant does not agree with the reimbursement amount determined by staff, the applicant may appeal that decision to the City Engineer. The appeal must be submitted in writing not later than 30 days after the applicant is notified of the staff-determined reimbursement

amount. The City Engineer shall make a determination within a reasonable time, not exceeding 60 days, to uphold the staff decision or adjust the reimbursement amount as appropriate.

4. **Reimbursement Agreement or Departmental Transfer:** Once a reimbursement amount has been determined, CDOT will do one of the following depending upon the applicant's preference.
  - i. CDOT will prepare and enter into a Reimbursement Agreement with the applicant. Upon inspection of the completed improvements as outlined in the Reimbursement Agreement, CDOT will provide reimbursement to the applicant using funds from the City's Pedestrian Program.

OR
  - ii. CDOT will initiate a departmental transfer from the Pedestrian Program into the Housing Trust Fund. The transferred funds will then be included as a part of the project's loan from the Housing Trust Fund.