



SOUND WALL CONSTRUCTION POLICY

1. **POLICY**

It shall be the policy of the City and County of Broomfield to facilitate and share the cost of the construction of pre-cast concrete perimeter fencing (“sound walls”) along arterial roadways adjacent to residential neighborhoods in order to improve streetscape aesthetics and mitigate traffic noise.

2. **PURPOSE**

The purposes of this policy are to:

- Establish a guiding principle pertaining to the City and County of Broomfield’s involvement in the replacement of privately-owned residential property fences along arterial roadway corridors.
- Establish financial participation requirements for sound walls, and procedures for assessment and collection of reimbursement revenues from benefiting property owners.
- Provide a method and numerical criteria to prioritize sound wall project requests.
- Provide guidance to the Capital Improvements Program Citizen’s Advisory Committee for the review of recommendation of sound wall project requests.
- Establish material requirements for sound walls.
- Establish ownership and maintenance responsibilities for sound walls.
- Establish the responsibilities of the City and County of Broomfield for the planning and construction of a sound wall project.
- Establish the responsibilities of private property owners for planning and construction of a sound wall project.

3. **Scope**

The policy shall apply to residential areas in which the back lot lines or side lot lines abut minor arterial, major arterial, or highway right-of-ways.

4. **Definitions**

The definitions of terms summarized below shall apply when interpreting this policy, unless the context clearly requires a different interpretation.

(A) *Act* means the enabling act for improvement districts in counties as set forth in part 6 of article 20 of title 30, C.R.S.

- (B) *Assessment district* means the geographical division of the city and, in accordance with the provisions of subsection 14-06-040(B) of the B.M.C., the county in which the city is situated, within which any public improvement made. One or more noncontiguous parts or sections of property may be included in one such district. (Ord. 936 §1, 1992; Ord. 1175 §1, 1996)
- (C) *CIP Committee* means the City Council appointed Capital Improvement Program Citizen Advisory Committee.
- (D) *dBA* is the unit measurement of sound pressure levels adjusted for the human ear.
- (E) *Improvement district* means an improvement district organized in accordance with the Act and chapter 14-08 of the B.M.C. (Ord. 1461 §1, 2000)
- (F) *Landscaping* means materials including, without limitation, grass, ground cover, shrubs, vines, hedges, or trees and nonliving natural materials commonly used in landscape development, as well as attendant irrigation systems.
- (G) *Major and Minor Arterials* mean streets that carry longer-distance traffic flow for regional, intercommunity and major commuting purposes. Major and Minor Arterial streets are identified in the Broomfield Transportation Plan.
- (H) *Owner* means the person in whom the recorded fee title is vested, although subject to lien or encumbrance.
- (I) *Property* means all land, whether platted or unplatted, regardless of improvements thereon and regardless of lot or land lines.
- (J) *Public right-of-way* or *right-of-way* or *public way* means any public street, way, place, alley, sidewalk, park, square, plaza, and city-owned easement or right-of-way dedicated to public use.
- (K) *Sound Wall* means a fence six feet high or greater constructed of concrete, masonry, stone or another durable material that is intended to block traffic noise.

5. Procedures

- 5.1. A neighborhood group would initiate a fence improvement/sound wall project by a petition signed by the majority of property owners of a proposed improvement district or assessment district. If the neighborhood group represents more than just the adjacent or directly benefiting property owners, then an improvement district would be the appropriate funding mechanism. All property owners within the district would be assessed an additional mil levy for the public improvement, which in this case would be a sound wall. The formation of an improvement district requires notice publication, a public hearing, and an election.

If the neighborhood group represents only adjacent and directly benefiting property owners, then an assessment district can be formed, which will apportion the cost of the

project to each property owner as an assessment rather than an increase in property taxes. The assessment can be paid in one full payment or installment payments over a specified period of time. An assessment district is formed by petition by a majority of benefiting property owners and city council resolution.

5.2. Funding for projects can be requested from Broomfield. Broomfield will pay 100% of the project costs through the CIP program. Request for Broomfield funding of projects will be reviewed by the CIP Committee and prioritized through a numerical scoring system based on specific criteria.

In cases where matching funding from Broomfield has not been requested, projects will not be prioritized and can proceed immediately after the formation of an improvement district without committee review or prioritization.

5.3. Projects will be submitted to the CIP division for review and consideration of following year funding by May 15th each year. Project requests shall include material samples and manufacturer specifications for their desired fence for review by the CIP Committee

5.4. CIP staff will score the project submittal according to the following numerical scoring system. Higher numerically-scored projects would receive higher priority when competing for funding in a particular year.

A) Percent of Time that Sound Levels exceed 66 dBA at the Residential Building

	0%	1-10%	11-20%	21-30%	31-40%	41-50%	51-60%	61-70%	71-80%	81-90%	91-100%
Score	0	1	2	3	4	5	6	7	8	9	10

B) Age of Subdivision

	< 5 years	5-10 years	11-25 years	26+ years
Score	0	2	4	6

C) Condition of Fence

	Excellent	Good	Fair	Poor
Score	0	2	4	6

D) Traffic Volumes (Average Daily Traffic)

	<5,000	5,000-10,000	10,001-15,000	15,001-20,000	20,001-25,000	>25,000
Score	0	2	4	6	8	10

E) Distance from Property Line to Curb Face

	>30'	23' – 30'	10' – 22'	< 10'
Score	0	2	4	6

- 5.5. The CIP Committee will review the petitions, applications and numerical ranking for compliance with the Policy and make recommendations to the City Council for funding.
- 5.6. If the project is recommended for funding, Broomfield staff will assist and facilitate the establishment of the proposed assessment or improvement district.
- 5.7 All necessary easements for a sound wall/fence must be dedicated to Broomfield by private property owners at no cost to Broomfield prior to receiving Broomfield funds.

6. Cost Sharing and Responsibilities

- 6.1. Broomfield will pay 100% of the project costs through the CIP Program, and will be reimbursed 50% of the total cost through improvement or assessment districts. In addition to the construction of a sound wall, the project may include drainage modifications, utility relocations, and landscaping repairs within the sound wall fence easement area.
- 6.2 Private property owners will be responsible for any drainage modifications, utility service relocations (including overhead-to-underground conversions), and landscaping outside of the fence easement area on private property.

7. Project Management

- 7.1 Broomfield will manage the design, bidding and construction of the project within the public right-of-way and/or fence easement.
- 7.2 Private property owners will be responsible to manage and coordinate all work on private property.

8. Ownership and Maintenance

- 8.1. Broomfield will own and maintain sound walls within the public right-of-way or fence easement.



**CITY AND COUNTY OF BROOMFIELD
CAPITAL IMPROVEMENT PROGRAM**

NEIGHBORHOOD SOUND WALL REQUEST

Neighborhood: _____

Contact Name: _____ Date of Request: _____

Address: _____

Phone Number: _____

Email: _____

Please complete this form and return via mail to:

The City and County of Broomfield
Attn: CIP Division
1 DesCombes Dr
Broomfield CO 80020

Or email: ealbrecht@broomfield.org

Once your application is received, you will be contacted to set up a meeting regarding the sound wall process. This meeting will answer any questions you have and will cover the following:

- Specific location and extents of the proposed sound wall;
- Neighborhood's funding responsibility and formation of an improvement or assessment district;
- Review of wall types and styles; and
- Petition process.

Staff use only:

Committee Ranking: _____

Request No.: _____ *Date Received:* _____ *From:* _____

Cost Estimate: _____

Additional Notes: