

Planning Commission

Staff Report
August 1, 2019



Case No:	19AREAPLAN0001
Project Name:	Complete Streets Policy Ordinance
Applicant:	Louisville Metro
Jurisdiction:	Louisville Metro
Council District:	All Council Districts
Case Manager:	Michael King, Urban Planner

REQUEST

An amendment by substitution of Ordinance No. 15, Series 2008 relating to Louisville Metro's Complete Streets Policy.

SUMMARY/BACKGROUND

Louisville Metro Council adopted Ordinance No. 15, Series 2008 on February 18th, 2008 (**Attachment 1**). This ordinance established Louisville Metro's first Complete Streets Policy and has served as the city's policy for complete streets since its adoption. In addition to the Complete Streets Ordinance, Louisville Metro Council also adopted a Complete Streets Design Manual as an accompanying document. The design manual serves as a guide for Louisville Metro residents, interest groups, policymakers, developers, designers, and agency staff to improve the function and character of our roads and roadway corridors.

Kentucky Youth Advocates (KYA) was recently awarded a grant from the Robert Wood Johnson Foundation that provided funding to advocate for Complete Street policies and best practices in Louisville. Through this funding, KYA worked with the American Heart Association to draft a Complete Streets Ordinance that would update Louisville Metro's existing Ordinance No. 15, Series 2008. KYA vetted the intent of the ordinance with Louisville Metro Council President David James to ensure political support for the proposed amendment. KYA worked with the Louisville Metro Department of Health and Wellness, Develop Louisville and the Department of Public Works to refine the ordinance. Develop Louisville and Public Works served as critical partners in the drafting of the ordinance since their respective agencies will be charged with implementing the policies laid out in the proposed ordinance. Through this collaborative process it was determined that an update to the Complete Streets Design Manual would be needed, but the update could easily occur successively from the proposed amendment to the Complete Streets Ordinance. Louisville Metro's Department of Public Works and Develop Louisville intend to update the Complete Streets Design Manual in the near future. The update will entail robust community engagement and be built upon existing best management practices.

The proposed amendment will make no changes to existing regulations in the Land Development Code. All applicable Louisville Metro agencies have assisted in drafting the proposed Complete Streets Amendment. It is supported by a coalition of entities established by KYA as part of their grant funding.

PLANNING COMMITTEE MEETING

The Planning Committee conducted two reviews of the revised language for Louisville Metro's Complete Streets Ordinance; June 25th, 2019 and July 15th, 2019. On July 15th the Committee requested two minor changes (outlined listed below) to the proposed ordinance amendment and determined the case was ready to proceed to the Planning Commission for a public hearing.

1. Paul Whitty requested the following "whereas" statement related to the inclusion of performance measures be added to the proposed amendment: *"Whereas, Louisville Metro Government's current Complete Streets Ordinance does not have any performance measures to track the success of complete streets implementation."*
2. Barbara Kelly requested the inclusion of "cultural" in Section 4.ii (Exclusions.) The language was adjusted to read *"Compliance with Policy would substantially impair unique characteristics of great public value, such as historical or sensitive environmental or cultural characteristics."*

Both requests were added to the language in the proposed amendment (**Attachment 2**) prior to the public hearing at the Planning Commission.

STAFF ANALYSIS

Staff has confirmed that the Complete Streets Ordinance amendment complies with multiple adopted plans and transportation initiatives in Louisville Metro. The proposed amendment was reviewed by and agreed upon by all applicable Louisville Metro Government agencies.

APPLICABLE PLANS AND POLICIES

This amendment adheres to the goals and objectives of Move Louisville, the Bike Master Plan, the Pedestrian Master Plan and numerous neighborhood, small area, and corridor plans.

The proposed amendment adheres to the following policies in Plan 2040:

Community Form Goal 2:

16. Encourage activity centers to be easily accessible by bicycle, car, transit, and for pedestrians and people with disabilities. Large activity centers should be considered for designation as transit nodes

Community Form Goal 3:

5. Provide access to greenways whenever possible.
8. Conserve, restore and protect vital natural resource systems such as mature trees, steep slopes, streams and wetlands. Open spaces should be integrated with other design decisions to shape the pattern of development. Encourage the use of greenways as a way to connect neighborhoods. Encourage use of conservation subdivisions, conservation easements, transfer of development rights and other innovative methods to permanently protect open space.

Community Form Goal 4:

1. Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources.

2. Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.

Mobility Goal 1:

1. To promote healthy lifestyles and reduce congestion, new development and redevelopment should provide for the movement of pedestrians, bicyclists and transit users, where appropriate
2. Develop criteria for the type of appropriate bicycle facilities as part of a Complete Streets Design Manual. Bicycle facility type (e.g., shared roadway, bike lane, or bike path) will depend on the current and anticipated volume of bicycle traffic, the nature of the connections between residential areas and employment/activity centers, and the magnitude of vehicle or pedestrian conflict as indicated by vehicle speeds and volumes. Planned bicycle facilities should be interconnected, direct, and continuous. Separate connections to greenway systems are encouraged. Facilities should be designed in accordance with nationally recognized standards.
12. Develop policies to achieve and maintain National Ambient Air Quality Standards (NAAQS).
14. Promote the use of bicycle and pedestrian facilities as both a means of transportation and as a form of recreation.

Mobility Goal 2:

1. Provide transportation facilities and systems that accommodate all users and allow for context-sensitive solutions that recognize the distinguishing characteristics of each of the Form Districts.
2. Coordinate use of rights-of-way with community design policies. Ensure accessible rights-of-way to accommodate mobility needs of all transportation network users.
7. The design of all new and improved transportation facilities should be accessible and:
 - 7.1. Review and consider Complete Streets principles and the most current version of the Complete Streets Design Manual;
 - 7.2. Be context sensitive by ensuring that proposals are compatible with the surrounding development and provide an aesthetically pleasing visual experience to the user and to adjacent areas;
8. Protect and/or enhance environmentally sensitive areas through responsible and sustainable best practices in the planning and design of transportation network projects.
10. Increase funding to maintain the existing infrastructure and build a multi-modal transportation network that supports the needs of the entire community
16. Develop a Complete Streets Design Manual for consideration during the development and redevelopment of roads in accordance with roadway classification and street character that provide for safe, healthy and accessible streets. Such a manual should include:
 - 16.1. standards and guidelines to determine appropriate improvements based on existing and anticipated volume of street users;
 - 16.2. a method for determining street typology and typical crosssections;
 - 16.3. streetscape design standards that consider planting of trees and green infrastructure;

- 16.4. safe, efficient movement of freight;
- 16.5. scenic, historic, and parkway designations;
- 16.6. tree preservation and enhancement;
- 16.7. landscaping, lighting, and street furniture;
- 16.8. bicycle and pedestrian facilities;
- 16.9. transit facilities and operations;
- 16.10. encouragement of on-street parking in appropriate areas to buffer pedestrians from traffic; and Plan, build and maintain a safe, accessible and efficient transportation system.
- 16.11. traffic calming techniques including the implementation of reconfigurations, where existing and future traffic volumes support them, to improve safety and mobility for all users.

Mobility Goal 3:

1. Provide transportation services and facilities to promote and accommodate growth and change in activity centers through improved access management. Provide walking and bicycling opportunities to enable activity centers to minimize single-occupant vehicle travel. Encourage a mix of complementary neighborhood serving businesses and services in neighborhood and village centers to encourage short trips easily made by walking or bicycling.
2. To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.
3. Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.
8. The Planning Commission or legislative body may require the developer to dedicate rights-of-way for street, transit corridors, bikeway and walkway facilities within or abutting the development as set forth in the Land Development Code. Dedication of street rightsof-way should ensure that transit service can be provided where appropriate.
10. Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.
11. Provide street improvements and/ or transit solutions to mitigate the impacts of development and redevelopment.
23. Review and update the Land Development Code to make it consistent with changes to road classifications, access management regulations, Complete Streets guidelines, advancements in technology, transportation system management, parking requirements and transit measures.
25. Encourage the adoption of trip reduction and travel demand management strategies to reduce vehicular use of roadways.
27. Identify infill development opportunities to support biking, walking, and transit service. Encourage the use of, and provide incentives to incorporate, transportation demand management by new development and redevelopment.

Community Facilities Goal 1:

2. Design community facilities intended for public use so that they are accessible to all citizens with multimodal transportation options.
3. Provide secure, convenient and appropriate bicycle storage opportunities in community facilities that are open to the public.
5. Establish a comprehensive, coordinated bicycle and pedestrian system connecting parks, greenways, and recreational facilities.
8. Connect new and existing parks and open spaces around Louisville Metro with accessible trails and greenways where possible.

Economic Development Goal 1:

10. Support infrastructure and development practices which integrate and are adaptable to future technology innovations.

Economic Development Goal 2:

1. Ensure direct, safe, accessible and convenient multi-modal access between designated employment and population centers.

Livability Goal 1:

2. To encourage preservation of certain natural features, develop indices to aid in determining value of environmental features and identify appropriate measures to offset impacts of development.
14. Include greenways as integral components of a comprehensive water quality program (consistent with the Multi-Objective Stream Corridor/Greenways Plan).
31. Consider the impact of traffic from proposed development on air quality.
32. Mitigate sources of pollution through measures that reduce traffic congestion, promote the use of multi-modal transportation options, and implement land use strategies and policies that encourage transit-oriented development to achieve compliance with air quality standards.
33. Continue to modify existing roads, particularly at intersections, to alleviate traffic congestion and enhance mobility for all users. When making road-widening decisions ensure that road projects are sensitive to impacts on air quality and surrounding land uses as well as factor in the impact of such projects on induced travel demand.
34. Create incentives and modify regulations in order to improve air quality.
35. Ensure critical connections are built and maintained in the pedestrian and bicycle networks including the development of sidewalks, bike lanes, shared use paths and walkways to promote the use of multimodal transportation options.
39. Land use planning and development review processes should encourage a reduction in emissions of regulated pollutants and greenhouse gases by creating incentives and enhancing regulations that streamline the process for green development proposals.
41. Require tree preservation Best Management Practices during land development and construction activities. Increase the Metro-wide tree canopy coverage toward 45% that is equitably distributed either by planting new trees or preserving existing trees.

Livability Goal 2:

4. Establish baseline criteria for critical health and infrastructure (Infrastructure to include access to food, health care, air quality, schools, and other social determinates of health). Provide visual impact assessments and equity reports for land use and community development planning to evaluate Louisville Metro programs and policies.
6. Enhance access to parks and open spaces to promote positive health outcomes throughout Louisville Metro.
8. Encourage site design standards that incorporate elements intended to promote safe, healthy and accessible places.

Livability Goal 4:

7. Develop a plan to reduce carbon emissions and address potential threats due to changing weather patterns and climate change.

Housing Goal 2:

6. Ensure adequate access between employment centers and population centers.

NOTIFICATION

Notification of the Planning Commission public hearing was conducted in accordance with KRS 100 requirements. In addition, staff provided notice to registered neighborhood groups and individuals on the list for electronic notification for development proposals.

STAFF CONCLUSIONS

The proposed amendment, as set forth in **Attachment 2**, would provide a needed update to Louisville Metro's existing Complete Streets Ordinance. The proposed amendment provides the framework for a data-driven approach to implementing a transportation network that is safe and accessible for all users. The creation and adoption of a Complete Streets Design Manual subsequent to the approval of this proposed ordinance amendment will be an integral component of bringing Louisville Metro's Complete Street Policies and Guidelines up to current standards. The proposed amendment will make no changes to existing regulations in the Land Development Code.

ATTACHMENTS

1. Ordinance No. 15, Series 2008
2. Proposed amendment by substitution of Ordinance No. 15, Series 2008

1. Resolution No. 15, Series 2008

ORDINANCE NO. 15, SERIES 2008

AN ORDINANCE ADOPTING THE COMPLETE STREETS POLICY AND ADOPTING THE POLICY AS AN AMENDMENT TO CORNERSTONE 2020, THE COMPREHENSIVE PLAN (CASE NOS. 9704 AND 9705). (As Amended)

SPONSORED BY: COUNCILMAN TOM OWEN

WHEREAS, the Louisville Metro Planning Commission held a public hearing on October 18, 2007 on the Complete Streets Policy and proposed an amendment to the Cornerstone 2020 Comprehensive Plan to incorporate the Plan in Case Nos. 9704 and 9705;

WHEREAS, the Planning Commission found that the Complete Streets Policy conforms to the adopted Guidelines and Policies of the Cornerstone 2020 Comprehensive Plan;

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the "Council") has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Commission and its staff as set out in the minutes and records of the Planning Commission in Case Nos. 9704 and 9705;

WHEREAS, the Council the Council concurs in and adopts the findings of the Planning Commission pertaining to the Complete Streets Policy and approves and accepts the recommendations of the Planning Commission as set forth in the Commission's minutes and records;

WHEREAS, the Council further finds that the Complete Streets Policy was developed with the significant participation of citizens of Louisville Metro, and was based on extensive research, analysis, and projections in conformance with KRS 100.191, including an analysis of existing land use patterns, public and private

business activities, and the nature, extent, adequacy, and needs of Louisville Metro for its transportation, and community facilities;

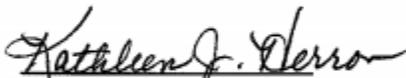
WHEREAS, the Council further finds that the Complete Streets Policy was prepared and adopted in accordance with Chapter 161 of the Louisville Metro Code of Ordinances,

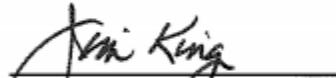
NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: That the Complete Streets Policy attached hereto as amended and incorporated herein by reference, is hereby adopted.

Section II: That the Complete Streets Policy is hereby adopted as an amendment to Cornerstone 2020, the comprehensive plan.

Section III: This Ordinance shall take effect upon passage and approval.


Kathleen J. Herron
Metro Council Clerk


Jim King
President of the Council


Jerry Abramson
Mayor

Approved: 2-18-08
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

By: 

**LOUISVILLE METRO COUNCIL
READ AND PASSED**
February 14, 2008

2. Proposed amendment by substitution of Ordinance No. 15, Series 2008

ORDINANCE NO. _____, SERIES 2019

AN ORDINANCE AMENDING ORDINANCE 15, SERIES 2008 THE COMPLETE STREETS POLICY (AMENDED BY SUBSTITUTION)

Section 1. Findings. The Louisville Metro hereby finds and declares as follows

Whereas, Louisville Metro has the vision to be a “safe city of lifelong learning and great jobs, wellness, compassion and innovation;”

Whereas, pedestrian fatalities account for 25% of all roadway fatalities in Jefferson County, KY;

Whereas, Jefferson County, KY is the 35th most dangerous metro area in the United States for people walking, as determined by the 2019 Dangerous by Design report.
(<https://smartgrowthamerica.org/dangerous-by-design/>)

Whereas, the U.S. Census Bureau projects that by 2025, the population over 65 will increase from 13% to 19%, totaling an estimated increase of 155,000 people over age 65 in Jefferson County, thus demonstrating the need for public right of ways that are safe for all users.

Whereas, streets that are not complete put all users at risk and are especially dangerous for pedestrians, bicyclists, those taking public transportation, and specific vulnerable users including children, people with disabilities, older adults, low income communities, and communities of color

Whereas, in Louisville Metro, one out of every three adult residents are overweight or obese and are at greater risk for numerous serious health outcomes, including type 2 diabetes, heart disease, stroke, high blood pressure, high cholesterol, certain cancers, asthma, arthritis, and other debilitating chronic health conditions; where incomplete streets limit opportunities for people to reduce their risk by being active as part of their daily routine.

Whereas, Complete Streets support economic vibrancy and facilitate dynamic, livable communities by providing safe and efficient transportation networks to everyday destinations including employment, schools, grocery stores, medical care, local businesses, and places of worship;

Whereas, Louisville Metro Government’s current Complete Streets Ordinance does not have any performance measures to monitor the success of complete streets implementation;

Whereas, Move Louisville, includes goals of (1) “Provide connectivity choices: Create a transportation system that provides users with multiple options, “ (2) “Improve safety and health: Ensure that all future growth contributes to healthy living and good quality of life for all;” and (3) “Assure equity for all system users: The transportation system of the future must address the needs of all potential users;”

Whereas, the city’s comprehensive plan, Plan 2040, includes the objectives to “Provide safe

mobility options for all users by promoting Complete Streets, and ensure new and expanded transportation facilities include Complete Streets components”;

Whereas, Louisville Metro Government is committed to the adoption of Complete Street policies that are unique and specific to the city; and that are applied to all transportation projects and phases, as a routine part of everyday operations, to improve mobility for all users in Louisville.

Section 2. Definitions

“Complete Streets” means a comprehensive and connected transportation network that is designed, implemented, operated, and maintained in an equitable way to allow for safe use by all users, of all ages, incomes, and abilities. Complete Streets design standards facilitate the development of a safe, reliable, efficient, integrated, and connected multimodal transportation system that promotes access, mobility, and health for all users, and ensures that the safety and convenience of all users of the transportation system are accommodated, including private vehicles, public transportation, pedestrians, bicyclists, assisted device users, motorists, emergency responders, freight providers, and adjacent land users

“Active Transportation” means any self-propelled, human-powered mode of transportation, such as walking or bicycling.

“Transportation Project” means new construction, reconstruction, resurfacing, repair, restoration, rehabilitation, and/or other modifications to streets, roadways, highways, bridges tunnels, sidewalks, bike paths, and other parts of the transportation network that changes roadway geometry and/or operations.

Section 3. Scope of Complete Streets Applicability

All Metro-owned transportation facilities in the public right-of-way including, but not limited to, streets, bridges, and all other connecting pathways shall be designed, constructed, operated, and maintained so that users of all ages and abilities can travel safely and independently.

Privately constructed streets and parking lots shall adhere to policy.

Metro shall foster partnerships with the Commonwealth of Kentucky, neighboring communities and counties, and business and school districts to develop facilities and accommodations that further Metro's complete streets policy and continue such infrastructure beyond Metro's borders. Metro shall approach every transportation improvement project as an opportunity to create safer, more accessible streets for all users. Other changes to transportation facilities on streets and rights-of-way, including capital improvements, re-channelization projects, and major rehabilitation, must also be included.

This Ordinance applies to Transportation Projects countywide, but Metro shall prioritize policy implementation in neighborhoods that contain all or portions of one or more census tracts with more than 51% of households living at under 80% of AMI as defined by the US Department of Housing and Urban Development, areas with histories of disinvestment or underinvestment, areas with poor health outcomes, and areas with diminished access to transportation options.

Section 4. Exclusions

(a) Appropriate justifications for excluding accommodations for specific transportation needs include, but are not limited to, findings that:

- i. Specific Complete Streets principles are prohibited by law, such as bicycle and pedestrian facilities within access-restricted highway corridors;
- ii. Routine maintenance that does not change the roadway geometry or operations;
- iii. Emergency repairs to streets and sidewalks due to broken utility lines or natural disasters.

(b) There shall be a transparent review process for all proposed exceptions by submitting clear supportive documentation in writing justifying the exception to the Director of Transportation,

or designee, with opportunity for public comment. Appropriate justifications for exceptions that shall follow this review process include but are not limited to, findings that:

- i. The cost of complying with Policy on a project would substantially exceed the public value to be realized, taking into consideration the need and probable use of the project;
- ii. Compliance with Policy would substantially impair unique characteristics of great public value, such as historical importance or sensitive environmental or cultural characteristics.

Section 5. Performance Measures

Director of Transportation, or designee, in consultation with Department of Public Works, Department of Public Health and Wellness, and Develop Louisville shall establish performance targets and shall measure the success of the Complete Streets policy using, but not limited to, the following performance measures:

- Lane miles dedicated to active transportation
- Linear feet of new pedestrian accommodations
- Number of new curb ramps installed along city streets
- Crosswalk and intersection improvements
- Rate of crashes, injuries, and fatalities by mode
- Rate of fatalities by age, gender, race, ethnicity, and income
- Percentage of funding allocated to projects that include pedestrian, bicycle, and/or transit infrastructure, by neighborhood.
- Percentage of Transportation Projects taking place in low-income and moderate-income communities.

Unless otherwise noted above, within twelve (12) months of ordinance adoption, Metro shall create individual numeric benchmarks for each of the performance measures included, as a means of tracking and measuring the annual performance of the ordinance. Annual reports shall be posted online for each of the above measures

Section 6. Implementation and Reporting

- (a) Within twelve (12) months from passage of this Ordinance, the Director of Transportation shall prepare and adopt standard operating guidelines that define the process for implementation of Complete Streets. The Standard Operating Guidelines shall include at a minimum:
 - i. An internal process to identify and prioritize opportunities for implementation of Complete Streets when reviewing and implementing modifications to existing streets, including resurfacing and repaving projects.
 - ii. A community engagement process for:
 - (1) implementation of specific Complete Streets projects and
 - (2) ongoing communication with residents and businesses.
 - iii. Recommendations for review of Land Development Code standards to ensure implementation of Complete Streets when development and redevelopment is proposed.
 - iv. Standards and requirements for reporting Complete Streets implementation to the public.
 - v. Criteria for measuring outcomes of Complete Street applications for public and private improvements.
 - vi. Criteria and standards to ensure equitable results for Complete Streets improvements.
- (b) Design Standards
 - i. Metro's Complete Streets Design Manual shall generally follow accepted or adopted design standards and use the best and latest design standards available from the North American City Transportation Officials (NACTO); and shall be made publicly available online.
 - ii. In recognition of context sensitivity, public input and the needs of many users, a flexible, innovative, and balanced approach that follows other appropriate design standards may be considered, provided that a comparable level of safety for all users is present.
- (c) Metro shall view Complete Streets as integral to everyday transportation decision-making practices and processes. To this end:
 - i. The Department of Public Works, Develop Louisville, and other relevant departments, agencies, or committees will incorporate Complete Streets principles into all existing

- plans, manuals, checklists, decision-trees, rules, regulations, and programs as appropriate including, but not limited to, Comprehensive Plan 2040 and Move Louisville;
- ii. The Department of Public Works, Develop Louisville, and other relevant departments, agencies, or committees will review current design standards, including the Land Development Code which apply to new roadway construction, to ensure that they reflect the best available design standards and guidelines, and effectively implement Complete Streets, where feasible;
 - iii. When available, Metro shall offer professional development and training through conferences, classes, seminars, and workshops to staff;
 - iv. Metro staff shall identify current and potential future sources of funding for street improvements and recommend project selection criteria to support the implementation of Complete Streets;
 - v. Metro shall promote inter-departmental project coordination among city departments with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources; and
 - vi. An annual report will be made to Metro Council showing progress made in implementing the Complete Streets policy. The Department of Public Works, Develop Louisville, and other relevant departments, agencies, or committees shall report on the annual increase or decrease for each performance measure contained in this ordinance compared to the previous year(s). This report shall be made publically available online.