

ORDINANCE NO. _____, SERIES 2022

AN ORDINANCE AMENDING ORDINANCE 128, SERIES 2019, THE COMPLETE STREETS POLICY AND ADOPTING THE POLICY AS AN AMENDMENT TO PLAN 2040, THE COMPREHENSIVE PLAN (CASE NO. COMPLETE STREETS AMENDMENTS).

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) in 2019 passed Ordinance 128, Series 2019, “An Ordinance Amending Ordinance 15, Series 2008, The Complete Streets Policy and Adopting the Policy As An Amendment To Plan 2040, the Comprehensive Plan (Case No. 19AREAPLAN0001),” which made Metro’s Complete Streets Policy a part of Plan 2040; and

WHEREAS, the Council passed Resolution 38, Series 2021, directing the Louisville Metro Planning Commission (the “Planning Commission”) and its staff to undertake a review to consider amendments to Section 5.A.2 of the Complete Streets Policy to reflect the makeup, powers, and duties of the Complete Streets Committee and based upon the review, to make a recommendation to Council; and

WHEREAS, the proposed amendment was reviewed by the Planning Committee of the Planning Commission on January 28, 2022, and was forwarded by that Committee to the Planning Commission for its review; and

WHEREAS, the Planning Commission on February 17, 2022 recommended that the Council adopt the proposed text amendments to the Complete Streets Policy, and adopt those amendments as an amendment to Plan 2040, the Comprehensive Plan; and

WHEREAS, the Council approves and accepts the recommendation of the Planning Commission, as set forth in the minutes for February 17, 2022 meeting for the

Complete Streets Amendments case.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“THE COUNCIL”) AS FOLLOWS:

SECTION I: The Complete Streets Policy approved by Ordinance 279, Series 2019 is amended to read as follows:

COMPLETE STREETS POLICY

SECTION 1. 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.

Complete Streets Checklist means a standardized method of review used by the Complete Streets Coalition to review public development proposals, other than public development proposals that are exempt pursuant to Section 3 of this Policy.

SECTION 2. SCOPE OF COMPLETE STREETS APPLICABILITY.

- A. 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.
- B. Privately constructed streets and parking lots shall adhere to policy.
- C. 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.

D. 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.

E. This Ordinance applies to Transportation Projects countywide, but Metro shall prioritize policy implementation in Plan 2040 Study Areas 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, or areas with diminished access to transportation options.

SECTION 3. EXCLUSIONS.

A. Appropriate justifications for excluding accommodations for specific transportation needs include, but are not limited to, findings that:

1. Specific Complete Streets principles are prohibited by law, such as bicycle and pedestrian facilities within access-restricted highway corridors;
2. "Routine maintenance" that does not change the roadway geometry or operations;
3. 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:

1. 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;
2. Compliance with Policy would substantially impair unique characteristics of great public value, such as historical importance or sensitive environmental or cultural characteristics.

SECTION 4. 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.

The Louisville Metro Complete Streets Manual is hereby adopted by reference, and as may be amended from time to time. This Manual establishes procedural and technical guidelines for developing a thoroughfare system that provides for safe and effective access to all users in a context-appropriate manner.

SECTION 5. 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:

1. 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.
2. A community engagement process for:
 - (a) implementation of specific Complete Streets projects; and
 - (b) ongoing communication with residents and businesses; and

(c) the creation of a Complete Streets Coalition (“CSC”). The purpose, function, and membership of the CSC shall be as described below:

I. Purpose. The purpose of the CSC is to increase accessibility, coordination, equity, and transparency in the transportation and mobility systems of Louisville Metro Government by leveraging community input.

II. Function. The primary function of the CSC is to review public development proposals through the lens of a Complete Streets Checklist developed by Louisville Metro Public Works staff and provide those analyses to Public Works. The CSC shall also be advised of any public development proposals that are exempt from the Complete Streets Checklist pursuant to Section 3 of this Policy. The CSC shall have the right to affirm that the public development proposal meets the standards of the Complete Streets Checklist, or if the public development proposal does not meet the standards of the Complete Streets Checklist, decide if further design changes to the project need to be made. If the project manager for the public development proposal and the CSC cannot reach agreement regarding whether the standards of the Complete Streets Checklist have been met, the Director of Public Works shall act as the deciding vote.

III. Membership.

a) The initial members of the CSC will be selected by the Director of Public Works and affirmed by the Public Works Committee of Metro Council. The terms of the members shall be set forth in the rules governing the CSC.

b) As the initial members terms' end, new members shall be selected by the Director of Public Works, and affirmed by the Public Works Committee of Metro Council.

3. Recommendations for review of Land Development Code standards to ensure implementation of Complete Streets when development and redevelopment is proposed.

4. Standards and requirements for reporting Complete Streets implementation to the public.

5. Criteria for measuring outcomes of Complete Street applications for public and private improvements.

6. Criteria and standards to ensure equitable results for Complete Streets improvements.

B. Design Standards.

1. 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.

2. 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:

1. 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;

2. 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;

3. When available, Metro shall offer professional development and training through conferences, classes, seminars, and workshops to staff;

4. 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;

5. 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

6. 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 publicly available online.

SECTION II: That the amendments to the Complete Streets Policy are hereby adopted as an amendment to Plan 2040, the Comprehensive Plan.

SECTION III: This Ordinance shall take effect upon passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

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