

ORDINANCE NO. 2016-013

AN ORDINANCE adopting a Complete Streets Policy and adding Section 8.96 to the Yakima Municipal Code.

WHEREAS, in evaluating construction and reconstruction of road in the City that all road users should be planned for and their needs taken into account, including, but not limited to those who are traveling by bike, vehicle or foot; and

WHEREAS, it is necessary for the City to encourage healthy, active living, reduce traffic congestion and fossil fuel use, and improve the safety and quality of life of residents in the City of Yakima by providing safe, convenient and comfortable routes for walking, bicycling and public transportation; and

WHEREAS, the City Council wishes to formalize a policy to ensure that street construction and reconstruction projects take into account the various needs and abilities of the residents of the City; and

WHEREAS, the City Council finds and determines that adopting this ordinance is in the best interests of the residents of the City of Yakima and will promote the general health, safety and welfare; now, therefore

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1: Chapter 8.96: Complete Streets Policy, shall be added to the Yakima Municipal Code as follows:

Chapter 8.96 COMPLETE STREETS POLICY

Sections:

- 8.96.010 Purpose
- 8.96.020 Definitions
- 8.96.030 Freight/Truck Routes
- 8.96.040 Implementation
- 8.96.050 Exceptions
- 8.96.060 Performance Measures

8.96.010 Purpose

The purpose of the Complete Streets Policy is to ensure all users are planned for in the construction of all City transportation improvement projects as outlined in the Comprehensive Plan and detailed in the soon to be adopted Bike Master Plan and Americans with Disabilities Act (ADA) Transition Plan. By enacting this ordinance the City of Yakima encourages healthy, active living, reduction of traffic congestion and fossil fuel use, inclusion and maintenance of trees and appropriate landscaping, and improvement in the safety and quality of life of residents in the City of Yakima by providing safe, convenient and comfortable routes for walking, bicycling and public transportation. The Complete Streets Policy will improve street connectivity for all modes.

8.96.020 Definitions

For the purposes of this chapter, the following words shall be defined as follows:

“Complete Street” means a road that is designed to be safe and accessible for drivers; bicyclists; transit vehicles and riders; and, pedestrians of all ages and abilities. The Complete Street Policy focuses not just on individual roads but on changing the decision-making process so that all users are routinely considered during the planning, designing, building and operating of all roadways.

“Street” means any public right-of-way, including arterials, connectors, alleys, ways, lanes and roadways by any other designation, as well as bridges, tunnels, and any other portions of the transportation network, that is open for use by the general travelling public.

“Street Project” means the construction, reconstruction, retrofit, maintenance, alteration or repair of any street, and includes the planning, design, approval and implementation processes, except that “Street Project” does not include minor routine upkeep, such as, cleaning, sweeping, mowing spot repair or interim measures on detour routes. If safety and convenience can be improved within the scope of pavement resurfacing, such as, grind and overlay and restriping, such projects should evaluate and make every attempt to implement Complete Streets as outlined in the soon to be adopted Bike Master Plan and ADA Transition Plan to provide access and increase safety for all users. Grind and overlay and restriping projects are limited to striping elements as called for in the soon to be adopted Bike Master Plan and ADA Transition Plan. Signalization changes shall not trigger additional Complete Streets elements.

“Users” means individuals of all ages and abilities, including children, youth, families, older adults and individuals with disabilities who use streets, including pedestrians, bicyclists, motor vehicle and freight drivers, public transportation riders and drivers.

8.96.030 Freight/Truck Routes

Because freight is important to the basic economy of the City of Yakima and has unique right-of-way needs to support that role, freight will be the major priority on streets classified as truck routes. Complete Street improvements that are consistent with freight mobility but also support other modes should be considered for these streets.

8.96.040 Implementation

All street projects will include Complete Streets elements as called for in the Bike Master Plan and ADA Transition Plan. Complete Streets will be achieved either through single projects or through a series of smaller improvements or maintenance activities over time. It is the City's intent that all allowable sources of transportation funding be drawn upon to implement Complete Streets projects. The City believes that maximum financial flexibility is important to implement Complete Streets principles. The City believes a Complete Streets policy will increase connectivity for all modes of travel within the City.

The implementation of various Complete Streets elements will utilize the latest and best design criteria and the design of various complete streets components to be implemented shall be based on a context sensitive approach, with the analysis of the street's existing conditions, and the present/future needs of all users.

8.96.050 Exceptions

Facilities for pedestrians, bicyclists, transit users and/or people of all abilities may not be required in new construction or reconstruction of street projects when:

- A. A documented absence of current or future need exists, as identified in city plans and future travel demand models; or
- B. Non-motorized uses are prohibited by law; or
- C. Routine maintenance and repair of the transportation network is performed that does not change the roadway geometry or operations; or
- D. The cost exceeds more than twenty percent of the total project cost for new construction; or
- E. The city engineer, or his or her designee, issues a documented exception concluding that application of complete streets principles is unnecessary or inappropriate because it would be contrary to public safety; or
- F. Where there are significant adverse environmental impacts to streams, wetlands, steep slopes, or other critical areas; or
- G. Where the establishment would be contrary to the transportation element of the comprehensive plan; or
- H. Where their inclusion in a small, isolated project would create a very short section of improvements with problematic transitions on either end of that are in an isolated area unlikely to be followed by similar improvements at either end, resulting in little progress on implementing complete streets networks.

Any requested exemptions may be reviewed by the City's Bike and Pedestrian Committee, or prior to the formation of the Bike and Pedestrian Committee, the exemptions may be reviewed by either the Public Safety Committee or the Community and Neighborhood Building Committee. The exemptions must be approved by the city council in conjunction with the annual adoption of the Six Year Transportation Improvement Program.

8.96.060 Performance Measures

Performance measures monitoring the progress of the Complete Streets implementation will be established and an annual progress report will be submitted to the city council.

Section 2: If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional, unlawful or invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

PASSED BY THE CITY COUNCIL, signed and approved this 16th day of August, 2016.

/s/ Kathy Coffey
Kathy Coffey, Mayor

ATTEST:

/s/ Sonya Claar Tee
Sonya Claar Tee, City Clerk

Publication Date: August 19, 2016

Effective Date: September 18, 2016

Certified to be a true and correct copy of the original filed in my office.

