

COMPLETE STREETS POLICY GUIDE

The model ordinance that follows is based upon the National Policy & Legal Analysis Network to Prevent Childhood Obesity (NPLAN) model combined with other ordinances in place (or soon to be) throughout Michigan. The NPLAN model was developed by thoroughly surveying existing law, conducting extensive legal research, and consulting legal and policy experts. Using this model, jurisdictions can feel confident in passing laws to improve community health and that draw from language that other Michigan communities are utilizing. However, it is important to consult local counsel to ensure that local ordinances comply with state law and local context.

Communities can show support for complete streets by simply passing a resolution of support for the issue. Resolutions alone may not be enough to cause action. To solidify a community's commitment, a general ordinance is suggested. Use the following to draft a resolution of support, or for more aggressive communities, the introductory sections of a general ordinance.

FIRST: SET THE VISION THROUGH RESOLUTION OR ORDINANCE FINDINGS

Set the Vision for your Complete Streets Policy, citing relevant findings of fact to support your complete streets policy, using Section 1 of the Model Ordinance. These findings may be adopted as the first section of a general ordinance, or as a resolution of support, if communities do not choose to adopt more aggressive ordinances or other policy documents.

Section 1: Findings

- A. **General Findings.** The following clauses contain factual information that supports the need for complete streets laws:

WHEREAS, the term "Complete Streets" describes a comprehensive, integrated transportation **network** with infrastructure and design that allows safe and convenient travel along and across streets for **all users**, including pedestrians, bicyclists, motor vehicle drivers, public transportation riders and drivers, [insert other significant local users if desired, e.g. drivers of agricultural vehicles, emergency vehicles, or freight] and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities;

WHEREAS, streets that are not designed to provide **safe** transport for all users present a danger to pedestrians, bicyclists, and public transportation riders, particularly children, older adults, and people with disabilities; more than 110,000 pedestrians and bicyclists are injured each year on roads in the United States, with children and older adults at greatest risk and disproportionately affected; many of these injuries and fatalities are preventable, and the severity of these injuries could readily be decreased by implementing Complete Streets approaches; and [Municipality] wishes to ensure greater safety for those traveling its streets;



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WHEREAS, [Municipality] wishes to **encourage walking, bicycling, and public transportation** use as safe, convenient, environmentally friendly, and economical modes of transportation that promote health and independence for all people;

WHEREAS, [Municipality] acknowledges the benefits and value for the **public health** and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation in order to address a wide variety of societal challenges, including pollution, climate change, traffic congestion, social isolation, obesity, physical inactivity, limited recreational opportunities, sprawl, population growth, safety, and excessive expenses;

WHEREAS, sedentary lifestyles and limited opportunities to integrate exercise into daily activities are factors contributing to increased **obesity** among adults and children and numerous correlated adverse **health consequences**, such as diabetes, heart disease, stroke, high blood pressure, high cholesterol, certain cancers, asthma, low self-esteem, depression, and other debilitating diseases;

WHEREAS, [Municipality] recognizes that the careful planning and coordinated development of Complete Streets infrastructure offers **long-term cost savings** for local and state government, benefits public health, and provides financial benefits to property owners, businesses, and investors, while yielding a safe, convenient, and integrated transportation network for all users; in contrast, streets that are not conducive to travel by all impose significant costs on government and individuals, including the cost of obesity, which may amount to \$147 billion in direct medical expenses each year, not including indirect costs;

WHEREAS, streets are a key public space, shape the experience of residents of and visitors to [Municipality], directly affect public health and welfare, and provide the **framework for current and future development**;

WHEREAS, the **one-third of Americans who do not drive** include a disproportionate number of older adults, low-income people, people of color, people with disabilities, and children, and the inequitable distribution of safe alternative means of travel adversely affects their daily lives;

WHEREAS, the dramatic increase in the population of **older and very old adults** that will be seen by 2020 and 2030, with the concomitant decrease in driving, requires that changes begin to occur now to street design and transportation planning;

WHEREAS, numerous states including Michigan, counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental well-being of their communities;

WHEREAS, **there is less demand for wide roads** and a study conducted by the Genesee County Metropolitan Planning Commission showed that reducing 4 lanes to 3 lanes (known as a "road diet") and adding pedestrian and bicycle facilities reduced traffic crashes;



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B. **Policy Statements.** Review the following statements of policy to decide which suits your community:

Community Readiness	Sample Clauses
Modest	<p>WHEREAS, [Municipality] wishes to build upon its existing policies that recognize the importance of addressing the transportation needs of pedestrians, bicyclists, and public transportation riders, such as <i>[insert references to and brief descriptions of existing policies that incorporate any elements of the multi-modal/non-motorized travel concepts in Complete Streets]</i> roadways designed with Complete Streets principles complement and enhance ongoing active living and community revitalization efforts by the City, Safe and Active Genesee for Everyone, and numerous other community groups as well as education initiatives such as Safe Routes to School;</p>
Strong	<p>WHEREAS, [Municipality] wishes to encourage public participation in community decisions concerning street design and use to ensure that such decisions: (a) result in streets that meet the needs of all users, and (b) are responsive to needs of individuals and groups that traditionally are not incorporated in public infrastructure design;</p>
Aggressive	<p>WHEREAS, [Municipality] recognizes the importance of Complete Streets infrastructure and modifications that enable safe, convenient, and comfortable travel for all users, such as sidewalks, shared use paths, bicycle lanes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users, such as traffic calming circles, narrow vehicle lanes, raised medians, dedicated transit lanes, transit bulb outs, and road diets [<i>, as well as other features such as insert other accommodations if desired</i>] [<i>, and those features identified in insert name of Non-motorized Plan if it exists</i>]; and</p>
Aggressive / Leaders	<p>WHEREAS, [Municipality] therefore, in light of the foregoing benefits and considerations, wishes to <i>[initiate a / expand upon its]</i> Complete Streets program and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards;</p>
Leaders	<p>NOW THEREFORE, it is the intent of the <i>[Adopting body (e.g., city council)]</i> in enacting this ordinance to encourage healthy, active living, reduce traffic congestion and fossil fuel use, and improve the safety and quality of life of residents of <i>[Municipality]</i> by providing safe, convenient, and comfortable routes for walking, bicycling, and public transportation.</p>

NEXT: **START DRAFTING THE ORDINANCE**

Begin to draft a general ordinance for your community using Sections 2 and 3 of the Model Ordinance.
These Sections should be included in all ordinances, but make sure to cross-check definitions with others that may already exist in the code.

Section 2: Purpose

The purpose of this [article / chapter] is to enable the streets of [Municipality] to provide safe, convenient, and comfortable routes for walking, bicycling, and public transportation that encourage increased use of these modes of transportation, enable convenient travel as part of daily activities, improve the public welfare by addressing a wide array of health and environmental problems, and meet the needs of all users of the streets, including children, older adults, and people with disabilities.

Section 3: Definitions

The following words and phrases, whenever used in this [article / chapter], shall have the meanings defined in this section unless the context clearly requires otherwise:

- (a) "Complete Streets Infrastructure" means design features that contribute to a safe, convenient, or comfortable travel experience for Users, including but not limited to features such as: sidewalks; shared use paths; bicycle lanes; automobile lanes; paved shoulders; street trees and landscaping; planting strips; curbs; accessible curb ramps; bulb outs; crosswalks; refuge islands; pedestrian and traffic signals, including countdown and accessible signals; signage; street furniture; bicycle parking facilities; public transportation stops and facilities; transit priority signalization; traffic calming devices such as rotary circles, traffic bumps, and surface treatments such as paving blocks, textured asphalt, and concrete; narrow vehicle lanes; raised medians; and dedicated transit lanes [, as well as other features such as insert other accommodations if desired] [, and those features identified in insert name of Municipality's Non-motorized Plan if it exists].
- (b) "Street" means any right of way, public or private, 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.
- (c) "Project" means the construction, reconstruction, retrofit, maintenance, alteration, or repair of any Street, and includes the planning, design, approval, and implementation processes [, except that "Project" does not include minor routine upkeep such as cleaning, sweeping, mowing, spot repair, or interim measures on detour routes] [and does not include projects with a total cost of less than \$_____].
- (d) "Users" mean individuals that use Streets, including pedestrians, bicyclists, motor vehicle drivers, public transportation riders and drivers, [insert other significant local users if desired, e.g. drivers of agricultural vehicles, emergency vehicles, or freight] and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities.



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FINALLY: COMPLETE YOUR ORDINANCE

Complete your Draft Ordinance using Section 4 through 10 of the Model Ordinance (Note: Sections 8 and 10 are standard and should be included in all ordinances. While the above sections should be included in most ordinances, those below should be tailored based on your community commitment and readiness. To help you determine which fit best, we have noted which complete streets principle is being addressed, which can then be matched to your community readiness.

Section 4: Requirements of Infrastructure Ensuring Safe Travel

Principle Addressed	Model Language to Use
2	<p>(a) [Insert appropriate agencies, such as Department of Transportation, Department of Public Works, Department of Planning] shall make Complete Streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve public [<u>and private</u>] Streets and the transportation network for all Users, and shall work in coordination with other departments, agencies, and jurisdictions to achieve Complete Streets.</p> <p>(b) [Municipality] shall develop a non-motorized plan [<u>Adopting body (e.g., city council)</u>], in consultation with other oversight bodies/departments/divisions] to be incorporated within the Master Plan.</p> <p>OR</p> <p>The [<i>insert name of Municipality's Non-motorized Plan</i>] shall serve as an element of the Master plan. [Municipality] shall review and update its [<i>insert name of Municipality's Non-motorized Plan</i>] [<u>Adopting body (e.g., city council)</u>], in consultation with other oversight bodies/departments/divisions] at a minimum of every five years from the date of its initial adoption.</p>
7	<p>(c) [Municipality] shall employ the latest Complete Streets best practices, design criteria, and guidelines.</p>
5	<p>(d) As feasible, [<u>Municipality</u>] shall incorporate Complete Streets Infrastructure into existing public [<u>and private</u>] Streets to improve the safety and convenience of Users, construct and enhance the transportation network for each category of Users, and create employment.</p>
6?	<p>(e) If the safety and convenience of Users can be improved within the scope of pavement resurfacing, restriping, or signalization operations on public [<u>or private</u>] Streets, such projects shall implement Complete Streets Infrastructure to increase safety for Users.</p>



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7	(f) In design guidelines, [insert appropriate agencies] shall coordinate templates with street classifications and revise them to include Complete Streets Infrastructure, such as sidewalks, shared use paths, bicycle lanes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users, such as traffic calming circles, narrow vehicle lanes, raised medians, dedicated transit lanes, transit bulb outs, paved shoulders and road diets [<u>, as well as other features such as insert other accommodations if desired. For example, Detroit mandates facilities on streets that are 3 or more lanes with a speed limit above 25 mph</u>] [<u>, and those features identified in insert name of Non-motorized Plan if it exists</u>].
7	(g) Accommodations shall also be designed and built using guidance from most recent edition of American Association of State Highway Transportation Officials (AASHTO) <i>Guide for the Development of Bicycle Facilities</i> , the Michigan Manual on Uniform Traffic Control Devices (MMUTCD) (MDOT), and the <i>Americans with Disabilities Act Accessibility Guidelines</i> (ADAAG).
8	(h) Methods for providing flexibility within safe design parameters, such as context sensitive solutions and design, shall be considered.
9	(i) Projects shall be prioritized based on: (1) connections between residential areas and schools and recreational facilities, (2) coordination with existing Safe Routes To School programs and considerations (3) connections between residential and commercial areas, and (4) filling gaps in existing sidewalk facilities
4	Section 5: Coordination (see language below)
6	Section 6: Exceptions (see language below)
9	Section 7: Performance Measures (see language below)
2	Section 8: Public Input (see language below)
10	Section 9: Implementation (see language below)
Legal	Section 10: Statutory Construction & Severability (see language below)



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Section 5: Coordination

- (a) [Municipality] shall ensure that [*insert name of Municipality's Non-motorized Plan if it exists or existing non-motorized plans*] and policies and any proposed changes are in concordance with Michigan Complete Streets laws and policies.
- (b) [Municipality] shall share [*insert name of Municipality's Non-motorized Plan if it exists or existing non-motorized plans*] and policies and any proposed changes with the Michigan Department of Transportation, County and/or Regional planning and transportation authorities, and neighboring jurisdictions.
- (c) [Municipality] shall coordinate and consult with the Michigan Department of Transportation, County and/or Regional planning and transportation authorities, and neighboring jurisdictions on projects.

Section 6: Exceptions

Every Project on public [or private] Streets shall incorporate Complete Streets Infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of Users; provided, however, that such infrastructure may be excluded, upon written approval by [*insert senior manager, such as City Manager or the head of an appropriate agency*], where documentation and data indicate that:

- (a) Use by non-motorized Users is prohibited by law;
- (b) The cost would be excessively disproportionate to the need or probable future use over the long term. Excessively disproportionate is defined as exceeding twenty percent of the cost of the larger transportation project;
- (c) There is an absence of current or future need documented through demographic, school, employment, and public transportation route data;
- (d) Significant, documented, adverse environmental impacts outweigh the positive effects of the infrastructure; or
- (e) There establishment would be contrary to public health or safety.

Section 7: Performance Measures

- (a) [*Insert appropriate agency or agencies*] shall collect data measuring how well the Streets of [Municipality] are serving each category of Users. These measures include, but are not limited

to, latent demand, existing levels of service for different modes of transport and users, collision statistics, and bicycle and pedestrian injuries and fatalities.

- (b) [Insert appropriate agency or agencies] shall put into place performance standards with measurable benchmarks reflecting the ability of Users to travel in safety and comfort. These standards and benchmarks include, but are not limited to, transportation mode shift, miles of new bicycle lanes and sidewalks, percentage of streets with tree canopy and low design speeds, and public participation.

Section 8: Public Input

- (a) [Insert appropriate agency or agencies] shall establish procedures to allow full public participation in policy decisions and transparency in individual determinations concerning the design and use of Streets.
- (b) [Insert appropriate agency or agencies] will comply with state law, rule, or regulation pertaining to public involvement in planning processes.

Section 9: Implementation

- (a) Trainings in how to integrate, accommodate, and balance the needs of each category of Users shall be provided for planners, civil and traffic engineers, project managers, plan reviewers, inspectors, and other personnel responsible for the design and construction of Streets.
- (b) [Insert appropriate agency, agencies, or official] shall implement, administer, and enforce this [article / chapter]. [Agency] is hereby authorized to issue all rules and regulations consistent with this [article / chapter] and shall have all necessary powers to carry out the purpose of and enforce this [article / chapter].
- (c) All initial planning and design studies, health impact assessments, environmental reviews, and other project reviews for projects requiring funding or approval by [Municipality] shall: (1) evaluate the effect of the proposed project on safe travel by all Users, and (2) identify measures to mitigate any adverse impacts on such travel that are identified. [or use (e) below]
- (d) The head of each affected agency or department shall report back to the [Adopting body] [annually / within one year of the date of passage of this Ordinance] regarding: the steps taken to implement this Ordinance; additional steps planned; and any desired actions that would need to be taken by [Adopting body] or other agencies or departments to implement the steps taken or planned.
- (e) A committee is hereby created, to be composed of [insert desired committee composition] (Suggested members include representatives of key departments or agencies, such as the transit agency, public works department, planning department, public health department, and others, as

well as the city manager, advocacy groups, a representative from the disability community, school district, and pedestrian/bike group.)] and appointed by [the Mayor / President of adopting body / other], to forward [Municipality]'s implementation of Complete Streets practices by:

- (1) addressing short-term and long-term steps and planning necessary to create a comprehensive and integrated transportation network serving the needs of all Users;
 - (2) assessing potential obstacles to implementing Complete Streets practices in [Municipality];
 - (3) if useful, recommending adoption of an [ordinance / internal policy / other document] containing additional steps;
 - (4) proposing revisions to the [*insert name of Municipality's master plan equivalent*], zoning and subdivision codes, and other applicable law to integrate, accommodate, and balance the needs of all Users in all Street Projects. The committee shall report on the matters within its purview to the [Adopting body] within one year following the date of passage of this Ordinance; and
 - (5) preparing/reviewing implementation instruments, such as Capital Improvement Plans, site plan review, [*insert names of other implementation instruments for inclusion*] for Projects.
- (f) [The committee shall also consider requiring incorporation of Complete Streets modifications and Complete Streets Infrastructure in Projects, as well as requiring all initial planning and design studies, health impact assessments, environmental reviews, and other project reviews for infrastructure projects requiring funding or approval by [Municipality] to: (1) evaluate the effect of the proposed project on safe travel by all Users, and (2) identify measures to mitigate any adverse impacts on such travel that are identified.] OR use (c) above.
- (g) [*Insert appropriate agencies, such as Department of Transportation, Department of Public Works, Department of Planning*] shall review and either revise or develop proposed revisions to all appropriate plans, zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, templates, and design manuals, including [*insert name of Municipality's master plan equivalent as well as all other key documents by name*], to integrate, accommodate, and balance the needs of all Users in all Street Projects on public [and private] Streets.

Fund adequately the implementation of the non-motorized network plan, which shall include targeting at least five percent of State Act 51 funds received by the [Municipality] annually in furtherance of the plan's implementation.

Section 10: Statutory Construction & Severability

- (a) This Ordinance shall be construed so as not to conflict with applicable federal or state laws, rules, or regulations. Nothing in this Ordinance authorizes any City agency to impose any duties or obligations in conflict with limitations on municipal authority established by federal or state law at the time such agency action is taken.



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- (b) In the event that a court or agency of competent jurisdiction holds that a federal or state law, rule, or regulation invalidates any clause, sentence, paragraph, or section of this Ordinance or the application thereof to any person or circumstances, it is the intent of the Ordinance that the court or agency sever such clause, sentence, paragraph, or section so that the remainder of this Ordinance remains in effect.
- (c) In undertaking the enforcement of this Ordinance, [Municipality] is assuming only an undertaking to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation through which it might incur liability in monetary damages to any person who claims that a breach proximately caused injury.



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