

**ORDINANCE NO. 18-1110**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON, ADOPTING COMPLETE STREETS POLICY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Washington State Department of Transportation, through its Transportation Improvement Board ("TIB"), has established a grant program pursuant to RCW 47.04.320 to fund "complete streets" projects for the purpose of encouraging local governments to adopt urban arterial retrofit street ordinances designed to provide safe access to all users, including motorists, bicyclists, pedestrians, and public transportation users; and

**WHEREAS**, the goals of the TIB grant program for "complete streets" include promoting healthy communities by encouraging walking, bicycling, and using public transportation, and the improvement of safety by designing certain streets to include features such as wider sidewalks, dedicated bicycle facilities, medians, and pedestrian-friendly streetscape features, including trees where appropriate; and

**WHEREAS**, state law requires local governments to adopt a "complete streets ordinance" in order to be eligible to receive TIB grant funding for "complete streets" projects; and

**WHEREAS**, the City of Black Diamond wishes to promote context-sensitive application of "complete streets" principles to future development projects in the City, and to empower the Public Works Director to require the inclusion of complete streets facilities and amenities in accordance with specified criteria and sound engineering principles; and

**WHEREAS**, the City seeks to foster "complete streets" in the form of public rights-of-way that are planned, designed, constructed, operated, and maintained in such a way as to safely and adequately provide comfortable and convenient access and mobility along the public rights-of-way by users of all ages and abilities, and via all modes of public and private transportation, including freight and commercial vehicle operators, bicyclists, pedestrians, and the mobility impaired;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**Section 1. Adoption of Complete Streets Policy.** The Complete Streets Policy set forth in Attachment A hereto is hereby approved and adopted by the City.

**Section 2. Codification at BDMC Chapter 12.10.** The Complete Streets Policy set forth in Attachment A hereto shall be codified as Chapter 12.10 of the Black Diamond Municipal Code.

**Section 3. Severability.** Should any section, paragraph, sentence, clause, or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

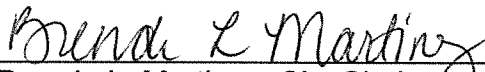
**Section 4. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND AT A REGULAR MEETING THEREOF ON THE 6<sup>TH</sup> DAY OF DECEMBER, 2018.**

CITY OF BLACK DIAMOND

  
\_\_\_\_\_  
Carol Benson, Mayor

Attest:

  
\_\_\_\_\_  
Brenda L. Martinez, City Clerk

Approved as to form:

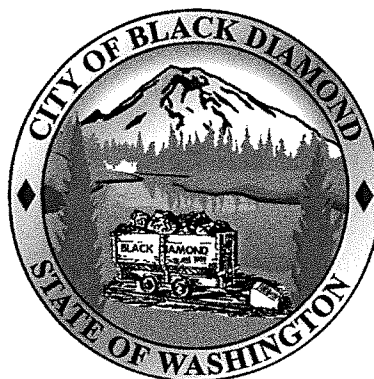
\_\_\_\_\_  
David Linehan, City Attorney

Filed with the City Clerk: 12/7/18  
Passed by the City Council: 12/6/18  
Ordinance No. 18-1110  
Date of Publication: 12/11/18  
Effective Date: 12/16/18

ATTACHMENT "A"

**CITY OF BLACK DIAMOND**  
**COMPLETE STREETS POLICY**

**NOVEMBER 2018**



**PREPARED BY**  
*Public Works Department*  
**CITY OF BLACK DIAMOND**  
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## DEFINITIONS

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The following words, terms and phrases, when used in this policy, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

### **Complete Streets**

Roads that are designed to be safe and accessible for all Users.

### **Complete Streets Infrastructure**

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; shared use, vehicle and pedestrian street designations; 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; narrow vehicle lanes; raised medians; and if the City funds a traffic calming program, traffic calming devices such as rotary circles, traffic humps, and surface treatments such as paving blocks, textured asphalt, and concrete.

### **Facilities**

Areas or structures which are built, installed, or established to serve a specific transportation purpose or transportation mode/user.

### **Maintenance Activity**

Ordinary repair designed to keep facilities in safe working condition, such as, but not limited to, mowing, cleaning, sweeping, spot repair, concrete joint repair, pothole filling, and water, sewer, stormwater, or other utility installation or repairs.

### **Multimodal Transportation System**

A single transportation system that appropriately and adequately accommodates two or more modes of transportation.

### **Right-of-Way**

An area, public or private, dedicated for use by pedestrians and vehicles. Right-of-way includes thoroughfares such as streets, highways, bike paths, and walkways, and normally incorporates curbs, lawn strips, street trees, sidewalks, lighting, signage, drainage facilities, street furniture, and similar features.

### **Street**

Any public right of way, including arterials, connectors, alleys, ways, lanes, and roadways by any other designation, as well as bridges, and any other portion of the transportation network that is open for use by the general traveling public.

**Street Project**

The construction, reconstruction, retrofit, improvement, maintenance, alteration, or repair of any street, and includes the planning, design, approval, and implementation processes.

**Users**

Individuals of all ages and abilities, including those with disabilities or mobility impairments, that use streets, including pedestrians, bicyclists, skateboarders, rollerbladers, motorists, emergency responders, freight providers, commercial vehicles, and public transportation riders and drivers.

## SECTION 1 – PURPOSE

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This Complete Streets policy focuses not just on changing individual roads, but on changing the decision-making process so that all users are routinely considered during the planning, designing, building, and operation of all roadways.

To fulfill this purpose, the City of Black Diamond shall, to the maximum extent practicable, scope, plan, design, construct, operate, and maintain appropriate facilities for the safe accommodation of pedestrians, bicyclists, transit users, motorists, emergency responders, freight, and users of all ages and abilities in all new construction or reconstruction projects of public streets. Through ongoing operations and maintenance, the City of Black Diamond shall identify cost-effective opportunities to include Complete Streets Infrastructure.

The Public Works Director, or his/her designee, will modify, develop and adopt policies, design criteria, standards, and guidelines based upon recognized best practices in street design, construction and operations including, but not limited to, the latest editions of American Association of State Transportation Officials (AASHTO), Institute of Transportation Engineers (ITE), and National Association of City Transportation Officials (NACTO) guidelines and standards, while reflecting the context and character of the surrounding built and natural environment, and enhancing the appearance of such environments.

As feasible, the City of Black Diamond shall incorporate Complete Streets Infrastructure into existing public streets to create a comprehensive, integrated, and connected transportation network that balances access, mobility, health, economy, and safety needs of all Users. The Public Works Director will determine the feasibility and applicability of Complete Streets Infrastructure for public projects and private development in accordance with criteria established in Section 5 of this Policy.

## SECTION 2 – VISION

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The City of Black Diamond plans, designs, constructs, operates, maintains, and funds complete streets with the intent to safely and adequately provide comfortable and convenient access and mobility upon, along, and across our right-of-ways, trails, and transit systems for users of all ages, abilities, and modes in all new construction and retrofit or reconstruction projects, subject to the exceptions contained herein.

The City of Black Diamond seeks to provide a reliable, aesthetic, efficient, integrated, and intentionally connected multimodal transportation system that promotes health and well-being, quality of life, neighborhood revitalization, economic vitality, and positive environmental impacts by providing essential connections between home, school, work, recreation, and retail destinations regardless of income, race, or ethnicity.

The City of Black Diamond ensures that the multimodal transportation system complements and enhances the surrounding land use and neighborhood character, in an effort to:

- Protect and preserve the environment
- Support vibrant and livable neighborhoods
- Expand the network for safe pedestrian and bicycle access
- Minimize the probability and severity of potential vehicular, bicycle and pedestrian-related collisions by improving the roadway to create a safer and more inviting street environment
- Provide more safe and convenient opportunities for physical fitness that will improve and enhance the health and fitness of residents and visitors
- Make available high quality recreational and multimodal transportation facilities and non-motorized means of transportation to improve quality of life and the local economy

The City of Black Diamond recognizes the importance of health as a significant part of this Complete Streets Policy. When citizens have access to parks, trails, sidewalks, bike lanes, and transit, people are more likely to be physically active. This helps maintain a healthy weight and reduce chronic disease, heart disease, stroke and depression.

The City of Black Diamond seeks to establish a multimodal transportation system for all Users, where practical.



## SECTION 3 – CORE COMMITMENT

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The City of Black Diamond recognizes that all Users of the multimodal transportation system are legitimate and equally deserving of safe facilities to accommodate their travel.

The City of Black Diamond views all transportation improvements and project phases as opportunities to create safer, healthier, and more accessible streets for all Users. These include, but are not limited to, planning, programming, design, right-of-way acquisition, subdivision and land development, new construction, construction engineering, reconstruction, operation, repair, maintenance, and funding identification.

Complete Streets design components shall be incorporated into all publicly and privately funded projects, where practical. All transportation infrastructure and street design projects requiring funding approval by the City of Black Diamond, as well as projects supported by state or federal funding sources, shall adhere to the City of Black Diamond Complete Streets Policy. Private developments and related street design components or corresponding street-related components shall adhere to the Complete Streets principles. In addition, to the extent practical in accordance with Section 5 of this Policy, state-owned roadways will comply with the Complete Streets policy, including the design, construction, and maintenance of such roadways within City limits.

To the maximum extent practical, consistent with the criteria in Section 5, the City of Black Diamond will plan, design, construct, operate, maintain, and identify funding to provide a comprehensive and integrated multimodal transportation system for all Users.

Because freight is important to the regional economy and has unique right-of-way needs to support that role, freight needs to be weighted evenly with other needs on established truck routes within Black Diamond city limits. Complete Streets improvements that are consistent with freight mobility but also support other modes and user needs shall be considered for truck routes.

Nothing in this Policy creates or is intended to create a private right of action by individual citizens or groups of citizens to enforce compliance with the goals and objectives of this Policy. This Policy is a planning tool and framework for implementation by the City, and only the City has authority to implement and enforce the goals and objectives of this Policy.

## SECTION 4 – BEST PRACTICES

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The City of Black Diamond has been implementing Complete Streets practices, where feasible, prior to this policy in street projects and private developments. The City acknowledges that improving transportation and the physical infrastructure of the City will likely help improve the commerce within the City. A comprehensive system of pedestrian walkways and bicycle paths will allow residents to enjoy convenient access to services, open spaces, and parks.

A Complete Streets network also includes green infrastructure in the form of landscaping and amenities to provide shade, create buffers, and promote aesthetically welcoming environments within the public right-of-way while also helping to manage stormwater runoff. Welcoming environments include cultural corridors and other place-making areas that allow optimal use of the public right-of-way for economic development and community revitalization. Public outreach and involvement are essential to identifying the appropriate context and maintaining community support and engagement during and after projects.

The City of Black Diamond will focus on meeting the need, where feasible, for a multimodal transportation system that provides a reliable, aesthetic, efficient, integrated, and intentionally connected network with essential links between home, school, work, recreation, retail, and other potential destinations. Implementation of this policy shall reflect the context and character of the community's overall surroundings, including the natural environment, current and planned buildings and land uses, demographics, street functions, and current and expected transportation needs. Understanding of the surrounding built and natural environments allows roadway design decisions to be more flexible and sensitive to unique situations in different locations within the City, and to better balance economic, social, and environmental objectives. In the future, this may include the integration of public art to help identify unique areas throughout the City and to define the context in which the street exists as identified by community stakeholders.

The Complete Streets Policy shall apply to all City-owned transportation facilities in the public right-of-way (streets, sidewalks, alleys, bridges, etc.) except where such components would not be practical as determined by applying the criteria set forth in Section 5 of this Policy. The City shall encourage privately constructed and owned streets, sidewalks, alleys, and parking lots, which will remain private upon acceptance by the City, to also adhere to this policy through funding requirements and development review, where possible.

The City of Black Diamond recognizes that multi-jurisdictional contributions are necessary for an effective Complete Streets policy and will work cooperatively within all City departments and with the State of Washington, the Federal Highway Administration, the Puget Sound Regional Council, King County, and surrounding counties, cities, school districts, citizens, businesses, interest groups, and neighborhoods. Coordination with partners will be beneficial in improving Black Diamond's street network by contributing to potential improvements such as:

- The identification of enhancement opportunities through maintenance activities
- Filling gaps in the trail network (connectivity)

- Consistent enforcement of sidewalk maintenance (vegetation, snow, etc.)
- Identification and repairing of sidewalk segments that form functional gaps

The City of Black Diamond strives to use the best and latest design guidelines, standards, and recommendations available when considering methods or providing development flexibility within safe design parameters and balanced design solutions between the user and modal needs. A balanced approach considers aspects such as street design and width, desired operating speed, hierarchy of streets, connectivity, wayfinding signs, and signal variation from a human scale for the needs and comforts of all users. The City will generally follow accepted or adopted design standards when implementing improvements intended to fulfill this Complete Streets policy and will consider innovative or non-traditional design options where a comparable level of safety for users is present. Design criteria shall be based on the thoughtful application of engineering, architectural, and urban design principles in addition to prescriptive guidelines. Best practices in policies, design criteria, standards, and guidelines related to street design, construction, and operations can be found in, but are not limited to, the following:

- Guidelines provided by the Institute of Transportation Engineers (ITE)
- Guidelines provided by the National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide
- Guidelines provided by the Washington State Department of Transportation (WSDOT)
- Guidelines provided in the Manual on Uniform Traffic Control Devices (MUTCD)
- Guidelines provided in the ADA Standards for Accessible Design

The application of Complete Streets principles should be periodically evaluated for successes, to determine progress and effectiveness, as well as opportunities for improvement.

## SECTION 5 – CRITERIA

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This Section is to be utilized by the Public Works Director in determining the extent of Complete Street Infrastructure that will be required for a project. The City of Black Diamond is committed to Complete Streets and the application of this Policy will begin at the earliest phase of a project. The Public Works Director will apply the following nonexclusive criteria when determining whether, and to what extent, a project or development is suitable for implementation of Complete Streets Infrastructure:

- When documentation of current and future needs demonstrates that the cost of construction of Complete Streets amenities is disproportionate to the benefit, or when there is a documented absence of use of the street by all except motorized users; or
- When the project or development consists of routine maintenance of the transportation network that does not change the geometry or operations, such as mowing, sweeping, spot repair, surface treatments such as chip sealing, street overlays (including patching and full depth reclamation), or interim measures; or
- When strict application of Complete Streets principles is unnecessary or inappropriate because it would be contrary to public safety; or
- When construction or implementation of Complete Streets Infrastructure would create or would be likely to create significant adverse environmental impacts to streams, wetlands, steep slopes, or other critical areas; or
- When the implementation of Complete Streets Infrastructure would be contrary to the Transportation Element of the Comprehensive Plan; or
- When the cost of Complete Streets Infrastructure for new construction, outside of facilities for vehicles, would exceed the total project cost by more than 20%; or
- When including Complete Streets Infrastructure in a small, isolated project would create a very short section of improvements with problematic transitions on either end or where the amenities would be located in an isolated area unlikely to be followed by similar improvements at either end, resulting in little progress on implementing Complete Streets networks; or
- Where freight on an established truck route would be decreased with the implementation of Complete Streets principles.

In cases where the Public Works Director determines that implementation of Complete Streets Infrastructure will not apply, or will be applied only to a limited extent, he/she shall document the reasoning for the exception based on the criteria above. Any deviation from utilizing components from this Complete Streets Policy shall follow the steps outlined in Section 1.3 “Deviations” in the City’s most recent update of the Engineering Design and Construction Standards.

## SECTION 6 – NEXT STEPS

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The City of Black Diamond views Complete Streets as integral to everyday transportation decision-making practices and processes, and an opportunity to improve streets and networks for all users. To this end, the policy shall be carried out by the Public Works, Community Development, and Economic Development departments. In conjunction with these departments, other relevant departments, agencies, or groups (implementation partners) may submit suggestions to guide and recommend projects that ensure residents have access to trails, playfields, open spaces, and parks.

- The City shall encourage staff professional development and training on non-motorized transportation issues through attending conferences, classes, seminars, webinars, and workshops, when available;
- City staff will identify current and potential future sources of funding for street improvements and recommend improvements to include Complete Streets projects in drafting the yearly update of the Six-Year Transportation Improvement Program;
- The City shall promote inter-departmental project coordination among the City departments with an interest in the activities that occur within the public right-of-way to better use fiscal resources;
- The City shall educate on and enforce proper road use behavior by all users and adopt additional laws and regulations, as necessary, to ensure people are protected to the greatest extent possible.

The implementation of Complete Streets may include coordination among implementation partners (Exhibit A) and consideration of the following potential starting points:

- Incorporate the Complete Streets policy into a future update of the Comprehensive Plan
- Incorporate Complete Streets practices into the City's Engineering Design and Construction Standards
- Incorporate Complete Street practices into a future update of the Parks Plan
- Seek funding support through all identifiable resources (Transportation Improvement Board, King County Community Development Block Grant, Puget Sound Regional Council, WSDOT Safe Routes to School, etc.)
- Distribute the adopted policy to local, state, federal, and other key agencies
- Utilize information from the following sources for implementation guidance:
  - "A Guide to Building Healthy Streets" which provides guidance for communities that are implementing Complete Streets
  - "Active Community Environment Toolkit" designed to provide steps needed to increase successful active community environments, encourage safe and walkable communities, and change policy and the environment in the community

When streets are complete (safe, comfortable, and convenient for all users), people have more opportunities to be active when they travel from place to place or choose to

exercise for recreation. Not only does a Complete Streets policy impact transportation planning, design, maintenance, and funding decisions, it also transforms streets from a public health barrier to a public health asset, enabling greater return on the investment of public funds. This Complete Streets policy will allow the City of Black Diamond to save money, accommodate more people, and create an environment where all users can travel safely and conveniently.

## EXHIBIT A – IMPLEMENTATION PARTNERS

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<b>COMPLETE STREETS IMPLEMENTATION PARTNERS</b>	
<b>Service Area</b>	<b>Participation Areas</b>
Planning	Assess Comprehensive Plan, neighborhood plans, development guidelines, zoning code, other transportation-related plans, etc.
Public Works	Assess/update street standards, guidelines, plans, funding programs, etc.
Police	Assess emergency access needs
Fire	Assess truck fleet needs
Parks	Assess Comprehensive Plan, neighborhood plans, Parks Plan, zoning code, other transportation-related plans, etc.
School Districts	Assess school siting, Safe Routes to School program, develop Safe Routes to School policies, plans and/or programs
Elected Officials	Approve/adopt plans, policies, funding programs, etc.
Community ( <i>Organizations, businesses, residents, etc.</i> )	Provide input on all plans, programs, and policies