



Legislation Text

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Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: Councilmember Dorsey

A Bill Entitled

An Ordinance concerning
Complete Streets

For the purpose of requiring the Transportation Department to construct and operate a comprehensive Complete Streets Transportation System; creating a Complete Streets Coordinating Council to make certain recommendations and oversee certain activities regarding the Complete Streets Transportation System; establishing certain design standards and requiring the Transportation Department to use the latest and best design standards in constructing and operating the Complete Streets Transportation System; requiring the Transportation Department, in consultation with the Coordinating Council and after public notice and a public comment period, to adopt a Complete Streets Manual to carry out this Ordinance; requiring that the Transportation Director, in consultation with the Coordinating Council, to prepare an Annual Complete Streets Report, assessing the status of the Complete Streets Transportation System, and to conduct public meetings and other community engagement and outreach activities to present the Complete Streets Annual Report to the public and to solicit input; specifying that the requirements of this Ordinance apply to all project phases undertaken by, under the authority of, or subject to the supervision of the Transportation Department for the improvement of any street, subject to certain exceptions; defining certain terms; providing for special effective dates; and generally relating to the construction and operation of a transportation system, accommodating all travel modes, that ensures the safety, security, comfort, and convenience of all users.

By adding

Article 26 - Surveys, Streets, and Highways
Sections 40-1 through 40-50, to be under the new subtitle designation,
“Subtitle 40. Complete Streets”
Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore
City read as follows:

Baltimore City Code

Article 26. Surveys, Streets, and Highways

Subtitle 40. Complete Streets

Part I. Definitions; Applicability

§ 40-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Complete Streets.*

“Complete Streets” means a transportation philosophy that calls for streets to be constructed and operated in a way that considers the needs of all users and enables equitable and safe access.

(c) *Coordinating Council.*

“Coordinating Council” means the Complete Streets Coordinating Council established by this subtitle.

(d) *Includes; Including.*

“Includes” or “including” means by way of illustration and not by way of limitation.

(e) *Mandatory, prohibitory, and permissive terms.*

(1) *Mandatory terms.*

“Must” and “shall” are each mandatory terms used to express a requirement or to impose a duty.

(2) *Prohibitory terms.*

“May not” and “no ... may” are each mandatory negative terms used to establish a prohibition.

(3) *Permissive terms.*

“May” is permissive.

(f) *Public transit vehicle.*

“Public transit vehicle” means any vehicle that:

(1) is of a type used primarily for the transportation of the general public; and

(2) has a seating capacity of 10 or more passengers.

(g) *Street.*

“Street” means any street, boulevard, road, highway, alley, lane, sidewalk, footway, mall, esplanade, or other way or place that is owned by the City or habitually used by the public.

(h) *Transportation Department; Department.*

“Transportation Department” or “Department” means the Baltimore City Department of Transportation.

(i) *Transportation Director; Director.*

“Transportation Director” or “Director” means the Director of the Baltimore City Department of Transportation or the Director’s designee.

§ 40-2. Applicability of subtitle.

(a) *In general.*

Except as otherwise provided in this subtitle, this subtitle applies to all project phases undertaken by, under the authority of, or subject to the supervision of the Transportation Department for the improvement of any street, including planning, programming, design, acquisition of land, construction, construction engineering, reconstruction, rehabilitation, resurfacing, retrofit, and operation.

(b) *Exceptions - Ordinary maintenance.*

This subtitle does not apply to ordinary maintenance, such as mowing, cleaning, sweeping, pothole filling, concrete joint repair, and other regular or seasonal maintenance.

(c) *Exceptions - Preexisting projects.*

This subtitle does not apply to a project in final design or under construction as of _____, 2018 {Codifier to insert general effective date of this subtitle}.

(d) *Exceptions - Limited-access roads.*

This subtitle does not apply to a street where use by both pedestrians and bicyclists is prohibited by law.

§§ 40-3 to 40-5. {Reserved}

Part II. Complete Streets Transportation System

§ 40-6. Department to construct and operate system.

The Department shall construct and operate a comprehensive Complete Streets Transportation System that enables access, mobility, economic development, attractive public spaces, health, and well-being for all people.

§ 40-7. System to ensure safety, etc., and convenience of all users.

This Transportation System must be designed and operated in ways that ensure the safety, security, comfort, and convenience of all users of the streets, including pedestrians, bicyclists, public transit users, emergency responders, transporters of commercial goods, motor vehicles, and freight providers.

§ 40-8. System to include connected facilities accommodating all travel modes.

This Transportation System must include integrated networks of connected facilities accommodating all modes of travel.

§ 40-9. System to promote walking, biking, and public transit.

This Transportation System must, to the greatest extent possible, promote walking, biking, and public transit.

§ 40-10. System to promote economic development.

This Transportation System must, to the greatest extent possible, promote economic development.

§ 40-11. System to ensure equity.

This Transportation System must, to the greatest extent possible, ensure equity by eliminating health, economic, and access disparities.

§ 40-12. System may be constructed over time.

This Transportation System may be achieved through projects that fully implement complete streets or projects that incrementally implement complete streets through a series of smaller improvements over time.

§§ 40-13 to 40-15. {Reserved}

Part III. Complete Streets Coordinating Council.

§ 40-16. Council Established.

There is a Complete Streets Coordinating Council.

§ 40-17. Composition.

(a) *In general.*

The Coordinating Council comprises the following officials (or their respective designees):

- (1) the Transportation Director;
- (2) the Director of the City Department of Planning;
- (3) the Director of City Department of Public Works;
- (4) the Director of the City Department of Health;
- (5) the Director of the City Department of Recreation and Parks;
- (6) the Director of the City Office of Sustainability;
- (7) the Executive Director of the Parking Authority of Baltimore City; and
- (8) A Representative of the Maryland Transit Administrator.

(b) *Chair.*

The Transportation Director is the Chair of the Coordinating Council.

§ 40-18. Meetings; Quorum; Voting.

(a) *Meetings.*

The Coordinating Council meets on the call of the Chair as frequently as required to perform its duties and at least once per quarter.

(b) *Quorum.*

A majority of the members constitutes a quorum for the transaction of business.

(c) *Voting.*

An affirmative vote of at least a majority of a quorum is needed for any official action.

§ 40-19. Minutes.

(a) *Required.*

Minutes must be taken of all meetings of the Coordinating Council.

(b) *Public Availability.*

The minutes of every meeting must be made publically available by posting on the Transportation Department's website within 7 days of the meeting.

§ 40-20. Staff.

The Transportation Department must provide staff for the Coordinating Council.

§ 40-21. Duties.

In addition to the other duties specified elsewhere in this subtitle, the Coordinating Council is responsible for:

- (1) reviewing the status of projects;
- (2) identifying new projects;
- (3) promoting interagency cooperation in the pursuit of project funding; and
- (4) coordinating interagency cooperation in community engagement.

§§ 40-22 to 40-25. {Reserved}

Part IV. Design Standards

§ 40-26. Definitions.

(a) *In general.*

In this Part IV, the following terms have the meanings indicated.

(b) *Transit street.*

“Transit street” means any street on which a public transit vehicle provides fixed-route service.

(c) *Truck route.*

“Truck route” means any street so designated on the Transportation Department’s map of “Official Truck Routes”.

§ 40-27. Design vehicles.

(a) *“Design vehicle” defined.*

In this section, “design vehicle” means a selected vehicle, with specific weight, dimensions, and operating characteristics, used to establish street design controls.

(b) *In general.*

The design vehicle used by the Transportation Department for all streets, except for transit streets and truck routes, must be the design vehicle recommended for neighborhood streets by the most recent edition of the National Association of City Transportation Officials, “Urban Street Design Guide”.

(c) *Transit streets.*

The design vehicle used by the Transportation Department for transit streets must be the design vehicle recommended for designated transit streets by the most recent edition of the National Association of City Transportation Officials, “Transit Street Design Guide”.

(d) *Truck routes.*

The design vehicle used by the Transportation Department for truck routes must be the design vehicle recommended for designated truck routes by the most recent edition of the National Association of City Transportation Officials, “Urban Street Design Guide”.

§ 40-28. Design speed.

(a) *“Design speed” defined.*

In this section, “design speed” means the speed used to determine geometric features of a street during the design phase.

(b) *Standard.*

The design speed used by the Transportation Department for any street may not be any greater than the posted speed limit proposed for that street.

§ 40-29. Lane widths.

(a) *In general.*

Except as provided in this section or otherwise required by law, the lanes of any street may not be more than 9 feet wide.

(b) *Exceptions.*

(1) *Collectors and arterials.*

On a street designated on the Baltimore City Roadway Functional Classification Map as a “collector” or “arterial”, any lane may be up to 10 feet wide.

(2) *Transit streets and truck routes.*

On a transit street or truck route, one lane in each direction may be up to 11 feet wide.

§ 40-30. DoT to use latest and best standards.

In constructing and operating its Complete Streets Transportation System, the Transportation Department must use the latest and best standards, including:

(1) National Association of City Transportation Officials:

- (i) “Global Street Design Guide”.
- (ii) “Urban Street Design Guide”.
- (iii) “Transit Street Design Guide”.
- (iv) “Urban Bikeway Design Guide”.

(2) American Association of State Highway and Transportation Officials:

- (i) “Guide for Planning Design and Operation of Pedestrian Facilities”.
- (ii) “Guide for the Development of Bicycle Facilities”.

(3) Federal Highway Administration:

- (i) “*Separated Bike Lane Planning and Design Guide*”.
- (ii) “*Report on Incorporating On-Road Bicycle Networks into Resurfacing Projects*”.

(4) Institute of Transportation Engineers, “Manual for Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities”.

(5) National Cooperative Highway Research Program, Report 616, “Multi-Modal Level of Service Analysis for Urban Streets”.

§§ 40-31 to 40-35. {Reserved}

Part V. Complete Streets Manual

§ 40-36. Director to adopt Complete Streets Manual.

The Transportation Director, in consultation with the Complete Streets Coordinating Council, shall adopt and may amend from time to time a Complete Streets Manual to carry out this subtitle.

§ 40-37. Modal hierarchy.

The Complete Streets Manual must include a hierarchy of the various modes of travel, indicating the priority to be given to each mode.

§ 40-38. Street typologies.

(a) *In General.*

The Complete Streets Manual must include Complete Streets street typologies for classifying City streets.

(b) *Considerations.*

In creating street typologies, the Transportation Director, in consultation with the Coordinating Council, must consider:

- (1) roadway form and function, including traffic volume, speed, and functional classification;
- (2) intersections and crossings;
- (3) bridges and overpasses;
- (4) loading zones;
- (5) overlays, including for transit streets, truck routes, and fire and emergency routes;
- (6) existing and planned land use;
- (7) zoning designations;
- (8) public space guidelines;
- (9) stormwater management;
- (10) green infrastructure;
- (11) “Main Streets”, as designated by the Baltimore Development Corporation’s Baltimore City Main Streets program;
- (12) public art;
- (13) arts districts;
- (14) historic preservation; and
- (15) any other necessary considerations.

§ 40-39. Project prioritization process.

(a) *In general.*

The Complete Streets Manual must include a process for identifying, screening, and prioritizing projects seeking funding through federal or state grants, the City Capital Improvement Program, or other means.

(b) *Process to include equity gap analysis.*

This project prioritization process must include an equity gap analysis.

§ 40-40. Project Delivery Process.

(a) *In general.*

The Complete Streets Manual must include a project delivery process.

(b) *Requirements.*

This project delivery process must include:

- (1) project phases from identification through construction through operation;
- (2) a chart listing the types of projects undertaken by, under the authority of, or under the supervision of the Department, and showing project phases for each type, and steps to complete each project phase, and whether, for each project type, a given step is required, optional, or inapplicable;
- (3) a decision tree showing how street typology, existing and planned land use, modal hierarchy, and any additional factors determine street design, and whether various elements are required, recommended, optional, or not required; and
- (4) a project management checklist.

§ 40-41. Equity in community engagement.

The Complete Streets Manual must include community engagement policies that overcome barriers to engagement associated with race, income, age, disability, English language proficiency, and vehicle access of populations affected by a project, including a means of measuring success in overcoming these barriers.

§ 40-42. Public comment period.

(a) *Publication of proposed Manual or amendment.*

The Transportation Director must publish the proposed Complete Streets Manual or proposed amendment to the Manual by posting a copy of the proposal to the Department's website at least 45 days before its adoption.

(b) *Notice.*

- (1) A notice of the proposed Manual or proposed amendment to the Manual must also be posted to the Transportation Department's website, social media, and other channels of distribution available to

the Department.

(2) This notice must include:

(i) a summary of the proposed Manual or proposed amendment; and

(ii) information on how a person can:

(A) obtain a copy of the proposal;

(B) obtain a schedule of public hearing(s) to be held on the proposal; and

(C) submit comments before the proposal is finalized and adopted.

(c) *Public hearing.*

(1) During the 45-day public comment period, the Director must also advertise and hold 1 or more public hearings on the proposed Manual or proposed amendment.

(2) At least 1 hearing must be held in whole or in part between 6 pm and 8 pm.

§ 40-43. Final adoption.

(a) *In general.*

After the 45-day public comment and hearing period, the Director may modify and adopt the Complete Streets Manual.

(b) *Filing with Legislative Reference.*

A copy of the Complete Streets Manual and, from time to time, any amendment to the Manual must be filed with the Department of Legislative Reference before it becomes effective.

§§ 40-44 to 40-45. {Reserved}

Part VI. Annual Report and Public Accountability

§ 40-46. Annual report required.

On or before August 31 of each year, the Director, in consultation with the Coordinating Council, must:

(1) prepare a report assessing the status of the Complete Streets Transportation System; and

(2) submit that report to:

(i) the Mayor;

(ii) the City Council; and

(iii) the Coordinating Council.

§ 40-47. Performance measures.

(a) *Crash Data.*

(1) *In general.*

The annual report must measure year-over-year changes in crash data for all modes of travel as measured by:

- (i) the “Maryland Statewide Vehicle Crashes Data” collected by the Maryland State Police;
- (ii) the “Fatality Analysis Reporting System” data collected by the National Highway Traffic Safety Administration; or
- (iii) other similar data.

(2) *Separate reporting by category.*

Crash data for all modes of travel must be separately reported by the following categories:

- (i) all crashes;
- (ii) injury crashes; and
- (iii) fatal crashes.

(b) *Transit on-time performance.*

The annual report must measure year-over-year change in transit on-time performance, as measured by:

- (1) the performance data collected by the Maryland Transit Administration and published in the Maryland Department of Transportation’s Annual Attainment Report; or
- (2) other similar data collected by the Maryland Transit Administration or the Transportation Department.

(c) *Commute Times.*

The annual report must measure commute times for all modes of travel, as measured by the travel-time-to-work data reported in the American Communities Survey’s “Commuting (Journey to Work)”.

(d) *Modal share.*

The annual report must measure modal share, as measured by the means-of-transportation data reported in the American Communities Survey’s “Commuting (Journey to Work)”.

(e) *Infrastructure data.*

(1) *In general.*

The annual report must measure:

- (i) the amount of infrastructure built, upgraded, replaced, or rehabilitated in the previous 1-year period; and

(ii) the total amount of infrastructure in the City's overall transportation system.

(2) *Separate reporting by type.*

The measurements required by paragraph (1) of this subsection must be separately reported by type, including:

- (i) infrastructure for walking, biking, and public transit;
- (ii) public space infrastructure; and
- (iii) green infrastructure.

(f) *Business Vacancy.*

The annual report must measure year-over-year change in commercial vacancy rates:

- (1) in each of the Central Business District and Neighborhood Business Districts, as designated by the Baltimore City Department of Planning; and
- (2) in each of the City's "Main Streets", as designated by the Baltimore Development Corporation's "Baltimore City Main Streets" program.

(g) *Inventory of projects.*

The annual report must include an inventory of all ongoing projects in any phase and the projected cost of those projects.

§ 40-48. Equity lens.

(a) *Separate reporting by geographic subunit.*

In preparing the annual report, the Department must separately report data by geographic subunit (e.g., census tract, traffic analysis zone, or the like).

(b) *Separate reporting by race, income, and vehicle access.*

The annual report must separately report data into the following categories:

- (1) populations that are above and below the median number of persons of color for Baltimore City.
- (2) populations above and below 50% no vehicle access.
- (3) populations with a median income above and below the median household income for Baltimore City.

§ 40-49. Report and data to be publically available.

(a) *Report to be posted.*

The annual report must be made available to the public by posting it on the Transportation Department's website.

(b) *Data to be made available.*

To the greatest extent possible, all underlying data used in preparing the annual report must be made available to the public.

§ 40-50. Accountability to Communities.

the Transportation Department, in consultation with the Complete Streets Coordinating Council, shall conduct public meetings and other community engagement and outreach activities to present the Complete Streets annual report to the public and solicit public input.

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior ordinance.

Section 3. And be it further ordained, That:

- (1) City Code Article 26, Subtitle 40, Part V, as enacted by this Ordinance, takes effect on the date of enactment of this Ordinance.
- (2) Within 30 days of the date of enactment of this Ordinance, the Transportation Director, in consultation with the Complete Streets Coordinating Council, shall publish a Community Engagement Plan, containing a description of the methods of community engagement to be used to obtain public input.
- (3) Within 90 days of the date of enactment, the Complete Streets Coordinating Council shall prepare and complete its recommendations for a draft Complete Streets Manual.
- (4) Within 135 days of the date of enactment, the Transportation Director shall, in consultation with the Complete Streets Coordinating Council, propose and publish for public comment a proposed Complete Streets Manual, in accordance with City Code, Article 26, Subtitle 40, Part V, as enacted by this Ordinance.
- (5) The Transportation Director shall adopt and publish a Complete Streets Manual within 225 days of the date of enactment of this Ordinance.

Section 4. And be it further ordained, That Section 3 of this Ordinance takes effect on the date of enactment.

Section 5. And be it further ordained, That except as provided in Sections 3 and 4 of this Ordinance, this Ordinance takes effect on the 225th day after the date it is enacted.