



LEGISLATIVE SPONSORS

- | | |
|---|---|
| <input type="checkbox"/> MAYOR LESTER M. MILLER | <input type="checkbox"/> MAYOR PRO TEMPORE SETH CLARK |
| <input type="checkbox"/> COMMISSIONER VALERIE WYNN | <input type="checkbox"/> COMMISSIONER PAUL BRONSON |
| <input checked="" type="checkbox"/> COMMISSIONER ELAINE LUCAS | <input type="checkbox"/> COMMISSIONER MALLORY C. JONES, III |
| <input type="checkbox"/> COMMISSIONER RAYMOND WILDER | <input type="checkbox"/> COMMISSIONER BILL HOWELL |
| <input type="checkbox"/> COMMISSIONER VIRGIL WATKINS, JR. | <input type="checkbox"/> COMMISSIONER AL TILLMAN |
-

AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION TO AMEND ARTICLE II OF CHAPTER 24 OF THE MACON-BIBB COUNTY CODE OF ORDINANCES, NOW RESERVED, FOR THE PURPOSE OF ADOPTING THE MACON-BIBB COUNTY COMPLETE STREETS POLICY; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, “Complete Streets” refers to a comprehensive and connected transportation network that is designed, implemented, operated, and maintained in an equitable way to allow for safe use by people of all ages, races, ethnicities, incomes, abilities and disabilities; and

WHEREAS, Complete Streets consider the current and future needs of all users, including without limitation: pedestrians, bicyclists, transit riders, people living with disabilities, emergency responders, freight deliverers, commercial drivers, and motor vehicle drivers; and

WHEREAS, Complete Streets support economic vibrancy and facilitate dynamic, livable communities by providing safe and efficient transportation networks to everyday destinations including employment, schools, stores, medical care, local businesses, and places of worship; and

WHEREAS, Complete Streets provide the context for current and future development and are vital for sustainability, including increasing energy efficiency, reducing air pollution, and improving water quality; and

WHEREAS, Complete Streets supports previous actions taken by Macon-Bibb County to support the safety, convenience and accessibility of all street users, including projects included in the Transportation Improvement Program, Long Range Transportation Plan, Ocmulgee Heritage

Trail system, and other related plans managed by Macon-Bibb County, MATS MPO, and Macon-Bibb Planning and Zoning Commission; and

WHEREAS, Complete Streets supports Macon-Bibb County’s status as the first designated AARP Age-friendly Community in Georgia in 2012; and

WHEREAS, transportation networks that are not complete put all users at risk and are especially dangerous for pedestrians, bicyclists, those taking public transportation, and specific vulnerable users including children, people with disabilities, older adults, low-income communities and communities of color; and

WHEREAS, traffic injuries and fatalities cause pain and suffering to the people of Macon-Bibb County; and

WHEREAS, Complete Streets improve public safety by reducing the incidence of traffic collision injuries and fatalities for users of all modes of transportation;

WHEREAS, multimodal infrastructure increases the number of people walking, biking, and using public transit, providing opportunities for increased physical activity, which can reduce the risk of chronic disease associated with sedentary lifestyles, including hypertension, heart attack, stroke, and diabetes.

WHEREAS, the Macon-Bibb County Commission finds that this Ordinance is necessary and proper to promote or protect the safety, health, peace, security, and general welfare of Macon-Bibb County and its inhabitants;

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission and it is hereby so ordained by the authority of the same that:

SECTION 1.

Article II of Chapter 24 of the Macon-Bibb County Code of Ordinances, now reserved, is hereby repealed in its entirety, and replaced with the following:

Chapter 24 – STREETS AND SIDEWALKS

ARTICLE II. – COMPLETE STREETS POLICY

Sec. 24-21. – Complete streets policy adopted.

This Article shall be known and may be cited as the “Macon-Bibb County Complete Streets Policy.”

Sec. 24-22. – Definitions.

As used in this Article, the term “Complete Streets” shall mean streets and rights of way that are designed, implemented, operated, and maintained with the goal of creating a comprehensive and connected transportation network in an equitable way to allow for safe use by people of all ages, races, ethnicities, incomes, abilities and disabilities while considering the current and future needs of all users, including without limitation, pedestrians, bicyclists, transit riders, people living with disabilities, emergency responders, freight deliverers, commercial drivers, and motor vehicle drivers.

Sec. 24-23. – Purpose.

- (a) The purpose of this Article is to establish Macon-Bibb County as a livable community with enhanced mobility, equity, and vitality in all neighborhoods and for people of all ages and abilities, through the design, maintenance, and use of public rights of way. Macon-Bibb County aims to create a robust, efficiently operated, and well-connected transit network, a well-defined pedestrian and bicycle system, and to promote the improvement of public health, safety, economic growth, and quality of life. Abiding by these principals, this Article shall establish standard practices and procedures for the community. Design applications should come from reputable sources that have been field-tested and measured for effectiveness and safety. Complete Streets designs should consider the importance of creating corridors where all users can feel safe and are invited through aesthetic design to use such facilities.
- (b) All transportation projects within Macon-Bibb County conducted, funded and/or approved by the Macon-Bibb County MATS MPO, and Georgia Department of Transportation shall contribute to a transportation network that enables reasonably safe travel for all modes of transportation and which address the current and future needs of all users and all appropriate modes of transportation.

Sec. 24-24. – Objective.

The objective of this Article is to make the practice of creating Complete Streets a routine part of everyday operations, working in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation. Every relevant project, program, and practice should be seen as an opportunity to improve streets and the transportation network for all users. As a part of the policy, Macon-Bibb County will utilize a context sensitive approach and provide transportation system design that considers local land development pattern. The policy will promote safety, quality of life, and economic development while striving to support existing neighborhoods and those who reside in them.

Sec. 24-25. – Implementation.

- (a) Macon-Bibb County shall modify its procedures, documents, training programs, and performance measures by July 1, 2022, to ensure that the needs of all users of the

highways, roads, and streets in Macon-Bibb County are included in all phases of all transportation projects, including funding, planning, designing, operating, and maintaining transportation infrastructure.

(b) Complete Streets projects may contain, without limitation, the following facilities and amenities:

- (1) pavement markings and signs;
- (2) sidewalks and pedestrian safety improvements such as medians, curb extensions, and crosswalks;
- (3) Americans with Disabilities Act (ADA) accessible curb ramps and accessible pedestrian signals;
- (4) transit stops and signage;
- (5) improved pedestrian and bicycle access to transit stops and stations;
- (6) protected or separated bike lanes or shared use lanes;
- (7) bike lanes;
- (8) bicycle activated street signals;
- (9) bicycle parking facilities; and
- (10) street trees, landscaping, street lighting and street furniture.

(c) All public departments and private contractors are required to provide accommodations where feasible or reasonable for all modes during construction or repair work that infringes on the right of way of sidewalks, bicycle lanes, or accessibility infrastructure so that all people can continue to use the transportation system safely and efficiently. These temporary accommodations will be provided and maintained by the jurisdiction or entity responsible for necessitating an alternative in the right of way. These jurisdictions or private entities may include a city, county, local agency, or private or institutional development entities.

(d) The staff of appropriate Macon-Bibb County departments, as designated by the county manager, shall review and develop, or propose revisions to plans, subdivision codes, procedures, rules, regulations, guidelines, programs, templates, design manuals, and other pertinent documents in accordance with their respective areas of expertise annually. In coordination with the Macon-Bibb Planning and Zoning Commission, MATS MPO, and Georgia Department of Transportation, as appropriate, staff shall consider and, when practical, integrate, accommodate and balance the needs of all users in street projects.

Sec. 24-26. – Design standards.

Macon-Bibb County shall use the best and latest design guidance, standards, and recommendations available to maximize design flexibility and innovation, and always be aware that design solutions should balance user and modal needs. This includes a shift toward designing at the human scale for the needs and comfort of all people and travelers, in considering issues such as street design and width, desired operating speed, hierarchy of streets, and connectivity. Design criteria shall not be purely prescriptive but shall be based on the thoughtful application of engineering, architectural, and urban design principles. These materials include, but are not limited to:

(a) Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)

- (b) The United States Department of Transportation Federal Highway Administration Traffic Monitoring Guide, Small Town and Rural Multimodal Networks, and Separated Bike Lane Planning and Design Guide (Federal Highway Administration);
- (c) The American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets, Guide for Planning, Designing, and Operating Pedestrian Facilities, and Guide for Development of Bicycle Facilities;
- (d) The National Association of City Transportation Officials (NACTO) Urban Street Design Guide, Urban Bikeway Design Guide, Don't Give Up at the Intersection, and Designing for All Ages and Abilities;
- (e) GDOT Complete Streets Design Policy (Georgia Department of Transportation);
- (f) Final Circulars and guidelines issued by the Federal Transit Administration including design requirements abiding by the Americans with Disabilities Act, Title VI, and Environmental Justice;
- (g) Documents and plans created for and approved by the Macon-Bibb County including but not limited to, the Comprehensive Plan, Vision Zero Strategic Plan, Transportation Improvement Program, and the Long-Range Transportation Plan.

If in the event that the above guides or any future guides conflict or are unclear on any element of a proposed design, the appropriate authority shall select the design guidance that best fits the context of the project, the safety of users, and achieves the goals of Complete Streets.

Sec. 24-27. – Attention to aesthetic.

It is the policy of Macon-Bibb County that its Complete Streets shall be beautiful, interesting and comfortable places for all people. The design of cities begins with the design of streets as community places where people want to be. As part of the public realm, streets shall be held to a higher standard for urban design at a human scale. Multi-modal accommodations and all County projects in the right-of-way shall be approached as opportunities to enhance the aesthetic qualities of its public realm through the thoughtful creation of place. Wherever feasible, streetscapes shall protect and include street trees and native plants, and incorporate landscape architecture, public art, pedestrian amenities and wayfinding signage, sidewalk cafes and street-facing retail, and/or other elements that enhance the attractiveness of Macon-Bibb County and foster healthy economic development.

Sec. 24-28. – Exemptions.

- (a) To the extent feasible and circumstantially appropriate, every street project shall incorporate Complete Streets infrastructure to enable reasonably safe travel along and across the right of way for each category of user.
- (b) Exceptions to this Article may be granted upon review and approval by the County Manager's office or designee and made public through the County website, social media, and posted announcement. Exceptions may be made under the following situations:
 - (1) Where specific users like pedestrians and bicyclists are prohibited from certain facilities by state or federal law, and effort is made accommodations to be provided elsewhere;
 - (2) Where the cost of accommodation is excessively disproportionate to the need or probable future long-term use of the concerned street;

- (3) Emergency repairs that require immediate, rapid response;
- (4) Routine maintenance of the transportation network that does not change the roadway geometry or operations;
- (5) Where prohibited or restricted by the funding source for a project;
- (6) Where a reasonable and equivalent project along the same corridor is already programmed to provide facilities exempted from the project at hand;
- (7) Work performed on streets, rights of way, or other property not owned by Macon-Bibb County or otherwise developed with the intention of being dedicate to the use of the public; and
- (8) Where a project has been completed, or has an approved final design or is in construction as of July 1, 2021.

Sec. 24-29. – Complete Streets compliance committee.

- (a) *Creation.* There is hereby created and established a “Complete Streets Compliance Committee,” which shall be responsible for overseeing and ensuring the implementation of this Article. For purposes of this Article, the term “Committee” shall refer to the Complete Streets Compliance Committee.
- (b) *Purpose.* The Macon-Bibb County Commission has made a commitment to ensuring equity between all users of public right of way, including transit users, motorists, bicyclists, and pedestrians. Macon-Bibb County has declared that all peoples and modes of transportation have a right to mobility and safety and that, where feasible, facilities that accommodate a balance of users will be incorporated into project design. The Committee shall be responsible for assessing the feasibility of providing such facilities on a case-by-case basis and to make their findings public. The Committee shall ensure that the County’s commitment and decision-making process is transparent and accountable to its primary stakeholder, the public.
- (c) *Applicability.* This Article shall apply to new transportation projects, restriping, repaving/resurfacing, road widening projects, streetscapes, and intersection improvements which are not otherwise exempt under Section 24-28 of this Article. The Committee shall have authority to review all projects to which this Article is applicable.
- (d) *Solicitation of the Committee.* Macon-Bibb County staff and members of the Committee shall work to comply with this Article as part of normal operating procedures in the design phase of projects. Members of the public and organizations may solicit the Committee to issue a recommendation on the feasibility of incorporating additional facilities for bicycles, pedestrians, or transit. Members of the public and organizations may submit a formal written requests to the Committee to review how a proposed facility may or may not be feasible on a forthcoming project. A public meeting may need to be held to discuss proposed changes with the community. The Committee shall publicly respond to the solicitation with their findings and recommendation within thirty (30) days of the request.
- (e) *Making a Recommendation.* The Committee shall issue a recommendation on the proposal based on the criterion provided in this Article within thirty (30) days of receipt of a request. A publicly available report addressing each criterion will be generated and issued to the requesting party or agency as well as posted on the County’s webpage. The Committee will issue one of three possible recommendations.

- (1) Unclear — To be used when the Committee cannot collect the data necessary to adequately evaluate the proposal;
 - (2) No — The facility does not appear to be feasible; or
 - (3) Yes — The facility appears to be feasible. Upon issuance of a “Yes” recommendation, information regarding the proposed facility will be investigated further for funding availability and engineered feasibility.
- (f) *Failure to make timely recommendation.* If the Committee fails to issue a recommendation within the time frame provided for herein, then the requirements of submitting a project to the Committee for review will be considered to have been complied with as a matter of law and it shall be deemed that the Committee has recommended the project design proposal under consideration be accepted as submitted.
- (g) *Authority.* The Committee shall not have authority to approve or deny any project, design, study or other element of any project. The Engineering Department and/or County Commission shall retain the ability to approve or deny any project within the local street network and the Georgia Department of Transportation shall retain the ability to approve or deny any project within the state route system.
- (h) *Staff and Resources.* The Committee shall have no oversight or authority over any Macon-Bibb County department, personnel, consultant, budget, or other committee. The Committee may be assigned staff or contact persons from the Clerk of Commission's Office, to provide support and assistance with use of meeting rooms in County-owned facilities, reasonable use of County-owned office equipment, including, without limitation, access to copy machines, basic office supplies, designated email addresses or mailing lists for the Committee, and access to the County Attorney's Office for legal questions and concerns regarding Board business. The Committee shall not have and shall not be entitled to any annual budget or discretionary funding, but may be appropriated funds from other available funding sources by the Macon-Bibb County Commission on a project-by-project or as-needed basis.
- (i) *Compensation.* Members of the Committee shall not receive any compensation or remuneration for their work performed in connection with the Committee. Those members who serve on the Committee by virtue of their position of employment with Macon-Bibb County shall be entitled to their regular wages for all time spent attending to the business of the Committee.
- (j) *Authority to contract.* The Committee shall not have any authority to contract or to expend funds in its own name, except as expressly approved and directed by the Macon-Bibb County Commission. The Macon-Bibb County government may enter into contracts or expend funds on behalf of the Committee in accordance with this Code and any other applicable legal requirements.
- (k) *Meetings.* The Committee shall hold regularly scheduled meetings. Meetings shall occur at least once every three calendar months. Upon the initial meeting of the Committee, a regular meeting schedule shall be established and set. All meetings shall be subject to Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., with notice of said meetings being provided to the Macon-Bibb County Clerk of Commission at least three business days prior to the meeting so that the Clerk of Commission may provide any necessary notice to the public. All meetings shall be open to the public to the extent required under state law.

- (l) *Records*. All records of the Committee shall be subject to the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq., and shall be maintained in accordance with County records retention policies. All minutes and records of the Committee shall be kept in the custody of the Macon-Bibb County Clerk of Commission. Further, the Committee shall establish the meetings Rules of Procedure during their first meeting.

Sec. 24-30. – Membership.

- (a) The Committee shall consist of a broad range of transportation and public realm stakeholders in the County, including policy makers and advocacy groups as well the technical staff familiar with the requirements of this Article and able to provide the necessary data. Membership shall be interdepartmental and shall include at minimum, representation from the Planning and Zoning Department, Engineering Department, Traffic Engineering, Macon-Bibb County Metropolitan Planning Organization, Public Works, Citizen Advisory Committee Chairperson, Facility Management, and the Georgia Department of Transportation if the proposed facility touches a state route. Other departments and agencies may be called upon to provide supporting information as needed.
- (b) The following shall be voting members of the Committee by virtue of their office and no additional nomination or confirmation procedures shall be required to attain membership:
 - (1) The Executive Director of the Macon-Bibb Planning and Zoning Commission or his or her designee
 - (2) Macon-Bibb County Metropolitan Planning Organization or his or her designee
 - (3) Engineering or his or her designee
 - (4) Traffic Engineering or his or her designee
 - (5) Public Works or his or her designee
 - (6) Citizen’s Advisory Committee Chairperson for the MATS Technical Coordinating Committee or his or her designee
 - (7) Facility Management or his or her designee
- (c) Voting members may elect a chair or other officers from among their number.
- (d) The following shall be ad hoc members of the Committee, and shall be entitled to participate in discussions, but shall not be entitled to vote on matters before the Committee:
 - (1) AARP members or representatives;
 - (2) Bibb County School District board members or their designees;
 - (3) Bike Walk Macon board members or their designees;
 - (4) Macon-Bibb County Commissioners;
 - (5) The Macon-Bibb County Manager or his or her designee;
 - (6) Georgia Wellness & Fitness Festival/U Create Macon board members or their designees;
 - (7) Macon-Bibb County Board of Health members or their designees;
 - (8) Macon-Bibb County Pedestrian Safety Review Board members or their designees;
 - (9) Macon Transit Authority board members or their designees;
 - (10) Middle Georgia Regional Commission members or their designees;
 - (11) The Macon-Bibb County Parks and Beautification director or his or her designee;
 - (12) Persons with disabilities or their representatives; and
 - (13) Inhabitants or workers of Macon-Bibb County.

Sec. 24-31. – Factors considered to be in the public interest.

The following factors should be assessed by the Committee when determining whether a Complete Streets design application is appropriate:

- (a) Whether there has been a collision involving a bicycle or pedestrian on the roadway in question within the last 5 years;
- (b) Existing annual average daily traffic (“AADT”) and projected AADT as determined by the Travel Demand Model;
- (c) Whether the posted speed limit is 35 miles per hour or less;
- (d) The degree of current and potential bicycle or pedestrian use;
- (e) Whether a proposed facility adds connectivity for existing infrastructure or connects destinations;
- (f) Whether a proposed facility is identified in any official planning document that has been adopted by Macon-Bibb County;
- (g) Whether there is demonstrated community support for the proposed facility;
- (h) Whether the proposed facility is redundant or conflicting with other projects;
- (i) Whether funding can be identified for the proposed facility and its maintenance;
- (j) Whether the proposed facility would cause Level of Service to drop below LOS C;
- (k) Whether the proposed facility fits within existing rights of way, if an off-street facility is proposed;
- (l) Whether the proposed facility fits within the existing roadway, if an on-street facility is proposed; and
- (m) Priority in finding feasibility should be given to projects in neighborhoods identified as low-to-moderate income by the most recent census data

Sec. 24-32. - Annual Reporting.

The Committee shall complete a report at the end of every other fiscal year, starting at the end of the 2022 Fiscal Year, to be made available to the public and submitted to the Mayor’s office and Clerk of Commission. This report shall include, but need not be limited to, the following metrics:

- 1. Mileage of sidewalks created;
- 2. Number of Americans with Disabilities Act-compliant curb cuts created;
- 3. Mileage of on-street bicycle facilities created;
- 4. Mileage of multi-use facilities created;
- 5. Number of transit stops added;
- 6. Transit ridership;
- 7. Percentage of projects completed with Complete Streets focus and compliance;
- 8. Safety and collision statistics across modes; and
- 9. Number of projects implemented in low-moderate income census-tracts.

Secs. 24-33 – 24-40. – Reserved.

SECTION 2.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

SECTION 3.

(a) It is hereby declared to be the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb County Commission to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 4.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

SECTION 5.

In accordance with Sec. 1-4(c) of the Code of Ordinances of Macon-Bibb County, Georgia, it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of Macon-Bibb County, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention. Upon adoption, the Clerk of Commission is hereby directed to send a certified copy of this Ordinance to the publisher of the Macon-Bibb County Code of Ordinances for inclusion in future publications.

SECTION 6.

In the event scrivener's errors shall be discovered in this Ordinance or in any Exhibits hereto after the adoption hereof, the Commission hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Ordinance.

SECTION 7.

The Macon-Bibb County Commission grants the Mayor the authority to take any and all further actions necessary to carry out the intents and purposes of this Ordinance.

SECTION 8.

This Ordinance shall become effective upon its approval by the Mayor or its adoption into law without such approval.

SO ORDERED AND ORDAINED this ____ day of _____, 2021.

LESTER M. MILLER, MAYOR

ATTEST:

JANICE ROSS, CLERK OF COMMISSION

K:\ORD MACON-BIBB\2021 Lucas Amending Chapter 24 to Adopt Complete Streets Policy 6-3-21.docx