

ORDINANCE NO. 5354

AN ORDINANCE of the City Council of the City of Bremerton, Washington, repealing Section 11.12.085 BMC and creating a new chapter, Chapter 11.10 relating to the Complete Streets Program.

WHEREAS, on May 16, 2012, the City of Bremerton adopted Ordinance No. 5184 establishing the City's Complete Streets policy; and

WHEREAS, in order to ensure that the City's Comprehensive Plan vision is implemented, further development of the Complete Streets Ordinance is necessary; and

WHEREAS, the goal of the City is to update the Complete Streets Ordinance to incorporate Smart Growth America's Elements of a Complete Streets Policy guidelines; and

WHEREAS, Bremerton's Complete Streets guiding principle is to design, operate and maintain Bremerton's streets to promote safe and convenient access and travel for all users including pedestrians, bicyclists, transit riders and people of all ages and abilities as well as freight and motor vehicle drivers, and

WHEREAS, Bremerton's Department of Public Works and Utilities will develop and implement Complete Streets Policies to design, operate and maintain the transportation network to improve travel conditions for bicyclists, pedestrians, transit and freight in a manner consistent with, and supportive of, the surrounding community, and

WHEREAS, amending the current Complete Streets Policy into the City of Bremerton Municipal Code also opens up additional funding opportunities and makes the City eligible for additional grant monies; and

WHEREAS, the City Council desires to repeal the provisions of Section 11.12.085 of the Bremerton Municipal Code relating to Complete Streets and create a new chapter, Chapter 11.10, relating to the Complete Streets Program; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 11.12.085 of the Bremerton Municipal Code entitled "Complete Streets" is hereby repealed in its entirety.

11.12.085 — COMPLETE STREETS.

~~(a) — The Public Works and Utilities Department will plan for, design and construct all new City transportation improvement projects to provide appropriate accommodation for pedestrians, bicyclists, transit riders, and persons of all abilities, while promoting safe operation for all users, as provided for below.~~

~~(b) — The Public Works and Utilities Department will incorporate complete streets principles into: the Department’s transportation strategic plan; Bremerton transit plan; pedestrian and bicycle master plans; intelligent transportation systems strategic plan; and other Public Works and Utilities Department plans, manuals, rules, regulations and programs as appropriate.~~

~~(c) — Because freight is important to the basic economy of the City and has unique right of way needs to support that role, freight will be the major priority on streets classified as major truck streets. Complete street improvements that are consistent with freight mobility but also support other modes may be considered on these streets.~~

~~(d) — Except in unusual or extraordinary circumstances, complete streets principles will not apply:~~

~~—— (1) — To street repairs made due to utility activities or pothole repairs;~~

~~—— (2) — To ordinary maintenance activities designed to keep assets in serviceable condition (e.g., mowing, cleaning, sweeping, spot repair and surface treatments such as chip seal and overlay, or interim measures on detour or haul routes);~~

~~—— (3) — Where the Director of the Public Works and Utilities Department issues a documented determination concluding that application of complete streets principles is not necessary:~~

~~—— (i) — Where nonmotorized use is not practical, is contrary to public safety, or is prohibited;~~

~~—— (ii) — The cost of accommodation is excessively disproportionate to the need or probable use; or~~

~~—— (iii) — Where other available means or factors indicate an absence of current or future need.~~

~~(e) — Complete streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time. It is the Mayor’s and Council’s intent that all sources of transportation funding be drawn upon to implement complete streets. The City believes that maximum financial flexibility is important to implement complete streets principles.~~

SECTION 2. A new chapter, Chapter 11.10, entitled “Complete Streets Program” is hereby created and added to Title 11 of the Bremerton Municipal Code as follows:

CHAPTER 11.10 COMPLETE STREETS PROGRAM

11.10.010 VISION.

(a) The City of Bremerton’s vision for Complete Streets is of a community in which all residents and visitors, regardless of their age, ability, or financial resources, can have access to an affordable, safe, and accessible transportation system that meets or exceeds their travel needs. The City shall seek to create a well-connected, well-balanced, local and regional transportation system for all modes of travel including, but not limited to, walking, biking, driving, riding public transit, delivering goods and services, and emergency response transportation. The City recognizes that safe, comfortable, convenient travel for users of all ages and abilities encourages the use of public rights of way and can improve the environment, encourage physical activity and promote a vibrant, healthy, equitable, and livable community.

11.10.020 COMPLETE STREETS – DEFINITIONS

(a) “All Users,” means Transportation facility users of all ages and abilities, including, but not limited to, automobile motorists, pedestrians, bicyclists, transit vehicles and riders, freight providers, people with disabilities, emergency responders, commercial vehicles, delivery/service personnel, and adjacent land users.

(b) “Complete Streets,” means streets that are designed and operated to enable safe access for all users of all ages and abilities.

(c) “High Need Area / Community of Need,” means:

(1) any census tract in which the median household income is less than eighty percent (80%) of the statewide average median based on the most current census tract-level data from the U.S. Census Bureau American Community Survey, or

(2) an area that has a high number of pedestrian and/or bicycle collisions, or.

(3) areas with the highest risk factors for and cases of chronic disease such as but not limited to high blood pressure, heart disease, diabetes, cancer, stroke and obesity.

11.10.030 COMPLETE STREETS POLICY STATEMENT.

(a) The City of Bremerton will plan for, design, construct, operate and maintain a transportation system that is safe, convenient, and integrated into a network for All Users in a balanced, responsible, and equitable manner consistent with and supportive of the surrounding community.

(b) Complete Streets are intended to benefit users equitably, particularly vulnerable users and the underinvested and underserved communities. Transportation projects will provide safe, convenient, reliable, affordable, accessible, and timely transportation choices regardless of race, ethnicity, religion, income, gender identity, immigrations status, age, ability, languages spoken, or level of access to a personal vehicle.

(c) Transportation facilities that support the concept of complete streets include, but are not limited to, pavement markings and signs; street and sidewalk lighting; sidewalk and pedestrian safety improvements; Americans with Disabilities Act and Title VI compliance; on street parking; transit accommodations; bicycle accommodations including appropriate signage and markings; and appropriate streetscapes, furniture and art that appeal to and promote pedestrian use.

11.10.040 SCOPE AND APPLICABILITY.

(a) The Complete Streets Program shall apply to all phases of City transportation capital projects. Those involved in the planning and design of new transportation projects, reconstruction projects, and retrofit projects within the public right-of-way shall give consideration to All Users and modes of travel from the start of planning and design work through construction. Transportation improvements shall be viewed as opportunities to create safer, more accessible streets for All Users.

(b) Those involved in performing construction, repair, maintenance, and routine operations projects shall accommodate, as practical, the needs of all modes of transportation and All Users during performance of the work.

(c) To the extent feasible, private development projects that require frontage improvements or installation of new and/or retrofitted road construction, to design and construct to the City's Complete Streets requirements.

11.10.050 EXCEPTIONS.

(a) The following activities and projects are exempted from the Complete Streets Program as follows:

- (1) Ordinary and routine maintenance activities such as mowing, snowplowing, sweeping, spot repair, joint or crack sealing, pavement patching/potholing, shoulder repair, pavement marking refreshing, and restoration of drainage systems; this exception shall not be applied beyond the scope of that activity;
- (2) Emergency utility repair requiring roadway repair or reconstruction;

(b) The Public Works Director may allow an exception from the Complete Streets Program for transportation projects as follows:

- (1) If application of this policy would require the accommodation of street uses prohibited by law;
- (2) Requires more space than is physically available;
- (3) Significantly increases project costs and equivalent alternatives exist within close proximity;
- (4) Have adverse impacts on environment resources such as streams, floodplains, wetlands, or on historic structures or sites above and beyond the impacts of currently existing infrastructure;
- (5) The cost of accommodation is disproportionate to the current need or probable future use;
- (6) Where complete streets elements are not practical, is contrary to public safety, or is prohibited;
- (7) Where other available means or factors indicate an absence of current or future need;

(c) The Public Works Director will notify the Public Works Committee of project exceptions to the Complete Streets Program set forth in subsection (b) above, prior to exception being granted to provide the committee opportunity to give advice.

11.10.060 INTERGOVERNMENTAL COOPERATION & PARTNERSHIPS.

(a) The City will cooperate and collaborate with other transportation agencies to encourage those agencies to incorporate the principles and practices of complete streets within those agencies' activities in the City, and to facilitate seamless transportation connections between jurisdictions.

(b) It is the goal of the City to foster partnerships with Washington State transportation funding agencies including the Washington State Department of Transportation (WSDOT), the Federal Highway Administration, Tribes, Kitsap County, Kitsap Transit, Bremerton School District, Olympic College, School and College Districts, Kitsap Public Health District, residents, businesses, interest groups, neighborhoods and other stakeholders to implement the Complete Streets Program.

11.10.070 BEST PRACTICE DESIGN CRITERIA.

(a) The City's design and construction engineering standards and deviations will be used to implement complete streets best practices as identified in BMC 11.12.080 or as amended hereinafter. Additional design resources to be used in developing complete streets standards shall include, but are not limited to, the latest editions of: Institute of Transportation Engineers (ITE) and National Association of City Transportation Officials (NACTO) publications.

11.10.080 COMMUNITY CONTEXT.

(a) The Complete Streets Program implementation shall take into account the City's existing planning documents including the Comprehensive Plan, Non-motorized Transportation Plan, and Subarea Plans in order to identify existing and future community context elements and land use. The surrounding land use and context shall be used to define complete streets projects. Special attention shall be paid to planned buildings, parks and trails, as well as communities' current and expected transportation needs.

(b) Complete streets should provide walkability and other non-motorized transportation routes within and between Centers, neighborhoods, and key locations.

(c) Complete streets should take into account the goal of enhancing the context and character of the surrounding built and natural environments adjacent to a project.

(d) The City shall make efforts to address unintended consequences, such as involuntary displacement due to transportation projects.

11.10.090 PERFORMANCE OBJECTIVES.

(a) The Complete Streets Program will track the performance measures for the following objectives:

- (1) Health
 - (i) Improve Access to Park and Recreation Facilities;
 - (ii) Enhance Infrastructure Supporting Bicycling;
 - (iii) Enhance Infrastructure Supporting Walking;
 - (iv) Improve Access to Public Transportation;
- (2) Access
 - (i) Enhance access to transportation facilities for those with disabilities;
- (3) Safety
 - (i) Improve the safety of transportation facilities for bikers and pedestrians;

(b) The Public Works Director and/or designee shall report to the Public Works Committee on a biennial basis on the performance measures listed above and the extent of which the objectives have been met.

11.10.100 IMPLEMENTATION.

(a) The Public Works & Utilities Department is responsible for implementing the Complete Streets Program with cooperation from other City departments and oversight from the Public Works Committee. The Public Works Director has the authority to create and modify policy to implement the Complete Streets Program in accordance with this Chapter.


SECTION 3. Severability. If any one or more sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 4. Effective Date. This ordinance shall take effect and be in force ten (10) days from and after its passage, approval and publication as provided by law.

PASSED by the City Council the 7th day of November, 2018.


ERIC YOUNGER, Council President

Approved this 7th day of November, 2018.


GREG WHEELER, Mayor

ATTEST:


ANGELA WOODS, City Clerk

APPROVED AS TO FORM:


ROGER A. LUBOVICH, City Attorney

PUBLISHED the 13th day of November, 2018.
EFFECTIVE the 23rd day of November, 2018.
ORDINANCE NO. 5354.

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STATE OF WISCONSIN, COUNTY OF BROWN

I, being first duly sworn on oath, deposes and says: That I am now, and at all times embraced in the publication herein mentioned was the principal clerk of the printers and publishers of KITSAP SUN; that said newspaper has been approved as a legal newspaper by order of the Superior Court of the County of Kitsap, in which County it is published and is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continually as a daily newspaper in Bremerton, Kitsap County, Washington, a weekly newspaper in Kitsap County, Washington and is now and during all of the said time, was printed in an office maintained in the aforesaid place of publication of said newspaper; that the following is a true text of an advertisement as it was published in regular issues (and not in supplement form) of said newspaper on the following date(s), to wit: And on

November 13, 2018

such newspaper was regularly distributed to its subscribers during all of said period.

Karin Cooney
Legal Clerk

Subscribed and sworn to before on November 13, 2018:

Karina J
Notary, State of WI, County of Brown

11/9/22
My commission expires

ORDINANCE NO. 5354
AN ORDINANCE of the City Council of the City of Bremerton, Washington, repealing Section 11.12.085 BMC and creating a new chapter, Chapter 11.10 relating to the Complete Streets Program.

ORDINANCE NO. 5355
AN ORDINANCE of the City Council of the City of Bremerton, Washington, amending Chapters 3.48 of the Bremerton Municipal Code entitled "Business and Occupation Taxes", Chapter 3.50 entitled "Utility Taxes", and Chapter 3.86 entitled "Administrative Provisions for Taxes".

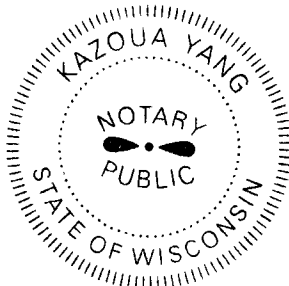
ORDINANCE NO. 5356
AN ORDINANCE of the City Council of the City of Bremerton, Washington, establishing the amount to be collected in 2019 by taxation on the assessed valuation of taxable property within the City limits of Bremerton and setting the property levy rate.

ORDINANCE NO. 5357
AN ORDINANCE of the City Council of the City of Bremerton, Washington, reestablishing and amending rates and fees for services relating to Animal Control, Bremerton Kitsap Access Television ("BKAT"), Department of Community Development, Department of Financial Services, Fire Department, Gold Mountain Golf Course, Ivy Green Cemetery, Kitsap Conference Center, Municipal Court, Parking, Parks and Recreation Department, Police Department, Public Records, Department of Public Works and Utilities, Tax & License, and Telecommunications.

ORDINANCE NO. 5358
AN ORDINANCE of the City Council of the City of Bremerton, Washington, amending and reestablishing the assessments, rates, fees and charges established in Ordinance No. 5340 regarding rates and fees relating to the Department of Public Works and Utilities for water, wastewater, stormwater and other related services.

PASSED by the City Council on the 7th day of November, 2018.

The full text of this ordinance is available from the City Clerk's Office, 345 Sixth Street, Suite 100, Bremerton, WA 98337.
Nov. 13, 2018 #2161342



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of Affidavits: 0