



Mayor's Task Force on University City's Bike & Walkability

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Mayor's Task Force on University City's Bike and Walkability Draft Complete Livable/Streets Ordinance

Summary of Public Meeting Comments and Questions – July 26, 2012

- 1. Would like to see stronger language in the Ordinance regarding the Americans with Disability Act.** The ADA is the law and improvements would continue to require that ADA be taken into account. The ADA law has some flexibility. Complete Streets has the potential to strengthen the requirements, for example, the installation of ramps could be designed to be safer. The Ordinance would require that City staff not just look at the cheapest way to get the work done and put emphasis on developing projects for all users by considering several factors including cost, safety, traffic, etc. during the design process.
- 2. Ordinance just seems to be guidelines or guiding principles but no standards, do any of the other communities that have Complete Streets Ordinances have a penalty if the Ordinance is not followed?** A part of the Ordinance requires that the Public Works Director put together a check list for Commissions to use as a tool when they are reviewing a project. The checklist will also serve as a reminder for staff. There is no penalty. Some roads or areas will have limitations to designing it for all users due to space requirements, existing conditions, etc. The expectation is that the City will try and meet as many of the expectations as possible.
- 3. Rosalind Williams (University City resident and City of Ferguson staff) discussed the Complete Streets Ordinance adopted in the City of Ferguson.** The Ordinance was adopted in 2008. The City had just applied and received a street improvement project grant which led to adopting Completed Streets. The Ordinance has helped remind staff to be more creative. Installing trees has been a good element of the Ordinance for neighborhoods.
- 4. How has the wording "must consider" impacted the City of Ferguson projects?** Staff has to consider Complete Streets during the design phase and Council has an expectation that all elements have been considered. Improvements are not mandated because that is not always possible. The Delmar Trolley project is not affected by this Ordinance since the design plans are currently under review.
- 5. Why does it have to become an Ordinance? Is it a part of the Comprehensive Plan of University City?** It is not currently a part of the Comprehensive Plan. Several municipalities in Missouri have adopted this Ordinance, including the City of Ferguson adopting it as an Ordinance in 2008. The adoption process is typical; however, it could be adopted as a policy. We hope that the Ordinance is adopted now and also included in the updated Comprehensive Plan. Ordinance has to be passed by Council and the City Manager enforces. We think it will be more effective and more immediate as an Ordinance.
- 6. Ordinance vs. Policy.** A policy is usually an internal mechanism to implement something. An Ordinance sets the framework and the vision for the community. This Ordinance does not define specifics; however, it is important because it guides

Council.

7. **Would the same guidelines apply in a Resolution.** The Task Force recommended it has an Ordinance and provided most of the content for review by City staff. The review and/or adoption process is determined by City staff.
8. **What are the Plan Commission comments?** The process of discussing this draft Ordinance with Commissions will begin after this public meeting. The Ordinance will be discussed with Parks, Urban Forestry, Plan and Traffic Commission. Commissions will make their comments and revisions. After that process a hearing will be held during a Council meeting.
9. **Difference between an Ordinance and Resolution (Council Paulette Carr) –** Ordinance are passed by Council and is the law which has a penalty if not followed. This draft is structured more like a Resolution. A Resolution is less formal and has lighter weight; however it is still binding. Ordinances can only be replaced by another Ordinance. Non-legislative decisions would be made with a Resolution which is used as a contract for developing policy similar to the driving range project. This draft is very broad, open to interpretation and cannot be enforced, which is required of an Ordinance. An Ordinance may not be the right structure for Complete Streets. Ordinances are specific in terms of language and enforceable. Resolutions are binding until the Council votes to void.
10. **Will homeowners have certain requirements when they want to improve property adjacent to public right of way?** Property owners would still need to get a right-of-way permit to assure that ADA requirements are met; however, the City would not prevent someone from installing or improving a driveway.
11. **If the Ordinance is passed and the improvements are not budgeted?** Complete Streets do not require any additional expenditures, just that in the planning stages these issues are considered. It doesn't require retrofitting or bike lanes.
12. **It should be an Ordinance and that all appropriate Commissions are involved to make comment. Public input should be required. It should be enforceable and have consequences.**
13. **What does seriously consider mean?** If it is feasibly possible the City will enforce by issuing permits.
14. **Who would enforce or determine that a violation has occurred in the Complete Streets Ordinance?** It is similar to ADA which is law and enforceable. Penalties have probably not been issued for ADA violations. The idea is that Complete Streets does hold developers more accountable and they may put forth more effort.
15. **It would seem useful that this Ordinance or Resolution would lay out a rule that design firms must address Complete Streets in their proposals and maybe even mention the goals included in the checklist. Add language in the bid request that preference will be given to responses that consider Complete Streets.**
16. **Would that come out of the Zoning Code?** Only when there is a new subdivision or new lots developed would there be guidelines, but not with established streets. University City is pretty much an established community. It is recommended that this Complete Streets draft be submitted to the Traffic and Plan Commissions for incorporation into the Comprehensive Plan. If you do not have that then Zoning may not affect how Complete Streets will be enacted. The Task Force prefers that it is included in the Comprehensive Plan and that it is adopted in advance of the updated Plan.
17. **Is the Comprehensive Plan policy?** Yes, once the Comprehensive Plan is submitted to Council and it is adopted, then it is the preferred use or the preferred direction to go and then the Zoning Code is amended to follow. There is another issue with this draft since the Council cannot direct City staff, only the City Manager

and City Clerk. That may be a violation of the City Charter, so that may need to be re-evaluated. The Task Force originally wrote the draft naming the City Manager, but the City attorney made revisions to those areas in the draft.

18. The Comprehensive Plan is a long term vision for the City. After the adoption process is completed there are a number of tools that can be utilized to implement the Plan and the Zoning code is just one of them, the Subdivision Ordinance is another tool. There a variety of tools that can be used to enforce the Comprehensive Plan. There may be some provisions in the Plan that are no longer applicable to meet the needs of a more modern community.
19. **Complete Streets is more about the public development and Zoning Codes are more about private development. It is difficult to create design standards for a variety of situations, so adopting a policy would allow you to work with flexibility to get what is needed.**

Please contact Lynnette at lhicks@ucitymo.org or 314-505-8567, if you have any additional questions or comments.