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City of Conway, Arkansas

Ordinance No. O-09-56

**AN ORDINANCE AMENDING THE MASTER STREET PLAN; ADOPTING A COMPLETE STREETS POLICY FOR THE CITY OF CONWAY, ARKANSAS: AND FOR OTHER PURPOSES**

**AN ORDINANCE** relating to Conway's Complete Streets policy, stating guiding principles and practices so that transportation improvements are planned, designed and constructed to encourage walking, bicycling and transit use while promoting safe operations for all users.

**WHEREAS**, increasing walking and bicycling offers the potential for cleaner air, greater health of the population, reduced traffic congestion, a more livable community, less reliance on fossil fuels and their foreign supply sources and more efficient use of road space and resources; and

**WHEREAS**, the City Council of the City of Conway, with the Mayor concurring, adopted Ordinance No. O-09-56 that defines the City's Master Street Plan; and

**WHEREAS**, City policy as stated in the Master Street Plan is to encourage walking, bicycling and transit use as safe, convenient and widely available modes of transportation for all people; and

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

**WHEREAS**, the City of Conway shall implement a Complete Streets policy by designing, operating and maintaining the transportation network to improve travel conditions for bicyclists, pedestrians, public transit and motor vehicles in a manner consistent with, and supportive of, the surrounding community; and

**WHEREAS**, transportation improvements will include an array of facilities and amenities that are recognized as contributing to Complete Streets, including: street and sidewalk lighting; pedestrian and bicycle safety improvements; access improvements for freight; access improvements, including compliance with the Americans with Disabilities Act; public transit facilities accommodation including, but not limited, to pedestrian access improvement to transit stops and stations; street trees and landscaping; drainage; and street amenities; and

**WHEREAS**, the City of Conway will implement policies and procedures with the construction, reconstruction or other changes of transportation facilities on arterial streets to support the creation of Complete Streets including capital improvements, re-channelization projects and major maintenance, recognizing that all streets are different and in each case user needs must be balanced;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**Section 1.** The City shall will plan for, design and construct all new City transportation improvement projects to provide appropriate accommodation for pedestrians, bicyclists, transit riders, motor vehicle operators, and persons of all abilities, while promoting safe operation for all users, as provided for below.

**Section 2.** The City will incorporate Complete Streets principles into the Master Street Plan, Pedestrian and Bicycle Master Plans; and other plans, manuals, rules, regulations and programs as appropriate.

(a) Bicycle and pedestrian ways shall be established in new construction and reconstruction projects in all urbanized areas unless one or more of four conditions are met:

(1) Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, a greater effort may be necessary to accommodate bicyclists and pedestrians elsewhere within the right of way or within the same transportation corridor.

(2) The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. "Excessively disproportionate" is defined as exceeding twenty percent of the total cost of the transportation project.

(3) Where the street has severe topographic or natural resource constraints.

(4) Where scarcity of population or other factors indicate an absence of need, to include future needs.

(b) In rural areas, paved shoulders should be included in all new construction and reconstruction projects on roadways used by more than 1,000 vehicles per day. Paved shoulders have safety and operational advantages for all road users in addition to providing a place for bicyclists and pedestrians to operate.

(c) Sidewalks, shared use paths, street crossings (including over- and undercrossings), pedestrian signals, signs, street furniture, transit stops and facilities, and all connecting pathways shall be designed, constructed, operated and maintained so that all pedestrians, including people with disabilities, can travel safely and independently.

**Section 3.** Except in unusual or extraordinary circumstances, Complete Streets principles will not apply:

(a) 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, or interim measures on detour or haul routes); or

(b) where other available means or factors indicate an absence of need, including future need.

**Section 4.** 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 5.** All ordinances in conflict herewith are repealed to the extent of the conflict.

**Section 6.** This ordinance is necessary for the protection of the public peace, health and safety; an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 28<sup>th</sup> day of April, 2009.

**APPROVED:**

  
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Mayor Tab Townsell

**ATTEST:**

  
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Michael O. Garrett  
City Clerk/Treasurer