ORDINANCE 2014 - ____

AN ORDINANCE ESTABLISHING A "COMPLETE STREETS" POLICY FOR THE TOWN OF WHITESTOWN, INDIANA

WHEREAS, the Town of Whitestown, Indiana ("Town") desires to make multimodal transportation more comfortable and convenient on the Public ways in the Town; and

WHEREAS, the Town Council for the Town of Whitestown, Indiana ("Town Council") anticipates that a "Complete Streets" program will help achieve the desired result of accommodating multimodal transportation in and around the Town; and

WHEREAS, the Town Council anticipates that a Complete Streets program may provide increased access to locations within the Town; and

WHEREAS, the Town Council anticipates that a Complete Streets program will assist with improving residents' transportation choices while at the same time offering less expensive and, in some instances, healthier transportation options; and

WHEREAS, the Town Council anticipates that a Complete Streets program will encourage multimodal transportation review and needs assessment prior to approval of prospective final street designs; and

WHEREAS, the Town Council anticipates that a network of Complete Streets may increase safety for residents who choose non-motorized modes of transportation.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Whitestown, Indiana, as follows:

Section 1. That the Complete Streets program for the Town of Whitestown, Indiana is hereby established.

Section 2. Attached hereto as Exhibit A and incorporated herein by reference is the Town of Whitestown, Indiana Complete Streets Policy ("Policy").

Section 3. The Policy attached hereto as Exhibit A shall be used as a planning document in the development of Complete Streets within the Town of Whitestown, Indiana. The Policy shall not be interpreted as creating any rights or interests in any individual or entity.

Section 4. The Town of Whitestown, Indiana will endeavor to implement this Policy when and where appropriate.

Section 5. Notwithstanding any provision to the contrary, nothing herein shall limit or restrict the authority of the Town to exercise discretion to amend or waive any term or requirement herein or in the attached Policy.

Section 6. The provisions of this Ordinance and the attached Policy are separable, and if a court of competent jurisdiction declares any portion of this Ordinance or any portion of the attached Policy unconstitutional, invalid, or unenforceable for any reason, such declaration shall not affect the remaining portions of this Ordinance and/or the attached Policy.

Section 7. This Ordinance is effective immediately upon passage.

PASSED AND ADOPTED by the Whitestown, Indiana Town Council this _____ day of _____, 201___.

THE TOWN COUNCIL OF THE TOWN OF WHITESTOWN, INDIANA	YAY/NAY
_____	_____
Eric Miller, President	
_____	_____
Julie Whitman, Vice President	
_____	_____
Dawn Semmler, Member	
_____	_____
Susan Austin, Member	
_____	_____
Kevin Russell, Member	

ATTEST:

_____
Amanda Andrews, Clerk-Treasurer
Town of Whitestown, Indiana

2611667_1

EXHIBIT A

Complete Streets Policy

WHITESTOWN

INDIANA

TOWN OF WHITESTOWN

COMPLETE STREETS POLICY

1.0 Vision Statement

This Complete Streets Policy ("Policy") is intended to promote the development of safer, more reliable, more efficient, and more integrated and connected multimodal transportation systems within the Town of Whitestown, Indiana which should promote access, health, and mobility for numerous users.

2.0 Promotion of Multimodal Transportation

It is the policy of the Town of Whitestown to assess whether a planned road project can accommodate multimodal transportation, including pedestrians, bicyclists, and motorists. Further, the Town of Whitestown will endeavor to consider whether a planned road or transportation project can accommodate users of varying ages and abilities. To the extent the planned project does not accommodate these various modes of transportation, the Town of Whitestown shall endeavor to take reasonable steps to incorporate infrastructure or designs into the plan that would more reliably accommodate such users and various modes of transportation.

The Town desires to support walking, biking, and motorized transportation options so that users may reach multiple destinations using various transportation methods. Accordingly, it is the Town's policy that Town-owned transportation facilities in the public right of way including, but not limited to, streets, bridges, and other connecting right of ways be designed, constructed, operated, and maintained so as to provide access to users of various ages and abilities, whenever reasonable and practicable.

All privately constructed streets and parking lots in the Town shall adhere to this Policy as well.

3.0 Approach to Projects

It shall be the policy of the Town of Whitestown to approach each and every transportation improvement project and/or phase thereof as an opportunity to promote the development of safer, more accessible streets for users of various modes of transportation. At each phase of the transportation improvement project (whether of a new street, rehabilitation of an older street, or repairs to current streets) the Town of Whitestown and/or its agents shall assess whether the project or existing right-of-way accommodates various modes of transportation. In the event that the right-of-way does not accommodate various modes of transportation, the Town shall endeavor to take reasonable steps to design, develop or install such improvement, roadway, or other right-of-way projects in such a manner as to accommodate multimodal transportation.

4.0 Design

The Town encourages design standards that encourage multimodal transportation. To that end, the Town of Whitestown looks to several design standards developed by other organizations as guideposts, including, but not limited to, the American Association of State Highway Officials ("AASHO"), state Departments of Transportation, the Institute of Transportation Engineers ("ITE"), the National Association of City Transportation Officials ("NACTO"), the Americans with Disabilities Act ("ADA"), and the Public Right-of-Way Accessibility Guidelines ("PROWAG"). This list is not intended to be exhaustive.

5.0 Community Sensitivity

The Town of Whitestown intends to implement Complete Streets solutions in a manner that is consistent with and/or sensitive to the local context and character, aligns with transportation and land use goals, and recognizes that the needs of users may vary by case, community, or corridor. This Policy is not intended to offer a single solution, but rather to promote and encourage transportation policies, planning, design, and development that support multimodal transportation.

6.0 Exceptions

The Town of Whitestown shall take reasonable efforts to document its attempts to accommodate multimodal transportation modes in the transportation projects that it considers. The Town may determine that an individual transportation improvement project is not or cannot reasonably accommodate one or more modes of transportation. In such circumstances, the Town may document the reasons for taking an exception to this policy. Exceptions may be taken for various reasons including, but not limited to, the following:

1. State, local or federal law prohibits use by specified users (for example, a state highway project);

2. The costs for the multimodal accommodation is disproportionate to the need or probable use by those various modes of transportation;

3. When in the judgment of the Town and/or its agents the existing and planned use of the particular roadway project and its surrounding area is of such a nature to demonstrate an absence of current or future need for multimodal transportation;

4. The existing or planned roadway project is of such a nature that there is no existing or planned service for certain users;

5. Where the project is of such a limited nature (i.e. routine maintenance) that it would simply be infeasible or not necessary to also include a transportation accommodation in connection with that repair project;

6. Where roadways or transportation corridors in the same or similar area are of such a nature as to already properly accommodate the multimodal transportation user such that the project itself does not need any additional accommodation;

7. Where other concerns or needs are present that illustrate that accommodating multimodal transportation on a particular project is simply infeasible in light of the totality of the circumstances.

7.0 Performance Evaluation

The Town of Whitestown will attempt to measure the success of this Complete Streets Policy using performance measures, including but not limited to the following:

1. Total miles of bike lanes/trails built or striped;

2. Linear feet of pedestrian accommodation;

3. Number of ADA accommodations;

4. Number of transit accessibility accommodations;

5. Number of curb ramps on Town streets;

6. Number of trees along Town Streets;

7. Compliments received;

8. Complaints received;

9. Bicycle, Pedestrian, and Multimodal Levels of Service (“LOS”);

10. Transportation mode shift;

11. Crosswalk and intersection improvements;

12. Percentage of transit stops accessible via sidewalks and curb ramps;

13. Rate of crashes, injuries, and fatalities by mode;

14. Vehicle Miles Traveled (“VMT”) or Single Occupancy Vehicle (“SOV”) trip reduction;

15. Number of exemptions from this Policy.