

RESOLUTION NO. 2013-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT ADOPTING A COMPLETE STREETS POLICY

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, emergency responders, users and operators of public transportation, seniors, children, and families; and

WHEREAS, the City of Fremont recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings, public health and environmental sustainability; and

WHEREAS, the City of Fremont acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation; and

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through California Department of Transportation Deputy Directive 64, which explains that the California Department of Transportation “views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system”; and

WHEREAS, the Fremont General Plan circulation element approved by the City Council in December 2011 incorporates Complete Streets policies and principles consistent with the California Complete Streets Act of 2008; and

WHEREAS, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California to slow the onset of human-induced climate change, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking; and

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to promote the health, safety, welfare, economic vitality, and environmental well-being of their communities; and

WHEREAS, the Metropolitan Transportation Commission, through its One Bay Area Grant (OBAG) Program, described in MTC Resolution 4035, requires that all jurisdictions, to be eligible for OBAG funds, address complete streets principles through adoption of a complete streets policy resolution or through adoption of a general plan that complies with the California Complete Streets Act of 2008; and

WHEREAS, the Alameda County Transportation Commission, through its Master Program Funding Agreements with local jurisdictions, requires that all jurisdictions, to be eligible to receive Measure B pass-through and Vehicle Registration fund funding have an adopted complete streets policy which should include the “Elements of an Ideal Complete Streets Policy” developed by the National Complete Streets Coalition; and

WHEREAS, the City of Fremont wishes to confirm its commitment to implement Complete Streets policies and principles and desires that its streets form a comprehensive and integrated transportation network promoting safe, and convenient travel for all users while preserving flexibility, recognizing community context, and using the design guidelines and standard that support best practices.

NOW, THEREFORE, the Council of the City of Fremont resolves that the Complete Streets Policy attached to this Resolution as Exhibit A, is approved and adopted.


ADOPTED June 11, 2013, by the City Council of the City of Fremont by the following vote:

AYES: Mayor Harrison; Councilmembers Chan, Bacon and Salwan
NOES: None
ABSENT: Vice Mayor Natarajan
ABSTAIN: None



Mayor

ATTEST:



City Clerk
Deputy

APPROVED AS TO FORM:



Senior Deputy City Attorney

Exhibit A

This Complete Streets Policy was adopted by Resolution No. 2013-32 by the City Council of the City of Fremont on June 11, 2013.

COMPLETE STREETS POLICY OF THE CITY OF FREMONT

Vision Statement

It is the vision of the City of Fremont that major streets will balance the needs of automobiles with the needs of pedestrians, bicyclists, and transit users. Over time, all of Fremont's corridors should evolve into multi-modal streets that offer safe and attractive choices among different travel modes.

A. Complete Streets Principles

- 1. Complete Streets Serving All Users and Modes.** The City of Fremont expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, emergency responders, users and operators of public transportation, seniors, children, and families.
- 2. Complete Streets Infrastructure.** The City of Fremont recognizes the importance of Complete Streets infrastructure and modifications that enable safe, convenient and comfortable travel for all categories of users. Complete Street improvements that will be considered include sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, traffic signals, vehicle lanes, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, and other features that assist to provide safe travel for all users, such as traffic calming circles, roundabouts, raised medians, and intersection bulb outs, and those features identified in the Fremont General Plan, Fremont Bicycle Master Plan and Fremont Pedestrian Master Plan
- 3. Context Sensitivity.** In planning and implementing street projects, all departments of the City of Fremont shall maintain sensitivity to local conditions in both residential and business districts as well as natural areas, and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues.
- 4. Complete Streets Routinely Addressed by All Departments.** All relevant departments of the City of Fremont shall work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation.

5. **All Projects and Phases.** Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved in accordance with section C.1 of this policy.

B. Implementation

1. **Design.** The City of Fremont will generally follow its own accepted or adopted design standards, including, but not limited to, the Fremont General Plan, specific plans, Fremont Standard Plans and Specifications; Bicycle Master Plan, and Pedestrian Master Plan, with a goal of balancing user needs, and will review and update its standards from time to time to reflect emerging best practices and innovative design options as appropriate for the City of Fremont context.
2. **Street Network/Connectivity.** Guided by the elements of this policy, the City of Fremont will incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of all users, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for anticipated future transportation investments.
3. **Implementation Next Steps.** The City of Fremont will take the following specific steps to implement this Complete Streets Policy:
 - A. **Plan Consultation and Consistency:** Planning, design and maintenance of projects affecting the transportation system will be consistent with the City of Fremont General Plan, City of Fremont Bicycle Master Plan, Fremont Pedestrian Master Plan and other relevant plans.
 - B. **Stakeholder Consultation:** Staff will include stakeholder involvement as early in the development process as possible on projects and plans as necessary to support implementation of this Complete Streets policy. Stakeholders include, but are not limited to transit service providers, emergency responders, and bicycle and pedestrian advisory groups. At this time, the key stakeholder for bicycle and pedestrian related issues is the Bicycle and Pedestrian Technical Advisory Committee (BPTAC), and for transit related issues the key stakeholders are AC Transit and BART.
 - C. **Private Development:** Encourage developers and private land owners to implement complete streets in private developments through the consistent application of the Complete Streets elements as defined in this resolution.
4. **Performance Measures.** All relevant departments will perform evaluations of how well the streets and transportation network of City of Fremont are serving each category of users by collecting baseline data and collecting follow-up data on a regular basis.

The Public Works Department shall coordinate the establishment of performance measures and the collection and evaluation of the needed data.

C. Exceptions

1. **Exception Approvals.** Exceptions to application of this policy must be supported by written determinations explaining why Complete Street infrastructure to accommodate all users and modes of transportation were not included in the project. The written determination must be made by either the Public Works Director (or senior-level designee) or Community Development Director (or senior-level designee) and made publicly available.

The list below sets forth situations where an exception to Complete Street infrastructure improvement requirements of this Policy may be appropriate. The policy may be amended from time to time to add additional situations warranting exceptions as the City gains experience with its application.

- A. Specific users are prohibited by law, such as interstate freeways or pedestrian malls.
- B. The cost for specific infrastructure would be excessively disproportionate to the need or probable future use. Excessively disproportionate is defined as exceeding twenty percent of the cost of the larger transportation project. The twenty percent figure should be considered as a guide and not an absolute number.
- C. Documented absence of current and future need as determined by the local and/or regional approved planning documents or other information such as demographics, school employment and public transportations route data.
- D. There is no existing or planned transit service, and therefore no need to provide transit supporting facilities.
- E. Routine maintenance of the transportation network that does not change the roadway geometry or operations, such as mowing, sweeping, and spot repair.
- F. A reasonable and equivalent alternative project along the same transportation corridor already exists or is programmed in the CIP.
- G. There are extreme topographic, natural resources or other physical constraints making it infeasible to construct/implement the improvement.
- H. Private vehicle access ways within infill developments that do not provide through connections.
- I. The project involves no street improvements or modifications.
- J. User safety would be compromised by constructing complete street improvements.