

PROPOSED
ORDINANCE NO. 06-21

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AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE CREATING SECTION 11-4-104 THROUGH SECTION 11-4-110 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING GUIDELINES AND REGULATIONS FOR THE DEVELOPMENT OF COMPLETE STREETS; PROVIDING DEFINITIONS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, safe, convenient, and accessible transportation for all users is a priority of the city; and

WHEREAS, the term "complete streets" describes a comprehensive, integrated transportation network with infrastructure and design that allows for safe and convenient travel along and across streets for all users, including pedestrians, persons with disabilities, bicyclists, motorists, users of micromobility devices, movers of commercial goods, users and operators of public transportation, seniors, older persons, children, youth, and families; and

WHEREAS, public health and safety is improved by complete streets by reducing the risk of injuries and fatalities from traffic collisions for users of all modes of transportation;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Sections 11-4-104 through 11-4-110 of the Code of the City of Pensacola, Florida, are hereby created to read as follows:

DIVISION 4. – COMPLETE STREETS

Sec. 11-4-104. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Complete street means a street or roadway allowing for safe and convenient travel by all of the following categories of users, including, but not limited to: pedestrians, people with disabilities, bicyclists, motorists, users of micromobility devices, movers of commercial goods, users and operators of public transportation, seniors, older persons, children, youth, and families.

Streetscaping project means the use of elements, including but not limited to street furniture, trees, open/green spaces, sidewalks, and street markings, to enhance the character of the street.

Transportation project means any development, project, program, or practice affecting the transportation network or occurring in the city public rights-of-way, including any construction, reconstruction, retrofit, signalization operations, resurfacing, restriping, rehabilitation, maintenance (excluding routine maintenance that does not change the roadway geometry or operations, such as mowing, sweeping, and spot repair), operations, alteration, and repair of any public street or roadway within the city (including alleys, bridges, frontage roads, and other elements of the transportation system).

Sec. 11-4-105. – Complete Streets Requirements.

The city shall work towards developing an integrated and connected multimodal transportation system of complete streets serving all neighborhoods. Toward this end, the city adopts the following requirements:

- (1) Wherever possible, the city shall provide for complete streets for all categories of users as identified in Sec. 11-4-104 for all transportation and streetscaping projects, including all phases of the projects.
- (2) Wherever possible, projects shall strive to create a network of continuous bicycle- and pedestrian-friendly routes, including routes connecting with transit and allowing for convenient access to places such as work, home, commercial areas, and schools.
- (3) The city shall coordinate with adjacent jurisdictions and any other relevant public agencies, including Florida-Alabama Transportation Planning Organization to ensure, wherever possible, the network of continuous bicycle- and pedestrian-friendly routes extends beyond the city's boundaries into adjacent jurisdictions.
- (4) The city shall rely upon professional design standards, manuals, or guidelines, as applicable, in developing and implementing the complete streets program. All design standards, manuals, and guidelines used in the program will be available for review in the planning services department.
- (5) All complete streets projects shall reflect the context and character of the surrounding built and natural environments and enhance the appearance of

such. At the planning stage, the city shall work with local residents, business operators, neighboring jurisdictions, school districts, students, property owners, and other stakeholders who will be directly affected by a complete streets project to address any concerns regarding context and character.

Sec. 11-4-106 – Administration and Enforcement.

The planning services department and the public works and facilities department shall work in coordination, along with any other city departments deemed applicable, to implement this section in the following ways:

- (a) The city's planning services department shall develop and maintain a complete streets program which will outline clear policy objectives and include a reference to a complete streets project list developed in coordination with the public works and facilities department.
- (b) The city's public works and facilities department shall incorporate design standards which reflect the best management practices for effectively implementing complete streets, into all city and community redevelopment agency street and sidewalk projects, subject to available funding.

Sec. 11-4-107 – Exemptions.

A specific category of user may be excluded from the requirements of Sec. 11-4-105 only if one or more of the following exceptions apply:

- (a) Use of the roadway is prohibited by law for the category of user (e.g., pedestrians on an interstate freeway, vehicles on a pedestrian mall). In this case, efforts shall be made to accommodate the excluded category of user on a parallel route.
- (b) There is an absence of both a current and future need to accommodate the category of user. Absence of future need may be shown via demographic, school, employment, and public transportation route data that demonstrate, for example, a low likelihood of bicycle, pedestrian, or transit activity in an area over the next 20 years.
- (c) The cost would be excessively disproportionate to the current need or future need over the next 20 years.
- (d) An exception shall be granted if the request is submitted to the city in writing, with supporting documentation, and is approved by the mayor.

Sec. 11-4-108. – Evaluation Criteria.

In order to evaluate whether the streets and transportation network are adequately serving each category of users, the public works and facilities department shall collect and/or report baseline and annual data on matters relevant to this section and the city's complete streets program, including, without limitation, the following information:

- (a) Mileage of new bicycle infrastructure (e.g., bicycle lanes, paths, and boulevards)
- (b) Linear feet of new pedestrian infrastructure (e.g., sidewalks, trails, etc.)
- (c) Number of existing curb ramps retrofitted to meet ADA compliance and new curb ramps installed
- (d) Number of new street trees planted
- (e) Type and number of pedestrian- and bicycle-friendly signage and landscaping improvements, including street furniture and lighting
- (f) Bicycle and pedestrian counts
- (g) The percentage of transit stops accessible via sidewalks and curb ramps
- (h) The number, locations, and cause of collisions, injuries, and fatalities by mode of transportation
- (i) The total number of children walking or bicycling to school
- (j) Vehicle Miles Traveled (VMT) or Single Occupancy Vehicle (SOV) trip reduction data as made available by Florida-Alabama TPO

Sec. 11-4-109. – Annual Monitoring.

All applicable city departments shall generate an annual report of all complete streets plans, improvements, and activities and provide same to the mayor for review and dissemination.

Sec. 11-4-110. – Appropriations.

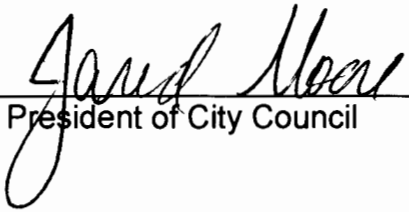
Nothing in this complete streets program shall operate to require an appropriation unless otherwise separately approved by the city council according to its standard appropriations process.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

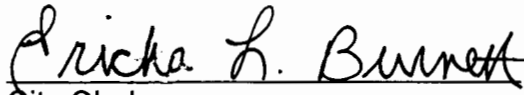
SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: March 11, 2021

Approved: 
President of City Council

Attest:


City Clerk

CITY CLERKS OFFICE - LEGAL ADS
222 W MAIN ST

PENSACOLA, FL 32502

Published Daily-Pensacola, Escambia County, FL

PROOF OF PUBLICATION

State of Florida
County of Escambia:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the Pensacola News Journal, a daily newspaper published in Escambia County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

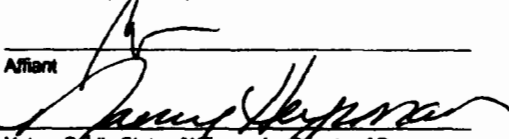
NOTICE OF PROPOSED ORDINA

as published in said newspaper in the issue(s) of:

03/01/21

Affiant further says that the said Pensacola News Journal is a newspaper in said Escambia County, Florida and that the said newspaper has heretofore been continuously published in said Escambia County, Florida, and has been entered as second class matter at the Post Office in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 1th of March 2021, by legal clerk who is personally known to me

Affiant

Nancy Heyrman
Notary Public State of Wisconsin, County of Brown
5.15.23

My commission expires
of Affidavits 1
Publication Cost: \$298.18
Ad No: 0004616814
Customer No: PNJ-25615500

This is not an invoice

NANCY HEYRMAN
Notary Public
State of Wisconsin

NOTICE OF PROPOSED ORDINANCES

Please be advised that Proposed Ordinances Nos. 05-21, 08-21, and 10-21 were presented to the City Council of the City of Pensacola for first reading on Wednesday, February 25, 2021 and will be presented for final reading and adoption on Wednesday, March 11, 2021 at 5:30 p.m., in Council Chambers on the first floor of City Hall, 222 West Main Street, Pensacola, Florida.

Members of the public may NOT attend the meeting in person. To watch the meeting live visit <https://www.pensacola.com/Calendar.aspx>.

Members of the public may attend and participate or via the stream audio stream as follows:

By phone input:

- For Live Audio Forum, for items not on the agenda, citizens may submit an audio form from <https://www.pensacola.com/Calendar.aspx> beginning at 5:30 P.M. until 5:30 P.M. only to indicate they wish to speak during Live Audio Forum and include a phone number. Staff will call the person at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone.
- For agenda items, proposed ordinance items citizens may submit an online form from <https://www.pensacola.com/Calendar.aspx> beginning at 2:00 P.M. until 5:30 P.M. only to indicate they wish to speak during Live Audio Forum and include a phone number. Staff will call the person at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone. Any form received after an agenda item has been voted upon will not be considered.

The title(s) of the proposed ordinance(s) are as follows:

P.O. 05-21:
AN ORDINANCE AMENDING SECTION 91-4-04 THROUGH SECTION 114-109 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING ORDINANCES AND REGULATIONS FOR THE REPAIR/REPAIR OF COMPLETE STREET; PAVING SIDEWALKS; PAVING FOR SEWERMAINT; REPAIRING CLANES; AND PAVINGING AN OFFICIALS DRIVE.

P.O. 08-21:
AN ORDINANCE AMENDING CHAPTER 14-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING BUILDING CONSTRUCTION STANDARDS; PAVING FOR SEWERMAINT; REPAIRING CLANES; AND PAVINGING AN OFFICIALS DRIVE.

P.O. 10-21:
AN ORDINANCE AMENDING SECTION 9-4-32 (4) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PAVINGING SIDEWALKS; PAVING OF THE SIDEWALKS; REPAIRING CLANES; PAVINGING AN OFFICIALS DRIVE.

A copy of proposed ordinances may be inspected by the public by calling the City Clerk's office to request a copy, or on-line with the agenda package on the City's website: <https://www.pensacola.com/Calendar.aspx>. Interested parties may be physically present at the meeting to participate (as indicated above) or may attend and participate via live stream audio phone as indicated above and be heard with respect to the proposed ordinances.

If any person desires to appeal any decision made with respect to any matter mentioned at this meeting or public hearing, such person may want to insure that a written record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be heard.

The City of Pensacola adheres to the American with Disabilities Act and will make reasonable accommodations for access to city meetings, programs, and activities. Please call 435-1006 or 789-435-1006 for further information. Requests must be made at least 48 hours in advance of the meet in order to allow the City time to provide the requested services.

CITY OF PENSACOLA, FLORIDA
By: Erica L. Barrett, City Clerk

Legal No: 42894 IT 312821