



CHAPTER

No. **AN ORDINANCE AMENDING CHAPTER 23 "STREETS, SIDEWALKS AND PUBLIC PLACES" OF THE PROVIDENCE CODE OF ORDINANCES TO ADD ARTICLE VII "GREEN AND COMPLETE STREETS"**

Be it ordained by the City of Providence:

Section 1. Chapter 23, "Streets, Sidewalks and Public Places" is hereby amended to add Article VII, "Green and Complete Streets" as follows:

ARTICLE VII. - GREEN AND COMPLETE STREETS

Sec. 23-167. - Vision and purpose.

Streets and sidewalks in the City of Providence carry not only people and goods, but also various utilities, including stormwater runoff. City streets also represent a sizeable portion of the city's overall land use and serve as windows into the city for visitors and residents alike. City streets and sidewalks serve people of all ages and abilities, while creating more mobility and independence for young people, seniors, and the disabled. They serve motorists and non-motorists, residents in wheelchairs and parents pushing strollers, kids biking and walking to school, and people who can't afford or don't want motor vehicles.

The City of Providence shall develop a safe, reliable, efficient, integrated and connected multimodal transportation system that will promote access, mobility and health of all kinds for all users and abutters, including people with mobility aids, and that will improve environmental quality and reduce polluted stormwater runoff. The goal of the city is to create a connected network of right-of-way facilities accommodating all modes of travel to the maximum practical extent and to promote the walkability and bikeability of the city's streets, along with good access to public transportation, beautification and shade, and responsible reduction and treatment of polluted stormwater; and

Sec. 23-168. - Definition.

Green and complete streets means streets that are designed and operated to enable safe access for all users, in that pedestrians, bicyclists, motorists and public transportation users of all ages and abilities are able to safely move along and across a street, provide for visual pleasure, including exposure to natural elements, and improve environmental quality by providing for reduction and on-site pretreatment of stormwater prior to eventual release into local waterways and the Narragansett Bay.

Sec. 23-169. - Scope of applicability.

- (a) All city-owned transportation facilities in the public right-of-way including, but not limited to, streets and all other connecting pathways, as well as parking lots on city-owned land, shall be designed and constructed in conformance with the policy that users of all ages and abilities can travel safely and independently, residents and visitors experience pleasantly-designed urban streetscapes that feature greenery, and stormwater is both reduced and treated on-site prior to entering the city's combined stormwater and wastewater conveyance system.
- (b) Privately constructed streets and parking lots shall adhere to this article.
- (c) The city shall make good faith efforts to foster partnerships with the State of Rhode Island and neighboring communities to develop facilities and accommodations that further the goals presented in both the Providence Great Streets Initiative as well as the city's green and complete streets policy, as set forth in this Article, and continue such infrastructure beyond the city's borders.

- (d) The city shall approach every transportation improvement and project phase as an opportunity to create safer, more accessible streets for all users that are more attractive and better manage stormwater. The design of new, rehabilitated or reconstructed facilities should anticipate likely future demand for bicycling, walking, transit, and motorist use, beautification elements, and stormwater runoff and should not preclude the provision of future improvements. These phases include, but are not limited to: planning, programming, design, right-of-way acquisition, construction, construction engineering, reconstruction, operation and maintenance. Other changes to transportation facilities on streets and rights-of-way, including capital improvements, re-channelization projects and major maintenance, must also be included.
- (e) The city shall utilize the performance measures as described in section 32-315 to identify improvement projects to be included in the city's capital improvement plan and/or street pavement plan, pursuant to section 2-304 of the city's home rule charter and sections 32-35 and 2-330 of this Code, respectively. The projects shall be identified based on their ability to address design issues on city-owned transportation facilities, such as improved safety and ease of use.
- (f) All transportation infrastructure and street design projects in the city (including those completed by the state or other public companies, including utilities) shall adhere to the requirements of this Article and Rhode Island General Law §24-16-2 titled "Complete Street Design."

Sec. 23-170. - Exceptions.

- (a) Applications for waivers or exceptions shall be reviewed and approved by the City Council, with a recommendation from the Providence City Plan Commission. All documentation regarding any waiver or exception application shall be publicly available.
- (b) The City Council shall weigh the following when considering applications for waivers or exceptions:
 - (1) An affected roadway prohibits, by law, use by specified users, in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross or otherwise intersect with the affected roadway;
 - (2) The activities are ordinary maintenance activities designed to keep assets in serviceable condition (including, but not limited to, mowing, cleaning, sweeping, spot repair and surface treatments such as chip seal or interim measures);
 - (3) The Director of the Department of Public Works issues a recommendation that the application of this article is unnecessary or unduly cost prohibitive.
 - (4) Other available means or factors indicate an absence of need, including future need.
- (c) Notwithstanding the provisions of subsection (a), the Commissioner of Public Safety may issue a waiver or an exception in the form of an executive order if application of this Article would be contrary to public safety, with notice given to the City Council within two business days.

Sec. 23-171. - Design standards.

The city shall follow accepted or adopted design standards and use the best and latest design standards available. These standards include, but are not limited to Designing Walkable Urban Thoroughfares: A Context Sensitive Approach, NACTO's Urban Street Design Guide, and DEM's LID standards as reflected in its Stormwater Design Manual (2015) and LID Guide (2011). In recognition of context sensitivity, public input and the needs of many users, a flexible, innovative and balanced approach that follows other appropriate design standards may be considered, provided that a comparable level of safety for all users is present.

Sec. 23-172. - Performance measures and reporting.

A report shall be submitted annually to the City Council and placed on the city's website by the Director of Public Works and the Director of Planning. The annual report shall document the annual increase or decrease for each of the following performance measures.

- (1) Linear feet of sidewalk in need of repair or construction.
- (2) Number of non-ADA-compliant curb ramps.
- (3) Percent of intersection legs with crosswalks.

- (4) Percent of public transportation facilities accessible via sidewalks and curb ramps.
- (5) Total miles of bike lanes.
- (6) Number of bicycle parking facilities.
- (7) Number of street trees.
- (8) Maintenance activities of existing green and complete streets facilities.
- (9) Average travel lane width.
- (10) Average vehicle speed at measured intersections versus previous years by mode.
- (11) Number of traffic complaints.
- (12) Number and severity of traffic violations and accidents by mode.
- (13) Total dollar amount spent on green and complete streets activities.
- (14) Percent of impervious surface area in the city.
- (15) Water quality (bacteria and trace metal pollution) of each stormwater (non-sanitary) outfall located in the city.

Sec. 23-173. - Green and Complete Streets Advisory Council.

There is hereby created a Green and Complete Streets Advisory Council. The Advisory Council shall be comprised of the following members: The Director of Public Works or his/her designee, the Director of Planning or his/her designee, a member of the Bicycle and Pedestrian Advisory Commission, the Commissioner of Public Safety or his/her designee, a Providence resident appointed by the Mayor, and two Providence residents appointed by the City Council. The members of the public appointed by the Mayor and the City Council shall serve for a term of two years.

Sec. 23-174. - Implementation.

- (a) The Green and Complete Streets Advisory Council shall review and incorporate green and complete streets principles into all existing plans, manuals, checklists, decision-trees, rules, regulations, and programs of city departments as appropriate (including, but not limited to any short-term, medium-term, and long-term capital plans).
- (b) The Green and Complete Streets Advisory Council shall review all current street and sidewalk design standards to ensure that they reflect the best available design standards and guidelines, and effectively implement green and complete streets, where feasible.
- (c) When available, the city shall make good faith efforts to encourage staff professional development and training on non-motorized transportation issues through attending conferences, classes, seminars, and workshops.
- (d) City staff shall make good faith efforts to identify all current and potential future sources of funding for street improvements and recommend improvements to the project selection criteria to support green and complete streets projects.
- (e) The city shall promote inter-departmental project coordination among city departments with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources.
- (f) The city shall make good faith efforts to include an educational component to ensure that all users of the transportation system understand and can safely utilize green and complete streets project elements.
- (g) The city shall make good faith efforts to encourage improved access to public transit in all development plans reviewed and approved by the city.

Section 2. This ordinance shall take effect upon passage.