

Planning and Policy Models

For Pedestrian and Bicycle Friendly Communities in New York State



September 2007



A Message for Healthy Communities

Walking and bicycling are important forms of transportation and recreation throughout New York State. Unfortunately, the rate at which people are walking or biking to work has decreased in many communities since 1990. During this same period the number of people who are obese in New York increased from 9.8% in 1990 to over 20% in 2002 according to the *Centers for Disease Control* (CDC). These two trends are related, and creating a better built environment for walking and bicycling is a key element to rectifying this critical issue. As the costs of health care, energy, and transportation continue to escalate, walking and bicycling continue to be important solutions which require the support of policy, planning, and infrastructure. We can create quality communities if policy makers and planners work together in changing policy and transportation planning techniques that encourage people to walk and bicycle. This document is intended to be a guide for planners, policy makers, non-profit organizations, and municipal board members to make well informed decisions about adopting policies that support healthy infrastructure solutions for communities in New York State.

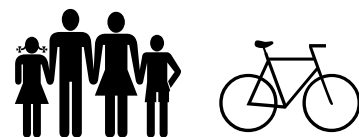
Prepared by:
Initiative for Healthy Infrastructure
University at Albany
State University of New York
www.albany.edu/~ihi
ihi@albany.edu

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Introduction

This document has been developed to help communities in New York State improve conditions for walking and bicycling. Over the past decade bicyclist and pedestrian policies have changed significantly in the United States. With the passage of the *Intermodal Surface Transportation Efficiency Act* (ISTEA) in 1991, the *Transportation Equity Act* (TEA-21) in 1998, and the *Safe, Accountable, Flexible, Efficient Transportation Equity Act* (SAFETEA) in 2005, a national trend has emerged for encouraging improved systems of non-motorized transportation. Many communities, agencies, and organizations throughout the U.S. have established pedestrian and bicycle programs. The most successful programs have developed plans and policies that support improved mobility, health and safety for pedestrians and bicyclists. The best of these policies support both ‘stand alone’ projects as well as integrating bicycling and walking into engineering, education, encouragement, and enforcement efforts. This document provides background information and potential policy models for consideration by agencies and communities throughout New York State. These models are based on policies adopted by similar organizations in New York State and across the U.S.

Agencies and Organizations

Since successful pedestrian and bicyclist programs involve education, engineering and enforcement efforts, a diverse cross section of agencies and organizations can be responsible for related policies. Throughout New York State, these organizations include, but are not limited to, transportation agencies, the public health community, school districts, county and municipal governments. For the purposes of this document, the following have been identified as primary policy-setting organizations:

- Counties
- Villages
- Towns
- Cities
- School Boards
- Agencies



Policy Concepts and Categories

A number of policy solutions can be developed and implemented at the regional, county and local levels. These solutions can be grouped in various ways. For the purposes of this document they are summarized below as policy types under the headings *General Policies*, *Facility Policies* and *Issue-Based Policies*:

General Policies

- Resolution or Proclamation
- Zoning Laws
- Comprehensive Plan
- Agency Policy
- Subdivision Regulations
- Site Plan Review
- Agency Policy

Facility-Based Policies

- Sidewalks and Crossings
- School Zones
- On-Street Bikeways
- Greenways and Trails
- Operations and Maintenance
- Snow Removal
- Bicycle Parking
- Pedestrian / ADA Compliance

Issue-Based Policies

- Health and Fitness
- Energy Conservation
- Environment and Air Quality
- Transportation / Mobility
- Safety

Issues that create momentum for a community to adopt policies can vary widely. In some cases, a tragedy has occurred and forces a new policy to be adopted. In other cases a communities' concern for the environment or public health may cause decision makers to enact new public policies. The policy categories often overlap and can be complimentary to one another. Samples or 'models' of a variety of key policy concepts for walking and bicycling are provided in the following sections of this document based on National, State and local best practices.

National Policy Models

USDOT, AASHTO, and “Complete Streets”

At the national level, the US Department of Transportation (USDOT) has developed a model policy framework. This policy is based on the principle that bicyclists and pedestrians have the right to move along or across all roadways unless specifically prohibited from doing so. This policy has served as guidance for State DOT’s and public works agencies throughout the U.S. It has recently evolved into the concept of “Complete Streets” – the idea that streets are only complete when they address the needs of all modes of transportation, including walking and bicycling. The USDOT guidance, issued by the Federal Highway Administration in 1991, is provided below:



I. USDOT: FHWA Bicycle and Pedestrian Program Guidance (November 2001)

“The challenge for transportation planners, highway engineers and bicycle and pedestrian user groups, therefore, is to balance their competing interest in a limited amount of right-of-way, and to develop a transportation infrastructure that provides access for all, a real choice of modes, and safety in equal measure for each mode of travel.”

Four Key Points

- Congress clearly intends for bicyclists and pedestrians to have safe, convenient access to the transportation system and sees every transportation improvement as an opportunity to enhance the safety and convenience of the two modes.
- "Due consideration" of bicycle and pedestrian needs should include, at a minimum, a presumption that bicyclists and pedestrians will be accommodated in the design of new and improved transportation facilities.
- To varying extents, bicyclists and pedestrians will be present on all highways and transportation facilities where they are permitted and it is clearly the intent of TEA-21 that all new and improved transportation facilities be planned, designed and constructed with this fact in mind.
- The decision not to accommodate [bicyclists and pedestrians] should be the exception rather than the rule. There must be exceptional circumstances for denying bicycle and pedestrian access either by prohibition or by designing highways that are incompatible with safe, convenient walking and bicycling.

Policy Statement

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

- 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.
- the cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. *Excessively disproportionate* is defined as exceeding 20% of the cost of the larger transportation project.
- where sparsity of population or other factors indicate an absence of need.

II. AASHTO Guidelines

The *American Association of Highway and Transportation Officials* (AASHTO) provides guidelines for State Departments of Transportation which are widely accepted and used throughout the U.S. The AASHTO 1999 *Guide for the Development of Bicycle Facilities* includes the following policy guidance:

“All highways, except those where cyclists are legally prohibited, should be designed and constructed under the assumption that they will be used by cyclists. Therefore, bicycles should be considered in all phases of transportation planning, new roadway design, roadway reconstruction, and capacity improvements and highway projects.”

AASHTO also produces national Pedestrian Design Guidelines, and their *Policy on the Geometric Design of Highways and Streets*, [a.k.a. *The Green Book*] is considered the ‘bible’ of the highway design profession.

The Green Book contains the following statement about including pedestrians in the design of highways:

“Pedestrians are a part of every roadway environment and attention must be paid to their presence in urban and rural areas...Because of the demands of vehicular traffic in congested urban areas, it is often extremely difficult to make adequate provisions for pedestrians. Yet this must be done, because pedestrians are the lifeblood of our urban areas, especially in the downtown and other retail shopping areas.”

III. Complete Streets

The idea of complete streets is based on the premise that quality transportation facilities *“are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and bus riders of all ages and abilities are able to safely move along and across a complete street.”* A national coalition of organizations supporting this policy concept has formed to encourage adoption of Complete Streets policies.



Guidelines for New York State Communities

Based on guidance provided by *USDOT* and *AASHTO* at the national level, it is possible to develop a series of policy tools that can be adopted at the appropriate level of governance in New York State. New York codes and policies related to land use and public works infrastructure are generally based on a ‘home rule’ approach. Therefore, it is essential to provide a flexible approach that can be adopted by a variety of different agencies and governments.

One key issue that cuts across all municipal boundaries is compliance with the Americans with Disabilities Act (ADA), which civil rights legislation, not an issue of local policy. An overview of the ADA as it applies to pedestrians is provided in the appendix of this document. An additional issue that applies to a large majority of upstate New York roadways is providing paved shoulders. Paved shoulders can have benefits to all modes of travel, and are particularly an asset on state and county roads. An overview of the benefits of paved shoulders is also provided in the appendix.

The principal tools for community planning in New York are the (1) **Comprehensive Plan**, (2) **Subdivision Regulations**, (3) **Zoning Laws and Site Plan Review**. The following sections identify models for integrating the ‘complete streets’ concepts into the most commonly used community policy tools. These tools are presented in sequence from the most broadly applied policy documents (Comprehensive Plans) through to detailed codes and ordinances for sidewalks and bicycle parking. Each proposed model is provided to facilitate adoption by the appropriate entity at the county, city or municipal level. It should be noted that most communities will not necessarily adopt all of these policies, but will more likely be able to adopt and/or modify the tools that are best suited to their needs.



This road shoulder was widened, providing an improved facility for pedestrians, bicyclists and motorists.

1. Comprehensive Plan

A comprehensive plan typically outlines a community's characteristics, articulates their visions, goals, and actions for their future. The comprehensive plan supports the use of other land use tools including *Zoning Laws* and the *Site Plan Review Process*. Additionally, a thorough comprehensive plan addresses all aspects of a community including transportation planning, environmental planning, economic development, parks and recreation, open space, storm water management, housing, as well as many other issues. Public involvement is an important element of the planning process. It is important that many comprehensive plans begin with a general statement that the purpose of the plan is to ensure the safety, health, and quality of life of a community. Walking, bicycling and physical activity are central to achieving this purpose, and therefore are important to include in local plans and policies.

The New York Planning Federation lists the following primary elements of a comprehensive plan for communities in New York State:

- General statements of goals, objectives, principles, and policies
- Consideration of regional needs and the official plans of other government units
- Existing and proposed location and intensity of land uses
- Existing and proposed educational, historical, cultural, agricultural, recreational, coastal and natural resources
- Demographic and socio-economic trends and projections

- Existing or proposed location of transportation facilities, public and private utilities and infrastructure
- Housing resources and future housing needs, including affordable housing
- Measures, programs, devices, and instruments intended to implement the goals and objectives of the various topics within the comprehensive plan

Comprehensive planning is supported by the following New York State statutes: Town Law § 272-a, General City Law § 28-a, and Village Law § 7-722.

Within the comprehensive planning process, special attention and planning should go into the goals and objectives of transportation planning, especially for bicycle and pedestrian transportation planning. Some bicycle and pedestrian friendly goals that could be stated in the Comprehensive Plan are:

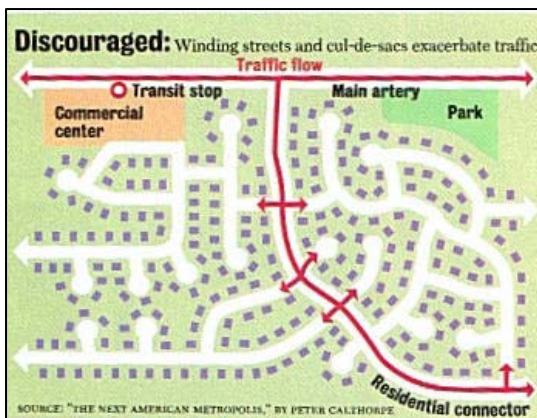
- (1) Transportation planning and programs will address a balanced program including the Four E's: Engineering, Education, Enforcement, and Encouragement.
- (2) Infrastructure investments will be based on the concept of creating 'complete streets' that integrate the needs of all modes of travel, including walking, bicycling, transit and motor vehicles.
- (3) Transportation mode shares will achieve a balance of walking, bicycling, transit and motor vehicles, and the amount of walking and bicycling will be measured in terms of physical activity, public health and transportation benefits.



- (4) The connectivity of bicycle / pedestrian facilities throughout the community is a priority, and will be given equal consideration to other infrastructure investments.
- (5) The safety of pedestrians and bicyclist will be improved, with specific annual targets for reducing crashes, injuries and fatalities.
- (6) A bike and pedestrian plan will be adopted by reference as a section of the Comprehensive Plan.



Comprehensive plans can also be supplemented by the development of plans for Open Space, Transportation, and other special issues. Facilities for walking, bicycling and trails can be integrated in these documents and referenced in the appropriate element of the Comprehensive Plan. In some cases, these elements may be the responsibility of multiple jurisdictions, such as Metropolitan Planning Organizations (MPO's) which are responsible for transportation planning, school districts which are responsible for education planning, County agencies which can create county-level plans in cooperation with local governments, utility companies which plan and manage utility corridors, and municipal governments which are responsible for land use planning. Integrated planning can coordinate these elements into a consistent community planning process.



Integrated transportation and land use planning can create improved connectivity for pedestrians and bicyclists, reduce short trips by automobiles, and help encourage increased physical activity.

2. Subdivision Regulations and Site Plan Review

The Governors Office of Regulatory Reform describes the Site Plan Review Process as follows:

Purpose:

“Many local governments have adopted site plan review criteria. Site plan review may be in a separate local law or it may be part of a zoning ordinance. It is critical to review and coordinate the language in any new zoning districts with the local site plan law. The districts contemplated by these ordinances may encompass large tracts of land. Therefore, issues such as location of roadways, walkways, design of parking lots, number of parking spaces, grading, access points, infrastructure location, landscaping, etc., may be fully addressed in a district defined in the zoning ordinance, or the district description may simply reference required coordination with site plan review.”

Site Plan Review regulations can be adopted by a municipality without zoning laws in place. The same issues apply to Special Use Permits and Planned Unit Development (PUD) regulations. It is important to ensure that local site plan review adequately addresses the needs of pedestrian, bicyclists, and issues raised by proposed development. In order to be sure that these facilities are integrated, it is important that zoning ordinances state intentions that correlate with subdivision and site plan review policies set forth in the community.



Some policy issues that can be stated in a community’s subdivision regulations and review process to address bicycle and pedestrian connectivity are as follows:

- (1) Subdivisions must provide bicycle and pedestrian connectivity through bicycle and pedestrian facilities that are both integrated into roadway design and provided as stand-alone facilities.
- (2) Subdivisions require an internal circulation plan for traffic, and “traffic” is defined according to Section 152 of NYS Vehicle and Traffic Law, which includes pedestrians and bicyclists in the definition. Therefore, subdivision reviews should include an analysis of bicycle and pedestrian facilities as part of the traffic impact analysis process.
- (3) Subdivision plans should demonstrate connectivity between developments for pedestrians and bicyclists to minimize short-distance trips by motor vehicles. These can be provided as “cut through” easements in suburban cult-de-sac developments, and as part of connected street grids in traditional neighborhood development.
- (4) Conservation development or Cluster development can also be a tool for encouraging access to open space, and compact land use patterns that support increased walking and bicycling.

3. Zoning Laws

Much of conventional zoning in New York State is based on health-based codes that evolved from the squalid conditions of many large American cities in the late 1800's. The concept of zoning was to separate uses, so that manufacturing was set apart from housing, which was set apart from retail, etc. This resulted in a more homogenous landscape, and had the additional impact of creating automobile dependent suburbia. Communities have created a number of innovative planning tools to begin moving away from conventional zoning and towards more compact, mixed use communities. In mixed use communities, it is once again possible to live, work and go to school within walkable neighborhoods and town centers. Key elements for creating zoning and planning codes that support walking and bicycling include:

Mixed Use Development: creating zones where retail, office, residential and other uses are combined

Town Center Planning: encouraging development into compact centers, either in new communities or existing developed areas

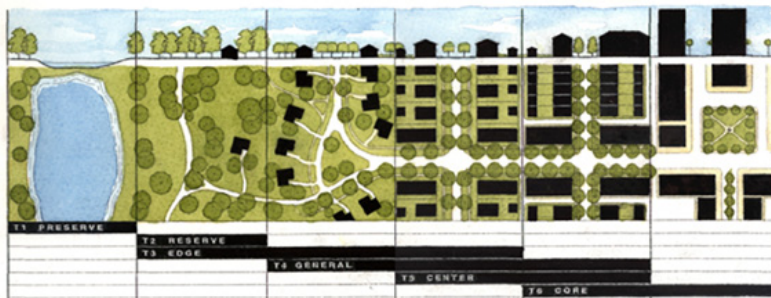
Design Guidelines: establishing clearly defined roadway, streetscape and public space criteria to ensure that new projects provide for walking, bicycling and trails.

Main Streets: redevelopment of historic central business district streets

Form-Based Codes: instead of conventional zoning, create codes that define the size, scale and proportions of buildings in a graphic format

As part of the movement called 'the New Urbanism,' an innovative new zoning model has been developed called **Transect Zoning**. This model is based on traditional, non-automobile dependent land use patterns. This Transect concept is based in part on a plan and model code proposed in the year 2000 for Onondaga County, New York, which includes the City of Syracuse and surrounding suburbs, villages, and countryside. Transect zoning is a categorization system that organizes all elements of the urban environment on a scale from rural to urban (see diagram below). Transect zoning can be combined with other innovative tools can be used to create more compact, walkable communities.

The following examples show how pedestrian and bicyclist friendly policy models can be used in a format that can be adopted at the county and municipal levels in New York State.



Transect zoning is illustrated in this graphic diagram.

Source: DPZ

County Pedestrian and Bicyclist Policy

Purpose:

County level policies can provide useful guidelines for local municipalities. Since county planning commissions are responsible for reviewing projects which cross municipal boundaries or have multi-jurisdictional impacts, a county bicycle and pedestrian plan and policies can ensure consistency of design and operational characteristics of cross community bicycle and pedestrian transportation systems.

Proposed Policy:

The County will support local communities in the development of a complete system of bikeways, pedestrian facilities and shared use paths, bicycle parking and safe crossings connecting the region's residences, businesses and public places. The County will promote bicycling and walking for health, exercise, transportation and recreation.

Bicycle and pedestrian facilities shall be provided in new construction, reconstruction and maintenance projects in the County unless one of the following conditions is met:

- Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, bicyclists and pedestrians will be accommodated elsewhere within the right of way or within the same transportation corridor.
- The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. Disproportionate is defined as exceeding twenty percent of the cost of the larger project.

Bicycle and Pedestrian facilities will be provided and maintained in accordance with guidelines adopted by the USDOT, NYSDOT and AASHTO. Site plan and subdivision reviews conducted by the county will incorporate these facilities. On county-maintained roadways, bicycle and pedestrian facilities will be provided in accordance with this policy. County offices and public buildings will provide bicycle parking, lockers and showers in accordance with local zoning and planning regulations.

Town, Village, or City Bicyclist / Pedestrian Policy

Proposed Policy:

- I. Whereas, bicycling and walking are important forms of transportation and recreation in our community; and
- II. Whereas, walking and bicycling contribute to health, fitness and economic development; and
- III. Whereas, cost effective roadway and facility improvements can be provided as both 'stand alone' projects and integrated into projects and programs; and
- IV. Whereas, educating the public about safety, health and mobility are part of being a quality community;



Now, therefore the (Town, Village, or City) of _____ hereby resolves to establish a Pedestrian and Bicyclist Policy as follows:

Engineering: The community's infrastructure will include a complete system of bikeways, pedestrian facilities and shared use paths, bicycle parking and safe crossings connecting our residences, businesses and public places.

Bicycle and pedestrian facilities shall be provided in new construction, reconstruction and maintenance projects in the community unless one of the following conditions is met:

- Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, bicyclists and pedestrians will be accommodated elsewhere within the right of way or within the same transportation corridor.
- The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. Disproportionate is

defined as exceeding twenty percent of the cost of the larger project.

Bicycle and Pedestrian facilities will be provided and maintained in accordance with guidelines adopted by the USDOT, NYSDOT and AASHTO.

Encouragement: The community will promote bicycling and walking for health, fitness, transportation and recreation through events, programs and other activities which benefit residents, businesses and visitors of all ages and abilities. These activities will be coordinated with local bicycle clubs, schools, health organizations and other partners.

Enforcement: The community will provide balanced enforcement of the New York State Vehicle and Traffic Law for motorists, pedestrians and bicyclists. This will include enforcement of pedestrian's right-of-way in crosswalks, bicyclists riding with traffic and all modes sharing the road safely.

Adopted by: The (Town, Village, or City) of _____, NY

Date:

NOTE: In the 1970's, 80's and 90's local communities throughout the U.S. adopted similar policies. The League of American Bicyclists' "Bicycle Friendly Communities" program has provided incentives for these efforts. The most successful of these communities (Palo Alto CA, Tempe AZ, Madison WI, Boulder CO and others) have adopted such policies. One advantage that the proposed format offers is that New York State Communities can combine bicycle and pedestrian policies into common resolutions, and base these on the recent USDOT program guidance. This will facilitate implementation efforts that develop from policy changes.



Model Regulations: Pedestrian Facilities

Purpose:

Many communities include sidewalks in their master plans and zoning laws, but few provide a comprehensive framework for all aspects of pedestrian infrastructure. The following text addresses the major issues, including sidewalks, crossings, accessibility and maintenance.

Proposed Policy:

The community is a pedestrian – friendly community, and will provide and maintain facilities for pedestrians as an integrated part of their new development and redevelopment projects. Property owners and agencies are responsible to construct and maintain facilities in accordance with this policy. Pedestrian facilities include sidewalks, traffic calming features, crossings and accessibility features such as signals, curb ramps and signage.

1. **Sidewalks:** sidewalks will be installed in accordance with the community Pedestrian Plan. Minimum width of all walks shall be five (5') feet with a five (5') planting strip (or 10' wide sidewalks in Central Business Districts) unless prohibited by documented environmental constraints. Sidewalks must be constructed continuously across all driveways.
2. **Crossings:** safe crossings shall be provided at all locations identified in the Pedestrian Plan. All crosswalk, signal and curb ramp features shall comply with the minimum guidelines established in the *NYS DOT Highway Design Manual* and the *Manual of Uniform Traffic Control Devices (MUTCD)*. Traffic calming features shall be provided where necessary to balance pedestrian safety with vehicular speeds and volumes.
3. **Accessibility:** all pedestrian facilities will comply with the Americans with Disability Act (ADA) guidelines.
4. **Maintenance:** Each owner or occupant of any house or other building, and any owner or person entitled to possession of any vacant lot, and any person having charge of any facility or public building shall be responsible for maintaining the pedestrian facilities adjacent to their property. During the winter season, this shall include keeping the sidewalk free of snow or ice and at all other times shall keep the sidewalk in good and safe repair in a clean condition, free from obstructions or encumbrances.

***NOTE:** The Town of Penfield (near Rochester), and the Town Greenwich provide excellent models for this type of local policy. Links to these policies are provided in the appendix of this document. Their sidewalk program follows clearly defined guidelines that make it easy for developers and property owners to build and maintain safe pedestrian facilities in accordance with the local pedestrian plan. For Villages and Cities, the New York Conference of Mayors and Municipal Officials has produced a May, 2000 document in their Municipal Management Series entitled “Streets and Sidewalks.” This document provides an overview of the definitions, rights and responsibilities of municipalities, along with sample language and legal references.*



Facilities for pedestrians are an important part of a community’s quality of life.

Model Zoning Law: Bicycle Parking

Purpose:

Bicyclists need a place to park at the end of a ride just like a motorist needs to park their car after driving to a destination. Municipal codes and ordinances require off-street parking for a variety of land uses. This language provides for bicycle parking as a local ordinance requirement, as part of site plan review, or as part of a special use permit.

Proposed Policy:

<p>Section XXXX: Bicycle Parking Facilities</p> <ol style="list-style-type: none">1. Bicycle parking shall be provided in accordance with the following guidelines. All projects submitted for site plan approval shall identify bicycle racks and lockers in accordance with these guidelines.2. Bicycle parking types:<ol style="list-style-type: none">a. Type 1 Bicycle Parking shall be defined as bicycle racks intended for short-term parking.b. Type 2 Bicycle Parking shall be defined as bicycle lockers intended for long-term parking.3. Bicycle Parking Specifications: All bicycle parking devices shall be provided in accordance with guidelines published by the	<p>Association of Pedestrian and Bicycle Professionals (APBP).</p> <p>Section XXXX: Bicycle Parking Schedule</p> <p>The following minimum amounts of bicycle parking shall be provided:</p> <ul style="list-style-type: none">▪ <i>Residential (Multi – Family):</i> 1 bicycle parking space per dwelling unit▪ <i>Commercial Uses:</i> bicycle parking spaces = 10% of required auto parking▪ <i>Institutional (Schools):</i> 1 bicycle parking space for every 10 students and staff <i>Government:</i> 1 bicycle parking space per every 10 employees▪ <i>Industrial Uses:</i> 1 bicycle parking space per 1000 sq. ft.
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NOTE: *For bicycle parking areas greater than 10 bicycles, 50% of the parking shall be provided in a covered area protected from the weather. Developers may reduce the amount of car parking spaces provided by the following factor: 1 car parking space may be reduced by providing parking for 10 bicycles.*

NOTE: *While many communities have off-street car parking requirements, few have adopted formal bicycle parking ordinances. This must be seen as a positive benefit, not a new ‘unfunded mandate.’ The provision allowing developers a bonus for providing bicycle parking creates a win-win situation that saves money for the developer and provides parking for the community. Madison WI, Oregon DOT, Toronto, and others have successfully adopted similar policies.*



Model Program: Showers and Lockers

Purpose:

For bicycle commuters, runners, in-line skaters and pedestrians, having a place to change clothes and take shower can make the difference in making the choice to bike to work. These facilities can also provide for on-site recreation or exercise for employees. While not all worksites can provide this amenity, larger employment centers often support these facilities. Opportunities also exist to partner with local health clubs, or other community organizations to provide lockers and showers in lieu of on-site facilities.

Proposed Policy:

Section XXXX: Lockers and Showers

Worksites are required to provide lockers and showers for any new building, addition or change in use in compliance with the following:

Commercial, Institutional, and Government Facilities:

Floor Area	# Lockers	# of Showers
0 – 10,000 sq. ft.	10	0
10 – 50,000 sq. ft.	20	2
> 50,000 sq. ft.	40	4

Alternate Formula based on the number of Employees:

# of Employees	# Lockers	# of Showers
0 - 100	10	0
101 - 200	20	2
201 - 300	40	4

NOTE: *Half of the number of lockers and showers shall be provided in men’s and women’s rooms, respectively.*

NOTE: *Like bicycle parking, it is important that providing lockers and showers is seen as a win-win situation. Developers and property managers can promote these facilities as a benefit for tenants, business can promote employee health and fitness, and employees receive an increase opportunity to choose to walk or bicycle.*

NOTE: *There may be some concerns with this type of regulation conflicting with building codes. An alternative to adopting these regulations as local law is to provide a voluntary incentive- based program linked to employee commuter programs, physical activity promotion or other local initiatives.*

School Board Policy – Safe Routes to School

Purpose:

To ensure that children and staff have the choice to walk or bicycle to schools and that schools are safe places within their communities.

Background:

Current policies for locating new schools and maintaining existing schools often limit the ability for children and staff to walk or bicycle to school. Traffic safety is often seen as a critical issue, as is personal security. Many children are being bused or driven to school by parents, creating traffic jams and pollution in school zones. At the same time, many children would benefit from improved health, fitness and educational benefits if they were able to walk or bike to school. Obesity in children is considered a national ‘epidemic,’ and schools could have a central role in changing this trend. Also, transportation costs represent a significant share of many school budgets, and these

costs could be reduced if more children were able to walk or ride their bicycles. A national ‘safe routes to schools’ movement is developing, with considerable support in New York State.



Providing safe routes to schools involves coordinating pedestrian, bicyclist, bus and motor vehicle improvements.

Proposed Policy:

The School Board will encourage children to walk and bicycle to school. The School system will work with the local community to identify opportunities to improve safe routes to school, including providing bicycle lanes, bicycle parking, sidewalks and crossings to connect our schools to the surrounding neighborhoods. Implementation of this policy will be accomplished by the following:

1. School policies will be coordinated with local sidewalk, crossing, traffic calming and bicycle facilities policies.
2. Bicycling and walking will be included in physical education and other curriculum programs in cooperation with PTA's and other community organizations.
3. All elementary school children will have the routes they walk or bike to school mapped within a distance of **xxxx** miles from school. All middle and high school students will have their routes mapped for a distance of **xxxx** miles from school.
4. Each school will officially designate its walking and bicycling routes and the local municipality (town or village) will require sidewalks and bikeways on both sides of the street on the route (based on established minimum widths). Bicycle parking will be provided for both students and staff.
5. All crossings within a school zone will be provided with safe crossings designed in compliance with the *Manual of Uniform Traffic Control Devices* and the *ADA*, including pavement markings, signage, signals and curb ramps.
6. School Crossing Guards will be located at appropriate locations, will receive technical training and will be provided with safety clothing and equipment.
7. Traffic calming designs shall be provided where appropriate to manage speed and traffic volumes in school zones.
8. The School District will support efforts to promote *Walk and Bike to School* events and programs, including *International Walk a Child to School Day*, and safety initiatives such as the *Walking School Bus and the Bicycle Train*.

NOTE: the following section of State Law allows schools to provide bus transportation for students who otherwise would live within walking distance if it can be demonstrated that walking (or bicycling) is unsafe. As a result, a "safety zone" is currently defined as a place which is unsafe. An alternative to this approach would be for local schools to truly create 'safety zones' within these areas, and encourage walking and bicycling improvements which would reduce the need for short-distance motor vehicle trips to school.

Section 3635-b of the Education Law: Definition of a Child Safety Zone

"A child safety zone is a designated area within a common, central, central high school or union free school district, including at least one personal residence, within which children who reside at a lesser distance from school than the minimum eligibility distance may be provided transportation on the basis that their most direct walking route to school will traverse a hazardous zone. Once properly authorized by the board of education or trustees and the voters of the school district, such transportation may be provided for pupils in kindergarten through grade eight who reside within two miles of the school legally attended and for pupils in grades nine through twelve who reside within three miles of the school legally attended without regard to like circumstances."

Appendix

Online Policy Resources

Complete Streets Coalition:

<http://www.completestreets.org/index.html>

USDOT Bicycle and Pedestrian Policy Guidance

www.fhwa.dot.gov/environment/bikeped/Design.htm

NYSDOT Highway Design Manual Ch. 18 Bicycle and Pedestrian Facilities

www.dot.state.ny.us/cmb/consult/hdmfiles/hdm.html

Town of Penfield, NY Sidewalk Program

www.penfield.org/government/eng/si.php

New York State School Boards Association Policy Services

www.nyssba.org/index.html

NY State Education Department – Child Safety Zones

<http://stateaid.nysed.gov/trans/safzon.htm>

Congress for the New Urbanism Code Catalogue

http://www.cnu.org/pdf/code_catalog_8-1-01.pdf

Safe Routes to Schools

www.saferoutestoschools.org

New York State DOT Bicycle and Pedestrian Program

<http://www.dot.state.ny.us/pubtrans/bpresrc.html>

New York State Health Department

<http://www.health.state.ny.us/nysdoh/heart/healthy/program.htm>

New York State Quality Communities Clearinghouse

<http://www.qualitycommunities.org/index.asp>

New York Planning Federation

<http://www.nypf.org/>

National Pedestrian and Bicyclist Information Center

www.walkinginfo.org

The Initiative for Healthy Infrastructure – iHi at UAlbany

www.albany.edu/~ihi



Appendix: Existing State and National Policies

At the national level, the *Federal Highway Administration* and the *American Association of State Highway and Transportation Officials* (AASHTO) provide policy guidelines for use at the state and local level. In New York State, the *Department of Transportation* (NYSDOT) develop statewide policies which are in turn implemented by regional and local agencies including NYSDOT regional offices, the *New York Metropolitan Transportation Council* (NYMTC) and partner agencies including the *Metropolitan Transportation Authority* (MTA), counties and local government. The policy process is not linear and concurrence is not mandatory, and since New York is a ‘home rule’ state, a significant amount of decision making takes place at the local level. The following sections summarize key legislation and policies at the national, state and local levels.

Federal Transportation Legislation: ISTEA, TEA-21, SAFETEA

Federal Transportation Legislation: ISTEA and TEA-21

Federal transportation legislation provides a legal basis for the expenditure of federal aid transportation funding. Specific requirements for non-motorized transportation in ISTEA and TEA-21 include the following sections.

“Subject to Section 134 of this title, the State shall develop transportation plans and programs for all areas of the state. Such plans and programs shall provide for the development of transportation facilities (including pedestrian walkways and bicycle transportation facilities) which will function as an intermodal transportation system.”

1991 ISTEA: The Intermodal Surface Transportation Efficiency Act

“The Secretary shall not approve any project or take any regulatory action under this title that results in the severance of an existing major route or have significant adverse impact on the safety for non-motorized transportation traffic...unless such a project or regulatory action provides for a reasonable alternate route of such a route exists.”

1998 TEA-21: The Transportation Equity Act for the 21st Century (continued and extended the provisions of ISTEA)

2005 SAFETEA: The Safe, Accountable, Flexible and Efficient Transportation Equity Act (continued and extended the provisions of TEA-21)

(Appendix – Continued)

New York State Legislation and Agency Policies

New York State Vehicle and Traffic Law

The New York State Vehicle and Traffic Law (V&T) is the ‘bottom line’ in establishing the rights and responsibilities on public roads in the State. While there are numerous sections which relate to non-motorized transportation, Section 152 provides the core legal principles of law upon which other policies are based. This section defines the term ‘traffic’ as follows:

“Traffic: Pedestrians...vehicles, bicycles and other conveyances either singly or together while using any highway for the purposes of travel.”

~ NYS Vehicle and Traffic Law, Section 152

The law continues to provide specific rights and obligations for this inclusive definition of ‘traffic’ and provides bicyclists and in-line skaters with the legal right to share the road as follows:

“Every person riding a bicycle or skating or gliding on in line skates upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle under this title...”

~ NYS Vehicle and Traffic Law, Section 1231

An overview brochure of the New York State Vehicle and Traffic Laws relating to bicyclists, pedestrians and motorists is available at www.gtsc.gov.state.ny.us. The brochure is called “Sharing the Road.”



(Appendix – Continued)

NYSDOT Bicycle and Pedestrian Policy – 1996

After the passage of ISTEA in 1991, New York State developed a Bicycle and Pedestrian Transportation program. A Commissioner’s Bicycle and Pedestrian Policy Statement was issued by the Department in 1993, and it was updated and re-issued in October, 1996, as follows:

“As part of our mission as an intermodal transportation agency, NYSDOT must make bicyclists and pedestrians an integrated element of our intermodal transportation system. Bicyclists and pedestrians are significant partners in NYSDOT’s efforts, providing cost-effective solutions to our State’s mobility, safety and environmental goals. The 1990 Census shows that more than 7% of New York State Commuters bicycle or walk to work, so it is important for us to take the lead in making these modes safer and more “user friendly.”

As we move forward into the 21st Century, we have the ability to make our State’s highways, structures and public transportation systems into one of the most efficient, intermodal transportation systems in the nation. To accomplish this, facilities for pedestrians and bicyclists must be considered for incorporation into highway, bridge and transit projects and integrated throughout NYSDOT’s policy, planning, implementation and operations efforts.”

NYSDOT has further defined this policy with Engineering Instructions (EI’s), particularly EI 97-002 “Sidewalk Construction and Maintenance Policy for Projects and Highway Work Permits on State Highways,” and EI 04-2011, “Procedural Requirements for Pedestrian Accommodation.” These documents are useful both as information for working with NYSDOT on roads in local communities, and as guidelines for similar policies and programs at the local level.

Source: www.dot.gov.state.ny.us

Appendix: The Americans with Disabilities Act

ADA Design Guidelines

The Americans with Disabilities Act (ADA) was enacted in 1990 to ensure people with disabilities have equal opportunities and access to public spaces as those who do not have disabilities. People with disabilities may have diminished mobility, limited vision, or reduced cognitive skills. In some instances, individuals may experience a combination of disabilities, which is more common as a person grows older. A person may experience a disability on a permanent or temporary basis. Without accessible pedestrian facilities, people with disabilities will have fewer opportunities to engage in employment, school, shopping, recreation, and other everyday activities. New or altered facilities must provide access for all pedestrians. This also needs to occur when implementing all the tools and treatments that are presented in this site.



Street designs that accommodate people with disabilities create a better walking environment for all pedestrians.

While improvements for persons with disabilities were mandated by the Federal Government to ensure access and mobility for physically-challenged pedestrians, most of these improvements benefit all pedestrians. Some of the items that will be presented in this guide, such as adequate time to cross streets, well-designed curb ramps, limited driveways, and sidewalks that are wide and clear of obstructions and have minimal cross-slope, are examples of design features that will accommodate pedestrians with disabilities, persons using strollers, and indeed, all pedestrians.⁵

All new construction or retrofit projects must include curb ramps and other accessible features that comply with ADA requirements. Agencies should review their street system to identify other barriers to accessibility and prioritize the needed improvements. This review was a requirement of the Rehabilitation Act (1973) and ADA. States, cities, and other localities were to develop a planning document and a transition plan for removing barriers in their existing facilities. The barriers should have been removed by 1995. Examples of barriers that are often overlooked include poles and signs in the middle of a sidewalk, steeply sloped driveways, and interruptions such as broken or missing sidewalk sections. An adequate level of surveillance and maintenance is also important to providing accessibility, especially in winter months in areas where snow accumulates. While all streets should be upgraded to be accessible, public agencies should set priorities for high-use areas, such as commercial districts, schools, parks, transit facilities, etc., and retrofit as rapidly as possible.

(Appendix – Continued)

The design criteria for the construction and alteration of facilities covered by law were developed by the U.S. Access Board and are the ADA Accessibility Guidelines (ADAAG). These guidelines serve as the basis for standards that are maintained by the U.S. Department of Justice and the U.S. Department of Transportation and are the minimum criteria for designing public right-of-way space. In addition, the Access Board is currently developing Public Rights-of-Way Guidelines, which will supplement ADAAG. A draft version of these guidelines is available at www.access-board.gov/rowdraft.htm. For the latest ADAAG information and guidance on ADA requirements and issues, visit www.access-board.gov.

Source: <http://www.walkinginfo.org/pedsafe/background.cfm#ada>

Appendix: Town of Greenwich, Local Law #1 (2001)

Town of Greenwich, Local Law #1

Pedestrian Circulation Systems

1. Where deemed necessary and appropriate, sidewalks may be required by the Planning Board...
2. Sidewalks shall be concrete unless otherwise specified.
3. At the discretion of the Planning Board, sidewalks shall be constructed and placed parallel to roadways. In such cases, a separation distance of five (5) feet shall be maintained between the roadway and the sidewalk wherever possible.
4. Walkways shall be clearly identified within parking areas and for public roadway crossings with striping as necessary.
5. In order to maximize pedestrian access to and from adjacent sites, the Planning Board shall encourage interconnection of sidewalks and pathways.



Appendix: Paved Shoulders

Reasons for Highway Shoulders

Prepared by Michael Ronkin, Bicycle and Pedestrian Program Manager & Members of the Preliminary Design Unit Oregon Department of Transportation

Before the 1971 "Bike Bill" was passed, and the terms "shoulder bikeways" or "bike lanes" were commonly used, the Oregon Highway Division advocated (1) building paved shoulders when constructing roads and (2) adding paved shoulders to existing roads. These were often referred to as "safety shoulders." There are good reasons for this term.

The following reasons are what AASHTO has to say about the benefits of shoulders in three important areas: safety, capacity and maintenance. Most of these benefits apply to both shoulders on rural highways and to marked, on-street bike lanes on urban roadways. See other side for other benefits specific to urban areas.

Safety - highways with paved shoulders have lower accident rates, as paved shoulders:

- Provide space to make evasive maneuvers;
- Accommodate driver error;
- Add a recovery area to regain control of a vehicle, as well as lateral clearance to roadside objects such as guardrail, signs and poles (highways require a "clear zone," and paved shoulders give the best recoverable surface);
- Provide space for disabled vehicles to stop or drive slowly;
- Provide increased sight distance for through vehicles and for vehicles entering the roadway (rural: in cut sections or brushy areas; urban: in areas with many sight obstructions);
- Contribute to driving ease and reduced driver strain;
- Reduce passing conflicts between motor vehicles and bicyclists and pedestrians;
- Make the crossing pedestrian more visible to motorists; and
- Provide for storm water discharge farther from the travel lanes, reducing hydroplaning, splash and spray to following vehicles, pedestrians and bicyclists.

Capacity - highways with paved shoulders can carry more traffic, as paved shoulders:

- Provide more intersection and safe stopping sight distance;
- Allow for easier exiting from travel lanes to side streets and roads (also a safety benefit);
- Provide greater effective turning radius for trucks;
- Provide space for off-tracking of truck's rear wheels in curved sections;
- Provide space for disabled vehicles, mail delivery and bus stops; and
- Provide space for bicyclists to ride at their own pace;

Maintenance - highways with paved shoulders are easier to maintain, as paved shoulders:

- Provide structural support to the pavement;
- Discharge water further from the travel lanes, reducing the undermining of the base and subgrade;
- Provide space for maintenance operations and snow storage;
- Provide space for portable maintenance signs;
- Facilitate painting of fog lines.

