
TO: TOWN OF PLEASANT VALLEY TOWN BOARD

FROM: TOWN OF PLEASANT VALLEY CLIMATE SMART TASK FORCE

SUBJECT: COMPLETE STREETS

DATE: 12/1/2021

CC: TOWN OF PLEASANT VALLEY TOWN CLERK

According to the New York State's Department of Transportation's website <https://www.dot.ny.gov/programs/completestreets>, Governor Andrew M. Cuomo signed the Complete Streets Act ([Chapter 398, Laws of New York](#) ⁽²⁾) on August 15, 2011, requiring state, county and local agencies to consider the convenience and mobility of all users when developing transportation projects that receive state and federal funding.

A Complete Street is a roadway planned and designed to consider the safe, convenient access and mobility of all roadway users of all ages and abilities. This includes pedestrians, bicyclists, public transportation riders, and motorists; it includes children, the elderly, and persons with disabilities.

Complete Street roadway design features include sidewalks, lane striping, bicycle lanes, paved shoulders suitable for use by bicyclists, signage, crosswalks, pedestrian control signals, bus pull-outs, curb cuts, raised crosswalks, ramps and traffic calming measures.

As stated in the Act, Complete Streets will contribute to a "cleaner, greener transportation system" and "more citizens will achieve the health benefits associated with active forms of transportation while traffic congestion and auto related air pollution will be reduced."

The New York State Department of Transportation and local agencies - typically counties and municipalities - are responsible for implementing Complete Streets.

The law applies to projects that are undertaken by NYSDOT, or to local projects that receive both federal and state funding and are subject to NYSDOT oversight. Projects that are 100% locally funded are not subject to the law, but local agencies can choose to adopt Complete Streets practices.

Dutchess County implemented a Complete Streets Policy in 2016.

Pleasant Valley is already conscious of the importance of recognizing the convenience and mobility of all users. This is evident in our Code (chapter 79 & 82) <https://ecode360.com/PL0575> , the 2018 West Road (CR71) Sidewalk Feasibility Study <http://pleasantvalley-ny.gov/government/environment/> , the 2009 North Ave Sidewalk Project, along with the Comprehensive and Open Space and Farmland Protection Plans <http://pleasantvalley-ny.gov/government/comprehensive-plan/> <http://pleasantvalley-ny.gov/government/environment/open-space-and-farmland-plan/#:~:text=The%20Open%20Space%20and%20Farmland,the%20future%20of%20our%20Town.> . Other actions, documents and projects also show that Pleasant Valley is conscious of the community and its safety, livability, and accessibility.

Adopting the Complete Streets Policy will further show the commitment Pleasant Valley has to contributing to a cleaner, greener transportation system and recognizing a place for all users. It will also align the town with the State and County transportation vision and policy.

**Town of Pleasant Valley Town Board
Town Board Resolution No:**

Re: Complete Streets NY Policy

DEFINITIONS; "Complete Streets" is defined as streets and sidewalks that are designed and operated to enable safe access for all uses; pedestrians, bicyclists, motorists, and public transportation and regardless of age, ability or mode of transportation.

"Multi-modal transportation" refers to various modes of transportation (walking, bicycling, automobile, public transit, etc.)

"Pedestrian" refers to a person on foot, in a wheelchair, crutches, on skates, or on a skate board.

WHEREAS, the Town recognizes that the needs of all uses (bicyclists and pedestrians) and all users regardless of age and ability should be considered in the planning, design, maintenance and operation of new and retrofit construction undertaken in the Town; and

WHEREAS, Complete Streets concepts, use the latest and best design guidelines while recognizing the need for flexibility in balancing user needs, design –features and practices include, but are not limited to, sidewalks, paved shoulders suitable for cycling, designated bike lanes, land striping, share-the-road signage, crosswalks, curb ramps, audible pedestrian signals, pedestrian crossing signage, traffic calming measures such as curb bump-outs, center island and pavement markings, sidewalk snow removal and routine shoulder and bike land maintenance,

WHEREAS, the Town recognizes the adoption of Complete Streets supports the promotion of walking and bicycling for health, fitness, transportation and recreation through events, programs and other education activities which benefit residents, students, businesses and visitors of all ages and abilities.

WHEREAS, Complete streets has been recognized and adopted as law in the New York State; and over 300 Complete Streets policies and laws have been adopted at the state, county, town, village and city levels across the country for the purpose of improving multi-modal transportation options, safety, and accessibility for all users; and

WHEREAS, the Town recognizes that Complete Streets encourage connectivity and aims to create comprehensive, integrated, connected network for all users, will increase opportunities for multi-modal transportation, increase the capacity and efficiency of the road network, incorporate traffic calming actions, limit greenhouse gas emissions, improve rates of physical activity and related health outcomes, improve neighborhood vitality, increase social interactions, create a stronger sense of community, strengthen the local economy, and improve the quality-of-life for people in the community; and

WHEREAS, the Town and its Highway Department has the ability to work with the Town Planning Board, the NYSDOT, the County and others to explore the development, maintenance and enhancement of pedestrian, bicycle and trail connections within neighborhoods, hamlet centers and rural Town and put into practice a Complete Streets Program to address issues of these amenities.

COMPLETE STREETS

RESOLUION NO.

DATE:

NOW, THEREFORE, BE IT RESOLVED, the Town hereby recognizes the importance of creating Complete Streets through the planning, design, maintenance, operation, budgeting and implementation of local highway, street and sidewalk projects undertaken by and in the Town that enable safe multi-modal transportation for people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities; and

BE IT FURTHER RESOLVED, the Town encourages the NYSDOT and Dutchess County to consider incorporating Complete Street concepts, design-features, and practices in the planning design, construction, reconstruction, and rehabilitation of their respective roadways in the Town.

BE IT FURTHER RESOLVED, that the Town board hereby resolves to establish a Complete Streets Policy as follows;

1. The Highway Department and Planning Board shall consider incorporating Complete Street Concepts, design features and practices in the planning, design, budgeting and implementation of local highway, street and sidewalk improvements projects undertaken by the Town.
2. The addition of Complete Streets facilities shall be consistent with the scope of the construction or improvement project, sensitive to the surrounding environment and shall not be disproportionate with the cost of the larger project.
3. Complete Streets facilities may be planned designed, developed, and maintained in accordance with bicycle and pedestrian facility guidelines adopted by the United States Department of Transportation, New York State Department of Transportation, the American Association of State Highway and Transportation Officials, and other guidelines approved by the Town.
4. When addressing a project which encompasses a Dutchess County highway, street and sidewalk improvement project, the Planning Department or Highway Department will incorporate the Dutchess County Complete Streets checklist in planning and design, and when encountering a local highway, street and sidewalk improvement project will use the checklist as guidance (checklist attached).
5. If the Planning Board or Highway Department determines that the inclusion of bicycle and/or pedestrian facilities are unable to be accommodated on a roadway or within the Town right-of-way proposed for construction or improvement, the Highway Superintendent shall be prepared to explain their determination to the Town Board, upon request.
6. The Town Board shall create, and solicit citizen participation through, an "advisory board" or a subcommittee of the Planning Board to make recommendations to the Town and the Highway Department on the planning, design, budgeting and implementation of Complete Streets improvements in accordance with the policy.

COMPLETE STREETS

RESOLUTION NO.

DATE:



PE6 Action: Complete Streets Policy

4 Points



BRONZE PRIORITY



SILVER PRIORITY

Why is this action important?

Streets are the main arteries of a community, moving people, goods, and services from one place to another. A Complete Streets approach to designing our roads incorporates safety, livability, and a place for all users – pedestrians, bicyclists, motorists, and public transit riders. Complete streets design features recognize that the needs of users vary according to rural, suburban, and urban contexts and they may include, but are not limited to, sidewalks, paved shoulders suitable for cycling, lane striping, bike lanes, share-the-road signage, crosswalks, road diets, pedestrian control signalization, but pullouts, curb cuts, raised crosswalks and ramps, and traffic calming measures. Complete Streets design can include more vegetation to provide shade and a buffer from traffic, and it can include green infrastructure to better manage stormwater. As stated in the [New York State Complete Streets Act of 2011](#), “Complete Streets will contribute to a cleaner, greener transportation system” and “more citizens will achieve the health benefits associated with active forms of transportation while traffic congestion and auto related air pollution will be reduced.”

B. How to implement this action

Local governments can implement this Climate Smart Communities (CSC) certification action by formally adopting a policy to enable safe access to public roads and appropriate forms of transportation for all by using complete streets design principles for transportation infrastructure projects. Specifically, the policy resolution should set forth the intention to consider the safe and convenient access and mobility on the road network by current and projected users of all ages and abilities, including motorists, pedestrians, bicyclists, and public transit users through the use of complete street design features in the planning, design, construction, reconstruction, and rehabilitation (not including resurfacing, maintenance, or pavement recycling) of transportation infrastructure projects undertaken within the municipal jurisdiction.

The policy should define complete streets, including a description of potential design features, and should set forth exemptions, such as roadways where complete streets design features would have an adverse impact on public safety or where the cost would be disproportionate to the need (as well as the factors upon which that determination should be made, such as the land use context, projected traffic volumes, population density, and level of community support). The complete streets policy should also include additional steps necessary for full implementation and measures to assess performance (such as a procedure for reporting on progress to institutionalize complete streets, including a time frame and the assignment of responsibilities) or should formally initiate the process of creating a more detailed complete streets implementation plan, including a timeframe for plan completion.

As with any change in local laws and policies, please consult with the local government attorney for guidance on drafting and enacting a Complete Streets policy. Local governments are encouraged to contact the [New York State Department of State Division of Local Services](#) for training, technical assistance and legal guidance on complete streets policies.

C. Timeframe, project costs, and resource needs

For many local governments, resolutions and policy changes can take up to a year to conduct background research, draft new language, consult with a local government attorney and enact. Planning consultants can be resources in crafting the language and determining the most appropriate changes to accomplish local goals.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Local governments with legislative authority can draft and adopt a Complete Streets policy. Planning departments (or planning boards), public works departments, and local government attorneys are typically responsible for implementing this action. Municipal committees, such as the CSC task force, conservation advisory councils or environmental conservation committees may also be involved.

E. How to obtain points for this action

To obtain points for this action, the local government must formally adopt a Complete Streets policy that either a) includes the additional steps necessary for full implementation and measures to assess performance, or b) formally initiates the process of creating a complete streets implementation plan, including a timeframe for plan completion.

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so, to reduce the risk of legal challenges.

F. What to submit

Submit a copy of (or link to) a Complete Streets policy that meets the requirements in Section E. The policy must be actively in use at the time of submittal. Include documentation showing the Complete Streets policy was formally approved and adopted by the local government; adoption can take the form of a resolution, executive order, law, or other formal policy.

All CSC action documentation is available for public viewing after an action is approved. Action submittals should not include any information or documents that are not intended to be viewed by the public.

G. Links to additional resources or best practices

- [New York State Department of Transportation - Complete Streets Act](#): This webpage includes sample resolutions and policies from local governments across New York State.
- [Smart Growth America – National Complete Streets Coalition](#)
- [City of Kingston, NY. Complete Streets Policy](#)
- [GObike Buffalo - Complete Streets in the City of Buffalo, NY](#)
- [DOH Public Health Live Webcast: Climate Smart Communities: Developing a Complete Streets Policy](#)

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

Dutchess County Complete Streets Checklist

Dutchess County Complete Streets Policy

Dutchess County shall strive to plan, design, construct, operate, and maintain its streets, bridges, bus system, parks, trails, and buildings to promote safe, comfortable, efficient and convenient travel for people of all ages and abilities and for all types of transportation, including walking, bicycling, riding the bus, and driving, to the greatest extent possible. Over time, these facilities will be integrated into a countywide network that promotes the health, safety, environment, and economic vitality of Dutchess County and makes it a more desirable place to live, work and visit.

This checklist is intended to assist the County in achieving its vision for complete streets. It shall be completed for all projects involving County roads and property, as well as public and private projects over which the County Department of Public Works has permitting authority, either by the County's project manager or the project applicant.

Project Name _____

Date: _____

Project Location/Limits: _____

Tax Parcel Lot #: _____

Project Description: _____

Street Classification (street/streets within the project area, or County access road)

Rural Principal Arterial	<input type="checkbox"/>	Urban Principal Arterial	<input type="checkbox"/>
Rural Minor Arterial	<input type="checkbox"/>	Urban Minor Arterial	<input type="checkbox"/>
Rural Major Collector	<input type="checkbox"/>	Urban Major Collector	<input type="checkbox"/>
Rural Minor Collector	<input type="checkbox"/>	Urban Minor Collector	<input type="checkbox"/>
Rural Local Road	<input type="checkbox"/>	Urban Local Road	<input type="checkbox"/>

Annual Average Daily Traffic: _____

85th Percentile Speed: _____

5-yr total pedestrian crashes: _____

Pedestrian count (if available): _____

Posted Speed Limit: _____

% Heavy Vehicles (classes F4-F13): _____

5-yr total bicycle crashes: _____

Bicycle count (if available): _____

Instructions: For each box checked, please briefly describe how the item is addressed, not addressed, or not applicable and include supporting documentation.

Refer to best practice design standards as needed, including from the American Association of State Highway Officials (AASHTO), the Manual on Uniform Traffic Control Devices (MUTCD), the New York State Department of Transportation (NYSDOT), the Institute of Transportation Engineers (ITE), the National Association of City Transportation Officials (NACTO), the Americans with Disabilities Act (ADA), and the US Access Board's Public Right-of-Way Accessibility Guidelines (PROWAG).

EXISTING CONDITIONS				
Item to Be Addressed/Considered	YES	NO	N/A	Required Description
Existing Walking & Bicycling Facilities				
Do walking or bicycling facilities exist within 300 feet of the project area? (see page 3 for examples)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Is there bicycle parking within 300 feet of the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Existing Roadway Facilities				
Are road shoulder widths adequate for walking and bicycling? If not, please specify travel lane and road shoulder widths.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are road shoulder surfaces in good condition for walking and bicycling? If not, please specify.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Is on-street parking present on the road?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Existing Transit Facilities				
Is the project area on a transit route? (Dutchess County Public Transit routes , Metro-North, or other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are there bus stops or train stations within a quarter-mile of the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

EXISTING CONDITIONS				
Item to Be Addressed/Considered	YES	NO	N/A	Required Description
Existing Access and Mobility/ADA				
Do all sidewalks, ramps, signals, and other facilities within the project area meet ADA standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Existing Walking/Bicycling Issues				
Have local leaders, residents, or organizations been contacted to discuss issues related to walking, bicycling, or transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Existing Safety Issues				
Has the local law enforcement agency (County Sheriff's Office and local police) and/or road owner been contacted to discuss any safety issues in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Key Destinations				
Are there shopping, employment centers, cultural centers, historic sites, landmarks, recreation areas, or other key destinations that could be connected to the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Are there schools, hospitals, senior centers, community centers or centers for persons with disabilities within a half-mile of the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Planned Facilities				
Is there a planned walking, bicycling, or transit facility within a radius of 300 feet around the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Centers & Greenspaces				
Is this facility located within an identified center as per the County's Centers & Greenspaces Plan ? If yes, which center?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Plans & Policies				
<p>Briefly describe relevant recommendations from County & municipal planning or policy documents addressing walking, bicycling, transit, or truck/freight travel in or near the project area and how the project incorporates them, or if not, why not.</p> <p>Examples include: Metropolitan Transportation Plan (County-wide long-range transportation plan); Walk Bike Dutchess (County-wide Pedestrian & Bicycle Plan); municipal Comprehensive Plan, trail or open space plan, sidewalk or pedestrian plan, or bicycle plan. Also see Walk Bike Dutchess Chapter 2 for an overview of County & local policies and plans. Contact the Transportation Council if you need assistance.</p>				

Attach a map of the project area and surrounding context, including existing & planned facilities and destinations.

PROPOSED DESIGN

Complete Streets Elements: what will be included in the Proposed Design?

Bicycling Facilities:

Off-roadway path/trail	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Dedicated on-street bike lane	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Shared-lane markings (sharrows)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Paved Shoulders (4 feet minimum; 5+ feet preferred)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bike detection at actuated traffic signals, including at turn lanes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Signals with adequate minimum green time for bicyclists to cross the intersection	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bicycle-safe inlet grates	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bicycle parking (racks, lockers)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Transit Facilities:

Transit vehicle access into site	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bus pull-offs or curb extensions	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bus stop signs/marked stops	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Bus stop shelters	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Has transit agency/ies been contacted to discuss options?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Access and Mobility/ADA Facilities:

ADA-compliant sidewalk/path	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Accessible pedestrian traffic signals (push-buttons with audible tones)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Curb ramps with detectable warning surface	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
ADA-compliant slopes and cross-slopes for driveway ramps, sidewalks, & crossings	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Access management: reduce conflict points between pedestrians, bicyclists, and vehicles	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Freight & Emergency Vehicles:

Loading/unloading zones	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Emergency vehicle access	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Walking Facilities:

Sidewalks (preferred on both sides of the street) or path	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Paved Shoulders (4 feet minimum; 5+ feet preferred)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
High-visibility crosswalks	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Curb extensions to reduce crossing distance	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Pedestrian traffic signals with adequate crossing time	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Signal timing: protected left turn phases, leading pedestrian interval, no right turn on red, etc.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Raised median with refuge islands (especially on roads with 2 or more lanes in each direction)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Traffic calming elements, lighting & signage, especially at uncontrolled crossings	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Connectivity:

Connections to bicycling, walking, or transit facilities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Connections to key destinations (see page 2)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Connections to neighborhoods	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Streetscape Elements:

Landscaping, street trees, planters, buffer strips, etc.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Pedestrian-scale lighting	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Public seating or benches	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Wayfinding signage for walking, bicycling, & transit	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA
Utilities: relocate poles or wires	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA

Responsible Agencies:

Construction-period pedestrian/bicycle access:	
Ongoing facility maintenance:	
Law Enforcement:	
Road Owner:	

PROPOSED DESIGN

Diminished Access

Will the proposed project remove an existing walking or bicycling facility or hinder pedestrian or bicycle access?

Yes, Temporary Yes, Permanent No

If yes, describe why this is necessary and how access will be provided.

Reviewer Notes:

Prepared by: _____
Title: _____ Date: _____
Email: _____ Phone: _____

Public Works Dept Reviewer: _____
Title: _____ Date: _____
Email: _____ Phone: _____

Public Works Dept Approval: _____
Planning Dept Consulted: _____
Others Consulted: _____

Exception Requested: Yes No **Exception Granted:** Yes No
Justification Attached: Yes No
(exception required only if checklist is not to be completed; otherwise not required)

If you have feedback on this checklist, please email dctc@dutchessny.gov

Thanks to the City of Saratoga Springs for sharing their Complete Streets checklist for use as a model.

5411--A

Cal. No. 966

2011-2012 Regular Sessions

I N S E N A T E

May 18, 2011

Introduced by Sens. FUSCHILLO, DILAN, AVELLA, BRESLIN, DIAZ, DUANE, FLANAGAN, GRISANTI, HASSELL-THOMPSON, KENNEDY, KLEIN, KRUEGER, LARKIN, LITTLE, MONTGOMERY, OPPENHEIMER, PARKER, PERKINS, SAMPSON, STAVISKY, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the highway law, in relation to enabling safe access to public roads for all users by utilizing complete street design principles

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings. It is hereby found and declared that
2 to achieve a cleaner, greener transportation system the transportation
3 plans of New York state should consider the needs of all users of our
4 roadways including pedestrians, bicyclists, public transportation
5 riders, motorists and citizens of all ages and abilities, including
6 children, the elderly and the disabled. By encouraging good planning,
7 more citizens will achieve the health benefits associated with active
8 forms of transportation while traffic congestion and auto related air
9 pollution will be reduced. Therefore, it shall be the policy of the
10 state to consider people of all ages and abilities and all appropriate
11 forms of transportation when planning roadway projects.

12 S 2. The highway law is amended by adding a new section 331 to read as
13 follows:

14 S 331. CONSIDERATION OF COMPLETE STREET DESIGN. (A) FOR ALL STATE,
15 COUNTY AND LOCAL TRANSPORTATION PROJECTS THAT ARE UNDERTAKEN BY THE
16 DEPARTMENT OR RECEIVE BOTH FEDERAL AND STATE FUNDING AND ARE SUBJECT TO
17 DEPARTMENT OF TRANSPORTATION OVERSIGHT, THE DEPARTMENT OR AGENCY WITH

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD11543-02-1

1 JURISDICTION OVER SUCH PROJECTS SHALL CONSIDER THE CONVENIENT ACCESS AND
2 MOBILITY ON THE ROAD NETWORK BY ALL USERS OF ALL AGES, INCLUDING MOTOR-
3 ISTS, PEDESTRIANS, BICYCLISTS, AND PUBLIC TRANSPORTATION USERS THROUGH
4 THE USE OF COMPLETE STREET DESIGN FEATURES IN THE PLANNING, DESIGN,
5 CONSTRUCTION, RECONSTRUCTION AND REHABILITATION, BUT NOT INCLUDING
6 RESURFACING, MAINTENANCE, OR PAVEMENT RECYCLING OF SUCH PROJECTS.

7 (B) COMPLETE STREET DESIGN FEATURES ARE ROADWAY DESIGN FEATURES THAT
8 ACCOMMODATE AND FACILITATE CONVENIENT ACCESS AND MOBILITY BY ALL USERS,
9 INCLUDING CURRENT AND PROJECTED USERS, PARTICULARLY PEDESTRIANS, BICY-
10 CLISTS AND INDIVIDUALS OF ALL AGES AND ABILITIES. THESE FEATURES MAY
11 INCLUDE, BUT NEED NOT BE LIMITED TO: SIDEWALKS, PAVED SHOULDERS SUITABLE
12 FOR USE BY BICYCLISTS, LANE STRIPING, BICYCLE LANES, SHARE THE ROAD
13 SIGNAGE, CROSSWALKS, ROAD DIETS, PEDESTRIAN CONTROL SIGNALIZATION, BUS
14 PULL OUTS, CURB CUTS, RAISED CROSSWALKS AND RAMPS AND TRAFFIC CALMING
15 MEASURES; AND RECOGNIZE THAT THE NEEDS OF USERS OF THE ROAD NETWORK VARY
16 ACCORDING TO A RURAL, URBAN AND SUBURBAN CONTEXT.

17 (C) THIS SECTION SHALL NOT APPLY IF IT HAS BEEN DETERMINED AND SET
18 FORTH IN PUBLICLY AVAILABLE DOCUMENTS THAT ONE OF THE FOLLOWING EXISTS:

19 (I) USE BY BICYCLISTS AND PEDESTRIANS IS PROHIBITED BY LAW, SUCH AS
20 WITHIN INTERSTATE HIGHWAY CORRIDORS; OR

21 (II) THE COST WOULD BE DISPROPORTIONATE TO THE NEED AS DETERMINED BY
22 FACTORS INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING: LAND USE CONTEXT;
23 CURRENT AND PROJECTED TRAFFIC VOLUMES; AND POPULATION DENSITY; OR

24 (III) DEMONSTRATED LACK OF NEED AS DETERMINED BY FACTORS, INCLUDING,
25 BUT NOT LIMITED TO, LAND USE, CURRENT AND PROJECTED TRAFFIC VOLUMES,
26 INCLUDING POPULATION DENSITY, OR DEMONSTRATES LACK OF COMMUNITY SUPPORT;
27 OR

28 (IV) USE OF THE DESIGN FEATURES WOULD HAVE AN ADVERSE IMPACT ON, OR BE
29 CONTRARY TO, PUBLIC SAFETY.

30 (D) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE THE DEPART-
31 MENT OR AGENCY WITH JURISDICTION OVER A PROJECT TO EXPEND MONIES IN
32 ACCORDANCE WITH SUBDIVISION (A) OF THIS SECTION THAT EXCEED THE AMOUNT
33 OF STATE AND FEDERAL FUNDING FOR COMPLETE STREET DESIGN FEATURES.

34 S 3. (a) No later than two years after the effective date of this act,
35 the department of transportation shall publish a report showing how it
36 has complied with section 331 of the highway law and changed its proce-
37 dures to institutionalize complete street design features into planning,
38 project scoping, design and implementation of the required highway and
39 road projects. The report shall include, but not be limited to, a
40 discussion of the review of and revisions to various guidance documents
41 regarding lane width, design speed, average daily traffic thresholds,
42 level of service and roadway classification. The report shall also show
43 any best practices that the department of transportation utilized in
44 complying with section 331 of the highway law.

45 (b) In identifying such best practices, consideration shall be given
46 to the procedures for identifying the needs of the mix of users, includ-
47 ing primary and secondary users and the identification of barriers. The
48 department of transportation shall consult with transportation, land-use
49 and environmental officials, including representatives from:

50 (i) Counties, cities and towns;

51 (ii) Metropolitan planning organizations;

52 (iii) Public transit operators;

53 (iv) Relevant state agencies; and

54 (v) Other relevant stakeholders, including, but not limited to, repre-
55 sentatives from disability rights groups, aging groups, bicycle and
56 pedestrian advocates, and developers.

1 S 4. This act and/or any failure to comply with the provisions of this
2 act shall not be admissible as evidence against the state, any munici-
3 pality or public authority in any claim for monetary damages against the
4 state, a municipality or a public authority.

5 S 5. This act shall take effect on the one hundred eightieth day after
6 it shall have become a law; provided, however, that this act shall not
7 apply to transportation projects undertaken or approved prior to the
8 date on which this act shall have become a law.