

## ORDINANCE

### PORTSMOUTH COMPLETE STREETS

#### Chapter 342 - COMPLETE STREETS

**Sec. 342-01. Purpose.** The purpose of this ordinance is to enhance the Town of Portsmouth's municipal roadway network to provide safe and convenient accommodation for walking, bicycling and access to public transportation that will encourage increased use of these modes of travel and meet the needs of all users of roadways, including children, older adults and people with disabilities.

**Sec. 342-02. Complete Streets Policy.** It is the policy of the Town of Portsmouth that the Department of Public Works shall, to the maximum extent possible, incorporate complete streets infrastructure into all municipal roadway projects, approach every roadway project as an opportunity to improve municipal roadways for all users and work in coordination with other departments, agencies and jurisdiction to achieve Complete Streets.

**Sec. 342-03. Definitions.** The following words and phrases, whenever used in this ordinance, shall have the meanings defined in this section unless the context clearly requires otherwise:

**"Complete Streets"** is the planning, scoping, design, implementation, operation, and maintenance of roadways in order to reasonably address the safety and accessibility needs of users of all ages and abilities. Complete Streets considers the needs of motorists, pedestrians, transit users and vehicles, bicyclists, and commercial and emergency vehicles moving along and across roads, intersections, and crossings in a manner that is sensitive to neighborhood context and recognizes that all roadways are different and the needs of various users will need to be balanced in a flexible manner.

**"Complete Streets Infrastructure"** means physical roadway features that contribute to a safe, convenient and comfortable travel experience for users, including but not limited to elements such as: sidewalks; shared use paths; bicycle lanes; automobile lanes; paved shoulders; street trees and landscaping; planting strips; curbs; accessible curb ramps; bulb outs; crosswalks; refuge islands; pedestrian and traffic signals, including countdown and accessible signals; signage; street furniture; bicycle parking facilities; public transportation stops and facilities; transit priority signalization; traffic calming devices such as rotary circles, traffic bumps, and surface treatments such as paving blocks, textured asphalt, and concrete; narrow vehicle lanes; raised medians; and dedicated transit lanes.

**"Users"** mean individuals that use roadways, including pedestrians, bicyclists, motor vehicle drivers, public transportation riders and drivers, drivers of agricultural, freight and emergency vehicles and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities.

**"Roadway"** means all Town-owned transportation facilities in the public right-of-way including, but not limited to, roadways and intersections, as well as parking lots on Town-owned land, bridges, tunnels, stormwater infrastructure and any other elements of the vehicle transportation network.

**"Roadway Projects"** means the construction, reconstruction, retrofit, maintenance, alteration, or repair of any roadway, and includes the planning, design, approval, and implementation processes, except that "Roadway Project" does not include repaving that does not alter the roadway geometry and minor routine upkeep such as cleaning, sweeping, mowing, spot repair, or interim measures on detour routes.

**Sec. 342-04. Applicability.**

- a) The provisions of this ordinance shall apply to all roadways (see above definition) in the Town of Portsmouth.
- b) The provisions of this ordinance shall not apply to any private or federally owned roads in the Town of Portsmouth.
- c) The provisions of this ordinance shall not apply to public rights-of-way owned and maintained by the State of Rhode Island (RIDOT), including:
  - East Main Road (Route 138)
  - West Main Road (Route 114)
  - Route 24
  - Union Street
  - Schoolhouse Lane
  - Middle Road (from Schoolhouse Lane to Union Street)
  - Sprague Street
  - Turnpike Avenue
  - Bristol Ferry Road
  - Boyd's Lane
  - Park Avenue
  - Point Road
  - Hummock Avenue
  - Riverside Street
  - Railroad Avenue
  - Anthony Road (from Boyd's Lane to the State Garage)

**Sec. 342-05. Implementation.**

- a) All Town-owned transportation facilities in the public right-of-way including, but not limited to, roadways and intersections, stormwater infrastructure as well as parking lots on Town-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 roadways.
- b) The Town 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 Town's Green and Complete Streets policy as set forth in section 32-210 above and continue such infrastructure beyond the Town's borders.
- c) The Town shall approach every transportation improvement and project phase as an opportunity to create safer, more accessible streets for all users. The design of new, rehabilitated or reconstructed facilities should anticipate likely future demand for bicycling, walking, transit, and motorist use and should not preclude the provision of future improvements. Other changes to transportation facilities on roadways and rights-of-way, including capital improvements must also be included.
- d) The Department of Public Works will incorporate Complete Streets principles into all existing plans, manuals, checklists, decision-trees, and programs as appropriate, including, but not limited to any short-term, medium-term, and long-term capital plans.
- e) Town 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 Complete Streets projects.
- f) The Town shall promote inter-departmental project coordination among Town departments with an interest in the activities that occur within the public right-of-way in order to better use fiscal resources.
- g) The Town shall make good faith efforts to include an educational component to ensure that all users of the transportation system understand and can safely utilize Complete Streets project elements.
- h) If the safety and convenience of roadway users can be improved within the scope of pavement resurfacing, restriping, stormwater infrastructure maintenance, or traffic control signage

upkeep, such projects shall implement complete streets infrastructure to increase safety for users.

- i) Training in how to integrate, accommodate and balance the needs of each category users shall be provided for planners, Department of Public Works staff, project managers plan reviewers, inspectors and other personnel responsible for design, review, permitting and construction of roadways.

**Sec. 342-06. Exceptions.** Subject to approval by the Director of Public Works, complete streets infrastructure is not required to be provided when:

- a) Establishment would be contrary to public safety;
- b) The existing right-of-way is constrained in a manner that inhibits the installation of cost-effective complete streets infrastructure;
- c) There is a demonstrated lack of need as determined by factors including, but not limited to, land use, current and projected traffic volumes, population density or lack of community support;
- d) Routine maintenance of the transportation network is performed that does not change the roadway geometry or operations, including, but not limited to, repaving, striping, sweeping, spot repair, pothole filing, joint or crack filling, and surface treatments for pavement preservation;
- e) Implementing complete streets standards in a roadway project would create a short section of improvements with problematic transitions on either end or that are unlikely to be followed by similar improvements at either end resulting in little progress on implementing a complete streets network.

**Sec. 342-07. Design Standards.** The Town shall adopt and 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, if a comparable level of safety for all users is present.

**Sec. 342-09. Data Collection, Performance Standards and Public Input**

- a) The Town shall develop and collect data measuring how well the roadways of Portsmouth are serving each category of users.
- b) The Town shall put into place performance standards with measurable benchmarks reflecting the ability of users to travel in safety and comfort on all roadways.
- c) The Town shall utilize these performance measures to identify improvement projects to be included in the Town's 5-year capital improvement plan and/or the annual street pavement plan. The projects shall be identified based on their ability to address design issues on Town-owned transportation facilities, such as improved safety and comfort for all users.
- d) The Town Council shall establish procedures to allow full public participation in policy and budgetary decisions in individual determinations concerning the use of complete streets infrastructure on all roadway projects.

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