

**Council Members Golby, Calsolaro, Conti, Fahey, Konev, O'Brien and Sano introduced the following, which was approved:**

**Ordinance Number 2.11.13 (As amended)**

**AN ORDINANCE AMENDING CHAPTER 323 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF ALBANY BY REPEALING ARTICLE VI (STREET IMPROVEMENTS) IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE VI IN RELATION TO COMPLETE STREETS**

**The City of Albany, in Common Council convened, does hereby ordain and enact:**

**Section 1. Article VI of Chapter 323 of the Code of the City of Albany is hereby repealed in its entirety.**

**Section 2. Chapter 323 of the Code of the City of Albany is amended by adding new Article VI to be entitled "Complete Streets."**

**Section 323-88. Legislative Findings.**

The City of Albany Common Council finds that the mobility of freight and passengers and the safety, convenience, and comfort of motorists, cyclists, pedestrians – including people requiring mobility aids, transit riders, and neighborhood residents of all ages and abilities should all be considered when planning and designing Albany's streets. Integrating sidewalks, bike facilities, transit amenities, and safe crossings into the initial design of street projects avoids the expense of retrofits later. Streets are a critical component of public space and play a major role in establishing the image and identity of a City. By encouraging good planning, 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 goal of this law is to improve the access and mobility for all users of streets in the community by improving safety through reducing conflict and encouraging non-motorized transportation and transit.

**Section 323-89. Complete Street Design.**

A. For all street construction, reconstruction, or resurfacing projects (as per Section C(2)) that are undertaken by the City and not covered under the New York State Complete Streets Law contained in Section 331 of the Highway Law, the department planning such project shall consider the convenient access and mobility on the street by all users of all ages, including motorists, pedestrians, bicyclists, and public transportation users through the use of complete street design features in the planning, design, construction, reconstruction and resurfacing, but not including maintenance or emergency projects.

B. Complete street design features are roadway design features that accommodate and facilitate convenient access and mobility by all users, including current and projected users, particularly pedestrians, bicyclists and individuals of all ages and abilities. These features may include, but need not be limited to: sidewalks, paved shoulders suitable for use by bicyclists,

lane striping, bicycle lanes and improved bicycle parking and storage, share the road signage, street and sidewalk lighting, crosswalks or median refuges, road diets, pedestrian control signalization, bus pull outs and improved pedestrian access to bus stops, curb cuts, raised crosswalks and ramps and traffic calming measures; and recognize that the needs of users of the road network vary.

C. This section shall not apply if it has been determined and set forth in publicly available documents that one of the following exists:

(1) use by bicyclists and pedestrians is prohibited by law, such as within interstate highway corridors; or

(2) the cost would be disproportionate to the need as determined by factors including, but not limited to, the following: land use context; current and projected traffic volumes; and population density; or

(3) demonstrated lack of need as determined by factors, including, but not limited to, land use, current and projected traffic volumes, including population density, or demonstrates lack of community support; or

(4) use of the design features would have an adverse impact on, or be contrary to, public safety.

**Section 323-90. Development of guidelines; Reporting requirements.**

A. Guidelines will be developed by the Department of General Services, Division of Traffic Engineering, and the Division of Planning with stakeholder input and shall include street typologies, design guidance, and implementation.

B. No later than two years after the final adoption of Complete Streets Guidelines and biennially thereafter, the Department of General Services shall publish a report showing how it has complied with this Article and improvements made to the roadways of the City.

**Section 3. This ordinance shall take effect January 1, 2014.**

**APPROVED AS TO FORM  
December 28, 2012**

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**Deputy Corporation Counsel**

**TO:** Nala Woodard, City Clerk  
**FROM:** Leah Golby, Council Member  
**RE:** Request for Common Council Legislation  
Supporting Memorandum  
**DATE:** June 3, 2013

**ORDINANCE NUMBER 2.11.13**

**TITLE: AN ORDINANCE AMENDING CHAPTER 323 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF ALBANY BY REPEALING ARTICLE VI (STREET IMPROVEMENTS) IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE VI IN RELATION TO COMPLETE STREETS**

**GENERAL PURPOSE OF LEGISLATION:** This ordinance adopts a “Complete Streets” program for the City of Albany requiring that roadwork be planned to consider all users of City streets and not just automobiles. It is consistent with Albany 2030, the City’s Comprehensive Plan which references “Complete Streets.”

**NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW:** This legislation insures that complete street design principles are utilized throughout our City. In 2011, Governor Cuomo signed similar legislation that applies to all City projects that are funded with state and federal dollars. This legislation expands the New York State law to cover all road projects of the City.

**FISCAL IMPACT:** Dependent upon the number of street projects and necessary improvements.