



CITY OF PROVIDENCE
MAYOR BRETT P. SMILEY

GREEN AND COMPLETE STREETS ADVISORY COUNCIL

Staff Report: Update on Amendment to Green and Complete Streets Ordinance *(For Discussion)*
Presented at 6/22/23 GCSC meeting

Project Background and Update

At the 4/17/23 meeting, GCSC asked the Chair and Staff to draft a letter to City Council requesting amendments to the enabling ordinance to improve the functionality of the Advisory Council and effectiveness of the ordinance. The final letter is attached to this staff report, along with the specific language staff shared with City Council staff following the letter's transmission.

Councilman John Goncalves filed a [related bill](#) that was referred to the Ordinance Committee on May 18. He has stated that he will revise this bill's language (a "Sub A") to incorporate many of the edits recommended by City staff on behalf of GCSC, at an upcoming meeting of the Ordinance Committee, preliminarily planned for next week, June 29th. The only requested edit that is currently expected to be omitted from this Sub A is the removal of the exemption for projects initiated by City Council with NIF or CDBG funds, Section 23-193(g).

Council staff expects there to be two meetings of the Ordinance Committee at which the amendment is discussed, followed by the required two passages by the full City Council. It is unlikely that all four of these meetings will occur before City Council begins their month off in August, so Council staff expects the earliest final passage would be in September.

Respectfully submitted by Alex Ellis.



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GREEN AND COMPLETE STREETS ADVISORY COUNCIL

May 23, 2023

The Honorable Rachel Miller
President, Providence City Council
25 Dorrance Street

Dear Council President Miller,

The Green and Complete Streets Advisory Council is tasked in the Green and Complete Streets Ordinance with ensuring that the city's transportation network complies with the provisions of the Ordinance, through advisory recommendations and the review of waiver applications. Upon consultation with City staff, the Advisory Council would like to request the following amendments to the Green and Complete Streets Ordinance to enable more efficient execution of our responsibilities. Some of our members have been in touch with their Councilors, and the recent amendment filed by Councilor Goncalves addresses one of the points below.

- Add two alternate members to the Advisory Council to vote when regular members are absent and improve the reliability of quorum;
- Adjust language to indicate that members of the Advisory Council serve until a replacement is appointed;
- Clarify that projects originated by the State or a public utility within city limits are subject to the Ordinance, in addition to all those originated by the City;
- Adjusting the traffic calming procedure to specify more appropriate thresholds and clarifying language as requested by the Traffic Engineer;
- Add language to the Scope of Applicability clarifying that removal of complete streets features and/or substantial changes to plans after 30% design go through the Ordinance's waiver process; and
- Encourage the consultation of other public bodies with the Advisory Council for relevant topics, such as during review of real estate development that proposes changes to curb lines.

We encourage Council staff to work with staff to the Advisory Council to draft specific language for these amendments. We believe the execution of these minor changes will help us better do the job of supporting the ordinance this body was established to work with.

Thank you,



Rosie Jaswal

Chair, Green and Complete Streets Advisory Council

DEPARTMENT OF PLANNING & DEVELOPMENT

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Section 1. Chapter 23, Article VII, "Green and Complete Streets" is hereby amended as follows:

ARTICLE VII.- GREEN AND COMPLETE STREETS

Sec. 23-192. - Definition.

Significant construction or repair projects shall mean any project that changes the curb line, curb cuts, or traffic geometry, any project that includes restriping of traffic geometry, **any removal of complete streets features**, or any new construction, or improvement of off-road bicycle paths or multi-use trails, that is located on any streets, paths, or intersections designated as needing improvements in the City's Great Streets Plan, any street categorized as an arterial or collector road, or any such construction or repair project within 300 feet of a school or City recreation center.

Sec. 23-193. - Scope of applicability.

- f) All transportation infrastructure and street design projects in the city **including those completed by the State or other public companies, including utility companies** shall adhere to the requirements of this Article and Rhode Island General Law §24-16-2 titled "Complete Street Design."
- ~~g) All projects initiated by the City Council through the use of Neighborhood Infrastructure Funds (NIF) and Community Development Block Grant (CDBG) funding shall be exempt from the requirements of this Article.~~

Sec. 23-194. - Green and Complete Streets Advisory Council.

- a) There is hereby created a Green and Complete Streets Advisory Council. The Advisory Council shall be comprised of the following members:
- 6) three members appointed by the Mayor, ~~and~~
 - 7) four members appointed by the City Council, ~~and~~
 - 8) **two alternate members appointed by the Mayor. Where a regular member is unable to serve, the first alternate member may vote in his/her absence; the second alternate shall vote if two regular members are unable to serve.**
- b) All appointed members shall be residents or domiciliaries of the city and shall each serve for terms of two years. None of the appointed members shall be an elected officer or employee of the city. Vacancies shall be filled for the unexpired term. ~~No m~~**Members** shall serve ~~beyond the date of expiration of said term unless reappointed~~ **until a replacement is appointed**. At the first meeting of the Advisory Council the voting members shall elect a chairperson by simple majority vote.
- c) In appointing members to the Green and Complete Streets Advisory Council, the Mayor and City Council shall give due consideration to appointing members with expertise in the following areas: civil engineering, architecture, city planning, and environmental sustainability. In addition to the above described areas of expertise, the Mayor and City Council shall also give due consideration to appoint members who represent the diverse communities of the City.
- d) The Green and Complete Streets Advisory Council shall include at least one representative of the aging community and a minimum of one member representing the disability community. **At least**

one of these representatives shall be appointed by the Mayor and at least one shall be appointed by City Council.

- e) All meetings of the Green and Complete Streets Advisory Council shall be subject to the provisions of the Rhode Island Open Meetings Act.
- f) **The Department of Planning and Development shall staff the Green & Complete Streets Advisory Council, with the Department of the City Clerk providing administrative support.**

Sec. 23-195. - Implementation.

- b) All significant construction or repair projects subject to this Article shall be presented to the Green and Complete Streets Advisory Council by the sponsoring public agency for review during both the project's initial scoping phase and preliminary design phase.
- c) Traffic calming improvements shall be evaluated as follows:
 - 1) The Traffic Engineer shall conduct traffic studies each month, prioritizing obtaining traffic data on:
 - i) Streets with the most collisions in the preceding three 3 years that have not yet been studied by the Traffic Engineer, especially those with high levels of collisions involving people walking or bicycling,
 - ii) Streets included in the Great Streets Plan,
 - iii) Streets with at least two individuals requesting for traffic calming improvements,
 - iv) Streets the city plans to resurface within the next twelve months,
 - v) Streets throughout the city, such that each Ward contains at least one street studied for traffic calming improvements every six months.
 - 2) Based on the conducted studies, streets that are found to exceed at least one of the following quantitative thresholds shall automatically and immediately be granted preliminary approval by the Traffic Engineer for traffic calming improvements:
 - i) 15% of motor vehicles traveling faster than 30 mph over the study period,
 - ii) 20% of motor vehicles traveling faster than 35 mph for consecutive two hour periods on two days within the study period,
 - iii) 10% of motor vehicles traveling faster than 20 mph over the study period on a street narrower than 18 feet,
 - iv) 3,000 motor vehicles average daily traffic on a local road,
 - ~~v) 50 collisions per million vehicle miles over a 3 year period,~~
 - ~~vi) 20 persons injured per million vehicle miles over a 3 year period.~~
 - 3) The Green and Complete Streets Advisory Council may recommend that additional streets be granted preliminary approval for traffic calming improvements by the Traffic Engineer. Streets that are eligible for this discussion must meet one of the following quantitative thresholds:
 - i) 5% of motor vehicles traveling faster than 30 mph over the study period on a local or collector road
 - ii) 2000 motor vehicles average daily traffic on a local or collector road
 - iii) ~~10~~ **50** collisions per million vehicle miles over a 3 year period
 - iv) ~~10~~ **20** persons injured per million vehicle miles over a 3 year period
 - 4) All streets ~~recommended by the Advisory Council~~ **receiving preliminary approval** for traffic calming improvements shall be prioritized for installation first by the number of injuries recorded over a three year period and then by their 95th percentile speeds.
- k) The city shall promote inter-departmental project coordination among city departments with an interest in the activities that occur within the public right-of-way in order to better use fiscal

resources. **All City boards and commissions shall seek the opinion of the Green and Complete Streets Advisory Council on docket items pertinent to this Article, in a manner consistent with the procedures of those public bodies and procedures approved by the Green and Complete Streets Advisory Council.**

- l) The city shall make good faith efforts to include an educational component to ensure that all users of the transportation system understand and can safely utilize green and complete streets project elements.
- m) The city shall make good faith efforts to encourage improved access to public transit, parks, schools, and healthy food retail establishments, in all development plans reviewed and approved by the city.

Sec. 23-196. - Exceptions.

- a) Applications for waivers or exceptions shall be reviewed and approved by the Green and Complete Streets Advisory Council based on the following criteria:
 - 1) An affected roadway prohibits, by law, use by specified users, in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross, run parallel to, or otherwise intersect with the affected roadway;
 - 2) The activities are ordinary maintenance activities designed to keep assets in serviceable condition (including, but not limited to, mowing, cleaning, sweeping, spot repair and surface treatments such as chip seal or interim measures);
 - 3) The Director of Planning and Development issues a recommendation that the application of this article is unnecessary or unduly cost prohibitive, based upon all reasonable alternatives commensurate to the project scope of work being exhausted and documented, in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross or otherwise intersect with the affected roadway.
 - 4) Other available means or factors indicate an absence of need, including future need.
- b) Notwithstanding the provisions of subsection (a), the Commissioner of Public Safety may issue a waiver or an exception in the form of an executive order if application of this Article would be contrary to public safety, with notice given to the Green and Complete Streets Advisory Council within two business days from the date of the Commissioner's decision regarding said application.
- c) All documentation regarding any waiver or exception application shall be publicly available.
- d) All proposed exceptions must be mode-specific, specifying which Complete Streets principles should be exempted. Infeasibility of one mode of transportation should not exempt a project from incorporating other Complete Streets principles
- e) **Significant changes to projects that have had 30% plans reviewed by the Green and Complete Streets Advisory Council must also utilize the waiver procedure in this section if the safety of the improvements would be diminished compared to the reviewed plans.**