

Draft proposal for a “safer streets ordinance”



Brighton Avenue at Lomond Street, current (left) and with improved sidewalks, street tree plantings, and protected bike lanes (right).

Fixing the city’s most dangerous streets

3 out of 5 injury-causing crashes in the City of Portland occur on a handful of the high-traffic arterial streets, like Brighton Avenue, Commercial Street, and outer Congress Street, where posted speed limits exceed 25 mph.

Most of these streets put Portland residents at risk with outdated 20th-century road designs that prioritize high-speed motor vehicle traffic at the expense of everyone else’s safety.

When protected bike lanes were installed on busy multi-lane avenues in New York City, injury crashes for all road users (drivers, pedestrians, and cyclists) typically dropped by 40% and by more than 50% in some locations (Wolfson, H., 2011).

Helping Portland and Maine achieve its climate goals

Maine’s climate plan relies on reducing the number of miles Mainers drive in their personal automobiles by 10% within the next 3 years, and by 20% by 2030. For Maine as a whole to meet those targets, Portland – the state’s largest city and one of the few places in the state where it’s possible to live without a car – will need to exceed those goals and radically prioritize walking, biking, and transit ridership. The proposed ordinance will help reduce car pollution in

Portland by making it safer and more comfortable for people to bike and walk. Protected bike lanes provide a low-stress facility for people of all ages and abilities that can make bike commuting a better option for more people.

Building more cost-effective infrastructure

Compared to most road projects, protected bike lanes and sidewalk improvements can be built very cheaply. MaineDOT faces serious funding shortfalls, but that's because of decades of poor planning decisions that prioritized our most expensive, least efficient mode of transport at the exclusion of cheaper travel modes, like walking, cycling, and public transit.

Unlike most roadway projects, which burden surrounding neighborhoods with increased noise and pollution,, these safety improvements increase surrounding property values, promote higher-value economic development, and reduce residents' transportation costs.

What this ordinance would do:

The ordinance sets clear expectations with MaineDOT that construction projects affecting Portland's major streets, including Brighton Avenue, outer Congress Street, Franklin Street, Commercial Street, outer Washington Avenue, and outer Forest Avenue, among others, will include adequate infrastructure for bike riders and pedestrians with physically protected bike lanes, adequate sidewalks, and physically protected crosswalks every 2-3 blocks.

The ordinance would prohibit the City Manager from spending any local funds on capital projects that violate these requirements, but allows for exceptions with a unanimous vote of the City Council. Because federally-funded projects require local matching funds, this ordinance would effectively force MaineDOT to adopt the best practices for complete street design that are in use in many other states.

Draft ordinance language:

AMENDMENT TO PORTLAND CITY CODE

Chapter 25 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Re: SAFER STREETS ORDINANCE

This amendment seeks to promote lower-cost, sustainable transportation in accordance with the city's climate goals and eliminate fatalities and injuries on the city's busiest streets through safety improvements and the construction of a connected network of high-quality separated bicycle lanes across the City.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

1. That Section 18-251 of the Portland City Code is hereby amended to read as follows:

Sec. 28-251. Definitions

(a) "City Manager" means the City Manager or the Manager's designee.

(b) "Public Works Director" means the Public Works Director or the Director's designee.

(c) "Street" means a city-accepted street or a portion of such a street.

(d) "Resident" means a person at least 18 years of age who lives in a dwelling unit that is the person's principle place of living or home. (Ord. No. 234-99, 3-29-99)

(e) "Improvements" shall mean the construction of new city streets, or the reconstruction of an existing city street, including but not limited to full depth reconstruction, expansion, and/or alteration of a roadway or intersection.

Improvements shall not include routine maintenance, repairs, restriping of the road surface, or emergency repairs to the surface of a roadway (collectively "Maintenance"), provided that existing bicycle lanes will be restored to existing conditions or better.

(f) "Adequate Directionality" shall mean (1) a two-way street with a separated bicycle lane or lanes that allow bicycle travel in both directions, or (2) a one-way street with a separated bicycle lane or lanes that allow bicycle travel either in the direction of the flow of vehicular traffic or in both directions.

(g) "Permanent Separated Bicycle Lane" shall mean a bicycle lane separated from motor vehicle traffic by a permanent vertical barrier that shall remain in place year-round, including but not limited to granite or concrete barriers and raised curbs, provided, however, that the bicycle lane need not be separated from motor vehicle traffic by a permanent vertical barrier for short stretches to accommodate crosswalks, curb cuts, accessible parking, intersections, and public transportation, and provided further, that existing bicycle lanes may be temporarily removed during construction of Improvements or Maintenance, so long as they are restored to existing conditions or better.

(h) "Median " shall mean the area between opposing lanes of traffic, excluding turn lanes, on a street.

(i) "Pedestrian refuge island" shall mean a median with an accessible refuge area that is intended to help protect pedestrians who are crossing a road and is separated from motor vehicle traffic by a permanent vertical barrier that shall remain in place year-round, including but not limited to granite or concrete barriers and raised curbs.

(j) "Protected Crosswalk" shall mean a crosswalk that either: i) provides one or more pedestrian refuge islands in the middle of a street, such that the distance, as measured along the center of the crosswalk, between median refuge islands and the adjacent curbs is no greater than 30 feet, or ii) includes a traffic signal that will stop all traffic in the street so that pedestrians can cross safely, provided that no pedestrian arriving at the crosswalk will be required to wait more than 30 seconds for the signal to activate, or (iii) includes adequate traffic calming elements to reduce vehicle speeds below 20 miles per hour.

2. That Section 18-267 of the Portland City Code is hereby amended to read as follows:

Section 28-267 Requirements

(a) Whenever Improvements are made to one of the following streets and major arterials, the City of Portland shall require the construction of Protected Crosswalks every 600 feet or less along the length of the street segment subject to Improvements, and sidewalks on both sides of the street that are at 8 feet or more in width, and a Permanent Separated Bicycle Lane with Adequate Directionality along the length of that segment:

- Congress Street, between the Westbrook city line and Valley Street
- Brighton Avenue, between the Westbrook city line and Deering Avenue
- Forest Avenue, between the Westbrook city line and Vannah Avenue
- Forest Avenue, between Revere Street and Park Avenue
- Franklin Street, between Marginal Way and Thames Street
- Washington Avenue, between Chapman Street and Presumpscot Street
- Presumpscot Street, between Ocean Avenue and Washington Avenue
- Commercial Street, between Harbor View Park and Franklin Street

(b) The City of Portland shall expend no city funds on Improvements that do not comply with Subsection A.

(c) In rare circumstances, after the City Manager has demonstrated through a written alternatives analysis, to be made public, why it is impractical to comply with the provisions of Subsection A, and with a detailed plan of how the City Manager intends to protect the safety of pedestrians and bicycle users by alternative means, the City Council may, by a unanimous vote, grant an exception to fund Improvements without full compliance with the provisions of Subsection A. Full compliance with the provisions of Subsection A above will be considered impracticable only in extremely rare circumstances where the City Manager determines that the characteristics of the physical features or usage of a street, or financial constraints of full compliance prevent the incorporation of Protected Crosswalks and Permanent Separated Bicycle Lanes with Adequate Directionality.

