

## TECHNICAL MEMORANDUM

**TO:** Interested Parties  
**FROM:** Robert Torzynski, AICP  
Program Manager – Bicycle & Pedestrian Planning  
**DATE:** July 27, 2007  
**RE:** Bicycle & Pedestrian Supportive Code Language (UPWP Task 5510)

### **Introduction**

Local zoning codes, community design guidelines, and site planning requirements (local codes) can significantly affect the accessibility, safety, and attractiveness of development for bicyclists and pedestrians. Site plan elements, presence of sidewalks, building orientation, parking supply, and parking layout can affect the attractiveness of bicycling and walking as modes of travel. Likewise, connectivity between adjacent properties can also be influenced through local code requirements.

The objective of the Bicycle and Pedestrian Supportive Code Language project was to develop information on and identify examples of noteworthy zoning code and site planning language and guidance that enhances accessibility and safety for bicyclists and pedestrians. The project is a joint effort between the Genesee Transportation Council (GTC) and the Genesee/Finger Lakes Regional Planning Council (G/FLRPC). Staff researched and assessed materials previously compiled by G/FLRPC including, but not limited to, comprehensive plans, zoning regulations, and site planning guidance. Project research also assessed codes and associated materials available from national- and state-level agencies and associations such as the Federal Highway Administration, New York State Department of State, the American Planning Association, and municipalities located within New York State.

### **Project Methodology**

GTC staff surveyed county planning departments in the nine-county Genesee-Finger Lakes region to identify those topics related to supporting bicyclists and pedestrians that could be addressed within the scope of the project. The survey identified the following key areas: 1) sidewalk requirements adjacent to new and existing development, 2) bicycle parking requirements, and 3) automobile parking design. Within the identified key areas, research was conducted and relevant codes obtained through the G/FLRPC library and internet-based resources. Fact sheets and presentation materials were developed to provide examples that may be considered by jurisdictions that seek to improve bicycle and pedestrian safety, access, and attractiveness within the community.

### **Background**

In New York State, land use is regulated predominantly at the local level pursuant to the State's Consolidated Laws. These include the General City Law, General Municipal Law, Municipal Home Rule Law, Town Law, and Village Law. The Consolidated Laws provides a wide variety of tools

that local governments can utilize to improve the transportation system for pedestrians and bicyclists.

The study scope is limited to code language such as local zoning ordinances, site plan review guidelines, and subdivision ordinances. Many communities include bicycle and pedestrian related policies within local comprehensive plans; however, specific code examples are less often available although essential to implementing policy. One town's formally-adopted sidewalk policy has been included because it provides a direct link between exemplary policy and the implementing code. Study examples are limited to New York State jurisdictions to ensure consistency with the enabling provisions included in the State's Consolidated Laws. The study is not presented as legal analysis however; it is instead intended to provide a resource for communities that may wish to assess suitability toward local conditions and needs.

## **Key Findings**

Based on the survey results and project research, five key findings emerge as areas where communities might consider revisions to land use codes to support bicycle and pedestrian travel. These include:

- Require that developers include sidewalks within residential subdivisions;
- Work to infill gaps in the existing sidewalk network within each community;
- Ensure that bicycle parking is provided within new commercial development;
- Improve the integration of pedestrian facilities within automobile parking lots; and
- Locate buildings to the front of lot lines and parking toward the rear in order to support pedestrian access to the site.

None of the measures are a panacea, and few if any of the communities studied include all the measures throughout their land use regulations. However, each approach has been used by municipalities within New York State and the implementation of one or all of the measures described below could provide tangible benefits to local communities seeking to improve conditions for motorists, bicyclists, and pedestrians.

### **A. Sidewalks Adjacent to New Residential Development**

#### **1. Background**

Every trip begins and ends with a walking trip. Providing sidewalks adjacent to new development is one way that communities can improve mobility for all users including the elderly, the young, people with disabilities, and others without access to an automobile. Sidewalks can improve pedestrian safety and convenience by providing a firm, stable, and slip resistant surface separate from the roadway.

The determination of whether or not sidewalks should be provided adjacent to new development depends on the roadway classification and the proposed land use which influences the number of pedestrian trips that will occur. The Federal Highway Administration (FHWA) recommendations range from paved shoulders (typically, three-foot minimum width for rural highways with less than 400 average daily vehicle trips) to sidewalks on both sides of the street (typically, five-foot minimum width) for commercial urban streets.

FHWA guidelines represent standard practice where high intensity land use warrants sidewalks as a safety measure and in low density rural areas where paved roadway shoulders comprise adequate facilities. However, at medium residential densities near FHWA's threshold of four dwelling units per acre there appear to be opportunities for communities that may wish to improve local pedestrian facilities by requiring that sidewalks be provided adjacent to new residential development regardless of roadway classification and the proposed land use.

Residential subdivisions comprise a significant land use in many communities and have the potential to generate a considerable number of pedestrian trips. In addition to improved pedestrian safety, providing sidewalks to serve residential neighborhoods facilitates access to nearby parks, schools, and commercial activity centers and promotes public health through daily physical activity.

## 2. How it's done

Communities that seek to provide sidewalks adjacent to new residential development can utilize several approaches, including:

- Sidewalk requirements based on residential density (i.e., per FHWA Guidelines);
- Requirements based on the roadway's functional classification;
- Sidewalk requirements based on adjacent land use; and
- Policy-based requirements.

## 3. Examples

Requirements based on residential density: the Town of Malta (Code Chapter 143-13.1, Subdivision of Land) requires sidewalks to be provided within all new residential and commercial projects within the Town. The code specifies that the sidewalk shall have a minimum width of five feet and be constructed of concrete designed to serve pedestrians. The code's requirements go on to state that for residential development with more than four units per acre sidewalks shall be required on both sides of the roadway and are required on one side only when the density of development is less than four units per acre. These density-based requirements are consistent with FHWA guidelines.

Requirements based on the roadway's functional classification: the Town of Rhinebeck (Land Subdivision Regulations Article VI, Section 2, Subdivision Design Standards) requires that all streets designated as through roads shall be provided a pedestrian path, sidewalk, or bikeway on at least one side of the street. Sidewalks, if provided, must include a four-foot buffer between the sidewalk and the street. Bikeways (combined bicyclist/pedestrian paths) must also meet this buffer requirement and be at least four-feet in width. Similar requirements apply within the Town of Bethel (applicable to collectors and arterial roads). Sidewalks can also be required based on the ownership of the road. This approach is followed by the Town of Guilderland which requires sidewalks on both sides of all state and county roads wherever properties abutting such roads have access to municipal waterlines (unless adjacent to agriculturally zoned property).

Sidewalk requirements based on nearby land use: the Town of Perinton (Code Section 208-28) requires that sidewalks or pedestrian ways shall be constructed along lands fronting both sides of collector or arterial street(s), within Pedestrian (PED) Zones as shown on the

Town of Perinton's Official PED Map. A "PED Zone" is defined as land within a 4,000-foot radius of the central point of a public school, public park, or active commercial area.

Policy-based requirements: the Town of Penfield has adopted a Sidewalk Policy that requires all new development approved by the Town to include sidewalks along both sides of all local roads. Developers may seek a waiver from the policy subject to the payment of a \$500 per dwelling unit fee placed in the sidewalk capital account specifically for the installation of sidewalks in locations identified by the Town Board.

#### 4. Summary

There are several options available to communities that wish to provide sidewalks adjacent to new residential development and/or support the development of "complete streets" within these areas. Code language linked to roadway classification and adjacent land use may support pedestrian travel between neighborhoods (along collector roads to and from schools and local shopping centers, etc.) but is unlikely to support improved pedestrian facilities along local streets unless local streets are included in the requirements.

Two options that might also be considered by jurisdictions seeking to improve pedestrian accessibility include providing between-lot pedestrian easements to connect residences with parks, schools, neighborhood shopping facilities, and similar destinations and limiting the length of cul-de-sacs to provide more direct pedestrian access between destinations.

### B. Sidewalks Adjacent to Existing Development

#### 1. Background

In many communities there are gaps within the existing sidewalk network. These result when new development includes sidewalks but the development site is not located adjacent to the existing sidewalk network with the number of gaps increasing over time.

Communities have several options to consider if they wish to complete the existing sidewalk network for residents and visitors.

#### 2. How it's done

Local communities can provide sidewalks adjacent to existing development using the following techniques:

- Sidewalks constructed at the property owner's expense;
- Sidewalks constructed at the municipality's expense;
- Sidewalks constructed following petition by the affected property owners; and
- Comprehensive sidewalk policy.

#### 3. Examples

Sidewalks constructed at the property owner's expense: the Town of Ithaca (Code Section 230-8, Streets & Sidewalks) provides that the Town Board may require that sidewalks be constructed along streets and highways at the owner's expense. The code includes language to authorize the Town to construct the facility and then to assess the owner for the cost, plus any interest. The code allows but does not require the Town to pay some portion of the cost pursuant to an adopted local law.

Sidewalks constructed at the municipality's expense: the Town of Mamaroneck (Code Section 187-2, Streets & Sidewalks) authorizes the Town Board to direct the Town

Superintendent to construct sidewalks along county roads and state highways (with permission from county or state officials) at Town expense. Sidewalks along town roads are the responsibility of, and must be voluntarily constructed by, the property owner at their own expense.

Sidewalks constructed following petition by affected property owners: the Town of Union (Code Chapter 178-1, Streets and Sidewalks) adopted a regulation in 1946 that creates a mechanism for property owners to request sidewalks along their side of the street. When 51 percent of the property owners request the sidewalk, its construction becomes mandatory. The Town acts as agent for the construction and the property owners are required to pay all costs.

Comprehensive sidewalk policy: The Town of Penfield Sidewalk Policy applies to new development and also to existing development. This policy articulates the Town's intent to "Install sidewalks along all Minor Arterial, Major Collector and Minor Collector roads to develop safe pedestrian mobility and enjoyment." These roadways comprise what is referred to as the primary sidewalk system. The installation of sidewalks along the primary sidewalk system is supported by the allocation of funds from the Town's General Fund, by grants, and by the sidewalk waiver fees paid when an exemption to the sidewalk requirement for new development is granted.

This policy is further supported by an officially adopted "Primary Sidewalk System Map" that identifies the improvements that will be made on an annual basis, as resources permit.

#### 4. Summary

Local jurisdictions may wish to consider developing specific codes and/or policies that address the process and financial details that will apply if they seek to improve the existing sidewalk system.

Mandating that property owners pay for the installation of sidewalks may not be well received, and even a petition-based process could create hard feelings between neighbors depending on individual positions on the issue.

For these reasons, a policy-based approach that identifies and funds specific sidewalk improvements adjacent to existing development linked to a requirement that new development provide sidewalks or pay a fee that can be allocated for the construction of sidewalks adjacent to existing development (such as the Penfield example cited above) may represent a workable approach to improving the existing sidewalk system.

### C. Bicycle Parking

#### 1. Background

Bicyclists need places to park and secure their bicycles upon reaching their destination. Lacking designated facilities, bicyclists will use trees, utility poles, parking meters, railings, and street furniture to secure their bicycles. Doing so may cause damage to the bike or to the ad-hoc bike racks and may also result in inconvenience and potential danger (such as tripping hazards) to non-cyclists. Lack of bicycle parking facilities discourages bicycling by cyclists who may feel uncomfortable locking bicycles to non-designated facilities.

In order to avoid the undesirable effects associated with ad-hoc bike racks, bicycle parking facilities can be provided at activity centers that are accessible by bike. Bicycle parking facilities should be convenient, safe, secure, and protected from inclement weather. At a

minimum, well-designed racks should be provided and, depending on the need, enclosed bike lockers located within covered parking structures may be considered.

## 2. How it's done

Communities can provide adequate bicycle parking in the following ways:

- Allocate an identified percentage of off-street parking for bicycle parking;
- Incorporate general bicycle parking provisions in the off-street parking regulations; and
- Implement flexible bicycle parking requirements via the Planning Board.

## 3. Examples

Allocate an identified percentage of off-street parking for bicycle parking: the City of Rochester Charter and Code (Chapter 120-173, Off-Street Parking) requires that bicycle parking equal to 10 percent of the vehicle parking requirements for the property (for a minimum of two bicycles) be provided at all multifamily housing (over 10 units), commercial, and industrial uses. An additional requirement is that bicycle parking be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided and that facilities are designed to accommodate U-shaped locking devices and support bicycles in a stable position without damage to wheels, frame, or other components. The facilities are required to be securely anchored and of sufficient strength to resist vandalism and theft.

Incorporate general bicycle parking provisions in the off-street parking regulations: the Town of Warwick (Zoning Ordinance Section 164.43.2, Off-Street Parking and Loading Requirements) requires that pedestrian and bicycle amenities such as benches, shade, human-scale lighting, and bicycle racks be provided for parking lots meeting specific requirements.

Implement flexible requirements via the Planning Board: the Town of Red Hook (Zoning Ordinance Section 143-116) includes a provision in its site plan design criteria that facilities be provided, where deemed applicable by the Planning Board, for the short-term parking of bicycles.

## 4. Summary

In communities with ongoing commercial, multi-family, and industrial development, a percentage-based approach could be considered to ensure that bicycle accommodations are provided for new development. Those communities that prefer additional flexibility or wish to defer the decision to the Planning Board and/or site plan review process may want to consider more general code language that would allow but not require the provision of bicycle facilities on a case-by-case basis.

## D. Automobile Parking to Include Pedestrian Accommodations

### 1. Background

Providing convenient parking for motorists adjacent to retail and other establishments is typically addressed through a municipality's off-street parking requirements. These requirements, within the zoning code, provide dimensions for automobile parking spaces and specify the number of automobile parking spaces required for each land use. In some

cases, a general acknowledgement that pedestrians be considered during the design review for the parking facility is included within the off-street parking requirements. In other cases, however, pedestrians are not considered during the design review for parking lots and the resulting facilities are difficult to cross, creating barriers to pedestrian travel that could be resolved with improved design.

## 2. How it's done

Local jurisdictions may consider the following options if they wish to include pedestrian accommodations within off-street parking facilities:

- Specific requirements within off-street parking code language; and
- Flexible requirements based on the Planning Board's determination.

## 3. Examples

Specific requirements within off-street parking code language: the Town of Warwick (Zoning Ordinance Section 164.43.2, Off-Street Parking and Loading Requirements) includes specific requirements for parking lot design that improve the environment for pedestrians by: 1) breaking up large parking lots into smaller parking groves and parking courts with a significant number of shade trees and surrounded by low hedges, stone walls, or attractive fencing; 2) encouraging designs that avoid placing more than 15 parking spaces in a continuous row and more than 60 spaces in any single parking area as defined by landscaping; 3) promoting landscaping that delineates vehicular and pedestrian patterns; 4) providing clear and legible signs, different color and texture paving materials, raised or inverted areas, and other techniques to direct the flow of both vehicular and pedestrian traffic within the lot; and 5) providing separate pedestrian walkways in large parking lots to allow safe movement within the lots.

Additional design criteria specify that: 1) One walkway can serve as a collector for up to four bays of parked cars; 2) the walkway should be a minimum of four-feet wide, allowing an additional 30 inches on each side for overhanging of automobiles; 3) all walkways should be raised to a standard sidewalk height and should be constructed of different paving material than the parking lot; and 4) pedestrian and bicycle amenities such as benches, shade, human-scale lighting, and bicycle racks should be provided.

Flexible requirements based on the Planning Board's determination: the Town of Malta (Zoning Ordinance Chapter 167, Site Plan) provides that the Planning Board shall consider the maximum adequacy of interior circulation in parking and loading facilities with particular attention to vehicular and pedestrian safety.

## 4. Summary

Communities that wish to promote pedestrian and bicycle-sensitive parking lot design can do so by including the desired design elements within their off-street parking code language. Doing so will provide developers with examples of expected design features at an early stage in the site planning process. For communities that prefer a more flexible approach, the Planning Board can be directed and/or authorized to consider pedestrian safety within the design/site plan review process.

## **E. Automobile Parking Site Location**

### **1. Background**

The location of automobile parking facilities with respect to buildings on a commercial development site can have a significant effect on the viability of pedestrian access to and from the site. When the buildings are located near the rear lot line and the parking facilities are located between the front of the building and the street, pedestrians may be forced to walk through the parking lot to access the buildings from the public right of way. This creates a potential for conflict between motorists and pedestrians that can be reduced by locating parking lots to the rear of buildings and locating buildings adjacent to the street with minimal setback.

Additionally, locating buildings near the street provides a sense of enclosure to the streetscape and provides merchants the opportunity for exposure to passersby that is lost when buildings are set behind parking facilities.

### **2. How it's done**

The location of parking facilities on a site can be controlled directly by:

- Parking to the side or rear of the primary use included within design criteria; and
- Parking to the side or rear of the primary use and on the same lot.

### **3. Example**

Parking to the side or rear of the primary use included within design criteria: the City of Batavia (Code Section 190-39, Parking requirements) "seeks to balance the need for adequate parking with the need to minimize harm resulting from the provision of parking and to avoid the negative impacts of excessive parking requirements." In seeking that balance, the code requires that all off-street parking be located behind or to the side of the principal building. In order to provide limited amounts of parking in front of buildings, a maximum of two rows of parking may be located in the front of a principal building in a C-2 District. The code language also specifies that parking areas shall be designed and landscaped to avoid long, uninterrupted rows of vehicles.

Parking to the side or rear of the primary use and on the same lot: the City of Lackawanna (Code Section 230-36, Parking, loading and stacking) requires that off-street parking be located on the same lot as the building to which it is an accessory use. The code further requires that all off-street parking facilities shall be located to the side or rear of the principal use building except in the Central Business District, where off-street parking shall be restricted to the rear yard.

### **4. Summary**

Communities can direct parking to the rear of development sites and thereby support pedestrian utilization of commercial facilities located within their jurisdiction. Since parking lot and building location are closely interrelated, jurisdictions could also address this issue by revised building setback requirements. However, including the location criteria for the parking lot within the parking regulations allows a more unified approach to managing the

facilities by including criteria related to parking lot internal design within the same section of the zoning ordinance as parking lot location criteria.

## **Summary and Conclusion**

This report shows that within New York State and the Genesee-Finger Lakes Region there are numerous examples of noteworthy zoning code and site planning language and guidance that enhance accessibility and safety for bicyclists and pedestrians. Exemplary codes and policies demonstrate that:

- Sidewalks can be provided adjacent to new residential developments utilizing a code-based approach (within the jurisdiction's subdivision regulations) or based on a comprehensive sidewalk policy that guides the implementation of the subdivision, site planning, and zoning ordinance.
- Providing sidewalks adjacent to existing development is challenging due to the cost and the difficulty in obtaining consensus from the affected parties. An approach based on a comprehensive sidewalk policy supported by an officially-adopted Sidewalk System Map, including a dedicated funding source and prioritization strategy, may be preferable to mandated construction at the property owners' expense adjacent to existing development.
- Bicycle facilities can be provided by including the requirements to do so within the jurisdiction's off-street parking requirements. A ratio of required automobile parking can be used, and the ordinance should include appropriate design criteria to ensure that damage to bicycles does not occur and that bicycle parking is properly located on the site.
- Designing parking lots to incorporate pedestrian-friendly features can be accomplished by "breaking up" the lot with bays and islands and by providing identifiable separation between vehicles and pedestrians on the site. These strategies should be combined with appropriate location on the site (parking lots located to the rear of the site) and can be addressed within the jurisdictions off-street parking requirements.
- The siting of parking lots toward the rear of the development site can be controlled within a jurisdiction's off-street parking requirements and should be combined with requirements to include pedestrian-friendly features within the lot to maximize the quality of the site design.

## **Resources:**

1. Federal Highway Administration, Pedestrian Facilities Users Guide, FHWA-RD-01-102, March 2002.
2. New York State Department of State, Creating the Community You Want: Municipal Options for Land Use Control, June 1998.
3. Office of the New York State Comptroller, Division of Local Government Services & Economic Development, Smart Growth in New York State: A Discussion Paper, May 2004.
4. The Rockefeller Institute of Government, Local Governments in New York State, May 2003.

5. State of New York, Local Government Handbook, 5<sup>th</sup> Edition, January 2000.
6. Codes and Policies, as provided in Appendix A.

## **Appendix A**

### **Bicycle and Pedestrian Supportive Codes and Policies Representative Examples**

#### **Sidewalks Adjacent to New Development**

1. Town of Malta, New York, Code Chapter 143-13.1, Subdivision of Land:

Sidewalks.

A. General. Sidewalks shall be provided within all new residential and commercial projects within the Town.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

SIDEWALK — A walking surface with a minimum width of five feet and constructed of concrete designed to service pedestrians.

C. Requirements.

(1) Sidewalks shall be required within all residential and commercial projects within the Downtown District (as defined herein) and all residential and commercial Planned Development Districts. "Downtown" shall be defined as ...

(2) Sidewalks shall be installed within all residential projects under the following criteria:

(a) Residential development with more than four units per acre: sidewalks shall be required on both sides of the roadway.

(b) Residential developments with fewer than four units per acre: sidewalks shall be required on one side of the roadways.
2. Town of Rhinebeck, New York, Land Subdivision Regulations Article VI, Section 2, Subdivision Design Standards:

Pedestrian Ways: Adequate provision shall be made for convenient and safe movement of pedestrians and bicyclists in any subdivision of land for residential purposes throughout the Town of Rhinebeck. All streets designated as through roads shall have an improved pedestrian path, sidewalk or bikeway provided on at least one (1) side of the street. Any such sidewalk or pedestrian path shall be so placed that there will be a distance of not less than four (4) feet between the sidewalk and the street pavement. A bikeway, or combined bicyclist/pedestrian path, not less than four (4) feet in width, may be alternatively situated adjacent the street pavement and be visually separated there from by striping on both its inner and outer edges.

To the extent considered practicable by the Planning Board, and in consideration of Public Health, safety and convenience, the Planning Board may require that additional or alternatively-located pedestrian ways be provided within a residential subdivision to provide access to parks or public spaces, school sites, neighborhood shopping facilities, or similar destination. Any such pedestrian way may be situated within either a public right-of-way or established within a suitable easement.
3. Town of Bethel, New York, Land Subdivision Regulations Chapter 116-11, Design Standards, Streets:

Streets shall be graded and improved with pavements in accordance with the minimum road specifications of the Town of Bethel, New York, as amended. Curbs and provision for sidewalks shall be required for all arterial and collector streets in accordance with the graphic standards included in this chapter.
4. Town of Guilderland, New York, Code Chapter 227-2, Sidewalks:

Required sidewalk locations.

A. Sidewalks shall be required on both sides of all state and county roads wherever properties abutting such roads have access to municipal water lines, except such roads abutting agricultural zoned property, and shall be required on any other Town road, or part thereof, by resolution of the Town Board after a public hearing, or by provision of state law.

B. On all roads other than those enumerated in § 227-2A, the Planning Board and the Zoning Board of Appeals are authorized, in their discretion, to require the installation of sidewalks, bike paths, or other pedestrian facilities as a condition of approval for property under review. The Planning Board and the Zoning Board of Appeals shall consider sidewalks, bike paths, or other pedestrian facilities as a condition of approval for property under review when said property is in proximity to schools, parks, businesses, religious institutions, existing neighborhoods, undeveloped land zoned for residential or commercial construction, existing sidewalks, or roads with the potential for high traffic volumes.

5. Town of Perinton, New York, Code Section 208-28:

Sidewalks.

A. Intent. The Town of Perinton recognizes the need to encourage and facilitate the development of a system of sidewalks for the safety of its residents along its collector and arterial streets.

B. Requirements. Sidewalks or pedestrian ways shall be constructed and an easement for maintenance of such shall be provided along lands fronting both sides of collector or arterial street(s), as defined in Chapter 182, Subdivision of Land, within Pedestrian (PED) Zones as shown on the Town of Perinton's Official PED Map, adopted July 8, 1981, and as amended. A "PED Zone" is defined as land within a four-thousand-foot radius of the central point of a public school, public park or active commercial area. The central point shall be determined by the intersection of two roads or a driveway and a road. If the four-thousand-foot radius intersects any portion of a given property, then that lot in total becomes subject to sidewalk installation. Pedestrian zones may also be linear, with the bounds of the zones set forth on the Official Town of Perinton PED Map.

The Planning Board may require the construction of sidewalks along streets not within PED Zones at its discretion, after considering the policies set forth in § 182-6 of this Code. Sidewalks defined under this section shall be constructed in conformance with the Design Criteria of the Town of Perinton. In cases where a sidewalk has been previously constructed by the Town, county or state along frontage proposed for development or subdivision approval, the applicant shall be required to make a contribution to the Sidewalk Fund as described in § 208-28E. The Planning Board may require a sidewalk contribution in lieu of construction when it determines that a constructed sidewalk will not connect with an existing sidewalk and that the contribution may be used to link or extend existing sidewalks within the Town. [Amended 6-8-1994 by L.L. No. 2-1994; 6-27-2001 by L.L. No. 5-2001]

6. Town of Penfield, New York, Sidewalk Policy:

All new development approved by the Town of Penfield is required to install sidewalks along both sides of all local roads.

**Sidewalks Adjacent to Existing Development**

1. Town of Ithaca, New York, Code Section 230-8, Streets & Sidewalks:

Duty to construct and maintain sidewalks. The Town Board may adopt orders from time to time, directing the owners of the respective lots and parcels of land abutting on any Town street or highway, or, with the consent of the County Superintendent of Highways or the State Commissioner of Transportation, as the case may be, abutting on a county or state highway within the Town of Ithaca, along which it is desired that sidewalks be built, relaid or repaired, to

construct the same to conform the terms of this article, and specifying the time within which the same shall be done...

Notwithstanding the foregoing, the Town Board may adopt a local law apportioning the expense of building, relaying or repairing any sidewalk within such Town between the Town and owners of the respective lots and parcels of land abutting any street or county or state highway within the Town along which it is desired that sidewalks be built, relaid or repaired.

2. Town of Mamaroneck, New York, Code Section 187-2, Streets & Sidewalks:

Construction of sidewalks along county roads or state highways.

A. The Town Board of the Town of Mamaroneck may, by resolution, direct the Town Superintendent to construct a sidewalk along a described portion of any county road or state highway in the manner and not exceeding an expense to be specified in the resolution, and the expense of constructing such sidewalk shall be a town charge and shall be paid in the same manner as other town charges.

B. No such sidewalks shall be built along any state highway until the State Superintendent of Public Works shall have given his consent thereto, pursuant to § 54 of the Highway Law, and no such sidewalk shall be built along any county road until the County Superintendent of Highways shall have given his consent thereto, pursuant to § 136 of the Highway Law.

§ 187-3. Construction of sidewalks by property owner. Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

Any property owner, after applying for and receiving a permit, may construct a sidewalk or curb on town property or may build a drain from any structure, enclosure or lot of ground at his own expense. Before the owner may proceed with the work, the Town Engineer shall establish proper grades and the same shall be followed in laying such sidewalk, curb or drain. The width, materials and construction of such sidewalks, curbs and drains shall fully conform to standard specifications for such work. No drainage piping shall be allowed to discharge onto the surface of any public right-of-way.

3. Town of Union, New York, Code Chapter 178-1, Streets and Sidewalks:

Sidewalk Construction Rules and regulations. All sidewalks constructed within the Town of Union outside the corporate limits of the Villages of Endicott and Johnson City shall be constructed in accordance with the following rules and regulations:

A. All sidewalks shall be built in accordance with standard sidewalk specifications, copies of which are on file with the Town Clerk and Director of Planning at the Town Office Building, 3111 East Main Street, Endwell, New York.

B. Any property owner may request a sidewalk along his premises.

C. When 51% of the property owners on the same side of the street request sidewalks, the construction of sidewalks for the entire block shall be mandatory. When requested, the Town shall act as agent for this construction, supplying the specifications, engineering and inspection services, engaging the contractor and acting as the collecting and remitting agent, which services may be chargeable to the property owners.

D. Engineering and inspection services relative to any new sidewalk construction shall be mandatory and such services shall be furnished by the Town of Union, which service may be chargeable to the property owner.

E. All requests for engineering service shall be in writing to the Town Board at least 10 days previous to the anticipated starting date, and in special cases where a complete block of sidewalk is being constructed the request for construction should be filed with the Town Clerk previous to May 1.

F. Property owners shall engage only responsible contractors who have the necessary machinery and equipment for such purpose.

G. Inspection during construction shall be made by the Town Engineer.

H. Payment shall be made by the property owner direct to the contractor, except in special cases the Town may act as receiving agent for the contractor.

4. Town of Penfield, New York, Sidewalk Policy:

It is the intent of the Town of Penfield to install sidewalks along all Minor Arterial, Major Collector and Minor Collector roads to develop safe pedestrian mobility and enjoyment. This policy encourages the installation of sidewalks along all local streets, including but not limited to new subdivisions. This network of sidewalks is intended to provide a safe linkage of major residential developments to commercial, civic, recreational, educational, and employment centers for residents and visitors.

### **Bicycle Parking**

1. City of Rochester, New York, Charter and Code Chapter 120-173, Zoning, Off-Street Parking:

C. (3) Bicycle parking. Bicycle parking shall be provided equal to 10% of the vehicle parking requirements for the property, for a minimum of two bicycles, for all multifamily housing (over 10 units), commercial and industrial uses. [Amended 7-27-2004 by Ord. No. 2004-240]

G. Design of bicycle parking. (1) Bicycle parking shall be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided. (2) Facilities shall be designed to accommodate U-shaped locking devices and shall support bicycles in a stable position without damage to wheels, frame or other components and shall be securely anchored and of sufficient strength to resist vandalism and theft.

2. Town of Warwick, New York, Zoning Ordinance Section 164.43.2, Off-Street Parking and Loading Requirements:

[Requirements for large parking lots] Provide pedestrian and bicycle amenities, such as benches, shade, human-scale lighting, and bicycle racks.

3. Town of Red Hook, New York, Zoning Ordinance Section 143-116:

Site plan design criteria.

(L)(3) Facilities shall be provided, where deemed applicable by the Planning Board, for bicycle travel within the site and to adjacent areas and for the short-term parking of bicycles.

### **Automobile Parking to Include Pedestrian Accommodations**

1. Town of Malta, New York, Zoning Ordinance Chapter 167, Site Plan:

The Planning Board may approve, approve with modifications or disapprove such site plan review application and, in doing so, shall consider the following objectives: ... (c) The maximum adequacy of interior circulation in parking and loading facilities with particular attention to vehicular and pedestrian safety.

2. Town of Warwick, New York, Zoning Ordinance Section 164.43.2, Off-Street Parking and Loading Requirements:

Reduce visual impacts by breaking up large parking lots into smaller parking groves and parking courts with a significant number of shade trees and surrounded by low hedges, stone walls, or attractive fencing. Avoid more than 15 parking spaces in a continuous row and more than 60

spaces in any single parking area defined by landscaping... (i) Landscaping should be used to delineate vehicular and pedestrian patterns. Clear and legible signs, different color and texture paving materials, raised or inverted areas, and other techniques should be used to further direct the flow of both vehicular and pedestrian traffic within the lot... (n) In large parking lots, separate pedestrian walkways should be provided to allow safe movement within the lots. These facilities should generally be oriented perpendicular to and between parking bays. Adjacent to the walks, trees should be planted. Coordinate pedestrian walkways with access for public transit if available or planned. The following walkway guidelines also apply: [1] One walkway can serve as a collector for up to four bays of parked cars. [2] The walkway should be a minimum of four feet wide, allowing an additional 30 inches on each side for overhanging of automobiles. [3] All walkways should be raised to a standard sidewalk height and should be constructed of different paving material than the parking lot. [4] Provide pedestrian and bicycle amenities, such as benches, shade, human-scale lighting, and bicycle racks.

## **Automobile Parking Site Location**

### **1. City of Batavia, New York, Code Section 190-39, Parking requirements:**

Purpose: The City finds that large and highly visible parking areas represent one of the most objectionable aspects of commercial development. Such parking lots may damage the historic layout and architectural fabric of historic areas, harm the natural environment and visual character of the community, interfere with pedestrian safety and accessibility and reduce the quality of life in developed areas, as measured by the City's Visual Preference Survey™. However, the City also recognizes that inadequate parking can diminish quality of life by creating traffic congestion, safety hazards and inconvenience. The City therefore seeks to balance the need for adequate parking with the need to minimize harm resulting from the provision of parking and to avoid the negative impacts of excessive parking requirements....

Design, layout and construction of parking areas.

(1) Location and screening. (a) All off-street parking shall be located behind or to the side of the principal building. Parking spaces located in a side yard shall, if possible, be screened from public view. Adjoining parking areas shall be connected directly to one another or to a service road or alley wherever feasible to reduce turning movements onto roads. (b) Within the C-2 District only, a maximum of two rows of parking may be located in the front of the principal building. Such parking shall be set back from the front lot line by a landscaped buffer at least 10 feet in width. Any green space or landscaping can be included in the percentage calculation of § 190-34, Landscaping and buffering, of this chapter. (c) Parking areas shall be designed and landscaped to avoid long, uninterrupted rows of vehicles.

### **2. City of Lackawanna, New York, Code Section 230-36, Parking, loading and stacking:**

Location.

(1) Required off-street parking shall be located on the same lot as the building to which it is an accessory use, except as herein provided.

(2) All off-street parking facilities shall be located to the side or rear of the principal use building except in the Central Business District, where off-street parking shall be restricted to the rear yard.

(3) Off-street parking facilities shall not be located within the required setback areas.

(4) Permanent front and rear yard parking areas in residential zones, other than driveways accessing a garage or designated parking area, are prohibited.