



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 359

INCORPORATING ACTIVE DESIGN PRINCIPLES IN CITY CONSTRUCTION

June 27, 2013

WHEREAS, New York City is committed to reducing the prevalence of obesity, cardiovascular disease, diabetes, and other non-communicable chronic diseases, which are among the primary causes of illness and death in New York City; and

WHEREAS, physical inactivity is a major contributor to the development of obesity and the above diseases; and

WHEREAS, the City designs, builds, renovates and maintains neighborhoods, streets, parks and buildings that are used by millions of people on a typical day; and

WHEREAS, the City has been and will continue to be a leader in promoting access to opportunities for physical activity that can easily be incorporated into the daily lives of people; and

WHEREAS, the City has released the *Active Design Guidelines* (the "Active Design Guidelines," or the "Guidelines") with input from 12 City agencies, recommending architectural and urban design evidence-based strategies and best practices to increase daily opportunities for physical activity in the built environment and impact public health ("Active Design Strategies") (www.nyc.gov/adg); and

WHEREAS, the Department of Transportation publishes a street design manual (the "Street Design Manual") that incorporates Active Design Strategies, such as promoting street design which encourages walking, transit and cycling; and

WHEREAS, in 2005 New York City enacted Local Law 86 of 2005 (Local Law 86), which requires most new buildings, additions, and substantial building reconstruction work in capital projects that receive city funds to be built in accordance with the standards of the Leadership in Energy and Environmental Design (LEED) green building rating systems developed by the U.S. Green Building Council (USGBC). Existing elements in the LEED program reward active design, including the LEED Physical Activity Pilot Credit, and the Active Design Guidelines highlight some key components of LEED relating to health and physical activity for various project types.

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Use of the *Active Design Guidelines* and *Street Design Manual*.

- (a) Review of New Projects for Active Design opportunities. Agencies shall review all new construction and major renovation projects during the project's preliminary design phase to assess opportunities for implementation of Active Design Strategies. Similarly, agencies responsible for street construction or renovation projects shall review all major street work projects during the project's preliminary design phase to assess opportunities for implementation of Active Design Strategies. As part of such review, agencies shall consider the Active Design Guidelines and, where applicable, the Street Design Manual, and shall also, where relevant and appropriate, include in any procurement solicitation or contract for design services a direction to incorporate Active Design Strategies into the project design and specifications. Agencies may consult with the Department of Design and Construction and the Department of Mental Health and Hygiene as necessary during this design review phase. Agencies shall implement the Active Design Strategies contained in the Guidelines and Street Design Manual that are determined by that Agency to be relevant and appropriate for a particular project, consistent with security needs and concerns.
 - (i) Definitions:
 - a. "Major renovation" shall mean a capital project in which: (1) the scope of work includes rehabilitation work in at least two of the three major systems of a building, *i.e.*, electrical, HVAC (heating, ventilating and air conditioning) and plumbing; and (2) construction work affects at least fifty percent (50%) of the building's floor area.
 - b. "Major street work" shall mean any project where at least 50% of the street in the area covered by the project is being constructed, reconstructed or reconfigured including, without limitation, projects that significantly change the curb line or traffic geometry.
- (b) Agency incorporation of Active Design Strategies into general guidelines, standards and handbooks: Agencies shall provide information on the Active Design Guidelines and encourage use of Active Design Strategies in relevant guidelines, standards and handbooks regarding construction or major renovation projects published by the Agency, including the Department of Housing Preservation and Development ("HPD") guidelines for new construction, substantial rehabilitation and supportive housing; the Department of Transportation Street Design Manual; and the Department of Design and Construction's Design Consultant Guides.
 - (i) Use of the LEED Credit for Health through Increased Physical Activity: Capital projects that are completely funded by the City and that relate to buildings that (1)

are or will be either owned or leased in their entirety by the City, and (2) are required under Local Law 86 to be designed and constructed to achieve LEED certification (with the exception of LEED Core and Shell projects), shall, whenever practicable, incorporate the applicable and appropriate requirements for the LEED Pilot Credit Design for Active Occupants, consistent with security needs and concerns.

§ 2. Promoting Stairway Use. Agencies shall assess opportunities for implementing the Active Design Strategies relating to promoting stairway use in City-owned and City-leased buildings and portions of buildings, including, to the extent relevant and appropriate for a particular building or portion of a building and consistent with security needs and concerns, designating a particular stairway for occupant and public use and installing signage encouraging stairway use.

§ 3. Training and Implementation.

(a) Training. To enhance the capacity of the Active Design Program within each Agency and support the Agencies' implementation of the Active Design Strategies, DDC, in consultation with DOHMH, will coordinate training for Agencies regarding the Guidelines. All Agencies should encourage design and construction personnel to participate in external professional events and continuing education trainings on Active Design.

(b) Implementation. Agencies shall take necessary steps, consistent with applicable law, to implement this order.

§ 4 This order shall take effect immediately.


Michael R. Bloomberg
Mayor