



**PROPOSED AMENDMENT TO BOARD POLICY NO. 031
ON ACCOMMODATING BICYCLISTS AND PEDESTRIANS**

File Number 3000800

Introduction

The *TransNet* Extension Ordinance includes a provision in Section 4(E)(3) that requires all projects funded under the ordinance to provide accommodations for bicyclists and pedestrians to the extent it is reasonable to do so. SANDAG staff has consulted extensively with the Bicycle-Pedestrian Working Group (BPWG) and the Cities/County Transportation Advisory Committee (CTAC) to develop policy guidelines for the implementation of this provision. The draft guidelines included as Attachment 1 to this report are the result of that effort. The BPWG, CTAC, and the Independent Taxpayers Oversight Committee (ITOC) have all recommended that the guidelines be adopted by the SANDAG Board of Directors. In July, the SANDAG Transportation Committee discussed the proposed guidelines and recommended them for approval as well. On February 8, 2008, the Executive Committee also recommended that the Board approve the proposed guidelines. The guidelines would be incorporated as Rule 20 of Board Policy No. 031: *TransNet* Ordinance and Expenditure Rules.

Recommendation

The Transportation and Executive Committees recommend that the Board of Directors approve Rule 20 of Board Policy No. 031 as shown in the Attachment 1, concerning Accommodating Bicyclists and Pedestrians under the *TransNet* Ordinance Extension.

Discussion

Section 4(E)(3) of the *TransNet* Ordinance reads:

All new projects, or major reconstruction projects, funded by revenues provided under this Ordinance shall accommodate travel by pedestrians and bicyclists, except where pedestrians and bicyclists are prohibited by law from using a given facility or where the cost of including bikeways and walkways would be excessively disproportionate to the need or probable use. Such facilities for pedestrian and bicycle use shall be designed to the best currently available standards and guidelines.

The 2003 Regional Transportation Plan, MOBILITY 2030, states that SANDAG will develop guidelines to ensure all regionally funded transportation projects preserve or enhance non-motorized access (see *MOBILITY 2030*, Chapter 6, Action Item 31). Section 4(E)(3) was included in the *TransNet* Ordinance in response to that requirement. Providing better access for pedestrians and bicyclists also contributes to the implementation of the Regional Comprehensive Plan (RCP). It encourages the development of a transportation system that supports more transportation choices, which is an essential element of smart growth development. This provision also benefits the region because the

most cost-effective way to ensure our transportation system accommodates pedestrian and bicycle traffic is to provide for it when projects are first constructed or to coordinate it with other major reconstruction work.

Implementation of Section 4(E)(3) requires guidelines and procedures on three main points:

- What constitutes adequate accommodation for pedestrian and bicycle travel?
- When is the cost of accommodating bicyclists and pedestrians too expensive for the anticipated use?
- What are the best available standards to which projects must be designed?

Adequate Accommodation. What constitutes appropriate facilities for pedestrian and bicycle traffic is largely dependent upon context. What is adequate on a residential street is different from what would be needed on a major arterial, and what is sufficient in a rural setting is much different from an urban one. Therefore, the attached rule includes a matrix of appropriate facility types for different road types and settings. The bicycle and pedestrian accommodation measures in that matrix were developed based on recognized state and national design standards, and existing best practices within the region. The provisions for rural areas were developed to be consistent with the County of San Diego's street design standards that are proposed under the County's general plan update, GP 2020.

Reasonable Cost. The question of reasonable cost is in large part a question of expected demand. Even at very low cost, it probably does not make sense to require a sidewalk along the side of a road if there is no reason to expect pedestrian traffic there. Streets along steep slopes or along freeway rights-of-way are examples where this could apply. On the other hand, the street should always provide for bicycle and pedestrian traffic if at all possible where there is a demonstrated existing or planned need. In making this determination, the need for access to and from public transit is a particularly important consideration.

The federal guidelines on the provision of bicycle and pedestrian facilities recommend that these facilities always be provided unless the cost of doing so exceeds 20 percent of the total project cost. The proposed rule for the *TransNet* Ordinance does not include a cost limit because staff believes there could be circumstances where 20 percent of the project cost would clearly be an excessive amount to spend relative to the need. At the same time, on some smaller projects, 20 percent may not be enough to fund the needed improvements.

The approach taken in the proposed rule is to allow the policymakers to decide when the cost is too high. The guidelines are based on the assumption that bicyclists and pedestrians will be properly accommodated in nearly all situations. In those few cases where an agency proposes not to provide the appropriate bicycle or pedestrian facilities, the proposed administrative procedures would require the agency to state so explicitly in the public hearing on the projects that is already required under the *TransNet* Ordinance, and to notify SANDAG so that the decision could be reviewed by stakeholders and policymakers. The decision on whether or not the requirements of the Ordinance would be met by the proposed project would be made by the Transportation Committee after a review by the BPWG and ITOC.

Design Standards. An adequate design standard for bicycle facilities is available in Chapter 1000 of the California Highway Design Manual (HDM). Since this is a recognized industry standard for bikeway design, all bikeway improvements constructed under the *TransNet* program should conform to Chapter 1000 of the HDM.

No similar state guidelines exist for pedestrian facilities. However, the American Association of State Highway Transportation Officials (AASHTO) publishes the *Guide for the Planning, Design, and Operation of Pedestrian Facilities*, which provides reasonable and widely recognized design standards that are proposed as the standard under this rule. SANDAG has published *Planning and Designing for Pedestrians*, but that document was developed as a reference manual, not as a design standard.

In order to reduce the administrative burden of this provision, staff incorporated the process into the existing administrative procedures for programming projects into the *TransNet* Program of Projects. Every project funded under the *TransNet* Ordinance is noticed in a public hearing held by the sponsoring agency. Those hearings provide an appropriate setting for agencies to certify compliance with Section 4(E)(3) of the Ordinance, and to identify and justify any projects that do not provide the expected accommodation. The administrative process defines the roles of Caltrans, local agencies and SANDAG, including its working groups, policy advisory committees, and the Board.

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Attachment: 1. Draft Rule 20 of Board Policy No. 031, Accommodating Bicyclists and Pedestrians
under the *TransNet* Extension Ordinance

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No Budget Impact

Draft Rule 20 of Board Policy No. 031
 Accommodating Bicyclists and Pedestrians under the *TransNet* Extension Ordinance

Accommodation of Bicyclists and Pedestrians. Adequate provisions for bicycle and pedestrian travel is determined within the context of the roadway type, its existing and planned surrounding land uses, existing bicycle and pedestrian plans, and current or planned public transit service. When addressing the access needs dictated by land use, the responsible agency must consider demand created by current and expected land uses (as determined by the local general plan) within the useful life of the *TransNet* project. The table Appropriate Bicycle and Pedestrian Accommodation Measures provides a guide to appropriate accommodation measures for each transportation facility type and land use context. In the table, “urban” means within the urbanized area as defined by U.S. Census Bureau.

Appropriate Bicycle and Pedestrian Accommodation Measures¹		
Context/Facility Type	Bicycle Measures	Pedestrian Measures
Urban Highway	<ul style="list-style-type: none"> Required facility type will be based on the recommendations for any regional bikeway corridors in urban highway alignments developed through the 2007 Regional Bicycle Plan. Pending completion of this plan, appropriate bicycle accommodation will be developed on a project by project basis by local and regional authorities in consultation with appropriate stakeholders. Freeways and freeway interchanges may not eliminate existing bikeways or preclude planned bikeways on local streets and roads. 	<ul style="list-style-type: none"> Continuous sidewalks and marked crosswalks through freeway interchanges where sidewalks exist or are planned on the intersecting roadway. Where new freeway construction severs existing pedestrian access, grade separated pedestrian crossings with no more than 0.3 mile between crossings.
Transit Project	<ul style="list-style-type: none"> Bicycle lockers and racks at stations sufficient to meet normal expected demand Bicycle access to all transit vehicles except those providing exclusive paratransit service to the disabled as required by the Americans with Disabilities Act. Transit priority measures on roadways may not prevent bicycle access. 	<ul style="list-style-type: none"> Direct sidewalk connections between station platforms and adjacent roadway sidewalks Pedestrian crossings where a new transit way severs existing pedestrian access with no more than 0.3 miles between crossings.

Appropriate Bicycle and Pedestrian Accommodation Measures¹		
Context/Facility Type	Bicycle Measures	Pedestrian Measures
Major Urban Street	<ul style="list-style-type: none"> • Class 2 bike lanes. 	<ul style="list-style-type: none"> • Continuous sidewalks or pathways², both sides of the street with marked crosswalks at traffic controlled intersections. • ADA compliant bus stop landings for existing and planned transit service
Urban Collector Street (design speed >35 mph)	<ul style="list-style-type: none"> • Class 2 bike lanes 	<ul style="list-style-type: none"> • Continuous sidewalks or pathways², both sides of the street with marked crosswalks at traffic controlled intersections. • ADA compliant bus stop landings for existing and planned transit service
Urban Collector Street (design speed ≤ 35 mph)	<ul style="list-style-type: none"> • Shared roadway. Where planned average daily motor vehicle traffic exceeds 6,500, the outside travel lane should be at least 14 feet wide. 	<ul style="list-style-type: none"> • Continuous sidewalks or pathways² both sides of the street • ADA compliant bus stop landings for existing and planned transit service
Urban Local Street	<ul style="list-style-type: none"> • Shared roadway 	<ul style="list-style-type: none"> • Continuous sidewalks or pathways² both sides of the street • ADA compliant bus stop landings for existing and planned transit service
Rural Highway	<ul style="list-style-type: none"> • Minimum 8-foot paved shoulder 	<ul style="list-style-type: none"> • ADA compliant bus stop landings for existing bus stops.
Rural Collector Road	<ul style="list-style-type: none"> • Minimum 8-foot paved shoulder 	<ul style="list-style-type: none"> • Not required with no fronting uses • Paved or graded walkway consistent with community character on streets with fronting uses. • ADA compliant bus stop landings for existing bus stops.

Appropriate Bicycle and Pedestrian Accommodation Measures ¹		
Context/Facility Type	Bicycle Measures	Pedestrian Measures
Rural Local Road	<ul style="list-style-type: none"> Minimum 6-foot paved shoulder 	<ul style="list-style-type: none"> Not required with 85th percentile speeds ≤ 25 mph Paved or graded walkway consistent with community character on streets with fronting uses and 85th percentile speeds > 25 mph. ADA compliant bus stop landings for existing bus stops.
<ol style="list-style-type: none"> Application of these accommodation measures is subject to sound planning and engineering judgment to ensure the facility is reasonable and appropriate within the land use and transportation context of the overall project. Unpaved pathways of decomposed granite or other suitable material that are set back from the roadway where feasible would be considered appropriate only on roads serving areas that are rural in nature. 		

Where a local jurisdiction has a bicycle or pedestrian master plan adopted by the city council or Board of Supervisors and approved by SANDAG, the local agency may use that plan to determine the appropriate means of accommodating bicyclists and pedestrians in a given project and at a minimum provide the facilities called for in the plan. These plans must be updated and approved no less than every five years to qualify as a means of satisfying this provision.

Best Available Standards. All bicycle facilities must be designed to the standards established in the California Highway Design Manual, Chapter 1000. Bicycle parking facilities should conform to the guidelines established in the Regional Bicycle Plan adopted by SANDAG. Shared roadways on collector streets should have a curb lane or curb lane plus shoulder that measures at least 14 feet. Where parallel parking is in place, consideration should be given to installing the shared lane pavement marker. All sidewalks must be designed consistent with the design standards established in the AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities, the Department of State Architect’s California Access Compliance Reference Manual, and the US Department of Transportation’s ADA Accessibility Guidelines for Buildings and Facilities (ADAAG). Consistency with the design recommendations in SANDAG’s *Planning and Designing for Pedestrians* is encouraged

Bicycle and Pedestrian Accommodation in Reconstruction Projects. Street and road reconstruction is the time to re-evaluate the function of a road and its context, and to reallocate the right of way if appropriate to meet the needs of bicyclists and pedestrians. An agency is not required to acquire additional right of way to improve bicycle and pedestrian access. However, the agency should consider reduced motor vehicle lanes and lane widths, and reduced median widths as a means of providing the appropriate bicycle or pedestrian facility. While such an evaluation is recommended for reconstruction projects of any size, compliance with these guidelines is required for “major” reconstruction projects meeting the definitions established under Rule 18 of SANDAG Board Policy 31 regarding the guidelines for implementing the “70/30” requirement.

When Provisions for Bicyclists and Pedestrians Accommodation May Be Excluded.

Section 4(E)(3) is based on the premise that pedestrians and bicyclists need safe and convenient access to the same destinations as other users of the public right of way. Consequently, those portions of the transportation network where pedestrians and bicyclists need not be accommodated are the exception, and the decision not to provide for them in a construction or major reconstruction project must be made by the responsible agency for good cause such as severe topographic or biological constraints. Any impacts on the roadway's motor vehicle capacity that result from providing for pedestrian and bicycle access would not, in themselves, justify excluding bicycle and pedestrian facilities. However, these impacts and their mitigation costs should be considered in determining if the cost of providing the facilities is disproportionate to the probable use.

This provision only requires an agency to provide appropriate bicycle or pedestrian facilities that are within the construction or reconstruction area of the project. Consideration of the provision of sidewalks as part of major rehabilitation roadway projects involving only new pavement overlays of 1-inch thickness or greater (see Rule 18 under Board Policy 031) on streets where sidewalks do not currently exist would only be required if curb, gutter, and related drainage facilities were already in place.

The cost of providing for bicycle and pedestrian access can vary significantly relative to the overall project cost. For this reason, specifying a proportional or absolute limit on spending for bicycle or pedestrian improvements relative to probable use would not allow the kind of discretion necessary to make a significant investment in facilities when necessary, or to withhold an investment when the benefits are marginal. Therefore, the decision to exclude accommodations for bicyclist and pedestrians must be a policy-level decision made by the Board or city council based on the body of information about context, cost, and probable use available at the time. Such a decision must be made in the public hearing required by Section 5(A) of the Ordinance.

Pedestrian Access. Sidewalks or other walkways may be excluded from a project when it can be demonstrated that there are no uses (including bus stops) that would create demand for pedestrian access. In making this determination, the agency must consider the potential for future demand within the useful life of the project. Access to and from public transit, including crossing improvements, also must be considered and accommodated where there is existing or planned transit service.

Bicycle Access. A new project or major reconstruction project may not include the expected bikeway treatment when a suitable parallel route with the appropriate accommodations exists that would require no more than ¼-mile total out of direction travel.

Procedures for Excluding Accommodations for Pedestrians and Bicyclists from Projects.

When an agency determines not to include bicycle or pedestrian accommodations in a project because the cost of doing so would be excessively disproportionate to the need or probable use, the agency must include a notice of that decision in the notice of the public hearing required by Sections 5(A) and Section 6 of the Ordinance. In submitting the project to SANDAG for inclusion in the *TransNet* Program of Projects as part of the Regional Transportation Improvement Program (RTIP) process, the agency must notify SANDAG that bicycle and/or pedestrian facilities, as described in Table 1 or in its bicycle or pedestrian master plan, will not be included in the project along with written justification for that decision. The decision and justification is subject to review and comment by SANDAG through the Bicycle-Pedestrian Working Group, which would forward its comments to the SANDAG Transportation Committee. The Independent Taxpayer Oversight

Committee also would review and comment on such projects as part of its role in the RTIP process. The Transportation Committee in approving the *TransNet* Program of Projects must make a finding that the local decision not to provide bicycle or pedestrian facilities is consistent with the provisions of this Ordinance prior to approving the project for funding under the *TransNet* Program. If this consistency finding is not made, the agency would have the opportunity to revise its fund programming request for consideration in a future RTIP amendment.

Effective Implementation. This rule will be effective for projects added to the *TransNet* Program of Projects subsequent to their adoption by the SANDAG Board of Directors. Within three years of their adoption, the rule will be re-evaluated by SANDAG to ensure they are effectively encouraging provision of a balance transportation network without imposing an excessive cost burden on projects funded under the program.