REPORT TO MAYOR AND COUNCIL NO: 09-085

Council Meeting: April 28, 2009

SUBJECT: Resolution Approving Roadway Reconfiguration Guidelines for Retrofitting Streets with Bike Lanes (Originally Titled *Policy for Allocation of Street Space*) General Plan Amendment

REPORT IN BRIEF

This issue originated from the Bicycle and Pedestrian Advisory Commission (BPAC) and was approved by Council at its May 13, 2008 meeting (RTC 08-140) to adopt policy on the allocation of available street (public right-of-way) space for various street uses (Attachment A). The intent was to consider optimization of street space among the range of potential street users, and how to consider prioritization of some uses over others when available street space is limited and all uses and needs cannot be met.

At the May 13, 2008 City Council meeting, Council approved the policies and directed staff to prepare a General Plan Amendment. Staff recommends that the City Council approve the attached resolution (Attachment B) to amend the General Plan to include the attached policy and action statements related to allocation of street space in the Land Use and Transportation Element of the General Plan.

BACKGROUND

The Policy on Allocation of Street Space study issue was initiated by the City's Bicycle and Pedestrian Advisory Commission (BPAC) and approved by Council in 2008. The BPAC considered policy regarding the allocation of street space to safely accommodate all potential users of the roadway. The study looked at general street space allocation issues among modes of transportation. The goal was to provide direction as to how to consider all modes of transportation when allocating roadway space, and what factors to evaluate when decisions must be made between uses of the public right-of-way.

In the year 2000, the City prepared a Bicycle Capital Improvement Program that provided a comprehensive strategy for retrofitting City streets with bike lanes. A number of bicycle lane project recommendations identified in the Bicycle Capital Improvement Program could require the removal of on-street parking or other roadway reconfigurations because of right-of-way constraints. The Roadway Reconfiguration Guidelines for Retrofitting Streets with Bike Lanes (formerly titled *Policy for Allocation of Street Space*) study issue came about primarily to facilitate the continued planning, design, and construction

of a comprehensive bikeway network City wide. Policy developed as part of the study issue and approved by Council in May, 2008 will structure decision-making on street configurations when projects might require re-configuring existing street space allocation.

The BPAC outlined initial goals and objectives at its May 17, 2007 meeting. At an August 23, 2007 special meeting of the BPAC, the BPAC considered policy alternatives developed by staff. The BPAC indicated the nature of their desired policy from alternatives presented which was to create policy on how streets are used, rather than creating a process of prioritizing uses or changes. Utilizing this information, staff developed draft policy language which was considered by the BPAC at its September 17, 2007 meeting. The BPAC subsequently sponsored a public outreach meeting on the policy issue at its November 15, 2007 meeting to encourage general public input. Twenty-five to forty citizens attended the meeting and a number of individuals spoke to the issue.

A City Council public hearing was held on February 12, 2008. The Council directed staff and the BPAC to continue consideration of street space allocation policy with the goal of developing a mutually agreeable policy. The BPAC discussed the issue at its February 21, 2008 meeting, and staff and the BPAC agreed on a general framework for a revised policy. A revised set of policies was presented and refined at the March 20, 2008 BPAC. At its April 17, 2008 meeting, the BPAC voted unanimously to support the staff recommendation. At the May 13, 2008 City Council meeting, the Council approved the policies and directed staff to prepare a General Plan Amendment. Staff has subsequently considered the potential environmental impact of the policies and concluded that the street space allocation policies are exempt from California Environmental Quality Act (CEQA) review. This conclusion is based upon examination of the proposed amendments and consideration of the potential for the General Plan Amendment to initiate actions that will potentially cause a significant effect upon the environment. The proposed actions do not result in, or allow actions that significantly modify the environment.

EXISTING POLICY

Land Use and Transportation Element C3, Attain a transportation system that is effective, safe, pleasant and convenient.

Land Use and Transportation Element C3.5 Support a variety of transportation modes.

Land Use and Transportation Element C3.5.4 Maximize the provision of bicycle and pedestrian facilities.

Land Use and Transportation Element C3.5.1 Promote alternate modes of travel to the automobile.
Land Use and Transportation Element C3.4.6 Manage on-street parking to assure safe, efficient traffic flow.

DISCUSSION

The Council-directed action on the Street Space Allocation study issue was to amend a set of policies into the General Plan.

These policies address a fairly broad set of priorities, including providing appropriate access and safety for all transportation modes, emphasizing providing safety for travel modes before providing non-transport related facilities, considering options for allocating street space when changes are contemplated, establishing City Council authority over street space allocation decisions, and prioritizing safety over provision of new transport capacity. The bike policy sets priorities only; the City is establishing purposes of streets. There are no standards being adopted that could be considered thresholds for causing shovel-in-dirt projects to be initiated, and there is no commitment or direction to build anything that would change the environment.

Environmental review will take place at such time that the City identifies potential physical changes to the environment. The bike policy only establishes priorities to guide or scope the project-specific decision making process.

The policies are not covered by specific exemptions in the California Environmental Quality Act (CEQA), but captured by CEQA Guideline 15061, that there is no potential for a significant effect on the environment by this action. There are no wholesale changes to the environment brought about by these policy changes. Subsequent action or direction by a City Council would be necessary to lead to projects, and those projects would then be subject to CEQA review. Therefore, a General Plan Amendment for the bike policy can be processed for approval by the Council, with a Notice of Exemption from CEQA to be filed with the County.

FISCAL IMPACT

There is no fiscal impact associated with approval of the General Plan Amendment for allocation of street space. This policy would be utilized by the City as guidance for considering potential modifications to street configurations as opportunities develop and are funded.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center, and Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and the Office of the City Clerk.

The Bicycle and Pedestrian Advisory Commission has held public hearings on components of the Study at its May 17, 2007, August 16, 2007, August 23, 2007, September 20, October 18, 2007, November 15, 2007, January 31, 2008, February 21, 2008, March 20, 2008, and April 17, 2008 meetings. The City Council held a public hearing at its May 13, 2008 meeting.

ALTERNATIVES

1. Approve the attached resolution (Attachment B) enacting a General Plan Amendment on allocation of street space as described in Attachment A to incorporate the proposed street allocation policies into the Land Use and Transportation Element of the General Plan.
2. Do not adopt the resolution and General Plan Amendment on allocation of street space.
3. Other action as directed by Council.

RECOMMENDATION

Staff recommends Alternative No. 1: Approve the resolution enacting a General Plan Amendment on allocation of street space as described to incorporate the proposed street allocation policies into the Land Use and Transportation Element of the General Plan.

Reviewed by:

Marvin Rose, Director, Public Works
Prepared by: Jack Witthaus, Transportation and Traffic Manager

Approved by:

Gary Luebbers
City Manager

Attachments

A. Proposed Policy for the Allocation of Street Space
B. Resolution enacting a General Plan Amendment on allocation of street space

Attachment A

Proposed Policy for the Allocation of Street Space

Modal Balance

Appropriate accommodations for motor vehicles, bicycles, and pedestrians shall be determined for City streets to increase the use of bicycles for transportation and to enhance the safety and efficiency of the overall street network for bicyclists, pedestrians, and motor vehicles.

All modes of transportation shall have safe access to City streets.

The City should consider enhancing standards for pedestrian facilities.

Transport Versus Non-Transport Uses

City streets are public space dedicated to the movement of vehicles, bicycles and pedestrians. Providing safe accommodation for all transportation modes takes priority over non-transport uses. Facilities that meet minimum appropriate safety standards for transport uses shall be considered before non-transport uses are considered.

Parking is the storage of transportation vehicles and shall not be considered a transport use.

Historical precedence for street space dedicated for parking shall be a lesser consideration than providing street space for transportation uses when determining the appropriate future use of street space.

Parking requirements for private development shall apply to off-street parking only.

> Action statement: Incentives to offset impacts of roadway changes to non-transportation users shall be considered when retrofitting roadways.

Use of Engineering/Planning Criteria

When decisions on the configuration of roadway space are made, staff shall present options, including at a minimum an option that meets minimum safety-related design standards for motor vehicles, bicycles and pedestrians.

Bike retrofit projects shall be evaluated based on the merits of each project in the context of engineering and planning criteria.

> Action Statement: The City shall maintain engineering and planning criteria with respect to roadway geometry, collisions, travel speed, motor vehicle traffic volume, and parking supply and demand (on and off street) to guide decisions on the provision of bike lanes.

The City Council shall make the final decisions on roadway space reconfiguration when roadway reconfiguration will result in changes to existing accommodations.

Public input on roadway space reconfiguration shall be encouraged and presented independently of technical engineering and planning analyses.

Design Standards/Safety

If street configurations do not meet minimum design and safety standards for all users, than standardization for all users shall be priority.

Safety considerations of all modes shall take priority over capacity considerations of any one mode.

> Action Statement: For each roadway space retrofit project, a bike and pedestrian safety study shall be included in the staff report to evaluate the route in question.

ATTACHMENT B

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ADOPTING AND INCORPORATING INTO THE GENERAL PLAN POLICIES FOR THE ALLOCATION OF STREET SPACE

WHEREAS, the Department of Public Works has proposed an amendment to the General Plan of the City of Sunnyvale, as amended, by developing policies on the allocation of street space as set forth in Report to Council No. 08-140, dated May 13, 2008; and

WHEREAS, these policies have been determined to be exempt from the California Environmental Quality Act of 1970, as amended; and

WHEREAS, the City Council held two noticed public hearings to consider development and adoption of the policies on allocation of street space on February 12, 2008 and May 13, 2008, at which times public input was received; and

WHEREAS, the Bicycle and Pedestrian Advisory Commission held a noticed public hearing on the adoption of the policies on allocation of street space on April 17, 2008, after which the Bicycle and Pedestrian Advisory Commission recommended to adopt the policies on allocation of street space.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council hereby adopts the policies on allocation of street space as presented on Attachment A of this resolution, that it is a suitable and logical change of the General Plan for the development of the City of Sunnyvale, and that it is in the public interest.

2. The policies on allocation of street space, as adopted, are hereby added to the General Plan of the City of Sunnyvale, as amended, and a copy of which is on file in the Office of the City Clerk of the City of Sunnyvale.

3. The Mayor and City Clerk are authorized to endorse the policies on allocation of street space, and to show that the same has been adopted by the City Council.

4. The City Clerk is directed to file a certified copy of the update to the General Plan of the City of Sunnyvale, as amended, with the Board of Supervisors and the Planning Commission of the County of Santa Clara and the planning agency of each city within the County of Santa Clara. The City Clerk is directed further to file a certified copy of the update with the legislative body of each city, the land of which may be included in said plan.

ATTACHMENT B

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

APPROVED:

_____
City Clerk
(SEAL)

_____
Mayor

APPROVED AS TO FORM AND LEGALITY:

_____
David E. Kahn, City Attorney