




Office of the City Manager

ACTION CALENDAR
December 11, 2012

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Andrew Clough, Director, Public Works
Subject: Complete Streets Policy

RECOMMENDATION

Adopt a Resolution adopting the Berkeley Complete Streets Policy.

FISCAL IMPACTS OF RECOMMENDATION

Adoption of a Complete Streets Policy is necessary in order for the City to be eligible for grant funds, as well as be in compliance with requirements to receive revenue from Alameda County fund sources. The Metropolitan Transportation Commission (MTC) requires cities to adopt a Complete Streets Policy by January 31, 2013 in order to be eligible for One Bay Area Grants (OBAG). The Alameda County Transportation Commission (ACTC) requires adoption of a local Complete Streets policy by June 30, 2013 to remain eligible to receive Measure B transportation sales tax and Vehicle Registration Fee (VRF) funds.

The apparent failure of Measure B1, the augmented Alameda County transportation sales tax, to achieve the required 66.6% approval (election officials reported a 65.5% approval as of November 7, 2012 before mail-in and provisional ballots were accounted for), County funding for Local Street and Road (LS&R) rehabilitation will remain at current levels. Measure B1 included a requirement that 15% of LS&R expenditures be used on Complete Streets elements.

Implementation of the Complete Streets Policy will require design guideline development, public consultation, and staff evaluation. The most immediate expenditure will be for an estimated \$125,000 in consultant services to develop a Complete Streets Policy Implementation Plan, which will provide a detailed estimate of the Policy's fiscal impacts. Funding will be requested through the second annual appropriations ordinance process in March 2013, \$75,000 from the Vehicle Registration Fee (Fund 397), and \$50,000 from the Measure B Local Streets and Roads Fund (Fund 391). The Complete Streets Policy is intended to help improve the delivery of street and infrastructure improvements, and so may reduce staff costs over time.

CURRENT SITUATION AND ITS EFFECTS

The Berkeley General Plan Transportation Element, Bicycle Plan, Pedestrian Master Plan and other plans contain numerous policies that are congruent with the proposed Complete Streets Policy. However, these policies are not sufficient to satisfy the MTC and ACTC requirements. For this reason a Berkeley Complete Streets Policy is needed in order to be eligible for OBAG, Measure B and VRF funding.

Relevant General Plan policies include:

- Policy T-18 Level of Service: *“When considering transportation impacts under the California Environmental Quality Act, the City shall consider how a plan or project affects all modes of transportation, including transit riders, bicyclists, pedestrians, and motorists, to determine the transportation impacts of a plan or project.”*
- Policy T-42 Bicycle Planning: *“Integrate the consideration of bicycle travel into City planning activities and capital improvement projects, and coordinate with other agencies to improve bicycle facilities and access within and connecting to Berkeley.”*

BACKGROUND

According to the National Complete Streets Coalition, *“Complete Streets are designed and operated to enable safe access for all users. Pedestrians, bicyclists and transit riders of all ages and abilities as well as motorists must be able to safely move along and across a complete street.”* In recent years, Complete Streets policies have been enacted at the federal, state, regional and county level to ensure that all funded projects include the needs of all users of the public right of way.

Development of a Berkeley Complete Streets Policy has been directed by City Council and is required by regional and county funding agencies:

- In June 2010, the Berkeley City Council adopted the Berkeley Pedestrian Master Plan and CEQA document (Resolution No. 64,951-N.S.) and directed staff to implement the Plan and develop a “Complete Streets” policy.
- In December 2011, ACTC adopted the current Alameda CTC Master Program Funding Agreements, requiring that all jurisdictions receiving local sales tax pass-through (Measure B) and Vehicle Registration Fee (VRF) funding adopt a Complete Streets policy by June 30, 2013, and the City has signed this Funding Agreement. (See Attachment 2 for background concerning ACTC)
- In May 2012 MTC approved Resolution No. 4035, which defined the One Bay Area Grant (OBAG) process for allocating federal funding through Fiscal Year 2015-16, and requires that all jurisdictions receiving OBAG funding adopt a Complete Streets Policy by January 31, 2013. (See Attachment 3 for background concerning MTC)

In response to these directives, staff has developed a Complete Streets Policy that meets the requirements of both ACTC and MTC. The Public Works Department’s Transportation Planning staff led the process, with input from Traffic Engineering and

Public Works Engineering, which will be the primary implementers of the policy. The draft policy was presented to the Transportation Commission on October 18, 2012, where Commissioners provided comments on the draft policy and passed a motion endorsing it. Their minor revisions have been incorporated into the policy being presented to Council for consideration.

If the policy is adopted by Council, staff will develop a detailed Implementation Plan to identify internal practices to ensure compliance with the policy within all relevant City Departments and Divisions. One Complete Streets Internal Practice already in place, which governs roadway striping plans, is provided as Attachment 4. This topic will come back to City Council in 2013 when staff seeks approval for consultant contracts to support development of the Implementation Plan.

The Complete Streets Policy is an implementation measure of policies adopted in the General Plan, which was the subject of an Environmental Impact Report. The policy provides guidance regarding how the City conducts work already analyzed at a general level in the General Plan EIR, but fundamentally it is expected to have no additional environmental impacts. As part of the policy implementation, the City will evaluate each project as it is identified to determine whether additional environmental analysis is required and make recommendations on the level and timing of additional analysis needed, if any.

RATIONALE FOR RECOMMENDATION

A Complete Streets Policy is required by both MTC for eligibility for OBAG funds and by ACTC for eligibility for Measure B and Vehicle VRF funds. Such a policy was also requested by City Council, and is consistent with many of the City's adopted goals and policies.

ALTERNATIVE ACTIONS CONSIDERED

Staff considered including the Complete Streets Expenditure Requirement included in the text of Alameda County's Measure B1, which states that a "minimum of 15% of all local streets and roads funds will be spent on project elements directly benefitting bicyclists and pedestrians." The 15% figure for bicycle and pedestrian elements is consistent with the reported expenditures of Local Street and Roads projects throughout Alameda County in recent years.

Although staff did not include this language in the attached draft Complete Streets Policy, the City Council may want to insert this requirement in Berkeley's proposed Complete Streets Policy, given the likely failure of Measure B1.

CONTACT PERSON

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Attachments:

1: Resolution

Exhibit A: Berkeley Complete Streets Policy

2: ACTC Memorandum: Complete Streets Policy Elements

3: MTC Memorandum: One Bay Area Grant: Complete Streets Required Elements

4: Sample Berkeley Complete Streets Internal Practice: Striping Plan Review

RESOLUTION NO. ##,###-N.S.

BERKELEY COMPLETE STREETS POLICY

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, emergency vehicles, seniors, children, youth, and families; and

WHEREAS, the City of Berkeley acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation; and

WHEREAS, the City of Berkeley recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability; and

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation states that it “views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system”; and

WHEREAS, the California Global Warming Solutions Act of 2006 (AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking; and

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental well-being of their communities; and

WHEREAS, the Metropolitan Transportation Commission, through its One Bay Area Grant (OBAG) program, described in Resolution 4035, requires that all jurisdictions, to be eligible for OBAG funds, need to address complete streets policies at the local level through the adoption of a complete streets policy resolution or through a general plan that complies with the California Complete Streets Act of 2008; and

WHEREAS, the Alameda County Transportation Commission, through its Master Program Funding Agreements with local jurisdictions, requires that all jurisdictions must have an adopted complete streets policy, which should include the “Elements of an Ideal Complete Streets Policy” developed by the National Complete Streets Coalition, in order to receive Measure B pass-through and Vehicle Registration Fund funding; and

WHEREAS, the City of Berkeley therefore, in light of the foregoing benefits and considerations, wishes to strengthen its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the latest and best design guidelines and standards.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley adopts the Complete Streets Policy attached hereto as Exhibit A, and made part of this Resolution.

Exhibit:

A: Berkeley Complete Streets Policy

Exhibit A

This Complete Streets Policy was adopted by Resolution No. _____ by the City Council of the City of Berkeley on December 11, 2012.

BERKELEY COMPLETE STREETS POLICY

A. Complete Streets Principles

- 1. Complete Streets Serving All Users.** The City of Berkeley expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system to the extent they are controlled by the City) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, emergency vehicles, seniors, children, youth, and families.

- 2. Context Sensitivity.** In planning and implementing street projects, all departments of the City of Berkeley shall maintain sensitivity to local conditions in both residential and business districts and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered shall include sidewalks, shared use paths, bicycle lanes, bicycle routes, Bicycle Boulevards, paved shoulders, street trees, landscaping, planting strips, accessible curb ramps, crosswalks, pedestrian refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transit stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users, such as traffic calming circles and other traffic calming devices, transit bulb outs, and road diets, and those features identified in the Berkeley Pedestrian Master Plan and the Berkeley Bicycle Plan.

- 3. Complete Streets Routinely Addressed by All Departments.** All relevant Departments of the City of Berkeley shall work towards making Complete Streets practices a routine part of everyday operations; approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users; and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation. The following example project types provide opportunities: pavement resurfacing, restriping, accessing above and underground utilities, signalization operations or modifications, and maintenance of landscaping/related features. In order to ensure coordination and compliance with this Complete Streets Policy across all Departments and Divisions, the City shall develop internal practices that guide routine staff actions and decisions. These practices shall be developed and updated by Transportation Division of

Public Works in partnership with Engineering Division and other relevant City Departments and Divisions. The Director of Public Works shall identify one or more Complete Streets policy coordinator(s) within each Division or at the Department level to oversee implementation of and future updates to this Policy.

4. **All Projects and Phases.** Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in Section C.1 of this Policy. In order to plan, fund, design and implement projects in compliance with this Policy, project delivery staff shall be required to attend a Complete Streets training which shall include the following components: City of Berkeley Complete Streets Policy; City internal practices to implement the Policy; overview of Complete Streets design principles; application of pedestrian and bicycle design guidelines, including but not limited to those listed in Section B.2. The required training shall be identified by the Department Director and be coordinated by the Complete Streets policy coordinator(s).

B. Implementation

1. **Plan Consultation and Consistency.** Maintenance, planning, and design of projects affecting the transportation system shall be consistent with local bicycle, pedestrian, transit, multimodal, and other relevant plans, except where such consistency cannot be achieved without negative consequences, and if the head of the relevant department provides written approval explaining the basis of such exemption. Such exemptions shall be presented to the Bicycle and/or Pedestrian Subcommittee(s) of the Transportation (or other) Commission early in the planning and design stage, to ensure these Subcommittees have an opportunity to provide comments and recommendations.
2. **Design.** City of Berkeley will generally follow its own adopted design standards, including the Caltrans Highway Design Manual (HDM); California Manual of Uniform Traffic Control Devices (CA MUTCD); *Berkeley Bicycle Plan*; *Berkeley Bicycle Boulevards Design Tools and Guidelines*; *Berkeley Pedestrian Plan*; and will also evaluate using the latest design standards and innovative design options, with a goal of balancing user needs. The City shall continue to develop and regularly update and adhere to a set of roadway design guidelines that compiles guidance from adopted plans, design manuals and local and national best practices, covering but not limited to the following topics: bikeway design; pedestrian design; traffic calming; roadway geometry; signal operations; and other topics as deemed appropriate by the Director of Public Works. Wherever

possible, specific dimensioned design details, cross-sections and plan views shall be provided for each of these elements.

3. **Street Network/Connectivity.** As feasible, the City of Berkeley shall incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of users and to create employment, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for existing and anticipated future areas of travel origination or destination.
4. **Bicycle and Pedestrian Advisory Committee Consultation.** Transportation projects shall be reviewed by the Bicycle and/or Pedestrian Subcommittees of the Transportation (or other) Commission early in the planning and design stage, to provide the Subcommittees an opportunity to provide comments and recommendations regarding Complete Streets features to be incorporated into the project.
5. **Evaluation.** All relevant Departments and Divisions shall perform annual programmatic evaluations of how well the streets and transportation network of the City of Berkeley are serving each category of users by collecting baseline data and collecting follow-up data on a regular basis. The Complete Streets policy coordinator(s) shall develop appropriate performance metrics and annually assess the need to update them. These performance metrics shall be developed and updated in partnership with the Transportation (or other) Commission, Transportation and Engineering Division staff, and other relevant City Departments and Divisions as well as outside agencies.

C. Exemptions

1. **Leadership Approval for Exemptions.** Projects that seek exemption from the Complete Streets Policy must provide written finding of why accommodations for all modes were not included in the project, and must receive written approval by the Public Works Director or their designated representative. Projects that are granted exceptions must be made publically available for review. Subsequent to project review described in Sections B.1 and B.2 of this Policy, the Chair(s) of the Bicycle and/or Pedestrian Subcommittees of the Transportation (or other relevant) Commission shall report on exemptions from this Policy or from adopted Plans to the Transportation (or other relevant) Commission in order that the Commission can report to and make appropriate recommendations to the City Council. Annually, the Manager of the Transportation Division of the Public Works Department shall make a report to the Transportation (or other relevant) Commission describing and explaining the previous years' exemptions as part of an annual Complete Streets Policy Implementation Report. The Director of the Department of Public Works or a designated representative shall provide an annual Complete Streets Policy Implementation Report to City Council.

Based on the Federal Highway Administration (FHWA) exemption policy, exemptions to Berkeley's Complete Streets Policy may be granted if one of the following criteria is met:

- a. Bicyclists and pedestrians are prohibited by law from using the roadway.
- b. The cost of establishing bikeways or walkways would be excessively disproportionate to the need or probable use. In unusual circumstances, such as where natural features (e.g. steep hillsides, shorelines) make it very costly or impossible to accommodate all modes, "excessively disproportionate" is defined as exceeding twenty percent of the cost of the larger transportation project.
- c. Where sparsity of population or other factors suggest an absence of need. For example, all construction or reconstruction of public streets must include sidewalk improvements on both sides, unless the street is a cul-de-sac with few dwellings or the street has severe topographic or natural resource constraints.
- d. Transit accommodations are not required where there is no existing or planned transit service.
- e. Routine maintenance of the transportation network that does not change the roadway geometry or operations, such as mowing, sweeping, and spot repair.
- f. Where a reasonable and equivalent project along the same corridor is already programmed to provide facilities exempted from the project at hand.