

8 | Other Tools for Local Agencies

CHAPTER 5, “PEDESTRIAN IMPROVEMENTS,” provides a list of resources for local agencies on the planning and design of pedestrian facilities while Chapter 6, “Bicycling Improvements,” does the same for bicycling facilities. Meanwhile, Chapter 7, “Support Programs,” contains resources for the design and implementation of projects and programs that complement walking and bicycling facilities. This chapter provides tools, resources and other information for local agencies (and also for the Authority) on four additional issues identified as important for the update of the CBPP:

- Policies, standards and guidelines that support pedestrian and bicycle access in new developments and redevelopment projects.
- The roles and responsibilities of local agencies and the Authority under MTC’s routine accommodation policy, especially with regard to the routine accommodation checklist.
- Use of the CBPP by local agencies to be eligible for funds from the state’s Bicycle Transportation Account (BTA).
- Guidance on the application of the Americans with Disabilities Act (ADA) to public rights-of-way.

PEDESTRIAN- AND BICYCLE-FRIENDLY DEVELOPMENTS

Measure J requires that local jurisdictions comply with the Measure J Growth Management Plan (GMP) to receive funds under the Local Street Maintenance and Improvement program and to be eligible for funding under the Contra Costa Transportation for Livable Communities (TLC) program. Among the requirements of the GMP is that each jurisdiction “incorporate policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments.”

One of the main objectives in updating the CBPP is to help the County and cities comply with this requirement by providing them with tools for the planning and design of pedestrian- and bicycle-friendly developments. This section describes a number of resources that could be useful in meeting this requirement. They range from general principles and policies on urban, architectural and site design to detailed development standards and guidelines formulated by other communities. Many of the available resources focus on pedestrians,

perhaps because they are the most sensitive users of the transportation system.

Pleasant Hill BART Transit Village

The former main parking lot at the Pleasant Hill BART station is being transformed into a mixed-use “transit village,” where people will be able to live, work, shop and play all within steps of the station’s fare gates. The first phase of the project consisted of construction of a 1,547-space parking garage, completed in 2008, to replace the surface lot. The second phase, begun in July 2008, includes over 400 rental apartments (20 percent of which will be affordable housing) and almost 36,000 square feet of local-serving retail. (Occupancy of the rental units is scheduled to begin March 2010; a subsequent phase of the residential development will include 100 condominiums.) The third phase will include a conference center and a 12-story office building with 270,000 square feet of space.

The \$366 million project is a joint undertaking of BART, Contra Costa County and the county Redevelopment Agency, and is the most comprehensive transit village under development in the BART system. The 7.5-acre project area is bounded by Treat Boulevard to the south, Oak Road to the west, Las Juntas Way to the north and Jones Road to the east. Planning policies call for improved bicycle and pedestrian access between the transit village and the Iron Horse Trail, and with neighborhoods east and west of the BART station.

► www.ccreach.org/ccc_redevelopment/ph_finaldp.cfm

Design features

The U.S. Environmental Protection Agency’s “Primer for Smart Growth” identifies a number of urban design features that can make the built environment more pedestrian- and transit-friendly. The report is organized as a checklist of essential, highly desirable and “nice additional” design features:

- “Essential”: medium-to-high densities; mix of land uses; short-to-medium-length blocks; transit routes every half-mile; two- or four-lane streets; continuous walkways; safe crossings; appropriate buffering from traffic; street-oriented buildings; and comfortable and safe places to wait.
- “Highly desirable”: supportive commercial uses; grid-like street networks; traffic-calming; closely spaced shade trees; little dead space or visible parking; nearby parks and other public spaces; small-scale or articulated buildings; and “classy-looking” transit facilities.
- “Nice additional”: “streetwalls” (enclosures formed by the buildings fronting a street); functional street furniture; coherent, small-scale signage; special pavement; and “lovable objects,” especially public art.

► Pedestrian and Transit-Friendly Design: A Primer for Smart Growth:

www.epa.gov/livablecommunities/pdf/ptfd_primer.pdf

Design guidelines for compact development

“Compact Development for More Livable Communities,” published by the Sacramento-based Local Government Commission, illustrates how “the way we design our buildings and the way they relate to the street are instrumental in creating livable, walkable communities.” It does so by contrasting images of urban, architectural and site design features, some of which contribute to a quality built environment

while others detract from it. The publication also includes “An Elected Official’s Checklist for Compact Development,” with questions to ask “to insure that compact housing fits into a community and is well-designed.”

► **Compact Development for More Livable Communities:**

www.lgc.org/freepub/docs/community_design/focus/compact_development.pdf



Policies and design guidelines

The purpose of the “Pedestrian Policies and Design Guidelines” of the Maricopa Association of Governments (Phoenix, AZ) is to provide “policy and design guidance to make all pedestrian areas and facilities safe, comfortable, and a destination for people who use them.” The fourth chapter (pp 29-38) identifies general planning and design principles on pedestrian connections, “pedestrian places,” traffic calming, landscaping, site planning, architectural design, signage, bicycling and the “transit interface.” The sixth chapter (pp 47-77) pro-

vides specific design guidelines on not only facilities but also building facades, amenities, public art, landscaping, transit stations, parking lots and streetscape “variety.” The last chapter includes a number of “how-to sheets,” including a “Pedestrian Zoning Review Checklist” (pp 86-88).

► **Maricopa Association of Governments’ Pedestrian Policies and Design Guidelines:**

www.mag.maricopa.gov/pdf/cms.resource/MAG_Ped_Pol_and_Guide45859.pdf

Smart growth zoning codes

Smart growth zoning codes seek to create more attractive built environments, where walking and bicycling are integral modes of transportation. This resource guide, also by the Local Government Commission, highlights language, requirements, incentives, formats and project review processes from exemplary codes from around the country. The guide is organized according to several key “strategies:” traditional neighborhood development; mixed use and live/work; transit-oriented development; and the design of streets, city blocks and parking areas.

► **Overcoming Obstacles to Smart Growth through Code Reform (executive summary):**

www.lgc.org/freepub/docs/community_design/sg_code_exec_summary.pdf

► **Smart Growth Zoning Codes: A Resource Guide (full report) and CD available for purchase at:**

www2.lgc.org/bookstore/detail.cfm?itemId=34

Multimodal streets

A relatively new movement called “Complete Streets” advocates for the creation and retrofitting of streets to serve users of all ages and abilities and all transportation modes. “Best Practices for Complete Streets,” a report produced by the Sacramento Transportation and Air Quality Collaborative, suggests standards for new streets and developments, offers options for dealing with a constrained right-of-way and illustrates with specific examples how streets work for various user groups.

► **Best Practices for Complete Streets:**

www.completestreets.org/documents/FinalReportII_BPCompleteStreets.pdf

Checklist for assessing pedestrian and bicycle on-site circulation (by Fehr & Peers)

1. Evaluate pedestrian and bicycle circulation on the project site

- ✓ How do pedestrians & bicyclists access the site?
- ✓ How do pedestrians & bicyclists travel through the site? Are pathways clearly marked? Are there conflict points with vehicles?

2. Identify recommended pedestrian paths that minimize vehicle/pedestrian conflicts and maximize pedestrian visibility

- ✓ Are there walkways from parking areas to store entrances that reduce conflict points with vehicles?
- ✓ In a subdivision, are there adequate pedestrian/bicycle connections or cut-throughs so that walking/riding distance is minimized?

3. Measure pedestrian accessibility

- ✓ Route directness: length of actual walking route divided by the length of a direct route.
- ✓ Intersection density: number of intersections per square mile.

4. Evaluate bicycle parking

- ✓ Compare project’s proposed bike parking to local code requirements (if available) or to generally-accepted ratios (i.e. one bicycle space for every 20 car spaces).

5. Review site plan for ADA compliance

- ✓ Minimum 4 feet sidewalk width (5 ft “passing lane” is needed every 200 feet, so best if 5 feet is provided continuously).
- ✓ Sidewalk must be maintained without obstruction (i.e. utilities, signal cabinets, street furniture, etc.).
- ✓ Jurisdictions are required to upgrade facilities to comply with ADA if any physical improvement is made (for example, if the project was to re-stripe pavement markings, the facilities would not need to be upgraded).
- ✓ One curb ramp per crosswalk is preferred (each directing pedestrians into the appropriate crosswalk); one per corner is acceptable. Are truncated domes on ramp included, perpendicular to direction of travel?

Multimodal levels of service

Report 616 of the National Cooperative Highway Research Program, entitled “Multimodal Level of Service Analysis for Urban Streets,” describes how various users of urban streets—car drivers, bus riders, pedestrians and cyclists—perceive the quality or level of service (LOS) provided by those streets. The results of that examination were used to develop four LOS models, one for each mode. Because they quantify the interactions of modes sharing the same street right-of-way, the models are ideal for evaluating the benefits of complete streets and context-sensitive street design options. The models enable users to test the tradeoffs of allocations of the street cross section among modes, and to compute the “before” and “after” LOS for each mode.

- ▶ **Multimodal Level of Service Analysis for Urban Streets:** [online-pubs.trb.org/Onlinepubs/nchrp/nchrp_rpt_616.pdf](http://onlinepubs.trb.org/Onlinepubs/nchrp/nchrp_rpt_616.pdf)

Model ordinances

This section of a broader report by the American Planning Association provides four model ordinances, each addressing a different aspect of the built environment with important implications for pedestrian access and mobility. Each sub-section includes an overview of the issue being addressed, the model ordinance and a list of references. The issues addressed by the four model ordinances are:

- Pedestrian overlay district (pp 3-12)
 - On-site access, parking and circulation (pp 13-16)
 - Shared parking (pp 17-28)
 - Street connectivity (pp 29-34)
- ▶ **Four Model Ordinances to Help Create Physically Active Communities:** www.wsdot.wa.gov/ta/operations/localplanning/pdf/section48.pdf

Design standards

Chapter 4.10 of the *Land Development Code* of the City of Corvallis (OR) is “Pedestrian-Oriented Design Standards.” It provides detailed design standards, with explanatory drawings, for 1- and 2-unit residential buildings and developments (pp 4.10-3 to 4.10-15), multi-unit buildings and developments (pp 4.10-15 to 4.10-25) and developments of commercial, industrial and civic uses (pp 4.10-25 to 4.10-45). The standards cover building orientation, setbacks, location of entrances, façades, design and placement of garages and parking lots, variety in architectural design, pedestrian and vehicular circulation, pedestrian amenities, service areas and design and placement of drive-through establishments.

- ▶ **City of Corvallis (OR) Pedestrian-Oriented Design Standards:** www.ci.corvallis.or.us/downloads/cd/Land%20Development%20Code-%20Ordinance%20Exhibit%20A/CHAPTER%204_10.pdf

Regulating code

Contra Costa’s own city of Hercules has adopted a development code to guide the creation of a compact, pedestrian-oriented district. The code includes standards and guidelines for various aspects of urban and site design, including maximum block size, alleys, street trees, street lighting, street furniture, parking, drive-through, setbacks and large-footprint buildings. It also establishes approved and conditional uses and regulates such aspects of architectural design as finish materials, façade transparency, signs and projecting façade elements.

- ▶ **Regulating Code for the Central Hercules Plan:** www.ci.hercules.ca.us/index.aspx?page=234

Design guidelines for pedestrian-oriented business districts

In 2004, the city of Kirkland adopted design guidelines for its downtown, mixed-use developments and other pedestrian-oriented business districts. The guidelines manual addresses, among other topics:

- “Pedestrian-oriented elements,” such as walkways, building facades, lighting from buildings, pedestrian-oriented plazas and pedestrian connections (pp 5-11)
- Public improvements and site features, including pedestrian paths, street trees, site features, “gateway” features and public art (pp 12-17)
- Placement and design of parking lots, including interior circulation (pp 18-20)
- Building scale (pp 21-24)

- Building material, color and detail (pp 25-27)
- ▶ **City of Kirkland (WA) Design guidelines for pedestrian-oriented business districts:**
www.ci.kirkland.wa.us/_shared/assets/Design_Guidelines_2004285.pdf



Guidelines and standards for a pedestrian-overlay district

The city of Greensboro, NC created a pedestrian-overlay district for its Spring Garden Street corridor and developed this accompanying design manual to “promote quality and compatible redevelopment through flexible and clear design standards” along the corridor. It provides guidelines and standards for 12 aspects of site, architectural and urban design that have a strong influence on walkability: parking, landscaping, transitions between land uses, siting and building orientation, massing and scale, fenestration, building façade, materi-

als, signage and awnings, screening and accessory structures, site furniture and outdoor sales, and sidewalk cafes.

- ▶ **Spring Garden Street Pedestrian Scale Overlay Design Manual:**
www.greensboro-nc.gov/NR/rdonlyres/BD9D5EC8-893B-4CC0-BC05-gDD33855230F/0/springgardenoverlay.pdf

Checklist for pedestrian and bicycle components of traffic impact studies (by Fehr & Peers)

1. Review and cite adopted bicycle and/or pedestrian planning documents

- ✓ Refer to significance criteria, goals and policies in general plan; local and regional bicycle plans and pedestrian plans; and specific plans for the project area.

2. Determine/select significance criteria

- ✓ Consider the scale of the project: large scale (general plan, specific plan), medium scale, small scale (infill project).
- ✓ Consider the scope of analysis: adjacent intersections, study intersections, intersections along paths.
- ✓ Select the most appropriate criteria for the project.
 - Review the jurisdiction’s existing criteria
 - Develop criteria based on above plans
 - Consider other criteria
- ✓ Sample pedestrian criteria:
 - Basic connectivity (access between project and surrounding sidewalks)
 - Walking facilities along project frontage and next to project
 - Connections to destinations/land uses, including transit
 - ADA compliance.
- ✓ Sample bicycle criteria:

- Bicycle parking
- Bicycle access to destinations/land uses, including transit
- Connections to adjacent bicycle facilities

3. Document existing conditions

- ✓ Describe and map any nearby land uses that generate a high number of pedestrians or bicyclists—within $\frac{1}{4}$ and $\frac{1}{2}$ mile of the site, depending on scale of project: schools, transit hubs, shopping centers, job centers, other.
- ✓ Discuss bicycle and pedestrian access to existing transit stops.
- ✓ Describe existing pedestrian facilities in the project vicinity, including deficiencies in the existing system:
- ✓ Identify pedestrian features at study intersections, adjacent intersections and intersections along paths: marked crosswalks, pedestrian push buttons, countdown signal heads, adequate crossing time, median refuge islands, audible signals.
- ✓ Discuss existing bicycle facilities in the project vicinity, including deficiencies in the existing system: lanes, routes, paths, other bicycle-related signage, signals, or striping.

4. Analyze collisions

- ✓ Consider what level of collision analysis should be conducted: none, adjacent intersections, study intersections, intersections along paths.
- ✓ Analyze pedestrian and bicycle collision data (this can be useful for determining deficiencies).
 - Look at data for at least the past 3 years
 - Get data from city or from CHP (SWITRS data)
 - Look at all vehicle-pedestrian and vehicle-bicycle collisions
 - Summarize by various factors: location, time of day, primary collision factor, age, helmet or not
 - Tool for analyzing crash patterns and considering roadway improvements: PB-CAT (see www.walkinginfo.org/pc/pbcats.cfm)

5. Determine project impacts

- ✓ Compare the project to the goals and policies in the documents reviewed above.
- ✓ Review the city/agency's significance criteria related to pedestrians and bikes; clarify if necessary.
- ✓ Discuss the project's impact on bike and pedestrian facilities.
- ✓ Will the project degrade existing conditions for bicyclists and pedestrians?
- ✓ Identify the potential for the project to increase bicycle and pedestrian traffic.
- ✓ Identify network deficiencies that are affected by the project.
- ✓ Identify recommended improvements for the project (should link directly to significance criteria):
 - Enhanced street crossings
 - Extend pedestrian crossing time (consider potential impacts to auto traffic; do vehicle analysis with existing pedestrian intervals, then with extended pedestrian intervals, then add project)
 - Pedestrian push buttons
 - Bicycle facilities
- ✓ Discuss trade-offs between alternatives: signal or no signal, leading pedestrian interval, scramble, additional lane or not, new driveways.
- ✓ Identify if the project is adjacent to or would contribute to a planned pedestrian or bicycle facility; if so, recommend appropriate contribution.
- ✓ Identify impacts during construction; consider temporary detours.

6. Propose mitigations

- ✓ Will any mitigations degrade existing facilities?
 - Removal of a bike lane or crosswalk
 - Increased crossing distance at an intersection due to added lanes or pockets
 - Increased conflicts for pedestrians on sidewalk and bikes on the street due to added driveways

MTC'S ROUTINE ACCOMMODATION POLICY

Resolution Number 3765



In June 2006, MTC—the regional transportation planning agency for the Bay Area—adopted Resolution Number 3765, which establishes the agency’s “routine accommodation” policy. This policy states that “projects funded

all or in part with regional funds...shall consider the accommodation of bicycle and pedestrian facilities, as described in Caltrans Deputy Directive 64.” The policy reflects recommendations to increase the consideration of bicycle and pedestrian facilities that emerged out of a background study conducted by MTC. The study report, entitled “Routine Accommodation of Pedestrians and Bicyclists in the Bay Area,” evaluates how often nonmotorized transportation facilities are included in the design and construction of broader transportation projects in the Bay Area, and includes three case studies from around the region.

► **MTC’s webpage on routine accommodation in the Bay Area:**

www.mtc.ca.gov/planning/bicyclespedestrians/routine_accommodations.htm

► **Resolution Number 3765:**

www.mtc.ca.gov/planning/bicyclespedestrians/res3765final.pdf

► **Routine Accommodation of Pedestrians and Bicyclists in the Bay Area:**

www.mtc.ca.gov/planning/bicyclespedestrians/Routine_Accommodation_Study.pdf

Routine Accommodation / Complete Streets Checklist

Resolution Number 3765 directed MTC, working with the county congestion management agencies (CMAs) and other stakeholders, to “develop a project checklist to be used by implementing agencies to evaluate bicycle and pedestrian facility needs” whenever such agencies plan broader transportation projects. The checklist that MTC prepared is in the form of questions to project sponsors regarding the proposed project and walking and bicycling conditions in the project area. The questions cover such issues as existing facilities for nonmotorized transportation; uses, needs and access challenges for pedestrians and bicyclists; latent demand; collisions; applicable plans, policies and design standards and guidelines; public input; proposed accommodations; negative impacts on pedestrian and bicycle access; access during project construction; and future maintenance. For proposed projects that do not incorporate bicycle and pedestrian facilities or that would hinder bicycle or pedestrian travel, the checklist asks project sponsors to discuss the reasons why a project was designed as proposed. MTC also developed a question-by-question guidance document for filling out the checklist.

► **Routine Accommodation Checklist (also called the Complete Streets Checklist):**

www.mtc.ca.gov/planning/bicyclespedestrians/Routine_Accommodation_checklist.pdf

► **“Routine Accommodation Guidance:**

www.mtc.ca.gov/planning/bicyclespedestrians/Routine_Accommodation_guidance.pdf

Checklist procedures

Implementing agencies are required to submit a completed checklist for any project submitted for funding to MTC—either directly or indirectly, through the CMAs—that has the potential to affect bicycle or pedestrian use negatively. (This excludes projects that do not affect the public right-of-way, such as bus washers or emergency communications equipment.) MTC encourages agencies to complete the checklist “at the earliest stage of project development” so that pedestrian and bicycle considerations can be addressed and incorporated into the project most effectively. The checklist is intended to be a vehicle for the disclosure, dissemination and discussion of information regarding routine accommodation; however, answers to questions on the checklist will not affect a project’s eligibility for MTC funding. MTC and Caltrans will monitor the effectiveness of their routine accommodation policies by conducting periodic detailed audits of selected projects and their checklists.

Detailed procedures for the application of the routine accommodation policy and checklist are explained in an MTC document entitled “Routine Accommodations Policies and Procedures.” The document outlines the purposes and uses of the checklist, the funding programs and sources covered by the checklist requirement and, perhaps most importantly, the roles and responsibilities of project sponsors, CMAs, BPACs and MTC regarding the checklist. MTC’s adopted procedures assign several key responsibilities to the Authority and local agencies with regard to the checklist:

- **Under MTC funding programs administered by the CMAs:** Local agencies complete and submit checklists to the Authority; the Authority ensures that checklists have been completed and forwards them to MTC.

- **Under MTC funding programs for which the CMAs recommend projects to MTC:** The Authority completes project checklists and submits them to MTC along with the list of recommended projects.
- **Under MTC funding programs that do not go through the CMAs:** Local agencies complete and submit checklists directly to MTC.
- In all cases, the Authority is responsible for posting completed project checklists on its website and providing a link to MTC’s list of checklists organized by county.
- Again in all cases, the Authority is also responsible for providing completed checklists to the CBPAC and notifying it when checklists are available on its website. Checklists should be made available to the CBPAC as early as practicable and no later than when a project is recommended to MTC for programming. Checklists do not require approval by the CBPAC. The CBPAC, however, may still choose to review them in order to provide feedback on projects to the Authority or to the sponsoring agency.

MTC encourages the CMAs to establish their own process for managing their checklist responsibilities, provided it is consistent with MTC’s procedures. The Authority’s process may specify when project sponsors submit completed checklists and when checklists are made available to the CBPAC. For its part, the CBPAC is responsible for defining, in consultation with Authority staff, its process for reviewing project checklists. For any checklist, the CBPAC may choose to discuss it at one of its regular meetings; to use an expedited process in which the checklist is discussed among CBPAC members electronically (for occasions when there is little time between when a checklist is made available and when MTC makes its funding decision); or to not review it at all (since, as mentioned above, checklists do not require approval by the CBPAC).

► **Routine Accommodations Policies and Procedures:**

www.mtc.ca.gov/planning/bicyclespedestrians/Routine_Accommodations_checklist_process.pdf

ELIGIBILITY FOR BTA FUNDS

The Bicycle Transportation Account (BTA) is a California statewide funding program for bicycle facilities, administered by Caltrans. One of the main reasons for updating the CBPP is to enable the Authority and local jurisdictions to remain eligible for funds under the BTA. According to chapter 21 of Caltrans’ “Local Assistance Guidelines,” “to be eligible for BTA funds, a local agency must have an adopted Bicycle Transportation Plan (BTP) that complies with Section 891.2 of the Streets and Highways Code.” Section 891.2 of the code lists 11 components, or “elements,” that bicycle plans should include. These components concern existing and proposed conditions, facilities and other aspects related to bicycling at the level of local agencies.

► **California Streets and Highways Code, Section 890-894.2:**

www.leginfo.ca.gov/cgi-bin/displaycode?section=shc&group=00001-01000&file=890-894.2

The CBPP includes bicycling information at both the countywide and local levels. Table 1, in the “Introduction” chapter, contains a table that summarizes the 11 required BTA components and lists the pages where the information addressing each component is provided in the CBPP. The main body of the CBPP includes mostly information at the countywide level; most of the information at the level of individual cities and towns and the unincorporated county has been compiled into tables under Appendix C.

The information summarized in table 1, along with the local information under Appendix C, provides most, but not all, of the material needed to meet the BTA requirements as a *local* plan. A local jurisdic-

tion—the County or any of its 19 cities and towns—that wants to use the CBPP to meet BTA requirements will need to supplement the CBPP with additional local information and adopt the amended plan through a resolution of its governing body. The supplemental information may be listed in the adopting resolution itself or as an attachment to the resolution. The supplemental information that local jurisdictions will need to include is summarized in Table 20.

Local jurisdictions should also review Appendix C to ensure that it reflects all of their available local information. Information not reflected in Appendix C should be part of the supplemental information for amending the CBPP. Local jurisdictions may also choose to create their own plan rather than adopt an amended version of the CBPP. The Authority will make available the electronic files of the CBPP to jurisdictions that wish to use it as a template. Local adoption of a plan allows the jurisdiction to apply for BTA funds in the five following state fiscal years.

Table 20 | Supplemental local information needed to meet BTA requirements

<i>Requirement</i>	<i>Additional information</i>
a. Number of existing and future bicycle commuters	None (see pages 12-15)
b. Land use and settlement patterns (map and description)	Most recent land use designation map from the general plan (for description, see Appendix C)
c. Existing and proposed bikeways (map and description)	Local pages from the countywide bikeway “atlas” (for description, see Appendix C)
d. Existing and proposed bicycle parking facilities (map and description)	Map showing additional local bicycle parking facilities, beyond those shown on the countywide bicycle maps (for description, see Appendix C)
e. Existing and proposed access to other transportation modes (map and description)	None (for map, see countywide bicycle maps; for description, see Appendix C)
f. Facilities for changing and storing clothes and equipment (map and description)	None (for map, see countywide bicycle maps; for description, see Appendix C)
g. Bicycle safety, education and law enforcement programs	None (see Appendix C)
h. Citizen and community involvement in development of the plan	Description of the extent of citizen and community involvement in local adoption of the CBPP
i. Coordination and consistency with other plans	Description of how the CBPP is consistent with local plans and programs
j. Projects proposed in the plan and their priority for implementation	List of local projects on the Countywide Transportation Project List and any other locally prioritized projects; also, discussion of how those projects were selected as priorities
k. Past expenditures for bicycle facilities and future financial needs	Estimated funding needs to implement the priority local projects (for past expenditures, see Appendix C)

AMERICANS WITH DISABILITIES ACT

The federal Americans with Disabilities Act (ADA), signed into law in July 1990, generally prohibits discrimination based on disability. Public rights-of-way and facilities are required to be accessible to persons with disabilities under Title II of the ADA and section 504 of the Rehabilitation Act of 1973. Using these laws, disability advocates have challenged public agencies on the accessibility of public rights-of-way. In the pioneering case of *Barden v. Sacramento*, a circuit court of appeals ruled that sidewalks are a “program” under the ADA and must be made accessible to persons with disabilities. The defendant in that case, the City of Sacramento, settled the lawsuit in 2003 by assigning 20 percent of its annual transportation fund for the following 30 years to improve sidewalks, crosswalks and curb ramps.

Developing guidelines to implement the ADA is the responsibility of the U.S. Access Board, an independent federal agency. The board’s guidelines are not requirements; rather, they are the basis for standards issued by other federal agencies and used to enforce the law. (In this way, ADA guidelines are similar to model building codes.) Standards for most ADA-covered facilities are issued and enforced by the U.S. Department of Justice (DOJ), with the exception of certain transportation facilities, which are subject to standards issued by the Department of Transportation (DOT).

ADA guidelines for public rights-of-way

To date, there are no standards or comprehensive final guidelines on accessible public rights-of-way. In 2002 the Access Board released draft guidelines regarding disabled access to elements commonly found in public rights-of-way, including sidewalks, crosswalks, curb ramps and street furnishings. The draft guidelines were revised in 2005 in response to public comments. Chapters 2-4 are of particular relevance to the CBPP, as they address the design of pedestrian access

routes, pedestrian crossings, curb ramps and “blended transitions,” accessible pedestrian signals, “protruding objects,” pedestrian signs, street furniture, bus stops, on-street parking and detectable warning surfaces, among other elements. The revised guidelines have not yet been released for public comment so they remain in draft form. Nevertheless, they provide valuable direction to local agencies on the design of accessible public rights-of-way. DOT’s Federal Highway Administration (FHWA), the agency responsible for ensuring ADA compliance in the public right-of-way, has adopted the draft guidelines as “currently recommended best practices” and as “the state of the practice that could be followed for areas not fully addressed by the present ADA...standards.”

- ▶ **U.S. Access Board’s webpage on rulemaking for public rights-of-way:** www.access-board.gov/prowac
- ▶ **Revised draft guidelines for accessible public rights-of-way:** www.access-board.gov/prowac/draft.htm

Other guidance on public rights-of-way

In the absence of final guidelines from the Access Board and enforceable standards from DOT or DOJ on accessible public rights-of-way, there are numerous other informational resources that local agencies can consult for assistance. The Access Board, for example, has developed a series of documents on accessibility for various aspects of public rights-of-way to provide guidance until its guidelines are finalized. The most comprehensive of these are *Accessible Public Rights-of-Way: Planning and Design for Alterations* (2007) and the older *Accessible Rights-of-Way: A Design Guide* (1999). Also, the Access Board has produced a four-part online video addressing considerations in the design of sidewalks with regard to pedestrians with mobility and visual impairments.

- ▶ **Accessible Public Rights-of-Way: Planning and Design for Alterations:** www.access-board.gov/prowac/alterations/guide.htm
- ▶ **Accessible Rights-of-Way: A Design Guide:** www.access-board.gov/prowac/guide/PROWGuide.htm
- ▶ **Accessible Sidewalks video series:** www.access-board.gov/prowac/video/index.htm
- ▶ **Other guidance material from the U.S. Access Board on public rights-of-way:** www.access-board.gov/prowac

As the agency charged with ensuring ADA compliance in the public right-of-way, FHWA is another excellent source of information. The agency's "Questions and Answers About ADA/Section 504" describes the roles and responsibilities of public agencies in providing transportation facilities that are accessible to pedestrians with disabilities and in developing ADA "transition plans." Another especially useful resource is the two-part *Designing Sidewalks and Trails for Access* report. Part I is the "Review of Existing Guidelines and Practices" while part II is the "Best Practices Design Guide."

- ▶ **Questions and Answers About ADA/Section 504:** www.fhwa.dot.gov/civilrights/ada_qa.htm
- ▶ **Designing Sidewalks and Trails for Access; part I of II: Review of Existing Guidelines and Practices:** www.fhwa.dot.gov/environment/sidewalks/index.htm
- ▶ **Designing Sidewalks and Trails for Access; part II of II: Best Practices Design Guide:** www.fhwa.dot.gov/environment/sidewalk2/index.htm

- ▶ **Other guidance material from FHWA on pedestrian accessibility:** www.fhwa.dot.gov/environment/bikeped/guidance.htm#Access

DOJ's *ADA Best Practices Tool Kit for State and Local Governments* includes a chapter explaining the ADA requirements concerning curb ramps at pedestrian crossings (chapter 6). Another DOJ document, entitled "The ADA and City Governments: Common Problems," describes issues commonly encountered by local agencies in meeting ADA requirements, including lack of curb ramps, and provides advice on resolving these issues.

- ▶ **Curb Ramps and Pedestrian Crossings Under Title II of the ADA:** www.ada.gov/pcatoolkit/chap6toolkit.htm
- ▶ **The ADA and City Governments: Common Problems:** www.ada.gov/comprob.htm