TO: HONORABLE CITY COUNCIL

ATTN: FINANCE COMMITTEE

FROM: CITY MANAGER  DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

DATE: JULY 19, 2005  CMR: 325:05

SUBJECT: PROPOSED CHARLESTON-ARASTRADERO CORRIDOR PEDESTRIAN AND BICYCLIST SAFETY IMPACT FEE

RECOMMENDATION
Staff recommends that the Finance Committee recommend to Council the following actions:
1) Conduct a public hearing regarding the proposed Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee and
2) Adopt an Ordinance making certain findings regarding the proposed Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee and adding Chapter 16.59 to the Palo Alto Municipal Code to impose and implement the Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee (Attachment A).

BACKGROUND
The City Council directed staff on August 9, 2004 to report back on the feasibility of a Charleston-Arastradero Corridor Plan development impact fee to partially fund bicycle and pedestrian safety improvements called for in the Council-adopted Charleston-Arastradero Corridor Plan (CMR 385:04). Council approved the Corridor Plan on January 29, 2004 and directed staff to obtain funding to implement the Plan (CMR 122:04).

The Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee Program comprises estimated capital costs for creating new and enhancing existing pedestrian crosswalks, eliminating gaps in existing bicycle lanes, and enhancing the visibility of bicycle lanes and crosswalks along the Charleston-Arastradero Corridor from Fabian to Miranda, one of the principal school commuter corridors in Palo Alto. The Impact Fee Program comprises a set of measures designed to enhance safety for bicycle and pedestrian travel by shortening pedestrian crossing distances and providing additional spatial separation between bicycles and motor vehicles by widening bicycle lanes in some locations and eliminating gaps in bicycle lane continuity in other locations along the corridor.

Charleston-Arastradero Corridor Plan improvements that could be funded in the proposed Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee Expenditure Program includes the following:
1) Converting approximately one-half of the total Corridor length from a four-lane to a three-lane cross-section (one travel lane in each direction with sections of raised landscaped center medians interspersed with left turn pockets and raised center medians for pedestrian refuge at crosswalks), providing room for pedestrian refuge and for widening bicycle lanes where needed.

2) Widening, removing gaps in, and enhancing the visibility of the on-street bicycle lanes in both directions along the Corridor to enhance safety by providing continuous, highly visible bicycle lanes.

3) Deploying additional electronic speed advisory signs and pedestrian signal heads with countdown capability as well as, at selected crosswalk locations, pedestrian-actuated in-pavement crosswalk lighting to enhance crosswalk visibility.

4) Removing the two free right turn (pork chop) islands on the southern leg of the El Camino Real/West Charleston Road/Arastradero Road intersection to enhance bicycle and pedestrian safety and installing pavement treatments on all four crosswalks to enhance pedestrian safety.

5) Re-configuring the existing center median at Louis and Montrose to enhance bicycle and pedestrian safety while preserving its existing function, which prevents traffic intrusion into the neighborhoods.

6) Installation of bicycle route signs along the entire Corridor to enhance safety through increasing awareness of drivers to the presence of bicyclists.

7) Enhancing pedestrian safety by adding street trees and other landscaping to the buffer area between the curb and sidewalk along sections of the Corridor.

A nexus study is required of all proposed development impact fees in California under AB 1600. The nexus study sets forth the purpose of the proposed fee, the type and geographic area of development it will pertain to, the pertinent impacts of such development, and the link or nexus between these development impacts and mitigations funded under the fee. A key consideration is whether or not the fee charged is proportionate to the development impact being mitigated. A Council-adopted municipal Ordinance is also required to establish a new development impact fee.

**DISCUSSION**
The key provisions of the Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee are as follows:
- Funds a portion of Charleston-Arastradero Corridor Plan.
- Addresses future bicycle and pedestrian safety needs arising from greater numbers of bicyclists and pedestrians in close proximity to increasing numbers of motor vehicles on the street and in crosswalks.
- Assessed on the basis of net increase in weekday bicycle and pedestrian trip volumes generated by new development or re-development along the Charleston-Arastradero Corridor.
• Assessed to new developments and re-developments within one half mile on each side of the centerline and at each end of Charleston Road and Arastradero Road between Fabian and Miranda within the Palo Alto city limits.

• Funds a share of the Charleston-Arastradero Corridor Plan proportionate to the percentage of bicyclists and pedestrians added to the Charleston-Arastradero Corridor due to new development and re-development.

• Provision to account for future inflation in these future capital improvement costs through annual adjustment of the Charleston-Arastradero Corridor Plan Pedestrian and Bicyclist Safety Impact Fee based on changes in the Construction Cost Index published by The Engineering News Record, the industry standard for infrastructure cost information.

• Includes exemption for public facilities, day care centers, small retail, and affordable housing developments, including those in the Below Market Rate program consistent with the methodology for other development impact fees levied by the City.

• The Fee is not assessed if a development is projected to generate the same or fewer weekday bicycle and pedestrian trips than the prior use of the property to be developed.

• Does not disturb existing impact fees and improvement programs in the Stanford Research Park and the San Antonio/East Bayshore areas, which are geared toward mitigating local impacts of development on the efficient operation of nearby intersections rather than impacts on safety of bicycles and pedestrians due to increased numbers of potential conflicts between those on foot and on bicycle and motor vehicles. Also does not affect the City’s ability to impose development conditions requiring local transportation improvements to mitigate impacts in the immediate vicinity of new development.


**RESOURCE IMPACT**

The following table displays elements of the Charleston-Arastradero Corridor Plan, the estimated cost of each, and the proportion of cost proposed to be paid by the Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee. Based on the methodology documented in the Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee Nexus Study Draft Final Report (Attachment B), 12.2% of Corridor Program costs are assignable to new development and redevelopment along the Charleston-Arastradero Corridor. The 12.2% share represents the proportion of projected weekday bicycle and pedestrian traffic on the Corridor to the year 2015 attributable to new development and redevelopment along the Corridor.
The proposed Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee equates to $740 per net new weekday bicycle or pedestrian trip generated by a development or re-development along and within one-half mile on either side and at either end of the Charleston-Arastradero Corridor, from Fabian to Miranda (Attachment C). This fee amount represents the 12.2 percent share of the $6.698 million Charleston-Arastradero Corridor Program cost, or $817,000, assignable to new development and re-development along the Corridor divided by the 1,107 projected average growth in net weekday bicycle and pedestrian trips from 2005 through 2015 with an origin, a destination, or both on the Charleston-Arastradero Corridor. It should be noted that development and redevelopment that does not generate an increase in weekday bicycle and pedestrian trips over and above that estimated for the land use it replaces would not be subject to the Corridor Plan Pedestrian and Bicyclist Safety Impact Fee.

The following table shows potential funding sources for the 87.8% of Corridor Program Plan costs that are not assignable to new development and redevelopment along the Charleston-Arastradero Corridor. Staff has provided judgments as to how much of the 87.8% of Corridor Plan costs may be funded under each funding source, as well as the probability of success in obtaining funds from each source to implement the Charleston-Arastradero Corridor Plan.
<table>
<thead>
<tr>
<th>GRANT PROGRAM</th>
<th>SOURCE</th>
<th>FUNDING AVAILABLE</th>
<th>PROBABILITY OF FUNDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bicycle Transportation Account (BTA)</td>
<td>Caltrans</td>
<td>Less than 10%</td>
<td>High</td>
</tr>
<tr>
<td>SB 680 (pending)</td>
<td>Santa Clara Valley Transportation Authority (VTA)</td>
<td>Less than 10%</td>
<td>High</td>
</tr>
<tr>
<td>Local Streets and County Roads (LSCR)</td>
<td>Santa Clara Valley Transportation Authority (VTA)</td>
<td>Up to 80% share</td>
<td>Medium</td>
</tr>
<tr>
<td>Safe Routes to School (SRS)</td>
<td>Caltrans</td>
<td>Less than 10%</td>
<td>Medium</td>
</tr>
<tr>
<td>Transportation Enhancements (TE)</td>
<td>US Department of Transportation (USDOT)</td>
<td>Up to 80% share</td>
<td>Medium</td>
</tr>
<tr>
<td>Transportation for Livable Communities (TLC)</td>
<td>Metropolitan Transportation Commission (USDOT)</td>
<td>Up to 80% share</td>
<td>Low</td>
</tr>
<tr>
<td>Transportation Fund for Clean Air</td>
<td>Bay Area Air Quality Management Board (BAAQMD)</td>
<td>Less than 10%</td>
<td>Low</td>
</tr>
</tbody>
</table>

In addition to these grant sources and proposed Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee proceeds, an analysis by staff indicates some elements of the Charleston-Arastradero Corridor Plan not funded by the Bicycle and Pedestrian Safety Impact Fee may be eligible for funding under existing Stanford Research Park and San Antonio/East Bayshore Road Traffic Impact Fee account balances (see Attachment D). As discussed in the attached staff memorandum, it may be feasible to use a portion of the Stanford Research Park Traffic Impact Fee account balance to construct a new right turn lane at the Gunn High School driveway for westbound traffic on Arastradero, as well as fund traffic signal automation for the Charleston-Arastradero Corridor west of Alma. As indicated in the attached staff memorandum, these improvements may mitigate traffic conditions for Stanford Research Park commuters. These funds, along with proceeds from the proposed Charleston-Arastradero Corridor Pedestrian and Bicycle Safety Impact Fee may be used to match federal, state, and regional grants. It is important to note that such grants typically require from ten to twenty-five percent of project costs in matching funding, depending on the grant program and the project.

The Charleston Arastredero Corridor Plan will require future maintenance. Funding for these maintenance costs are not included in the Charleston-Arastradero Corridor Plan. Additional maintenance activities will impact City staff workload. Annual estimated maintenance costs for the Charleston-Arastradero Corridor Plan improvements are approximately 2% of total project costs (assuming a 50-year project life), or $134,000. These costs will vary year by year with lower costs expected in earlier years and higher in later years.
**POLICY IMPLICATIONS**

The proposed Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee implements two of the Council’s Top 5 priorities, City Finances and Alternative Transportation/Traffic Calming, and helps implement both the Bicycle Transportation Plan and Transportation Strategic Plan. The Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee Expenditure Plan furthers the following 1998-2010 Palo Alto Comprehensive Plan Transportation Goals:

- **T-1:** Less Reliance on Single-Occupant Vehicles
- **T-3:** Facilities, Services, and Programs that Encourage and Promote Walking and Bicycling
- **T-5:** A Transportation System with Minimal Impacts on Residential Neighborhoods
- **T-6:** A High Level of Safety for Motorists, Pedestrians, and Bicyclists on Palo Alto Streets

**ENVIRONMENTAL REVIEW**

The Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee Expenditure Program will fund only capital projects described in the Charleston-Arastradero Corridor Plan. Environmental review of the Corridor Plan pursuant to the California Environmental Quality Act was included in the Mitigated Negative Declaration environmental review adopted by Council on January 27, 2004. The lane re-configuration trial project element of the Charleston-Arastradero Corridor Plan will be subject to a project-level environmental analysis prior to implementation to analyze whether it is consistent with the performance measures adopted with the Charleston-Arastradero Corridor Plan and Mitigated Negative Declaration.

**ATTACHMENTS**

- A. Draft Charleston-Arastradero Corridor Pedestrian and Bicyclist Safety Impact Fee Ordinance
- B. Charleston-Arastradero Corridor Development Impact Fee Nexus Study Draft Final Report
- C. Map of Charleston-Arastradero Corridor One-Half Mile Buffer Area
- D. July 8, 2005 Memorandum to Steve Emslie, Director of the Planning and Community Environment Department from Gayle Likens and Heba El-Guendy of the Transportation Division entitled “Recommendations on the Use of the Stanford Research Park Fee”.

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     Palo Alto Bicycle Advisory Committee
     Charleston-Arastradero Corridor Plan Stakeholders Input Group