

# County of Santa Clara

## Roads & Airports Department

### Administration



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RA02 050404

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Manager III

DATE: May 4, 2004

TO: Board of Supervisors

FROM: *M. J. Murdter*  
Michael Murdter  
Director, Roads & Airports Department

SUBJECT: Board Referrals Related to Pedestrian Prohibitions on County Expressways

### **RECOMMENDED ACTION**

- a. Accept staff report on existing pedestrian prohibitions on the County expressway system.

### **FISCAL IMPLICATIONS**

There is no fiscal impact to the General Fund. The recommended signage changes will be accomplished by in-house forces.

### **CONTRACT HISTORY**

None.

## **REASONS FOR RECOMMENDATION**

Many portions of the expressway system have neither pedestrian facilities nor sufficient clear area between the curb and right-of-way limit (the "buffer area") to allow pedestrians room to walk. Allowing pedestrians access to these expressway segments means they would have to walk on the roadway shoulder in close proximity to high speed traffic. Avoiding such situations is the basis for the policy adopted by the Board in 1991, which commits to accommodating pedestrians wherever possible subject to safety considerations and therefore discourages pedestrians from walking along the shoulders of expressways except in emergency situations.

The pedestrian element of the Countywide Expressway Planning Study adopted by the Board on August 19, 2003 explicitly acknowledges, and is entirely consistent with, the 1991 Board policy. The attached excerpt discusses the variety of conditions along the expressways that affect the level of the expressways' pedestrian demand and pedestrian friendliness and identifies \$6.6 million in new sidewalks.

Bicycle access to the expressways is not at issue. Current Board policy allows bicycles on all expressways.

Vehicle Code section 21960 provides authority to prohibit pedestrians on expressways provided the following conditions are met: The expressway must be a freeway, access can only be prohibited on portions between intersections where all rights of access have been acquired, and the portion of the freeway must be appropriately signed. The staff research to date indicates that the Board has declared (by freeway resolution) nearly all expressway mileage as freeway and that the County owns the necessary access rights. However, many of the records relating to these issues are decades old and the research process has been tedious. Staff continues to research the records to verify the freeway declarations and access rights for a small number of locations.

Although the County operates the expressway system and the original expressway agreements and their amendments provide for the County and the cities to work cooperatively with respect to traffic regulation and enforcement, the cities are ultimately responsible for traffic regulation and enforcement on the portions of the expressway(s) within their jurisdictions and may exercise their police powers to regulate pedestrian access.

In response to the Board referral, the Department initiated a comprehensive review of the existing pedestrian prohibitions on the expressway system, including preparation of an inventory of the expressway segments where pedestrians are currently prohibited and a review of the expressway agreements, freeway resolutions and city ordinances regulating pedestrian access. The Department's inventory of the expressway segments where pedestrians are currently prohibited (attached) is presented in graphical format with digital photos taken from a pedestrian's perspective to help the reader visualize the existing conditions.

The results of the review are summarized in the attached matrix for each of the 26 discrete expressway segments having an existing prohibition on pedestrian access. For seven of the segments, the Department is in the process of removing the prohibition signs because the original reason for the prohibition no longer applies or the city with jurisdiction has recently changed its municipal code to allow pedestrian access (e.g. Sunnyvale). The prohibition signs on the remaining 19 segments will be retained until the pedestrian improvements shown in the recently completed Countywide Expressway Planning Study (where applicable) are in place or the city with jurisdiction changes its municipal code to allow pedestrian access.

The next phase of the staff analysis involves preparation of an inventory of the remainder of the expressway system where there are currently no pedestrian facilities to determine if prohibitions are warranted on any segment and would meet the CVC Section 21960 criteria.

The Board also made a referral regarding California Assembly Concurrent Resolution 211 (ACR 211) (copy attached), which encourages all cities and counties to implement certain Caltrans and U.S. Department of Transportation (USDOT) policies regarding non-motorized travel. The Department has reviewed ACR 211 and the referenced Caltrans and USDOT policies and concluded that both County and VTA practices are in general conformance even though the VTA guidelines pre-date ACR 211. Additional background materials are attached for ease of reference.

## **CONSEQUENCES OF NEGATIVE ACTION**

The staff report will not be accepted.

## **STEPS FOLLOWING APPROVAL**

Send notification of KEYBOARD processing to:

Michael Murdter, Roads and Airports Department – Administration

## **ATTACHMENTS**

- (Transmittal submitted on Apr 27, 2004 1:54:13 PM – PDF Version)
- Expressway Study – Ped Elements Excerpts (Miscellaneous)
- Summary of Existing Ped Prohibitions (Miscellaneous)
- Expwy Maps (Miscellaneous)
- ACR 211 Background Info (Miscellaneous)